

TRANSBOUNDARY WATERS 2018

A newsletter about mining interests and the shared rivers, watersheds and fisheries within the transboundary area of British Columbia and Alaska.



AME Roundup Recap

January 22-25, 2018 marked the 35th annual [Association for Mineral Exploration \(AME\)'s Roundup conference](#), one of the world's premier mineral exploration and development conferences. Held in Vancouver, over 6,570 participants from 39 countries gathered to share discoveries and best practices, with representatives from both the Province of British Columbia (B.C.) and the State of Alaska in attendance.

The 2018 theme of "A New Generation of Discovery" saw an emphasis on new technologies and practices to support efficient and low-impact exploration, including drone surveying, virtual reality for worker safety training, and less-invasive environmental testing.

This year's Roundup also featured a strong emphasis on reconciliation with Indigenous Peoples. The importance of early and regular engagement with Indigenous groups was a recurring topic, and several delegates in attendance shared their success stories. During his opening welcome, Chief Ian Campbell commended AME and the B.C. Mineral exploration community on their efforts with [Indigenous engagement](#).

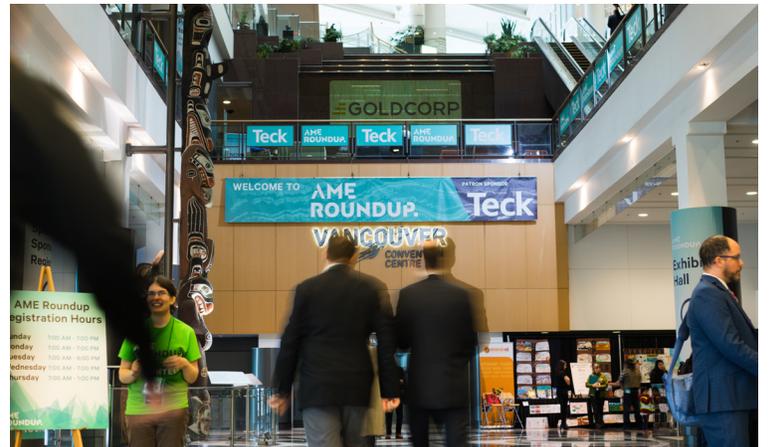


Conference attendees examine a geological display at AME Roundup in Vancouver. Photo courtesy of the Association for Mineral Exploration.

With exploration activity on the rise, conferences like Roundup provide valuable opportunities for governments, companies, Indigenous Peoples, and stakeholders across jurisdictions to work cooperatively to support economically viable, environmentally sustainable, and safe mining sectors. The key takeaway from this year's Roundup is that mining companies are motivated to continue finding new and innovative ways of engaging with First Nations and rural communities and exploring sustainable, low-impact methods of doing business.



Attendees gather for a reception at the 35th annual AME Roundup Conference in Vancouver. Photo courtesy of the Association for Mineral Exploration.



The entrance to this year's AME Roundup Conference in Vancouver. Photo courtesy of the Association for Mineral Exploration.



Indigenous Collaboration in British Columbia

The Government of British Columbia is strongly committed to partnering with Indigenous peoples to ensure sustainable economic development that benefits their communities. In May 2018, B.C. released [10 draft principles](#) to guide its relationship with Indigenous communities as it works to implement the United Nations Declaration on the Rights of Indigenous Peoples and the [Truth and Reconciliation Commission of Canada's Calls to Action](#). These principles emphasize the importance of meaningful engagement, economic relationships, and resource development, and working to create a fairer fiscal relationship with Indigenous communities.

Following the Mount Polley tailings dam breach in 2014, the B.C. Government sought direct input from Indigenous communities in response to this event. For the first time in B.C.'s history, representatives from six Indigenous groups were selected to participate in reviewing the Health, Safety, and Reclamation Code for Mines in B.C. Having a seat at the table allowed Indigenous representatives to raise issues related to their interests and contributed to the inclusion of new requirements for mines to include Indigenous peoples in emergency planning and annual testing.

The B.C. Government is also working to develop new and innovative ways to work collaboratively with Indigenous peoples throughout the lifecycle of mining projects. An ongoing example is the [Red Chris Mine Management Agreement](#), which was signed by B.C. and the Tahltan Central Government in January 2017. Under the agreement, Tahltan has a direct role in application review processes, monitoring and oversight, and incident-

reporting at the Red Chris Mine.

Lastly, B.C. remains committed to sharing mineral tax revenue with Indigenous communities from new mines and major mine expansions in traditional Indigenous territories. To date, the Government of B.C. has concluded 33 mineral tax revenue-sharing agreements with 44 Indigenous groups in B.C. and has shared over \$40 million.



The tailings storage facility at Red Chris Mine in May 2017. B.C. and the Tahltan Central Government signed the Red Chris Mine Management Agreement in January 2017. Photo courtesy of the B.C. Government.

Water Quality Monitoring Update

Technical Working Group on Monitoring

Progress continues for the Technical Working Group on Monitoring (TWG-M). This intergovernmental group consists of representatives from British Columbia and Alaska and is responsible for jointly monitoring transboundary water quality. The group is overseen by the Bilateral Working Group (BWG) which consists of the commissioners of the Alaska Departments of Environmental Conservation (DEC), Fish and Game and Natural Resources, and the Deputy Ministers of the B.C.

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Ministries of Energy, Mines, and Petroleum Resources, and Environment and Climate Change Strategy.

Robyn Roome is B.C.'s co-chair on the TWG-M. Robyn is the Director of Monitoring, Assessment and Stewardship with the Environmental Protection Division of the B.C. Ministry of Environment and Climate Change Strategy. Terri Lomax is Alaska's co-chair. Terri is the Section Manager, Alaska Monitoring and Assessment Program with the Division of Water, of the Alaska Department of Environmental Conservation.

Following the BWG's approval of the [Joint Monitoring Program](#) for Transboundary Waters in October 2017, B.C. and Alaska staff developed detailed 2018 monitoring plans for the Taku, Unuk and Stikine watersheds. Currently, staff in each jurisdiction are coordinating to ensure consistency in sampling protocols for comparability of data sets.

B.C.'s monitoring plan was also developed in partnership with the B.C. Ministry of Energy, Mines, and Petroleum Resources and the Taku River Tlingit and Tahltan First Nations. Building on reconnaissance sampling conducted in August 2017, the B.C. program includes 23 sampling sites in the three transboundary rivers. Water and

sediment samples will be analyzed for general chemistry and metals, and benthic invertebrate and fish tissue will be analyzed for metals.

In June 2018, Alaska began a rivers survey monitoring program in partnership with other state and federal agencies, including the United States Forest Service and Alaska Department of Fish and Game. This program includes 15 randomly selected sites and six handpicked sites in the three transboundary rivers. Water and sediment quality samples will be analyzed for general chemistry and metals, and a fish tissue monitoring program will be conducted that targets both resident fish and salmon smolts. A habitat survey is also being conducted sampling 20 randomly selected sites across Southeast Alaska.

Water quality monitoring is also being performed by Tribes in Alaska, who are currently investigating similar areas. Although these programs are technically separate from the State of Alaska's TWG-M sampling work, the Alaska DEC and these Tribes work closely to ensure their sampling efforts produce complimentary data sets.



Aerial view of the upper Taku River tributary (braided river). Photo courtesy of the B.C. Government.



B.C. Ministry of Environment biologist Kara Przeczek filtering water on the Iskut River in February 2018. Photo courtesy of the B.C. Government.



Monitoring by Alaska Tribes

In July 2015 Central Council Tlingit & Haida Indian Tribes of Alaska (Tlingit & Haida) received funding from the Bureau of Indian Affairs (BIA) to conduct baseline physical and chemical studies on the Taku, Stikine, and Unuk Rivers. Sampling began on the Taku and the Stikine Rivers in November 2015. In September 2017 funding was approved to include the Alsek River, and work began in June 2018. To date there have been 25 Stikine River sample trips, 22 Taku River sample trips and three Alsek River sample trips. Logistics on the Unuk River have proven challenging. Tlingit & Haida, the Ketchikan Indian Community, BIA and the United States Geological Survey (USGS) are currently drafting a Memorandum of Understanding to collaboratively conduct sampling on the Unuk River led by the USGS. Tlingit & Haida is hopeful sampling will begin on Unuk River soon.

Numerous people and partnerships have made these efforts successful. Tlingit & Haida works with Kai Environmental, Wrangell Cooperative Association, the Yakutat Tlingit Tribe and SGS Laboratory. Tlingit & Haida is also collaborating and working with other Tribes and communities to start sampling on other transboundary waters such as the Chilkat River.

Tlingit & Haida, along with Ketchikan Indian Community and other Southeast Alaska Tribes have considered the State of Alaska's sampling parameters and methods to ensure data comparability. Tribal environmental staff assisted in several sampling events and have provided feedback and expertise in planning and designing the surveys.

On top of collecting water samples, the staff at Tlingit & Haida are keeping up-to-date on methodology. Tlingit & Haida staff attended the USGS Water Quality Training

held in Juneau, Alaska in August 2018 to learn field water quality methods for groundwater and surface water sampling, techniques, sample processing and quality assurance. Later this fall, Tlingit & Haida staff will attend the Mining Discharge Water Quality Symposium in Idaho, which will be focused on how mining metal discharge impacts aquatic resources and human health, and ways of reducing environmental impacts in the future.



Cer Scott (Tlingit & Haida) and Kathryn Erickson (Kai Environmental) sampling in the Taku River. Photo courtesy of Tlingit & Haida.



Chris Hatton (Wrangell Cooperative Association) and Cathy Needham (Kai Environmental) recording readings. Photo courtesy of Tlingit & Haida.



Tulsequah Chief Mine

The [Tulsequah Chief Mine](#) is a historical zinc and copper mine located about 40mi (64km) northeast of Juneau. The mine operated from 1951 to 1957, and since its closure has been the cause of historical acid rock drainage into the Tulsequah River, a tributary of the Taku River. The mine was acquired by Chieftain Metals in 2010 with the agreement that the company would address acid rock drainage as part of re-development of the mine. Chieftain Metals subsequently went into [court-ordered receivership](#) in September 2016.

In Canada, insolvency, receiverships, and bankruptcy are three legally distinct states of being. Insolvency is a financial condition, while bankruptcy is a legal status. Chieftain Metals is both insolvent and in a court-ordered receivership meaning its assets are controlled by an independent third party whose goal is to sell those assets for the benefit of creditors. Because Chieftain Metals' receiver Grant Thornton is court-appointed, the court has issued a "stay of proceedings" which is broadly worded to restrict the exercise of any rights or remedies without first obtaining permission from the Receiver or leave of the court. Therefore, the Government of B.C. must receive permission from the receiver or the court before exercising any "rights or remedies."

The conditions of the receivership do not exempt the receiver or the debtors from compliance with statutory or regulatory provisions relating to health, safety or the environment. On October 27, 2017, the B.C. Chief Inspector of Mines issued an order under section 35 (1) of the [Mines Act](#) requiring Chieftain Metals to provide a plan that sets out remediation strategies and an implementation plan to mitigate any discharge of acid waters into the receiving environment and any exceedances of the applicable provincial water quality

standards in that environment. A report was submitted in February 2018, and was reviewed to determine whether it contained the required information for remediation and implementation. On August 8, 2018 a letter was sent to Chieftain Metals indicating that there remained outstanding information that was required by October 8, 2018.

The Government of British Columbia continues to explore all possible options for holding all past and present owners of the Tulsequah Chief Mine accountable, in order to ameliorate and maintain compliance with the regulatory requirements associated with the mine in B.C.

Statement of Cooperation Documents Finalized

Action was taken at the October 2017 BWG meeting to approve three attachments to the Statement of Cooperation: [Communication Plan AK/BC Transboundary Waters, Joint Water Quality Monitoring Program Description and Work Plan](#), and the [Reciprocal Procedures](#).

Transboundary Workshop and Dialogue

On June 1, 2018, the Alaska Lieutenant Governor hosted a Transboundary Workshop and Dialogue. Central Council Tlingit & Haida Indian Tribes of Alaska and Sealaska Corporation co-sponsored the meeting. Attendees included transboundary partners, Alaska state officials, US federal officials, and B.C. provincial officials.

The morning portion of the meeting consisted of presentations and status updates. The afternoon was devoted to answering questions and having an open

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dialogue between the presenters and participants in the workshop.

Proceedings from the workshop (including minutes, copies of the presentations, and follow-up information from B.C.) are now available on the [Alaska Lieutenant Governor's Transboundary Relations webpage](#).



DEC Commissioner Larry Hartig holds out the microphone during a question at the Transboundary Workshop and Dialogue. Photo courtesy of the State of Alaska.

More Photos from Transboundary Waters



Aerial view of the lower Stikine River with the Great Glacier Provincial Park in the background. Photo courtesy of the B.C. Government.



Seals at the shore of the Stikine River. Photo courtesy of the State of Alaska.



A floatplane sits on the Taku River. Photo courtesy of the State of Alaska.