

AGENDA: BC/AK Bilateral Working Group

Tuesday, June 18, 2019; 9:30 – 11:00 AM (PST); 8:30 – 10:00 AM (AKST)
Teleconference: 1-800-315-6338, Participant ID: 78158#

Invitees:

British Columbia (BC):

- Assistant Deputy Minister Laurel Nash, Environmental Protection Division, ENV
- Assistant Deputy Minister Peter Robb, Energy, Mines and Petroleum Resources, EMPR
- Anthony Danks, Executive Director, Strategic Policy, ENV
- Ryan Forman, Executive Director, Strategic Policy and Intergovernmental Relations Branch, EMPR
- Jennifer Anthony, Director, Strategic Initiatives
- Lisa Paquin, Director, Intergovernmental Relations, ENV
- Michel Ryan-Aylward, Sr. Policy Advisor, Intergovernmental Relations, ENV
- Robyn Roome, Regional Director, Regional Operations, ENV
- Gabrielle Barwin, Policy Analyst, Policy and Competitiveness

Alaska (AK):

- Commissioner Jason Brune, Department of Environmental Conservation
- Commissioner Corri Feige, Department of Natural Resources
- Deputy Commissioner, Lynn Kent, Department of Environmental Conservation
- Deputy Commissioner, Brent Goodrum, Department of Natural Resources
- Deputy Commissioner, Ben Mulligan, Department of Fish and Game
- Kate Kanouse, Regional Supervisor, Department of Fish and Game
- Peter Caltagirone, Special Assistant, Department of Natural Resources
- Kyle Moselle, Associate Director, Office of Project Management and Permitting, Department of Natural Resources

SUMMARY:

1. Welcome and introduction of Bilateral Working Group (BWG) members and guests
 - Introductions to the newly appointed Alaskan Commissioners were made by AK members and reciprocated by BC members of the BWG. General agreement that the focus of the meeting was to provide key updates and an overview of work that has been accomplished since the signing of the MOU in 2015.
2. Review and approval of agenda
 - Agenda approved by BC and AK.
3. Overview of Transboundary Documents
 - BC Ministry of Energy, Mines and Petroleum Resources (EMPR) provided a summary on the history of the BC-AK transboundary relationship and walked through the following transboundary documents: Memorandum of Understanding and Cooperation (MOU), Statement of Cooperation on the Protection of Transboundary Waters (SoC), and the Reciprocal Procedures.
 - Through the development of the Reciprocal Procedures, the State of Alaska is given an opportunity to be involved in the environmental assessment of projects and may provide input into BC's regulatory processes and decisions.

- BC articulated that a primary focus of the BWG has been to support and establish the intent of the MOU and the SoC. The transboundary file is an ever-evolving dialogue and BC staff want to ensure the Commissioners needs are being met so that the two jurisdictions are able to reach mutually beneficial goals, protect the environment in transboundary watersheds and promote economic activities.
- The Communication Plan was introduced, and the Transboundary Waters Newsletter was referenced as a standing BWG agenda item. The Transboundary Waters Newsletter is an annual newsletter that is jointly developed by AK and BC and includes topics relevant to both jurisdictions. Past topics have included updates on transboundary mine sites, indigenous collaboration in BC and Alaska, water quality monitoring update, etc.
- The water monitoring component was indicated to be a key piece that produces useful information and addresses key interests.
- BC Ministry of Environment and Climate Change Strategies (ENV) provided an update on the Technical Working Group on Monitoring (TWG-M).
 - The TWG-M developed a two-year joint water quality monitoring program (approved by the BWG October 5, 2017).
 - Monitoring began in the fall of 2017.
 - 4-5 sampling time frames have been completed in BC, with one more coming up in the summer of 2019 which will complete the program.
 - A summary report for the BWG, key partners and stakeholders will be developed, planned for fall 2019.
 - Alaska Tribes and BC First Nations were consulted on the development of the program, and ENV has partnered with the Tahltan First Nation and the Taku River Tlingit First Nation to conduct the monitoring.
- Key messages from BC:
 - Fruitful relationship developed between the two jurisdictions;
 - Support to keep the dialogue at the state/provincial level as progress continues to be made on transboundary topics;
 - BC and AK working collaboratively to solve transboundary concerns; and
 - BC continuously working towards the remediation of the Tulsequah Chief Mine.
- AK reciprocated BC's desire to keep the dialogue at a state/provincial level, as the two jurisdictions are best suited for solving their mutual interests. AK has been coordinating with BC in some fashion as far back as 1994.
- AK thanked BC for their patience as the new government came into power and became reacquainted with the BC-AK work.

3. General discussion of working relationship between Alaska and British Columbia

- EMPR provided an overview of the BC Regional Mining Alliance (BCRMA) and their role in northwest BC.
- The BCRMA was established in early 2018, and is comprised of First Nations governments and industry members whose mandate it is to promote BC as the leading exploration and mining jurisdiction in Canada in which to invest. The BCRMA is

- currently focused on the “Golden Triangle” a region richly endowed with mineral resources located in northwestern BC.
- Descriptions and updates of the following mines were provided:
 - Brucejack:
 - A production increase was approved in December 2018 and the applicable permits followed the Environmental Assessment Certificate a month later.
 - Red Chris:
 - In May 2019, Australian-based Newcrest Mining Ltd. acquired a 70% joint venture interest in the mine. Imperial Metals will retain a 30% interest in the mine. The Five-Year Plan and Reclamation Program was received from Red Chris Development Corporation (RCDC) in June 2018, and Tahltan First Nation and the Province provided comments regarding the plan in late 2018 and early 2019. The Mine Development Review Committee (MDRC) has been paused while the sale of the mine and transfer of permit from RCDC to Newcrest is completed. The MDRC process is expected to trigger permit amendments, including an update to the reclamation security.
 - Galore Creek:
 - The project has been permitted for early construction activities, but no major permits have been issued. Alaska was involved in Galore Creek’s Environmental Assessment process. No significant updates or developments have been made since the August 2018 BWG meeting.
 - Red Mountain:
 - The BC Environmental Assessment Certificate was received on October 5, 2018, and the Positive Decision statement from the Canadian Environmental Assessment Agency was issued on January 14, 2019. No further updates at this time.
 - Tulsequah Chief:
 - In October 2018 EMPR issued a final notice to Chieftain Metals regarding outstanding orders and issues at the site. The letter stated that the mine site was considered a closed mine as per section 17 of the *Mines Act*, and as such BC would be taking the necessary steps to remediate and reclaim the site to address potential impacts to the environment and human health. In November 2018, a request for proposals was issued regarding developing an appropriate remediation and reclamation plan to identify scope, timelines and costing associated with the site. Review of the proposals received was undertaken in collaboration with the Taku River Tlingit First Nation. The contract was awarded to SNC-Lavalin and SRK in February 2019, since that time the contractors have been reviewing existing data, identifying gaps, and scoping of remedial options to inform the

proposed field program for summer 2019. The proposal for the remediation and reclamation plan is anticipated to be received in November 2019; and BC is committed to working collaboratively with AK on next steps and review.

- BC also invited AK to join ongoing work in the development and review of the plan as this work is beginning to take shape over the next number of months. AK indicated an interest in participating on the working group for Tulsequah going forward.
- AK articulated that the ongoing dialogue on the transboundary issues between BC and AK offers a lot of value. The BWG is a transparent forum for discussions to take place at a high level in both governments, which in turn drives better exploration and better operators. There is solid oversight, regulators are paying attention and can speak to the issues that present themselves. We believe mining can be done responsibly, we must continue to ensure the highest of oversight. AK and BC are some of the premier jurisdictions for mining. Both environmental protection and economic development are not mutually exclusive. Cleaning up the Tulsequah Chief Mine is a shared priority for AK and BC, and AK applauds the work BC is currently engaged in to address the remediation needs at the site.
- BC reaffirmed their commitments to address Tulsequah, and recognized that unless action is taken, all the positive collaborative work AK and BC have done together, gets lost in the wash.

4. Transition of Chair and Secretariat

- The role of Chair for the BWG was transitioned from AK to BC for calendar year 2020.
- AK committed to finalizing the May and August 2018 BWG meeting summaries and provide them back to BC to post on the BC AK Transboundary Waters webpage.
- BC committed to drafting the June 18 meeting summary, and once finalized, share with AK for review.

5. Plans for next BWG meeting

- AK extended an invite to host BC staff in Alaska, for the next BWG meeting; discussions ensued regarding best timing and location. Post-meeting, a tentative proposal was circulated to hold the next meeting in January 2020, during the Association of Mineral Exploration's annual conference, Round-up.
- Representatives from the AK and BC will work together to coordinate the scheduling of the next BWG meeting and work with the respective staff to develop an agenda.
- Agenda to include updates on projects of interest to Alaska and ensure that Tulsequah is a standard agenda item.

Action Items:

- BC to draft meeting summary and provide to AK for review and approval.

- Representatives from the AK and BC to coordinate the scheduling of the next BWG meeting and work with the respective staff to develop an agenda.
- Alaska to finalize May and August 2018 BWG meeting summaries, and BC to publish on the BC Alaska Transboundary Waters webpage, located here: <https://www2.gov.bc.ca/gov/content/industry/mineral-exploration-mining/compliance-enforcement/bc-alaska-transboundary-waters>
- BC and AK staff to track down the signed copy of the SoC and share at the next BWG meeting.
- TWG-M to draft a mid-program summary report for submission to the BWG at their next meeting.