

SUMMARY: AK/B.C. Bilateral Working Group

Thursday, May 17, 2018; 1:00 – 3:00 PM AKST; 2:00 – 4:00 PM PT

Teleconference: Dial-in: 1-877-353-9184 Participant ID: 9873336#

PARTICIPANTS:

Alaska (AK):

- Commissioner Larry Hartig, Department of Environmental Conservation
- Deputy Commissioner Alice Edwards, Department of Environmental Conservation
- Deputy Commissioner Heidi Hansen, Department of Natural Resources
- Albert Kookesh, Special Staff Assistant, Office of the Lieutenant Governor
- David Rogers, Director, Department of Fish and Game
- Andrew Sayers-Fay, Director, Department of Environmental Conservation
- Kyle Moselle, Associate Director, Office of Project Management and Permitting, Department of Natural Resources
- Gina Shirey, Department of Environmental Conservation

British Columbia (B.C.):

- Deputy Minister of Environment Mark Zacharias
- Peter Robb, Assistant Deputy Minister, Mines and Mineral Resources, EMPR
Fraser Marshall, Executive Director, Corporate Initiatives Branch, EMPR
- Lisa Paquin, Director, Intergovernmental and External Relations, ENV
- Robyn Roome, Regional Director, Environmental Protection Division, ENV
- Tessa Graham, Executive Director, Regional Operations, ENV
- Anthony Danks, Executive Director, Strategic Policy, ENV
- Carley Cocco, Senior Policy Advisor, Intergovernmental and External Relations, ENV
- Karina Sangha, Senior Policy Advisor, Mines and Mineral Resources, EMPR

SUMMARY:

1. Welcome and introduction of Bilateral Working Group (BWG) members and guests
2. Review and approve the agenda
3. Reports – Updates and planned activities:
 - a. Mines and mining projects in Canada (including update on Tulsequah Chief)

Tulsequah Chief: In fall 2017, Black Loon Metals Inc. approached the Province with a proposal to purchase the mine, conduct further exploration, and bring the property into compliance. A decision regarding the proposal is expected to come soon. The receivership process is ongoing in Ontario. The court gave the B.C. government permission to use the bond for remediation.

Pretium Resources Inc. has applied to the Ministries of Energy, Mines and Petroleum Resources (EMPR) and Environment and Climate Change Strategy (ENV) to authorize a production increase and a small increase in reserves for Brucejack. The Province has indicated that site water balance is a priority for Red Chris. Red Chris Development Company is expected to provide the Province with an updated Mine Plan and Reclamation Program for the Red Chris Mine in the coming months. IDM Mining Ltd.'s

Red Mountain Gold Project is currently in the review stage of the B.C. Environmental Assessment (EA) process. The process has been suspended since March 13, 2018. Alaska and the U.S. Environmental Protection Agency (U.S. EPA) are active participants on the EA Working Groups for this project.

b. New laws, regulations or initiatives relating to oversight of mining activities:

- i. The Province is working to fulfill Minister Mungall's mandate letter commitment to establish an independent oversight unit. Red Chris Mine Management Agreement supports partnership with the Tahltan Nation throughout the lifecycle of the Red Chris Mine, including collaboration on compliance monitoring.
- ii. The Statement of Cooperation (SoC) Reciprocal Procedures are working for B.C. and Alaska with respect to monitoring updates, projects coming across for review, and annual reports.

c. Communications

i. Plans for next joint newsletter

Articles are being written up. Topics include working with First Nations, Tulsequah Chief update, Roundup summary, and monitoring updates and profiles. Gather feedback on newsletter/outreach from Alaskans at the June 1 workshop.

ii. Plans for State of Alaska June 1 annual public workshop in Juneau

Third year for the workshop. The general agenda is presentations in the morning and discussions in the afternoon. The goal is to know what everyone is doing.

iii. Plans for working with Tribes, First Nations and Nisga'a Nation

B.C. prefers to work formally with Alaska for Alaska tribal interests.

d. Technical Working Group on Monitoring

B.C. is collaborating with First Nations and partners. Have identified four sampling sites in each watershed (three for fish) and have procured equipment for First Nations.

Alaska is also collaborating with Tribes and other partners. Starting river (Taku, Stikine, and Unuk) monitoring in June. There are 21 targeted sites in SE Alaska sampling for water quality, sediment, fish tissue (resident and salmon). Last summer the lakes were surveyed. Next summer, small streams will be surveyed.

Future funding for monitoring is unknown and the State is looking for longer term funding opportunities. B.C. is also exploring options for an expanded sampling program.

4. Discussions regarding U.S. and Canada federal bilateral meetings

- a. Status of "Gap Analysis" being prepared by U.S. agencies

There was a meeting in Washington, DC on May 21 regarding the gap analysis. There is nothing in the gap analysis to slow down the SoC work. The findings of the gap analysis regarding U.S.-Canada collaboration are aligned with ongoing work under the SoC.

- b. Coordinating work of BWG with federal governments relating to topics identified in draft “Gap Analysis”

U.S. EPA has three areas: 1) monitoring program (baseline), 2) enhancing tribal/public/First Nations participation, and 3) more definition and structure in working with the federal governments.

5. Preliminary discussion on how BWG might address broader topics under Section 5 of the Statement of Cooperation

- a. Identification of topics each jurisdiction is interested in discussing

Alaska is interested in discussing catastrophic failure of tailings storage facilities, including financial impacts, and catastrophic liability.

- b. Initial discussion on how best to proceed

B.C. has some first steps to get through before looking at catastrophic liability, including re-evaluating its current reclamation security policy.

As a starting point, Alaska and B.C. could develop summaries of existing requirements/programs/efforts that might assist in identifying any current gaps.

6. Marine Transportation Safety – reducing the risks of spills of diesel fuel and other hazardous substances

- a. On-going work under Canada’s Ocean Protection Plan

The Ocean Protection Plan is a big investment for B.C. and there is a significant effort underway. There are also land-based spills. B.C. will have more updates at the next meeting.

- b. Plans for October 3-4, 2018 Salish Sea Shared Waters Forum
- c. B.C.’s current consultation on phase 2 regulations
- d. B.C.’s requests of the federal government regarding spill response
- e. Discussion on potential areas of further collaboration between Alaska and British Columbia

The Pacific States/B.C. Task Force meeting in June will include discussion of marine transportation safety and provide another opportunity for conversations on this topic.

7. Other New Business

8. Plans for next BWG meeting

Approximate date for next meeting will be August 20 or 21. Draft agenda will be developed and provided to the BWG for feedback.