

2022 Transboundary Waters Newsletter

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

Tulsequah Mine—Summary of Works 2020-2022

Tulsequah Chief Mine, located 100 km south-west of Atlin B.C., is a historic mine that operated from 1951 to 1957. The mine site is on the Tulsequah River, about 10 km upstream from its confluence with the Taku River, located in the traditional territory of the Taku River Tlingit First Nation (TRTFN). The mine is currently owned by Chieftain Metals Ltd (Chieftain), who acquired the property and an amended *Mines Act* permit in 2011. In September 2016, Chieftain was placed into a court-ordered receivership under the federal *Bankruptcy and Insolvency Act*.

A hearing was held in August 2020 at the Ontario Superior Court of Justice, at which the Government of B.C. and TRTFN argued for an end to the receivership process. The Chief Justice’s decision was to discharge the receiver, but also to allow Chieftain’s primary secured creditor – West Face Capital – to bring a motion before the court by no later than August 11, 2022, to seek the receiver’s re-appointment.

West Face Capital Inc. did not file materials in the Ontario Superior Court to seek to appoint a receiver by the court-mandated deadline of August 11, 2022. The Province’s position is that this concludes the receivership process. Chieftain, a company incorporated in Ontario, continues to retain its assets and interests.



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2019 and 2020 Work Program

In 2019, the Province, in partnership with the TRTFN, retained SNC-Lavalin Inc. (SNC-Lavalin) and SRK Consulting (Canada) Ltd. (SRK) to develop a conceptual closure and reclamation plan for the Tulsequah Chief Mine. The plan was received in April 2020.

In July 2020, the Province allocated \$1.575M towards initial activities and studies required to support the long-term reclamation and closure plan for the mine. The Province, in partnership with the TRTFN, issued contracts for these works to the Atlin Tlingit Economic Limited Partnership (ATELP), which is the economic arm of the TRTFN, as well as SRK Consulting Ltd. (SRK) and SLR Consulting (Canada) Ltd (SLR).

As the primary contractor, ATELP works included brushing and repairing sections of a 10 km road, refurbishing an existing (20 person) camp, cleaning the mine and area of hazardous debris, removing danger trees, and initiating engineering designs and environmental assessments for future bridge replacements.

SRK, an engineering firm from Vancouver, was contracted to review and assess the current state of the interim water treatment plant. The plant had been dormant for 10 years and had not been serviced in that time. Having an operational water treatment plant during early construction works is critical to ensuring any additional water being discharged does not compromise the receiving environment. The SRK assessment confirmed that the plant is operational and requires basic maintenance.

SLR, an environmental firm based in Vancouver, was contracted to review, assess and develop a five-year Water Quality/Aquatic Effects Monitoring Program for the Tulsequah River. This work will be used to develop Science Base Environmental Benchmarks (year 3) and inform remediation efforts and future monitoring. In 2020 SLR completed the first year historical compilation of all water quality information available for the Tulsequah River.

2021 Work Program

In 2021 the B.C. government continued to work collaboratively with TRTFN to progress and prepare the mine site for reclamation. In 2021, Teck Resources Limited (Teck) voluntarily provided \$1.575M to continue physical works and studies required to support the long-term reclamation and closure plan for the mine. As with the previous field season, ATELP was the primary contractor for completing the bridge works and road repairs. The majority of activities at the site occur during a weather window between July and August.

Work completed in 2021 included:

- ATELP completing bridge replacements and repairs, as per engineering designs, over 6 major stream crossings located between the airstrip and mine;
- ATELP reconstructing supports, and covering and cleaning the outside chemical storage area;
- McElhenny Survey conducting a LiDAR (“Light Detection and Ranging”) survey of the Tulsequah and portions of the Taku River areas (203Ha) in order to obtain data and imagery of the site; and
- SLR Initiating Year 2 of a water quality sampling program involving 29 stations in 3 separate sampling campaigns.

2022 Work Program

In 2022, Teck Resources Limited (Teck) voluntarily provided \$1.685M to continue physical works and studies. As with the previous field season, ATELP was hired as the primary contractor for completing the bridge repairs.

Work completed in 2022 included:

- ATELP completing bridge replacements and repairs, as per engineering designs, over 9 stream crossings located between the mine and barge landing; and
- SLR continuation of Year 3 of a water quality sampling program involving 32 stations in 3 separate sampling campaigns. The 5-year study, which was to also include an aquatic effects monitoring program which was going to be used to evaluate the progress of reclamation, has been placed on hold until the reclamation program is finalized, and work commences. All water quality data collected to date can be found [online](#).

Road and bridge repairs completed to date are essential to allow for the safe movement of workers and equipment throughout the site.



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Alaska Continues to Review Transboundary Water Quality Data

By Terri Lomax, Alaska Department of Environmental Conservation

The Alaska Dept of Environmental Conservation (DEC) continues to review water quality data collected in the transboundary rivers. As part of the 2022 Integrated Water Quality Monitoring and Assessment report (Integrated Report), DEC evaluated data collected by the United States Geologic Service (USGS) from the Alsek, Salmon, Stikine, Taku, and Unuk rivers against Alaska Water Quality Standards (WQS). These standards establish broad water quality goals that waterbodies should meet to ensure all uses are protected. The WQS, however, do not consider natural adaptations to local water quality conditions.

DEC submits the Integrated Report to the Environmental Protection Agency (EPA) every two years and places waters in one of five categories for each constituent sampled.

Categories 1 and 2

- Waters for which there is enough information to determine that water quality standards are attained for all or some of their designated uses.

Category 3

- Waters for which there is not enough information to determine their status; or naturally elevated values that are not believed to impact designated uses.

Category 4

- Waters that are impaired but have one of several different types of waterbody recovery plans.

Category 5

- Waters that are impaired and do not yet have waterbody recovery plans. Also known as 303(d) list impaired waters.

Similar to the results from the Joint Water Quality Program completed in 2021, data collected by USGS from the Alsek, Salmon, Stikine, Taku, and Unuk rivers showed occasional exceedances of WQS. This is likely due to highly mineralized geology and not human caused. The observed elevated levels do not necessarily pose a risk to aquatic organisms, as such organisms may be adapted to local conditions.

Transboundary Rivers were placed into multiple categories for each constituent due to various factors. Transboundary rivers with enough data points to meet DEC's minimum requirements and results that met WQS were placed into Category 2 for those constituents. For example, the Stikine River was placed into Category 2 for arsenic, beryllium, cadmium, copper, nickel, pH, selenium and total dissolved solids and the Taku River was placed into Category 2 for arsenic, cadmium, chloride, copper, lead, mercury, nickel, pH, selenium, zinc and total dissolved solids. Waters were placed into Category 3 for constituents that did not meet DEC's minimum data requirements (i.e., too few samples) or had naturally elevated results (exceeding WQS), but which were not believed to impact designated uses. The Salmon River is one example in which a river was placed into Category 3, because none of the constituents met minimum data requirements. The Unuk River was placed into Category 3 for cadmium, copper, and mercury due to naturally elevated values.

DEC is currently seeking data for analysis as part of the 2024 Integrated Report. To review the approved 2022 Integrated Report, submit data for the 2024 Integrated Report, or learn more about the program, please visit <https://dec.alaska.gov/water/water-quality/integrated-report/>



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Eskay Creek Revitalization Project Update

The proposed mine at Eskay Creek, located approximately 85 kilometres northwest of Stewart, is in Tahltan Territory. The original mine was a high-grade underground gold and silver mine that closed in 2008. The mine was acquired in 2020 by Skeena Resources Ltd (Skeena), a B.C.-based exploration and development company. Skeena proposes to construct and operate a high-grade, open-pit gold and silver mine at the same site.

If approved to proceed, the proposed [Eskay Creek Mine Revitalization project](#) will restart mining at the site of the original mine. Skeena expects the mine would be in operation for 10 years, employing more than 700 people and generating \$733 million in direct benefit to B.C. through mineral and income taxes.

Declaration Act Consent Decision-Making Agreement for Eskay Creek Project

Tahltan Central Government and the Environmental Assessment Office (EAO) have entered into an agreement for the environmental assessment of the Eskay Creek Mine Revitalization project. This consent-based decision-making agreement honours Tahltan's jurisdiction in land-management decisions in Tahltan Territory, in recognition of Tahltan's title and rights. It is the first agreement of its kind in British Columbia under the *2019 Declaration on the Rights of Indigenous Peoples Act* and the *2018 Environmental Assessment Act*. The agreement advances reconciliation, provides transparency, clarity and predictability for the Eskay Creek Revitalization Project environmental assessment process and establishes innovative new ways for the EAO, Tahltan and Skeena to work together.



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The Environmental Assessment Process

The [environmental assessment process](#) is designed to collect and consider a breadth of information – including the potential environmental, economic, social, cultural, and health effects of the project – in order to support the decisions on whether or not a project will be approved to proceed.

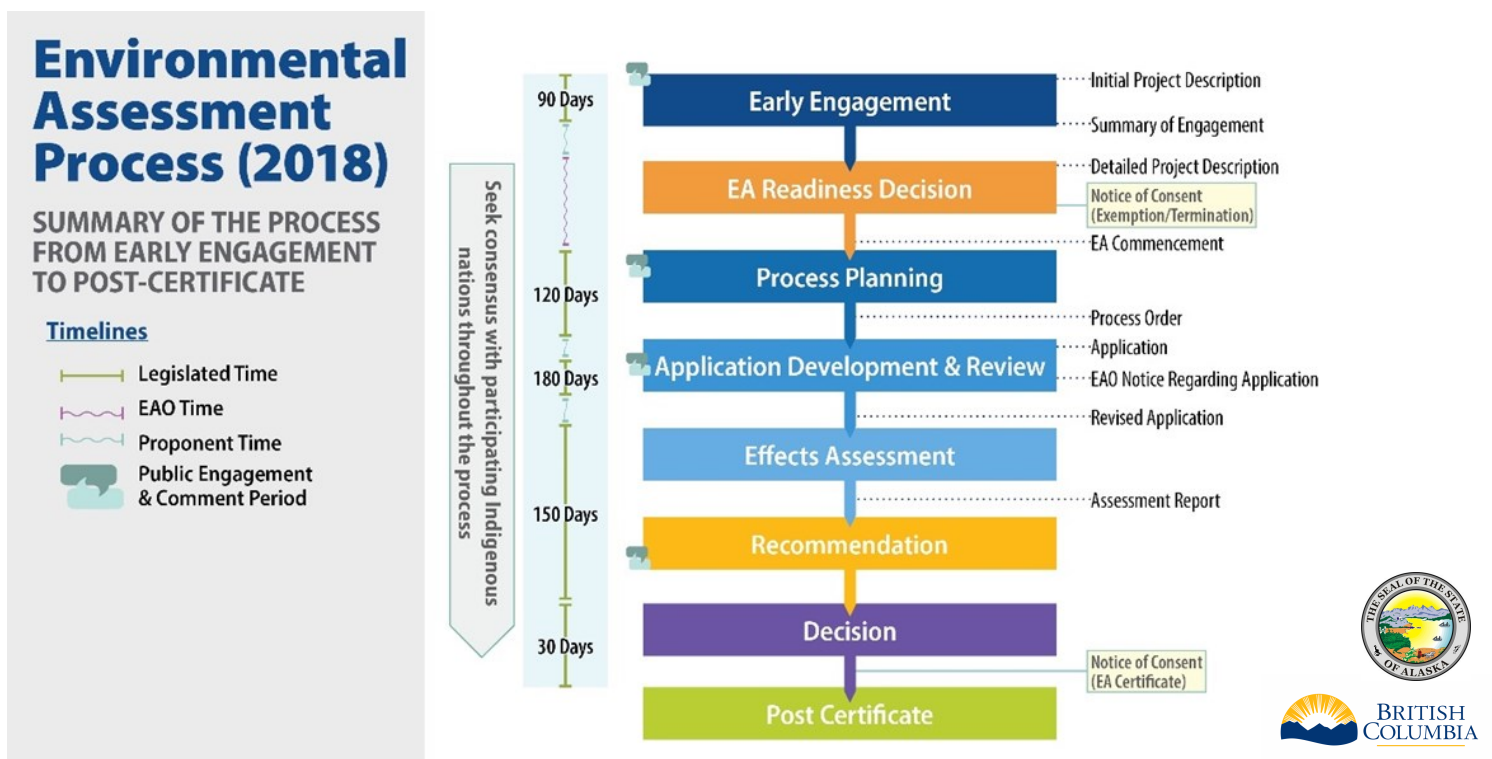
The environmental assessment process includes extensive engagement with technical experts, all potentially affected communities, the public and Indigenous Nations to understand how they may be affected by a project. The State of Alaska, US Federal Agencies and Alaskan Tribes are engaged in the Eskay Creek environmental assessment process. Although the details are not yet set out, the potential transboundary impacts will be part of the information assessed and will be presented in the application.

The Eskay Creek project has gone through the early engagement stage of the process, which included public information sessions, engagement with Indigenous nations and local governments and engagement with other stakeholders. In this stage, the proponent and Environmental Assessment Office seek to identify any potential issues or concerns early in the process, so that they can be resolved.

The project moved to the Readiness Decision phase after Skeena filed its detailed project description on August 12, 2022. In this phase, the Environmental Assessment Office reviewed the information from early engagement and the detailed project description and determined on November 18, 2022, there was sufficient information to start the formal environmental assessment.

In addition to the B.C. environmental assessment, Eskay Creek will require federal approvals. On November 29, 2022, the Impact Assessment Agency of Canada approved the B.C. EAO's request to conduct a substituted environmental assessment on behalf of the federal government, which streamlines the review process and helps avoid duplication between the federal and provincial reviews.

The next opportunity for public input will be during the process planning phase which formalizes how the process must be carried out and identifies the required information. The [Environmental Assessment Office Project Information Centre](#) is the place to find project information and documents, submit public comments during engagement periods, and keep up to date with environmental assessment activities and updates.



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Upcoming Events – BC-Alaska

Prospectors & Developers Association of Canada (PDAC) (March 5-8, 2023)

- The 2023 Convention is being held in Toronto from March 5 – 8, 2023.
- PDAC 2023: The World's Premier Mineral Exploration & Mining Convention is the leading event for people, companies and organizations connected to mineral exploration.
- This annual convention in Toronto, Canada is known for attracting up to 30,000 attendees from over 130+ countries for its educational programming, networking events, outstanding business opportunities and fun.
- Since it began in 1932, the PDAC Convention has grown in size, stature and influence. Today, it is the event of choice for the world's mineral industry hosting more than 1,100 exhibitors and 2,500 investors.

Alaska Miners Association (November 6 – 9, 2023 in Anchorage, Alaska)

AMA works to promote the mining industry in Alaska. They advocate for the development and use of Alaska's mineral resources to provide an economic base for the state. AMA monitors the activities of the State and Federal Government, Congress, and the Legislature that affect mineral development, including:

- Regulations & policies developed by State & Federal Agencies
- Land use plans
- Permitting processes
- Proposed legislation
- Taxes, fees, or other costs levied against the industry
- Inventory, mapping, and data collection
- Research
- Education Programs

