

More effort needed to halt pollution from B.C. mine

It's been 60 years since the Tulsequah Chief mine was abandoned without cleanup of acid mine drainage (AMD) or reclamation of the site.

The toxic AMD has been flowing into and polluting the Tulsequah River, the largest tributary to the transboundary Taku River. The Taku is the largest salmon-producing river in Southeast Alaska. The mine site sits right on the banks of the Tulsequah, about 13 river miles upstream of the Alaska-British Columbia border and 40 miles northeast of Juneau.

The Taku is vitally important, not only to commercial fishermen like me, but to the overall health of Southeast Alaska's economy. The AMD violates the Canadian Fisheries Act, mine permits, an agreement with the Taku River Tlingit First Nation, and possibly the Boundary Waters Treaty.

To be clear, the AMD has not resulted in the contamination of salmon or other seafood harvested from the Taku. However, it is polluting salmon habitat and possibly harming salmon production in the Taku River watershed and, without question, we definitely want to prevent any possible future contamination.

Two mining companies have gone bankrupt trying to redevelop this mine since 2009, most recently Chieftain Metals this past September.

Recent statements by B.C. Minister of Energy and Mines Bill Bennett indicated the province now apparently recognizes it will likely need to assume responsibility for mine cleanup and closure. This apparent commitment from Minister Bennett seems to present the first real opportunity to ensure that the mine site is cleaned up properly and to end the threat AMD poses to water quality, salmon, and the fishermen who depend on the Taku.

However, cleanup is by no means assured because, despite Minister Bennett's statements, up until now B.C. has tied the cleanup to opening a new mine onsite so that a mining company would take on responsibility for the cleanup. This option is neither economically viable nor socially acceptable because trying to reopen this mine again is a recipe for a third bankruptcy and further cleanup delays. Also, reopening the mine would cause additional ground disturbance that would likely produce more AMD.

While the headlines suggest cleanup will happen, a lot more pressure is needed to bring that about. B.C. has not specifically committed to cleanup, and Minister Bennett has downplayed the effects of the AMD by alleging, without scientific justification, that the AMD poses no environmental harm.

The Tulsequah Chief is viewed as a symbol by many in the commercial fishing industry of how mining is done in B.C. The fact

that it has taken 60 years to get B.C. to focus on the Tulsequah Chief greatly concerns me on how AMD will be dealt with at other, much larger B.C. mines that are operating or are under development in the transboundary region upstream of Southeast Alaska. This gives me little confidence that B.C.'s mining plans will be carried out in a way that does not threaten our downstream interests.

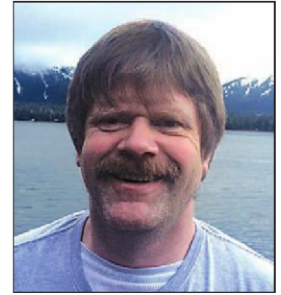
Mine-related pollution on any of the transboundary rivers could negatively impact commercial fisheries throughout the North Pacific. The immediate effects of pollution would be on local salmon fisheries and fishermen. Gillnet fisheries targeting impacted stocks and mixed stock purse seine fisheries that also harvest those impacted stocks would likely be closed and force those affected fishermen to migrate to other open districts. This movement would in turn increase effort, reduce fishing time, and decrease catch and income for all fishermen and processors.

A pollution event also could harm halibut and crab populations in estuaries and result in the same sort of effort displacement as in the salmon fisheries. Contamination could taint the image of Alaska seafood and negatively impact seafood marketing efforts. In addition, the listing of any impacted salmon stocks under the Endangered Species Act could trigger more restrictive take provisions in both federal and state-managed fisheries all along the Gulf of Alaska and reduce the catch and economic value of the affected fisheries.

Efforts by the state of Alaska have resulted in improved communications with B.C. and attention to Tulsequah Chief. But Alaska has not yet made a clear, explicit demand that B.C. clean up the mine site. I am also concerned that Alaska agencies seem more intent on downplaying the potential risks from this mine than in halting the illegal AMD and protecting Alaska resources and jobs.

The state of Alaska must use all available tools, including working with our congressional delegation and federal government, to ensure a prompt and complete cleanup of the Tulsequah Chief. Alaska should make it clear to B.C. and Canada that cleanup is a necessary step in improving our confidence in B.C.'s mining practices and ensuring B.C. mines do not harm our downstream interests. If Alaska's political leaders don't do this here and now, when and where will they step up to protect our downstream fisheries from upstream pollution? ↓

Mark Hofstad, of Petersburg, Alaska, is a commercial fisherman and owner of the F/V Norsemen.



New publication on Alaska water law available

Alaska Sea Grant is offering a new publication called "Alaska Water Law: An Overview," by Izetta Chambers.

The 18-page publication covers the history and status of Alaska water laws.

"While the state of Alaska governs water within its borders and within 3 miles of the shoreline, the federal government has jurisdiction over water rights

on federal lands, which make up over 60 percent of the land in Alaska," a description says. "Past and current controversies over who has rights to Alaska's waters involve public lands, subsistence, commercial fishing, mining, and the Clean Water Act, among others. Water law lessons learned in other states have not been applied yet in Alaska, due to an abundance of water

resources. But with possible shortages of groundwater and surface water due to climate change, industry, and a growing population, Alaska will likely face the same problems other states have dealt with."

Download the publication for free at doi.org/10.4027/awlo.2017.

