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CLEARING THE PR POLLUTION

B.C. First Nations and Alaskan Natives Join Forces to Fight Border Mines

By Judith Lavoie • Wednesday, August 12, 2015 - 17:36



A powerful alliance of B.C. First Nations and Southeast Alaska natives has been [forged in the aftermath of the Mount Polley dam collapse](#) and tribes, who have not worked together for generations, are aiming to [put the brakes on B.C.'s border mining boom](#).

Tears flowed after a May meeting in Vancouver when Union of B.C. Indian Chiefs (UBCIC) president Grand Chief Stewart Phillip and vice-president Bob Chamberlin agreed to support the newly formed United Tribal Transboundary Mining Work Group in its bid for Alaskan — and particularly tribal — [input into B.C.'s decision-making process on mines](#) along the Southeast Alaska border.

“We are bringing together the tribes from both sides of the border and building a relationship. We can make more noise together than when we are separated by a border that has not been part of our tradition,” said Mike Hoyt, leader of the Teeyhittaaan clan from the Stikine River.

It was a historic meeting that could be a catalyst for change, according to Phillip.

“It was very significant, coming together with our brothers and sisters in Alaska. I think it was a long time coming,” he said.

The Transboundary Work Group, made up of federally recognized tribes, conservation groups, fishing advocates and community leaders, will collaborate with B.C. First Nations to let the provincial government, mining companies and investors know their concerns about mines being approved near the headwaters of Southeast Alaska’s most important salmon rivers, said Jennifer Hanlon, environmental specialist with the Central Council Tlingit and Haida Indian Tribes of Alaska.

“We want them to know (the mines) are a concern for indigenous people. We’re talking about our salmon, our health and our lands. Hunting and fishing are still the backbone of our economy,” Hanlon said.

The group wants the issue sent to the [International Joint Commission](#), the body designed to resolve U.S./Canada water and air disputes. The commission operates under the [Boundary Waters Treaty](#) that forbids either nation from polluting waters flowing across the boundary.

“Alaska needs a seat at the table when it comes to deciding whether mining projects in B.C., with the potential to pollute our waters, should go forward and, if they do, how these mines should deal with

their waste, which has a high likelihood of flowing downstream into transboundary rivers,” says one of the group’s briefing notes.

Phillip said when the U.S. and Canadian groups got together there was a “robust discussion” about B.C.’s deregulation and lack of environmental oversight.

The Canadian contingent offered little comfort as they described federal and provincial legislative changes that Phillip believes have gutted the environmental assessment process and removed protections for the vast majority of lakes and rivers.

“Clearly the Harper government is squarely in the corner of big business, big corporations and big oil. They facilitate and fast-track major resource projects at the expense of the environment, wild salmon and marine life,” Phillip said.

However, there are differences of opinion among bands about the extent of mining that is acceptable in northwest B.C. and some First Nations have signed agreements with companies opening mines near the Alaska border.

Among the more controversial is a [co-management agreement](#) between the Tahltan Nation and Imperial Metals, owners of the Red Chris mine and Mount Polley. Tahltan decided to ratify the agreement even though only 12.9 per cent of members voted and elders had previously set up a [blockade](#).

Differences of opinion are inevitable, Phillip said.

“If we were to wait for a unified front, the only ones to benefit would be the mining industry, corporations and government. It doesn’t happen anywhere in the world,” he said.

After the Mount Polley dam breach the B.C. First Nations Energy and Mining Council, like UBCIC, called for major mining and mineral exploration reforms and a larger role for First Nations in environmental assessment and permitting, dam monitoring and water testing.

The council also wants companies to put forward security bonds that represent the true cost of cleaning up a disaster.

“Performance bonds that are required to mitigate and monitor projects in perpetuity are insufficient in major breaches such as the Mount Polley disaster,” said council CEO Dave Porter.

“Mining companies that bring these projects forward should bear the financial burden of mitigation of these potential damages.”

A [report on tailings facility failures](#), released by the council in June, pointed out that mining usually takes place on traditional lands and, if there are dam failures, First Nations are disproportionately affected.

“The principle of free, prior and informed consent must be applied in advance of mining operations, from exploration through all phases of development, including post-closure,” says the report.

Energy and Mines Ministry spokesman David Haslam said the report provides government and industry with a greater understanding of First Nations perspectives on mining and tailings storage and will help inform the upcoming review of the Health, Safety and Reclamation Code for Mines.

Mines Minister Bill Bennett told the Globe and Mail that First Nations will have an equal seat at that table with industry and organized labour.

The review is part of government's response to the report from the expert panel looking into the Mount Polley dam collapse. The panel emphasized the need for change and said that business as usual was not an option.

For Alaskan natives, the bottom line is forcing companies to put in all the safeguards needed to avoid another Mount Polley-type disaster, even if that means no mines beside salmon-bearing rivers or their tributaries.

The relationship with the rivers runs deep, said 84-year-old Ethel Lund, who was born in Wrangell and remembers trading up and down the Stikine River with Canadian First Nations when the king salmon were running or when the eulachon — a small oily fish colloquially known as hooligans in Southeast Alaska — filled the river.

"The Stikine River is very precious to us," Lund said.

"I worry about the mines and the pollution and I think about the tremendous impact it could have on our communities and waterways. There really is a need for communication between Canada and Alaska to try and work it out, because we are going to be most impacted," she said.

However, it is not easy to make tribal voices heard, even in Alaska, Hanlon said.

"We have 13 tribes working together to try and protect our ancestral lands and we've not been consulted by the B.C. government or the mining companies or even the state of Alaska," Hanlon said.

But some are optimistic the relationship with the Alaskan government will improve as Lt. Governor Byron Mallott, a member of the Tlingit Nation, becomes increasingly involved.

Mallott, who [visited B.C. to see the Mount Polley spill](#) firsthand and to meet with Energy and Mines Minister Bill Bennett, said in an interview with DeSmog Canada that he hopes to add tribal interests to the government-level task force.

Richard Peterson, president of the Central Council of Tlingit and Haida Tribes of Alaska, said the relationship with the tribes has been on a better footing since Mallott's election late last year and he is optimistic that, with the help of Canadian First Nations, a game plan can be developed to protect the rivers and a way of life that dates back thousands of years.

"I think this is one of the most serious things we face right now," Peterson said.

"I know we have an uphill battle, but, when we are arm-in-arm as indigenous people, we can do it."

Image Credit: Rivers Without Borders