

To: British Columbia Environmental Assessment Office
From: Salmon Beyond Borders
Re: Comments on the Draft Plan for Eskay Creek Revitalization Project
Date: February 16, 2023

To whom it may concern,

Salmon Beyond Borders appreciates the opportunity to submit comments regarding the proposed Eskay Creek Revitalization Project. Based in Southeast Alaska, Salmon Beyond Borders is focused on protecting and restoring healthy, productive watersheds, resilient ecosystems, and responsible industrial development. For almost ten years, we have worked closely with communities, fishermen, businesses, scientists, and conservation organizations, alongside Tribes and First Nations on both sides of the Canada-U.S. border, who are already or will potentially be impacted by mining activity within British Columbia—including and especially along the B.C.-Alaska transboundary Taku, Stikine-Iskut, Unuk, and Nass Rivers (and around the Portland Canal).

As we detail below, Salmon Beyond Borders has grave concerns about the proposed Eskay Creek Revitalization Project, including the project's tailings dams located in the transboundary Unuk River watershed and the fact this revitalized gold mine will add to the existing and potential cumulative effects of multiple large-scale B.C. mining projects in the B.C.-Alaska transboundary region. Additionally, Salmon Beyond Borders and Tribes, elected leaders at every level of government, businesses, sport and commercial fishing groups, conservation organizations, and thousands of individual citizens on the Southeast Alaska side of the international boundary called repeatedly for the involvement of the federal governments and the International Joint Commission in order to ensure the evaluation of potential projects along shared rivers meaningfully involves all jurisdictions. Despite this outcry, neither B.C. nor Canada has yet agreed to an international forum in which all jurisdictions in this transboundary region develop binding watershed protections for these iconic rivers. This current situation is unacceptable to us.

We stand by the comments that we submitted with our B.C. colleagues SkeenaWild Conservation Trust and Northern Confluence on September 29, 2021 to the Impact Assessment Agency of Canada regarding the proposed revitalization of the Eskay Creek mine in the transboundary Unuk River watershed. **We have attached these detailed comments here for reference.** You will see in our comments that we and our colleagues did not and do not support a substituted provincial assessment process that does not include a full Impact Assessment process at the federal level.

The technical components of our previous comments are still reflective of our most serious concerns about the revitalized Eskay Creek gold mine. We are specifically interested in ensuring that safety comes first in mine waste tailings design. New reports, published last summer, detail the specific existing and proposed B.C. mine waste dams that are predicted to destroy ecosystems, wipe out infrastructure, and/or kill people when they fail. In his 2022 report, [“The](#)

[Risk of Tailings Dam Failure in British Columbia: An Analysis of the British Columbia Existing and Future Tailings Storage Database.](#)” geophysicist Steve Emerman, Ph.D., highlighted that six of the twelve B.C. mine waste dams of greatest concern are located along Alaska-B.C. rivers, including those at the Eskay Creek and KSM mines in the Unuk and Nass River headwaters. Emerman also refers to a quote of B.C. Mount Polley mine expert review panelist Steven G. Vick, Ph.D.: “For closure [of every tailings dam], system failure is inevitable....” The proposed revitalization of the Eskay Creek mine includes tailings dams that will require water treatment in perpetuity and are, according to tailings dam experts including Emerman and Vick, guaranteed to ultimately fail.

Salmon Beyond Borders fully supports the more than a dozen resolutions recently passed by [Southeast Alaska Tribes](#) and [municipalities](#) calling on President Biden to secure, with Prime Minister Trudeau, two key provisions along the Alaska-British Columbia transboundary Taku, Stikine-Iskut, and Unuk-Nass Rivers: **(1) an immediate, temporary pause on permits for new British Columbia (B.C.) mines until binding watershed protections developed by communities and Indigenous and federal governments are in place; (2) a permanent ban on earthen mine waste (“tailings”) dams.**

This EA Process for the Eskay Creek gold mine is in direct conflict with these current requests from Alaska Tribes and municipalities, and with requests that they, and decision makers at every level of government in the U.S., as well as tens of thousands of U.S. and Canadian citizens, have made for almost ten years. The substituted B.C. EA process is not an international forum through which Tribes and communities downstream have a meaningful say or give free, prior, and informed consent.

Importantly, Salmon Beyond Borders is in support of the consent-based agreement between the Province of B.C. and the Tahltan Central Government. Yet, without the involvement and consent of Indigenous nations and communities downstream, the substituted provincial Environmental Assessment process remains a wholly inefficient means through which to evaluate a potential mine in a transboundary watershed that affects multiple jurisdictions.

Salmon Beyond Borders does not support the proposed revitalized Eskay Creek gold mine moving forward until there is an international forum in place that is aligned with requests from Alaska Tribes and communities, and that is led by Indigenous nations and communities on both sides of the political border, in which binding, enforceable watershed protections can be developed and implemented. As the proposed Eskay Creek Revitalization Project and EA process moves forward without an international process that ensures Tribes and communities downstream in the U.S. have a meaningful say in the future of shared rivers, we do not have any confidence that the concerns and requests of Alaskan downstream will be heard, and that our interests will be protected.

We thank you for considering our comments on the Eskay Creek Revitalization Project, and for truly listening to Alaskans’ specific concerns and calls for a much more robust way of stewarding the globally significant transboundary Taku, Stikine-Iskut, Unuk, and Nass watersheds. We also

request that Salmon Beyond Borders be invited to participate in the Community Advisory Committee for the Eskay Creek Revitalization Project.

Respectfully,
Breanna Walker
Director
Salmon Beyond Borders