



Lt. Governor Byron Mallott
STATE OF ALASKA



Senator Dan Sullivan (AK)
UNITED STATES SENATE

July 31, 2018

The Honorable James Carr, P.C., M.P.
Minister of International Trade
Global Affairs Canada
House of Commons
Ottawa, Ontario K1A 0A6
Canada

The Honorable Catherine McKenna, P.C.,
M.P.
Minister of Environment
Environment and Climate Change Canada
200 Sacré-Coeur Boulevard
Gatineau QC K1A 0H3
Canada

Ministers McKenna & Carr:

Thank you for your time and hospitality in February when we met regarding the transboundary waters in Southeast Alaska and British Columbia mines located upstream. We greatly appreciate your willingness to sit down with us to better understand our constituents' concerns and to continue an open dialogue on how to protect Alaska's environment and fisheries, while ensuring beneficial economic development in Canada. We write today to continue that constructive dialogue and stress several key areas of concern that require continued attention on both sides of the border.

As we discussed, The Taku, Stikine and Unuk are world class transboundary rivers whose headwaters are located in British Columbia (B.C.) and flow into Southeast Alaska. These rivers harbor iconic salmon and other fish populations and the greater watersheds, nearly the size of Maine, have been centers of culture, commerce, and biodiversity for thousands of years.

These rivers are not only important for their wildlife, people, and history, but today they are significant contributors to the regional economy. They account for \$48 million in economic activity each year. They are also significant contributors to the commercial fishing and tourism industries, each drawing \$1 billion annually. The United States protects these waters under our environmental laws to ensure that their rich cultural and economic contributions are preserved.

However, upstream of these watersheds, the B.C. government has for years authorized large-scale, hard rock mining developments, including at least ten open-pit and underground metal mines in various stages of development. Some of these legacy mines have contributed to releases of hazardous material that could have impacts on the downstream ecosystem in Southeast Alaska. In

2014 for example the Mount Polley mine's tailing dam failed and approximately 24 million cubic meters of waste was released. Additionally, the Tulsequah Chief Mine upstream from Juneau in the Taku watershed, has a history of acid rock drainage imperiling fish populations in the vicinity. These developments pose real concerns to communities downstream even as B.C. works through options to clean up legacy sites while also permitting new developments.

To address these issues, the State of Alaska and the Province of British Columbia entered in to a Memorandum of Understanding (MOU) aimed at increasing coordination and transparency as the governments work to protect these watersheds. Both governments have also developed a Statement of Cooperation under the MOU. These agreements established a bilateral working group to spearhead collecting and sharing data, increase engagement on environmental and permitting reviews, and better track mine activity in B.C.

In addition to these efforts by the State and Province, our respective federal governments have been working on a path forward to address these issues. Earlier this year the U.S. State Department and Global Affairs Canada met to discuss possible improvements our countries can work on related to the mines, monitoring, and transparency. At the meeting the State Department presented an initial framework for engagement, as well as an analysis of gaps or differences in the environmental and mining processes in B.C. compared to existing regulations in the U.S. This meeting laid the ground work for further engagement at the next bilateral meeting between the agencies in October.

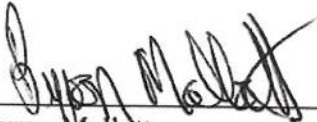
While Alaska, British Columbia, the Department of State, and Global Affairs Canada have been working well together on a path forward, including conducting water quality surveys and exploring monitoring options, there is much progress that still needs to be made to address mutual concerns. To continue this dialogue we would like to take this opportunity to raise several of the issues that our governments need to address going forward:

1. All diligence needs to be taken to reclaim the Tulsequah Chief Mine site. While British Columbia continues to march through the process of cleaning up the site, we hope that you can continue to lend your aid in coordinating and facilitating B.C.'s efforts.
2. Both U.S. and Canadian governments need to continue to develop and agree upon a definition of a scientific protocol for 3-5 years of independent studies focused on the baseline/reference conditions of water quality and fish/wildlife populations in transboundary watersheds.
3. We continue to urge your support in establishing and funding a joint water quality monitoring program for the transboundary rivers. In 2017, the U.S. Congress appropriated funding for transboundary river stream gages and directed the Bureau of Indian Affairs and United States Geological Survey to enter into a formal partnership with local tribes to develop a water quality strategy for transboundary rivers. This is vitally important not just to understand the impacts of existing operations, but to have baselines to assess future projects and protect Alaskans downstream. We urge you undertake similar efforts.

4. We request the Canadian federal government consider conducting a review of the existing legacy, proposed, permitted, and operating mines in U.S.-B.C. transboundary watersheds under the Canadian Environmental Assessment Act.
5. We urge you, through Global Affairs Canada, to seriously consider the analysis developed by the United States to identify gaps in our different regulatory structures and continue our partnership to address these issues as we look toward the next meeting of the Department of State and Global Affairs Canada.

We have made great strides over the last two years to raise awareness and recognize the need for increased engagement on the transboundary mine and water issues in Alaska and British Columbia. Our hope is that we can seize on this progress and build good will to make a positive and lasting set of solutions that are mutually beneficial for our citizens, environments, and economies. Again, we want to thank you for your willingness to engage on this important issue and your consideration of our requests.

Sincerely,



Byron Mallott
Lieutenant Governor
The State of Alaska



Dan Sullivan
United States Senator
The State of Alaska