

Meeting Summary: B.C./AK Bilateral Working Group

Friday, June 16, 2023– 1:00 PM-4:00 PM PST, 12:00 PM-3:00 PM AKST
Meeting location: Virtual teleconference via Teams

Attendees:

British Columbia (B.C.):

- Shannon Baskerville, Deputy Minister of Energy, Mines, Low Carbon Innovation (EMLI)
- Kevin Jardine, Deputy Minister of Environment and Climate Change Strategy (ENV)
- Chris Trumpy, Assistant Deputy Minister, EAO
- Tania Demchuk, Assistant Deputy Minister, Responsible Mining and Competitiveness Division, EMLI
- Andrew Rollo, A/ Assistant Deputy Minister, Mines Health, Safety and Enforcement Division, EMLI
- Amy Avila, Lead, Strategic Services Division (SSD), ENV
- Sonya Sundberg, Executive Director, Environmental Protection Division, ENV
- David Grace, Project Assessment Director, EAO
- Lisa Paquin, A/ Executive Director, Intergovernmental Relations, SSD, ENV
- Gabrielle Barwin, A/Director, Initiatives and Priorities Advancement, RMCD, EMLI
- Rebecca Westley, A/ Director, Intergovernmental Relations, SSD, ENV
- Amy Kleinschmidt, Senior Advisor, Initiatives and Priorities Advancement, RMCD, EMLI
- Haley Williams, Senior Policy Advisor, Intergovernmental Relations, SSD, ENV

Alaska:

- Jason Brune, Commissioner, Department of Environmental Conservation (DEC)
- Doug Vincent-Lang, Commissioner, Department of Fish and Game (DFG)
- John Boyle, Commissioner, Department of Natural Resources (DNR)
- Kate Harper, Associate Director, DNR-OPMP
- Terri Lomax, Program Manager, DEC
- Randy Bates, Director of Water, DEC
- Allan Nakanishi, Waste Water, DEC
- Gary Mendivil, Commissioner's Office

Summary of Discussion

1. Welcome and introduction of BWG members

2. Tulsequah Update

- B.C. reiterated that Teck remains committed to developing and implementing a Reclamation and Closure Plan (the Plan) at the Tulsequah site. Teck has tabled preliminary milestones for this process with B.C. to support this effort.
- B.C. regulators are working with Teck as they develop the Plan.
- Teck is actively planning for a summer site visit with subject matter experts to inform planning workshops in the fall.
- Teck is working in partnership with the Taku River Tlingit First Nation, which will be participating in development of the Plan as well as on-site reclamation work.

- Teck is planning more active engagement with Alaska, Alaska Tribes and other interested stakeholders later in 2023 to support development of a conceptual closure plan. Depending on the outcomes of engagement, a conceptual level plan would be expected early Q3 2024.
- Once submitted, B.C. will consider regulatory approvals to support implementation of the Plan.
- Alaska expressed its support for the efforts and reiterated the importance of making continued progress on this high-profile project.

3. B.C. Updates – Environmental Assessments and Mine Permitting

- New Polaris: Proponent is in the early engagement phase of the Environmental Assessment (EA) process and is engaging with Tribes in Alaska and environmental non-governmental organizations (ENGOS).
 - Comments have been received from Alaska.
 - Currently with the proponent to develop Detailed Project Description.
 - Should the project proceed to an EA, there will be three additional opportunities for public comment/engagement.
 - Proponent proposing barge route and facilities on the Alaskan side of the border.
- Eskay Creek: Currently with the proponent for application development.
 - Alaskan Tribes are part of the Eskay Alaska Tribal Transboundary Advisory Committee (ATTAC).
- Red Mountain: In the EA Certificate extension process.
 - No opposition to extending the EA Certificate received from Alaska.
- Premier: In the permitting process.
 - Project had been paused for financial reasons.
 - Site is moving into operations from care and maintenance.
- Brucejack: In the permitting process and EA amendment process.
 - Work completed on amendments to realign road.
 - Current regulatory work is focused on amendments related to capital works.

4. Alaska Updates

- New Polaris: Alaska has provided technical input to B.C. EAO.
 - Alaska highlighted the interest Alaskan communities and Tribes may have in this project and welcomed opportunities for engagement.
- Every two years, Alaska DEC completes an Integrated Report on water bodies in accordance with the U.S. federal Clean Water Act.
 - Alaska has completed the call for data for 2024 report; includes the data set B.C.-AK worked on together.
 - Starting analysis for 2024 report.
- Recent study completed by an ENGO on fugitive dust and impacts to clams.

5. Engagement and Transparency

- On March 7, 2023, B.C. and Alaska made a joint presentation at the Juneau mining Forum. Representatives from B.C. met with legislators, ENGOS and Tribes in AK regarding a variety of topics while in Alaska from March 5-8. Commissioner Brune attended meetings with legislators as well as presented at the Juneau Mining Forum with B.C. Representatives.
 - Meetings demonstrated the need for increased information sharing, information accessibility and to show increased transparency regarding the B.C. and Alaska transboundary relationship.

- B.C. appreciated the invitation to come to Alaska and is interested in additional opportunities to engage.
- B.C. and Alaska both have separate transboundary webpages that don't have mirrored information and could use some updates.

6. Statement of Cooperation – Reciprocal Procedures

- The Reciprocal Procedures are currently with B.C. going through updates. They are expected to be ready for approval at the next BWG.

7. B.C. Public Interest Bonding Strategy (PIBS)

- Enabling amendments to B.C.'s *Environmental Management Act* (EMA) were introduced on May 8, 2023, and will strengthen the existing financial security framework in B.C.'s natural resource sector.
- PIBS will ensure financial assurance is in place to cover the costs of environmental cleanup and will require closure plans.
- However, this does not apply to mining projects under the B.C. *Mines Act* as there are already different protections under that Act.
- Intended risk-based implementation approach to this work, with priority given to new and existing high-risk industrial projects.
- If passed in the fall, there will be additional engagement on regulatory framework to bring it into force for 2025.

Discussion on the B.C. Mine Reclamation Bonding policy

- Bonding under the *Mines Act* strives to have full bonding for expected reclamation costs. This is detailed out in Reclamation Bonding Policy released last year.

8. Closing remarks

- Rotating Chair and Secretariat role will pass to EMLI for the next year (until June 2024).
- SE Conference dates –Sept 19-21, Sitka.
 - B.C. staff have expressed interest and support in attending the conference.

Teck - Tulsequah Reclamation and Closure Planning Process*

Early Preparation

- May – June 23
- 2023 field season plans
- Gap Analysis – Options and Information Review

Draft Plan Workshops

- Sept – Dec 23
- Finalize Site Reports
- Pre Application
- Option Selection

Scoping

- June – July 23
- Options Review
- Gap Analysis

Finalize R&C Plan

- Jan – June 24
- Review and Updates to Draft Closure Plan
- Submit Plan

Engagement – B.C. / TRTFN / AK Gov / AK Tribes

** Teck prepared conceptual schedule to support early engagement. Schedule will be adapted and updated regularly in response to site, engagement and other activities.*