

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** March 24, 2022 10:34 AM  
**To:** Periwai, Sukumar IGRS:EX  
**Subject:** BNs  
**Attachments:** 4.0 - 115999\_NRS\_BN - BC Challenges with Federal Approach.docx; 4.1 - 386418\_Mining Reform Exec Project Board\_CMER update\_March 18 2022.docx

Nicole Longpré  
A/Manager, U.S. Relations  
Intergovernmental Relations Secretariat | Office of the Premier  
Tel. 236.478.1954  
Mobile. 250.589.2145

Pronouns: she/her/hers



Where ideas work



## Lewthwaite, Jennifer IGRS:EX

---

**From:** Francis, Darren IGRS:EX  
**Sent:** February 4, 2022 1:52 PM  
**To:** Maranda, Pierrette IGRS:EX; Periwal, Sukumar IGRS:EX  
**Cc:** Dawes, Sandra IGRS:EX; Longpre, Nicole IGRS:EX  
**Subject:** DM Briefing | IJC in the Elk Valley - Feb 4th @ 2:30PM  
**Attachments:** 385917\_InfoNote-IJC in the Elk Valley 03Feb2022.pdf  
  
**Importance:** High

Good afternoon,

Silas has asked that you join him for the meeting noted below (invite forwarded). Please find attached materials for the meeting.

Date/Time: Feb 4<sup>th</sup> @ 2:30PM

Topic: IJC in the Elk Valley

Attendees: DMs Jardine, Mihlar and Brownsey – ADM Laurel Nash and Chris Trumpy

Regards,  
Darren

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Danks, Anthony ENV:EX  
**Sent:** January 21, 2022 10:40 AM  
**To:** Trumpy, Chris EMLI:EX; Anthony, Jennifer EMLI:EX; Longpre, Nicole IGRS:EX; Downie, AJ ENV:EX; Moore, Sean ENV:EX  
**Cc:** Nash, Laurel ENV:EX; Paquin, Lisa C ENV:EX; Vander Steen, Benjamin ENV:EX; Graham, Tessa ENV:EX  
**Subject:** DN - IJC (signed)  
**Attachments:** 385704\_DecNote-IJC in the Elk Valley (DM Approved).pdf

FYI

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Danks, Anthony ENV:EX  
**Sent:** April 14, 2022 4:01 PM  
**To:** Maranda, Pierrette IGRS:EX; Periwal, Sukumar IGRS:EX  
**Cc:** Longpre, Nicole IGRS:EX; Paquin, Lisa C ENV:EX  
**Subject:** FW: International Joint Commission Reference for the Koocanusa Reservoir  
**Attachments:** 388924.pdf

fyi

---

**From:** Minister, ENV ENV:EX <ENV.Minister@gov.bc.ca>  
**Sent:** April 14, 2022 2:49 PM  
**To:** 'melanie.joly@parl.gc.ca' <melanie.joly@parl.gc.ca>  
**Subject:** International Joint Commission Reference for the Koocanusa Reservoir

Reference: 388924

*April 14, 2022*

The Honourable Mélanie Joly, PC, MP  
Minister of Foreign Affairs  
House of Commons  
Ottawa ON K1A 0A6

Sent via email: melanie.joly@parl.gc.ca

Dear Minister:

Please see the attached letter from the Honourable George Heyman, Minister of Environment and Climate Change Strategy and the Honourable Bruce Ralston, Minister of Energy, Mines and Low Carbon Innovation. A hard copy will not follow by mail.



## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** March 30, 2022 10:41 AM  
**To:** Lewthwaite, Jennifer IGRS:EX  
**Cc:** Maranda, Pierrette IGRS:EX; Periwal, Sukumar IGRS:EX  
**Subject:** FW: Letter from Teck: Why Canada Must Oppose and IJC Reference for the Koocanusa Reservoir  
**Attachments:** Teck Letter to the Honourable Mélanie Joly, P.C., M.P. (March 2022).pdf

In case Silas has not already seen.

---

**From:** Paquin, Lisa C ENV:EX <Lisa.Paquin@gov.bc.ca>  
**Sent:** March 30, 2022 10:40 AM  
**To:** Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Cc:** Danks, Anthony ENV:EX <Anthony.Danks@gov.bc.ca>; Westley, Rebecca ENV:EX <Rebecca.Westley@gov.bc.ca>  
**Subject:** FW: Letter from Teck: Why Canada Must Oppose and IJC Reference for the Koocanusa Reservoir

FYI....

---

**From:** Chad Pederson <Chad.Pederson@teck.com>  
**Sent:** March 30, 2022 10:13 AM  
**To:** Paquin, Lisa C ENV:EX <Lisa.Paquin@gov.bc.ca>; Wijtkamp, Peter EMLI:EX <Peter.Wijtkamp@gov.bc.ca>  
**Subject:** Fwd: Letter from Teck: Why Canada Must Oppose and IJC Reference for the Koocanusa Reservoir

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

FYI, we just sent a letter to Foreign Affairs Minister Joly outlining our opposition and concerns for the possible IJC reference for the Koocanusa Reservoir.

Chad

---

**From:** Marcella Munro <Marcella.Munro@teck.com>  
**Sent:** Wednesday, March 30, 2022 10:08:24 AM  
**To:** [Melanie.Joly@international.gc.ca](mailto:Melanie.Joly@international.gc.ca) <[Melanie.Joly@international.gc.ca](mailto:Melanie.Joly@international.gc.ca)>  
**Cc:** [minister.ministre@nrcan-rncan.gc.ca](mailto:minister.ministre@nrcan-rncan.gc.ca) <[minister.ministre@nrcan-rncan.gc.ca](mailto:minister.ministre@nrcan-rncan.gc.ca)>; [Marta.Morgan@international.gc.ca](mailto:Marta.Morgan@international.gc.ca) <[Marta.Morgan@international.gc.ca](mailto:Marta.Morgan@international.gc.ca)>; [Sandra.Aube@international.gc.ca](mailto:Sandra.Aube@international.gc.ca) <[Sandra.Aube@international.gc.ca](mailto:Sandra.Aube@international.gc.ca)>; [Marcia Smith](mailto:Marcia.Smith@teck.com) <[Marcia.Smith@teck.com](mailto:Marcia.Smith@teck.com)>; [Chad Pederson](mailto:Chad.Pederson@teck.com) <[Chad.Pederson@teck.com](mailto:Chad.Pederson@teck.com)>  
**Subject:** Letter from Teck: Why Canada Must Oppose and IJC Reference for the Koocanusa Reservoir

Minister Joly,

Attached please find a letter from Teck Resources Senior Vice President, Sustainability & External Affairs Marcia Smith regarding the proposed IJC reference for the Koocanusa Reservoir.

This letter outlines the reasons Teck is opposed to the reference, and why we believe it would be a risk not only to our business and the associated jobs and economic value, but also to Canada's regulatory reputation and independence.

We thank you for your attention to this matter and would be pleased to discuss further with you and/or your officials.

Sincerely,

Marcella

**Marcella Munro** (she/her)

Head, Government & Regulatory Affairs

+1 416 254 1530



*I acknowledge my place of work is within the ancestral, traditional and unceded territories of the xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish), and sel̓ilw̓itulh (Tsleil-waututh) Nations.*

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** February 2, 2022 3:07 PM  
**To:** Westgate, Rachael IGRS:EX  
**Subject:** FW: Follow-up - Meeting on transboundary watersheds

For Silas' fyi, he may wish to share with Kevin and Fazil.

---

**From:** Michael.Grant@international.gc.ca <Michael.Grant@international.gc.ca>  
**Sent:** February 2, 2022 2:46 PM  
**To:** Maranda, Pierrette IGRS:EX <Pierrette.Maranda@gov.bc.ca>  
**Cc:** Evelyne.Coulombe@international.gc.ca; Felicia.Minotti@international.gc.ca; Tana.Stratton@international.gc.ca; Periwal, Sukumar IGRS:EX <Sukumar.Periwal@gov.bc.ca>; Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Subject:** Re: Follow-up - Meeting on transboundary watersheds

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Pierrette,

Many thanks for your e-mail. We look forward to receiving preliminary comments from your government on the scope of work. We understand the importance of this file for B.C. and of collecting views from the various ministries involved. We will be pleased to receive more comprehensive comments as they become available.

s.16

My team will keep B.C. counterparts apprised of developments.

Best regards,

Michael

Michael Grant

On Feb 1, 2022, at 7:52 PM, Maranda, Pierrette IGRS:EX <[Pierrette.Maranda@gov.bc.ca](mailto:Pierrette.Maranda@gov.bc.ca)> wrote:

Michael,

I wanted to thank your team for sharing Canada's draft response to the U.S. on a proposed scope of work for the IJC earlier today. I note that Canada plans to submit comments to the U.S. by the end of this week. The Deputy Ministers of the B.C. ministries involved in this work met earlier today, and they have indicated that given the importance of the issue to B.C. and the potential impacts to the Province, they will require two weeks to prepare a response to Canada's comments. This additional time would allow the views of all relevant ministries to be canvassed in order to best provide meaningful feedback on the proposed scope of the IJC work.

Again, thank you for you and your team's support and collaboration on this matter.

Pierrette

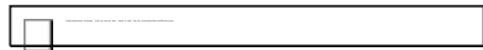
---

**From:** [Michael.Grant@international.gc.ca](mailto:Michael.Grant@international.gc.ca) <[Michael.Grant@international.gc.ca](mailto:Michael.Grant@international.gc.ca)>  
**Sent:** February 1, 2022 5:38 AM  
**To:** Maranda, Pierrette IGRS:EX <[Pierrette.Maranda@gov.bc.ca](mailto:Pierrette.Maranda@gov.bc.ca)>  
**Cc:** [Evelyne.Coulombe@international.gc.ca](mailto:Evelyne.Coulombe@international.gc.ca); [Felicia.Minotti@international.gc.ca](mailto:Felicia.Minotti@international.gc.ca); [Tana.Stratton@international.gc.ca](mailto:Tana.Stratton@international.gc.ca); Periwal, Sukumar IGRS:EX <[Sukumar.Periwal@gov.bc.ca](mailto:Sukumar.Periwal@gov.bc.ca)>; Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>  
**Subject:** RE: Follow-up - Meeting on transboundary watersheds

<p><b>This email came from an external source. Only open attachments or links that you are expecting from a known sender.</b></p>
---

Thank you, Pierrette. I look forward to staying in touch. Best,  
Michael

Michael Grant  
ADM Americas / SMA Amériques  
343-548-5789  
@MGrant\_Canada



---

**From:** Maranda, Pierrette IGRS:EX <[Pierrette.Maranda@gov.bc.ca](mailto:Pierrette.Maranda@gov.bc.ca)>  
**Sent:** January 31, 2022 8:19 PM  
**To:** Grant, Michael -NGM <[Michael.Grant@international.gc.ca](mailto:Michael.Grant@international.gc.ca)>  
**Cc:** Coulombe, Evelyne -NGB <[Evelyne.Coulombe@international.gc.ca](mailto:Evelyne.Coulombe@international.gc.ca)>; Minotti, Felicia -NGB <[Felicia.Minotti@international.gc.ca](mailto:Felicia.Minotti@international.gc.ca)>; 'Tana.Stratton@international.gc.ca' <[Tana.Stratton@international.gc.ca](mailto:Tana.Stratton@international.gc.ca)>; Periwal, Sukumar IGRS:EX <[Sukumar.Periwal@gov.bc.ca](mailto:Sukumar.Periwal@gov.bc.ca)>; Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>  
**Subject:** Follow-up - Meeting on transboundary watersheds

Michael,

Thank you for the call this morning.<sup>s.16</sup>  
s.16

As indicated at the meeting, we look forward to receiving a copy of the concept paper prepared by the Department of State and the draft response from Canada so that BC can meaningfully provide some input.

Again, I thank you and your team for the discussion today.

I would also appreciate being kept informed of any developments and progress on this matter. You or your team can always contact me and my colleagues to discuss further.

Sincerely,

Pierrette

Pierrette Maranda  
Associate Deputy Minister  
Intergovernmental Relations Secretariat  
Office of the Premier

Phone: 250-387-0783

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** November 8, 2021 10:00 AM  
**To:** Brownsey, Silas IGRS:EX; Maranda, Pierrette IGRS:EX  
**Cc:** Westgate, Rachael IGRS:EX; Periwal, Sukumar IGRS:EX  
**Subject:** FW: GAC Transboundary Mining Call Summary

FYI, this summary has also been shared with Kevin and Fazil.

---

**From:** Paquin, Lisa C ENV:EX <Lisa.Paquin@gov.bc.ca>  
**Sent:** November 8, 2021 9:13 AM  
**To:** Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Cc:** Anthony, Jennifer EMLI:EX <Jennifer.Anthony@gov.bc.ca>; Danks, Anthony ENV:EX <Anthony.Danks@gov.bc.ca>; Barwin, Gabrielle EMLI:EX <Gabrielle.Barwin@gov.bc.ca>; Ryan-Aylward, Michel ENV:EX <Michel.RyanAylward@gov.bc.ca>  
**Subject:** FW: GAC Transboundary Mining Call Summary

Hi Nicole, below is summary from the call Anthony, Jen and I had with GAC on Friday. It is good context for our discussion at 9:30am. Cheers, Lisa

Anthony Danks, Jen Anthony and Lisa Paquin had a call with Global Affair Canada (GAC) staff Felicia Minotti, Evelyne Coulombe and Tana Stratton to follow-up on our initial debrief from their October 15, 2021 Transboundary Mining meeting with Department of State (DOS) and US EPA.

s.16

B.C. also took the opportunity to ask the following questions:

s.16

s.16

s.16

s.16

s.16

### **Next steps**

s.16

Lisa Paquin  
Director of Intergovernmental Relations  
Strategic Policy Division  
BC Ministry of Environment and Climate Change Strategy  
Canada

Ph: 778-698-4419

Email: [Lisa.Paquin@gov.bc.ca](mailto:Lisa.Paquin@gov.bc.ca)



## **Lewthwaite, Jennifer IGRS:EX**

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** January 28, 2022 3:16 PM  
**To:** Maranda, Pierrette IGRS:EX  
**Cc:** Dawes, Sandra IGRS:EX  
**Subject:** FW: IJC update - background materials  
**Attachments:** RE: July 21 BC-ID-MT-EPA Meeting Re: Overview of BC's Regulatory Framework for Mining in the SE; GAC Bilat Bullets Oct 2021 clean.docx; 385704\_DecNote-IJC in the Elk Valley (DM Approved).pdf

Hi Pierrette,

Attached are the DN I sent you earlier, plus further documents from ENV and EMLI that cover background on the issue, and also show the level of transparency B.C. has been adhering to when dealing with U.S. partners (this is a key point ministry staff would like to emphasize). At bottom is an email chain indicating that other federal agencies are being shown a "Terms of Reference" for the referral. It's not clear whether this is the same document as the "discussion paper" we talked about this morning, but in either case it suggests that this process is well-advanced in the absence of any consultation with the province.

Thanks very much,

Nicole

1. July 2021 BC-ID-MT-EPA Meeting – SE mining regulatory overview ppt, snapshot, mtg summary, etc....
2. ENV/EMLI speaking bullets prepared for GAC meeting with DOS and EPA Quarterly Transboundary Mining Mtg in Oct 2021
3. ENV Regional Operations staff have regular quarterly meeting with US EPA to EPA to keep their technical staff apprised of the technical and permitting work ENV is doing and answer technical questions related to work in the SE – see detailed agenda below

### **Agenda for January 27<sup>th</sup> Quarterly Update Mtg with US EPA**

1. Koocanusa Water Quality Objective & Area Based Management Plan Amendment (ENV)
2. Regional Water Quality Model Review (ENV)
3. Implementation Plan Adjustment (ENV)
4. Technology Readiness Assessments (ENV)
  - a. Guidance Document
  - b. Teck SRF Review
  - c. SRF Workshop
5. Water Treatment (ENV)
  - a. WLC AWTF
  - b. EVO SRF
  - c. FRO-S AWTF
  - d. FRO-N SRF (Phase 1 & 2)
6. Compliance (ENV)
7. US EPA Update on Elk Valley Tours (USEPA)

---

**From:** Trumpy, Chris EMLI:EX <[Chris.Trumpy@gov.bc.ca](mailto:Chris.Trumpy@gov.bc.ca)>  
**Sent:** January 26, 2022 11:57 AM

**To:** Danks, Anthony ENV:EX <[Anthony.Danks@gov.bc.ca](mailto:Anthony.Danks@gov.bc.ca)>; Nash, Laurel ENV:EX <[Laurel.Nash@gov.bc.ca](mailto:Laurel.Nash@gov.bc.ca)>; Paquin, Lisa C ENV:EX <[Lisa.Paquin@gov.bc.ca](mailto:Lisa.Paquin@gov.bc.ca)>  
**Cc:** Downie, AJ ENV:EX <[AJ.Downie@gov.bc.ca](mailto:AJ.Downie@gov.bc.ca)>  
**Subject:** RE: IJC update

Do you know if Silas has spoken with his counterpart in Ottawa yet on this?

s.16

---

**From:** Danks, Anthony ENV:EX <[Anthony.Danks@gov.bc.ca](mailto:Anthony.Danks@gov.bc.ca)>  
**Sent:** January 26, 2022 11:55 AM  
**To:** Nash, Laurel ENV:EX <[Laurel.Nash@gov.bc.ca](mailto:Laurel.Nash@gov.bc.ca)>; Trumpy, Chris EMLI:EX <[Chris.Trumpy@gov.bc.ca](mailto:Chris.Trumpy@gov.bc.ca)>; Paquin, Lisa C ENV:EX <[Lisa.Paquin@gov.bc.ca](mailto:Lisa.Paquin@gov.bc.ca)>  
**Cc:** Downie, AJ ENV:EX <[AJ.Downie@gov.bc.ca](mailto:AJ.Downie@gov.bc.ca)>  
**Subject:** RE: IJC update

s.16

Anthony

---

**From:** Nash, Laurel ENV:EX <[Laurel.Nash@gov.bc.ca](mailto:Laurel.Nash@gov.bc.ca)>  
**Sent:** January 26, 2022 11:33 AM  
**To:** Trumpy, Chris EMLI:EX <[Chris.Trumpy@gov.bc.ca](mailto:Chris.Trumpy@gov.bc.ca)>; Danks, Anthony ENV:EX <[Anthony.Danks@gov.bc.ca](mailto:Anthony.Danks@gov.bc.ca)>; Paquin, Lisa C ENV:EX <[Lisa.Paquin@gov.bc.ca](mailto:Lisa.Paquin@gov.bc.ca)>  
**Cc:** Downie, AJ ENV:EX <[AJ.Downie@gov.bc.ca](mailto:AJ.Downie@gov.bc.ca)>  
**Subject:** RE: IJC update

Hi Anthony and Lisa do you have any more on this?

**Laurel Nash** (she/her)  
Assistant Deputy Minister  
Environmental Protection Division  
Ministry of Environment &  
Climate Change Strategy  
' (250) 953-4004 or (250) 508-1670  
✉ [Laurel.Nash@gov.bc.ca](mailto:Laurel.Nash@gov.bc.ca)

*I am grateful to live and work on the beautiful traditional territory of the Lekwungen speaking people and the Songhees, Esquimalt and WSÁNEĆ peoples whose historic relationships with the land and sea continue to this day.*

*To report an act of pollution, call the RAPP (Report All Poachers and Polluters) line at 1-877-952-7277 or #7277 on the TELUS Mobility Network or report the incident [online](#).*

---

**From:** Trumpy, Chris EMLI:EX <[Chris.Trumpy@gov.bc.ca](mailto:Chris.Trumpy@gov.bc.ca)>  
**Sent:** January 26, 2022 11:32 AM  
**To:** Nash, Laurel ENV:EX <[Laurel.Nash@gov.bc.ca](mailto:Laurel.Nash@gov.bc.ca)>  
**Subject:** FW: IJC update

s.16

---

**From:** Shepard, Michael EAO:EX <[Michael.Shepard@gov.bc.ca](mailto:Michael.Shepard@gov.bc.ca)>  
**Sent:** January 26, 2022 11:31 AM  
**To:** Danks, Anthony ENV:EX <[Anthony.Danks@gov.bc.ca](mailto:Anthony.Danks@gov.bc.ca)>  
**Cc:** Trumpy, Chris EMLI:EX <[Chris.Trumpy@gov.bc.ca](mailto:Chris.Trumpy@gov.bc.ca)>  
**Subject:** FYI: IJC update

Hi Anthony,

This may not be news to you, but wanted to share just in case.

We heard today from our colleagues at IAAC that they heard from GAC yesterday on the IJC request. It sounds like they are now working with State to draft a terms of reference for the IJC re Elk Valley WQ. I can't recall if you mentioned this specifically on your update to ADMs last week.

Mike

Get [Outlook for iOS](#)

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Danks, Anthony ENV:EX  
**Sent:** September 24, 2021 11:28 AM  
**To:** Longpre, Nicole IGRS:EX; Anthony, Jennifer EMLI:EX  
**Cc:** Paquin, Lisa C ENV:EX  
**Subject:** FW: Meeting this a.m. with Global Affairs and ECCC

fyi

---

**From:** Danks, Anthony ENV:EX  
**Sent:** September 24, 2021 11:28 AM  
**To:** Jardine, Kevin ENV:EX <Kevin.Jardine@gov.bc.ca>  
**Cc:** Nash, Laurel ENV:EX <Laurel.Nash@gov.bc.ca>; Paquin, Lisa C ENV:EX <Lisa.Paquin@gov.bc.ca>  
**Subject:** Meeting this a.m. with Global Affairs and ECCC

Hi Kevin: Short note to follow up on a meeting we had this morning with Evelyne Coulombe, ED from Global Affairs Canada and Anna Classen, RDG from ECCC (and staff) in relation to the tour of the Teck facility that just took place with Mike Flores from the State Department. They accompanied him on that leg of the trip. We had EMLI and IGRS with us in the meeting. The GAC folks were here in person.

Their impression was he was quite impressed by the tour and efforts being made on both the active and passive water treatment and the overall commitment to the health of the valley. There was not a lot of discussion on the IJC on that part of the tour, but an ongoing interest on what potential gaps there might be.<sup>s.16</sup>

s.16

We will work with Global Affairs Canada and IGRS to schedule a follow up call for you with Mike Flores once he is back in Washington, DC.

Anthony Danks, Executive Director  
Strategic Policy Division  
Ministry of Environment and Climate Change Strategy  
Victoria, BC | p. 778-698-4409 | [anthony.danks@gov.bc.ca](mailto:anthony.danks@gov.bc.ca)

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Paquin, Lisa C ENV:EX  
**Sent:** November 4, 2021 1:43 PM  
**To:** Anthony, Jennifer EMLI:EX; Longpre, Nicole IGRS:EX  
**Cc:** Danks, Anthony ENV:EX; Ryan-Aylward, Michel ENV:EX; Barwin, Gabrielle EMLI:EX  
**Subject:** FW: Nov 5 Meeting Questions - GAC-BC re IJC proposal  
**Attachments:** Nov 5 Meeting Questions - GAC-BC re IJC proposal.docx

Hello Jen and Nicole,

Thank you very much for your feedback on the attached document. We have tried to incorporate the majority of the input provided for the call with GAC tomorrow. You will also see that we have lifted out six key questions that we would like to ensure are asked of GAC as we recognize there is no way we are going to get through all the questions.

s.13; s.16

Based on the information we receive, we are proposing to develop a Decision Note for the DMs of ENV, EMLI and IGRS to will outline the GAC proposal and potential next steps for B.C. s.13; s.16  
s.13; s.16

s.13; s.16

Let me know if you would like to discuss or have any concerns with the proposed approach.

Cheers, Lisa

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** February 2, 2022 8:45 AM  
**To:** Maranda, Pierrette IGRS:EX  
**Cc:** Westgate, Rachael IGRS:EX  
**Subject:** FW: RESENDING: Transboundary water quality in the Elk Valley

---

**From:** Danks, Anthony ENV:EX <Anthony.Danks@gov.bc.ca>  
**Sent:** February 2, 2022 8:05 AM  
**To:** Felicia.Minotti@international.gc.ca  
**Cc:** Paquin, Lisa C ENV:EX <Lisa.Paquin@gov.bc.ca>; Anthony, Jennifer EMLI:EX <Jennifer.Anthony@gov.bc.ca>; Periwai, Sukumar IGRS:EX <Sukumar.Periwal@gov.bc.ca>; Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>; Tana.Stratton@international.gc.ca; Evelyne.Coulombe@international.gc.ca  
**Subject:** RE: RESENDING: Transboundary water quality in the Elk Valley

Hi Felicia:

Thanks for the information.<sup>s.16</sup>  
s.16

Anthony

Anthony Danks, Executive Director  
Strategic Policy Division  
Ministry of Environment and Climate Change Strategy  
Victoria, BC | p. 778-698-4409 | [anthony.danks@gov.bc.ca](mailto:anthony.danks@gov.bc.ca)

---

**From:** Felicia.Minotti@international.gc.ca <Felicia.Minotti@international.gc.ca>  
**Sent:** February 1, 2022 2:28 PM  
**To:** Danks, Anthony ENV:EX <Anthony.Danks@gov.bc.ca>  
**Cc:** Paquin, Lisa C ENV:EX <Lisa.Paquin@gov.bc.ca>; Anthony, Jennifer EMLI:EX <Jennifer.Anthony@gov.bc.ca>; Periwai, Sukumar IGRS:EX <Sukumar.Periwal@gov.bc.ca>; Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>; Tana.Stratton@international.gc.ca; Evelyne.Coulombe@international.gc.ca  
**Subject:** RESENDING: Transboundary water quality in the Elk Valley

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

\*\*apologies, resending as I had Sukumar's email address wrong in the first message, so want to ensure it's correct"

Anthony,

Let me begin by noting our appreciation for the many discussions that B.C. has had with GAC on the issue of potential IJC involvement in Elk Valley water quality.

s.16

s.13; s.16

s.16

Felicia

**Felicia Minotti**

Deputy Director (Energy and Environment), U.S. Transboundary Affairs

Directrice adjointe, Affaires transfrontalières avec les États-Unis

Global Affairs Canada | Affaires mondiales Canada

Mobile: 613-697-1572

[felicia.minotti@international.gc.ca](mailto:felicia.minotti@international.gc.ca)



Global Affairs  
Canada

Affaires mondiales  
Canada

**\*N'hésitez pas à répondre à ce courriel dans la langue de votre choix\***

## **Lewthwaite, Jennifer IGRS:EX**

---

**From:** Danks, Anthony ENV:EX  
**Sent:** April 13, 2022 3:24 PM  
**To:** Jardine, Kevin ENV:EX; Mihlar, Fazil EMLI:EX; Brownsey, Silas IGRS:EX  
**Cc:** Nash, Laurel ENV:EX; Maranda, Pierrette IGRS:EX; Periwai, Sukumar IGRS:EX; Trumpy, Chris EMLI:EX; Anthony, Jennifer LWRS:EX; Longpre, Nicole IGRS:EX; Downie, AJ ENV:EX; Paquin, Lisa C ENV:EX  
**Subject:** GAC call today

Kevin, Fazil and Silas:

s.16

Pierrette, Laurel and/or Chris may have some perspective to add.

Anthony



Oct 12/21

GAC:

s.16

s.16

s.16

Debrief on DM tour of Elk Valley:

- Anthony and Lisa met with Sung Choi and US CG. Appears to still be significant contemplation of IJC option.
- Tour of Teck was technical. Opportunity to be on the ground with staff and ask questions re: progress. Progress appears promising.
- s.16

Nov 9/21

GAC Update:

Continuing follow up with DOS.

Call with DOS last Friday –s.16

s.16

ECCC:

Working through internal processs.16; s.17

Had meeting with technical counterparts in US. Info exchange. s.16

s.16 Using joint messaging on IJC. Does appear to be gap in knowledge on Cdn legislation. Offering info session on ECCC legislation including Fisheries Act. Clarifying FPT dynamic in particular. Interested in broadening that meeting to DOS as well – could be done at quarterly call in Dec to reach all EPA regions. ECCC will reshare IAAC placemat.

EPA seem to be engaging at increased level with ID and MT.

s.16

BC-MT

GAC and likely DOS will be observing LKMRWG meeting next Thursday.

May be some small changes to scheduling – KTOI will take over USGS ID slot.

Morning is high-level updates, followed by updates on monitoring and recent fish toxicity studies.

FLNRO will present on westslope cutthroat trout recovery.

s.16

Jan 11, 2022

s.16

Media/correspondence: letter from Wildsight to ENV and ECCC.

Next GAC-DOS meeting in April.

February 8/22

GAC: Discussions ongoing with DOS on Elk Valley process. Felicia and team planning to have separate discussion on this.

ECCC: flag that coal mining effluent regulations discussion paper published last week. Otherwise quiet this week.

Access to information request has been shared with EPA.

s.16; s.17

BC-MT: call with state this morning as part of regular check-ins with LKMRWG. MT updated on committee work ongoing in US. Standard may go to a stringency review – includes economic impacts.

s.16

March 8/22

s.16

s.16

April 12/22

s.16

s.16

s.16

s.16

s.16

s.16

s.16

s.16

s.16

s.16

May 10/22

s.16

s.16

s.16

s.16

Not a scheduled meeting with DOS prior to quarterly call but would like to bring options forward at earliest convenience. Will be pressure on the US side.

s.16

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** September 14, 2021 1:18 PM  
**To:** Periwai, Sukumar IGRS:EX  
**Subject:** GAC/ECCC TB mining update notes

### GAC Update:

- Focus is on Evelyne and Tana's tour to B.C. next week
- Monday meeting with KNC and touring Lake K.
- Tuesday accompanying DOS, EPA and USGS on tour with Teck in Elk Valley (Anna Klassen from ECCC also attending)
- US delegation then go to MT and ID
- GAC goes to Vancouver, then finishing with meeting in Victoria
- IJC fringe meeting taking place differently this year – US counterparts will be travelling to Ottawa in person
- Bilat with Americans on Oct 15, IJC Oct 26
- Will not do quarterly call in Sept – doing on Oct 15 instead
- Don't anticipate anything unusual about update, will likely include debrief on tour to B.C.

### ECCC

- Were scheduled to have quarterly meeting with EPA, but has been postponed to post-election

### BC-MT update

- Planning fall meeting of LKMRWG – targeting November. Will be virtual. Might divide into a series of sessions rather than a full day online meeting. Will cover usual monitoring updates, areas of focus going forward etc.

### BC-AK update

- Planning next BWG meeting – likely to be Oct 28. First meeting since TB Monitoring work completed. Will discuss areas of focus going forward. Also anticipate discussion on FN and federal/Tribal engagement.

Nicole Longpré  
A/Manager, U.S. Relations  
Intergovernmental Relations Secretariat | Office of the Premier  
Tel. 236.478.1954  
Mobile. 250.589.2145

Pronouns: she/her/hers



Where ideas work



## Lewthwaite, Jennifer IGRS:EX

---

**From:** Danks, Anthony ENV:EX  
**Sent:** January 31, 2022 3:57 PM  
**To:** Anthony, Jennifer EMLI:EX; Trumpy, Chris EMLI:EX  
**Cc:** Paquin, Lisa C ENV:EX; Longpre, Nicole IGRS:EX  
**Subject:** Global Affairs call today

Chris and Jen:

Had a brief call today on the subject of IJC with Global Affairs (Felicia Minnotti) – reiterated our strong desire to see a draft copy of the “discussion paper” they are working on with Department of State. s.16

s.16

s.16

s.16

s.16

Thanks,  
Anthony

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** April 4, 2022 12:05 PM  
**To:** Dawes, Sandra IGRS:EX  
**Subject:** Meeting invite for PM/SP

Hi Sandra,

Could you check with PM and SP about whether they would like to join a call with GAC, KNC and other B.C. ministries on the IJC concept paper from 1-2PM PST on April 13? I will attend in any case, but I'll let the organizer know if others would like to join as well.

Thanks!

Nicole

Nicole Longpré  
Manager, U.S. Relations  
Intergovernmental Relations Secretariat | Office of the Premier  
Tel. 236.478.1954  
Mobile. 250.589.2145

Pronouns: she/her/hers



Where ideas work



## **Lewthwaite, Jennifer IGRS:EX**

---

**From:** Parvani, Sasha IGRS:EX  
**Sent:** December 15, 2021 4:40 PM  
**To:** Periwai, Sukumar IGRS:EX; Longpre, Nicole IGRS:EX  
**Subject:** Meeting Notes - CG Yen - Seattle consulate

Below are my notes from Silas' meeting with CG Yen today. Thanks!

-Sasha

Intro

s.16



Page 29 of 75

Withheld pursuant to/removed as

s.16

Closing Remarks  
s.16

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** March 28, 2022 2:15 PM  
**To:** Periwal, Sukumar IGRS:EX; Smith, Grant H IGRS:EX  
**Cc:** Lewthwaite, Jennifer IGRS:EX  
**Subject:** RE: 386683\_Meeting Note\_CMER-IJC in the Elk Valley\_25Mar2022  
**Attachments:** 386683\_Meeting Note\_CMER-IJC in the Elk Valley\_25Mar2022.docx

For context, since this was raised after Sukumar dropped off the call this morning, Anthony offered this draft note to Silas as backpocket material for use<sup>s.16</sup>

---

**From:** Danks, Anthony ENV:EX <Anthony.Danks@gov.bc.ca>  
**Sent:** March 28, 2022 2:11 PM  
**To:** Periwal, Sukumar IGRS:EX <Sukumar.Periwal@gov.bc.ca>; Smith, Grant H IGRS:EX <Grant.H.Smith@gov.bc.ca>  
**Cc:** Paquin, Lisa C ENV:EX <Lisa.Paquin@gov.bc.ca>; Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Subject:** 386683\_Meeting Note\_CMER-IJC in the Elk Valley\_25Mar2022

Draft note as requested. DM has not approved yet.

Anthony

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** April 12, 2022 4:02 PM  
**To:** Paquin, Lisa C ENV:EX  
**Cc:** Danks, Anthony ENV:EX; Westley, Rebecca ENV:EX; Lewthwaite, Jennifer IGRS:EX  
**Subject:** RE: 388924 - Joly - DRAFT  
**Attachments:** 388924 - Joly - DRAFT - IGRS edits.docx

Hi Lisa,

Attached are some minor changes requested by Silas. I'm sure you are aware but he indicated that the letter should go out asap (he has discussed with Kevin).

Thanks for the opportunity to review,

Nicole

---

**From:** Paquin, Lisa C ENV:EX <Lisa.Paquin@gov.bc.ca>  
**Sent:** April 12, 2022 1:52 PM  
**To:** Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Cc:** Danks, Anthony ENV:EX <Anthony.Danks@gov.bc.ca>; Westley, Rebecca ENV:EX <Rebecca.Westley@gov.bc.ca>  
**Subject:** 388924 - Joly - DRAFT

Hi Nicole,

Attached is an early draft of the letter to Minister Joly. As discussed would you please review and let us know if we have accurately reflected the tone and perspective<sup>s.16</sup>

Thanks, Lisa

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** May 3, 2022 6:39 AM  
**To:** Brownsey, Silas IGRS:EX  
**Cc:** Periwal, Sukumar IGRS:EX  
**Subject:** Re: s.16

Thanks very much, will pass the message along.

Sent from my iPhone

On May 2, 2022, at 7:22 PM, Brownsey, Silas IGRS:EX <Silas.Brownsey@gov.bc.ca> wrote:

Fyi.

---

**From:** Marcella Munro <Marcella.Munro@teck.com>  
**Sent:** May 2, 2022 2:29 PM  
**To:** Brownsey, Silas IGRS:EX <Silas.Brownsey@gov.bc.ca>  
**Subject:** s.16

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Hi Silas

Hope you're well.

s.16

Thanks again!

Marcella

**Marcella Munro** (she/her)  
Head, Government & Regulatory Affairs  
M: +1 416 254 1530  
D: +1 647 788 3008

<image001.png>

*I acknowledge my place of work is within the ancestral, traditional and unceded territories of the xʷməθkwəy̓əm (Musqueam), Skwxwú7mesh (Squamish), and sel̓ilwitulh (Tsleil-waututh) Nations.*

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** April 5, 2022 1:32 PM  
**To:** Maranda, Pierrette IGRS:EX; Vinette, Nicole IGRS:EX  
**Cc:** Periwal, Sukumar IGRS:EX  
**Subject:** RE: For Approval: GAC DM Call - Meeting Note  
**Attachments:** GAC verbal debrief notes

We did receive a verbal debrief on March 14 (notes attached here for your reference). GAC advises that we will receive the full concept paper in advance of the April 13 meeting (GAC staff were estimating by April 7).

---

**From:** Maranda, Pierrette IGRS:EX <Pierrette.Maranda@gov.bc.ca>  
**Sent:** April 5, 2022 1:28 PM  
**To:** Vinette, Nicole IGRS:EX <Nicole.Vinette@gov.bc.ca>  
**Cc:** Periwal, Sukumar IGRS:EX <Sukumar.Periwal@gov.bc.ca>; Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Subject:** RE: For Approval: GAC DM Call - Meeting Note

Sukumar and Nicole V and Nicole L: I think we should add a short update/ a few bullets on the IJC.

- E.g.;
  - On April 1, BC DMs (Silas, Fazil, Kevin Jardine) met with Pierre Béland, Chair, Canadian Section, and Christopher Wilkie, Secretary, both of the Office in Ottawa/Montreal. Mr. Beland and Mr. Wilkie qualified the meeting as an informal discussion. The discussion included a description of the IJC mandate, the history of IJC cases in BC. They indicated that when a reference is undertaken, it is not initiated by the IJC, but it is in response to requests by governments. They indicated that they study what governments ask them to study.
  - They indicated that the IJC recommendations are not binding.
  - As their staff is small, they indicated that they rely extensively on staff from both the federal government and provinces.
  - If a reference in the Elk Valley is undertaken, it could last 2 to 3 years. Their process involves extensive public consultation.
  - s.16
- 
- On April 13, there will be a call between GAC, KNC and other B.C. ministries on the IJC concept paper.

Maybe Nicole L. can add a few bullets on any developments/update. (Nicole L: Did BC already receive info from GAC on the concept paper or is the April 13 call the first follow-up to the discussion between Marta Morgan and Fazil where she said that GAC staff could give a verbal description of the concept paper to BC officials?)

Thanks

Pierrette

---

**From:** Vinette, Nicole IGRS:EX <[Nicole.Vinette@gov.bc.ca](mailto:Nicole.Vinette@gov.bc.ca)>  
**Sent:** April 5, 2022 12:25 PM  
**To:** Maranda, Pierrette IGRS:EX <[Pierrette.Maranda@gov.bc.ca](mailto:Pierrette.Maranda@gov.bc.ca)>  
**Cc:** Periwal, Sukumar IGRS:EX <[Sukumar.Periwal@gov.bc.ca](mailto:Sukumar.Periwal@gov.bc.ca)>; Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>  
**Subject:** RE: For Approval: GAC DM Call - Meeting Note

Hi Pierrette,

Just looping in Sukumar and Nicole Longpre since they're the leads on the IJC file and we worked on the contents of this BN together.

~Nicole

---

**From:** Maranda, Pierrette IGRS:EX <[Pierrette.Maranda@gov.bc.ca](mailto:Pierrette.Maranda@gov.bc.ca)>  
**Sent:** April 5, 2022 12:04 PM  
**To:** Vinette, Nicole IGRS:EX <[Nicole.Vinette@gov.bc.ca](mailto:Nicole.Vinette@gov.bc.ca)>  
**Subject:** FW: For Approval: GAC DM Call - Meeting Note

I am surprised that the possible IJC reference is not mentioned.

---

**From:** Lewthwaite, Jennifer IGRS:EX <[Jennifer.Lewthwaite@gov.bc.ca](mailto:Jennifer.Lewthwaite@gov.bc.ca)>  
**Sent:** April 5, 2022 7:49 AM  
**To:** Maranda, Pierrette IGRS:EX <[Pierrette.Maranda@gov.bc.ca](mailto:Pierrette.Maranda@gov.bc.ca)>  
**Cc:** Dawes, Sandra IGRS:EX <[Sandra.Dawes@gov.bc.ca](mailto:Sandra.Dawes@gov.bc.ca)>; Francis, Darren IGRS:EX <[Darren.Francis@gov.bc.ca](mailto:Darren.Francis@gov.bc.ca)>  
**Subject:** FW: For Approval: GAC DM Call - Meeting Note

Good morning,

Did you want to review prior to sending to Silas?

Jen

---

**From:** Vinette, Nicole IGRS:EX <[Nicole.Vinette@gov.bc.ca](mailto:Nicole.Vinette@gov.bc.ca)>  
**Sent:** April 4, 2022 4:10 PM  
**To:** Lewthwaite, Jennifer IGRS:EX <[Jennifer.Lewthwaite@gov.bc.ca](mailto:Jennifer.Lewthwaite@gov.bc.ca)>  
**Cc:** Periwal, Sukumar IGRS:EX <[Sukumar.Periwal@gov.bc.ca](mailto:Sukumar.Periwal@gov.bc.ca)>; Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>; Francis, Darren IGRS:EX <[Darren.Francis@gov.bc.ca](mailto:Darren.Francis@gov.bc.ca)>  
**Subject:** For Approval: GAC DM Call - Meeting Note

Hi Jen,

In preparation for the meeting between Silas and GAC DM Marta Morgan on Monday, I've drafted the following BN for Silas, which has been reviewed by Sukumar, Nicole Longpre, and Victoria:

[\\SFP.IDIR.BCGOV\S168\S68011\ADMINISTRATION 100 to 499\280 Executive-20 BN\MN for DM IGRS GAC DM Foreign Affairs.docx](#)



I understand that you and Darren haven't been connecting directly with DM Morgan's office re: logistics for the meeting, so if there are any updates to the timing and location, I'll be happy to add those into the note. If you or Silas have any questions, please let me know. Thanks...

~Nicole

Manager, U.S. Relations  
Intergovernmental Relations Secretariat | Office of the Premier  
Tel. 236.478.1954  
Mobile. 250.589.2145

Pronouns: she/her/hers



Where ideas work



## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** March 14, 2022 2:54 PM  
**To:** Periwai, Sukumar IGRS:EX  
**Subject:** RE: GAC verbal debrief notes

Complicated to answer, probably easier to do verbally.

---

**From:** Periwai, Sukumar IGRS:EX <Sukumar.Periwal@gov.bc.ca>  
**Sent:** March 14, 2022 2:53 PM  
**To:** Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Subject:** Re: GAC verbal debrief notes

s.16

On Mar 14, 2022, at 2:37 PM, Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)> wrote:

A combination of ENV and EMLI, but predominantly Laurel Nash, Chris Trumpy and Anthony.

---

**From:** Periwai, Sukumar IGRS:EX <[Sukumar.Periwal@gov.bc.ca](mailto:Sukumar.Periwal@gov.bc.ca)>  
**Sent:** March 14, 2022 1:31 PM  
**To:** Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>  
**Subject:** Re: GAC verbal debrief notes

Thanks Nicole. Who was speaking for BC on the call?

On Mar 14, 2022, at 1:10 PM, Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)> wrote:

I've just gotten off the verbal debrief from GAC on the proposed IJC referral. Exec and staff from ENV and EMLI were also on the line and led the B.C. feedback. Below is a brief summary of the advice that GAC provided (not verbatim). Happy to meet to provide further colour as needed.

GAC: s.13; s.16  
s.13; s.16

s.13; s.16                      s.16  
s.16

s.16

s.16  
s.16  
s.16

s.16

s.16

s.16

s.16

s.16

s.16      s.16  
s.16

Nicole Longpré  
A/Manager, U.S. Relations  
Intergovernmental Relations Secretariat | Office of the Premier  
Tel. 236.478.1954  
Mobile. 250.589.2145

Pronouns: she/her/hers



Where ideas work



## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** April 11, 2022 11:36 AM  
**To:** Maranda, Pierrette IGRS:EX  
**Subject:** RE: IJC

FYI, ministry colleagues have heard back from GAC that the concept paper is stuck in GAC internal approvals, GAC staff are hoping for an update on its progress later today.

---

**From:** Maranda, Pierrette IGRS:EX <[Pierrette.Maranda@gov.bc.ca](mailto:Pierrette.Maranda@gov.bc.ca)>  
**Sent:** April 11, 2022 10:47 AM  
**To:** Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>  
**Subject:** RE: IJC

Thanks – maybe I am mistaken, but then is BC still treated as one of several stakeholders?

---

**From:** Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>  
**Sent:** April 11, 2022 10:45 AM  
**To:** Maranda, Pierrette IGRS:EX <[Pierrette.Maranda@gov.bc.ca](mailto:Pierrette.Maranda@gov.bc.ca)>  
**Subject:** RE: IJC

Ministry colleagues have not yet received the concept paper either, so they are reaching out to GAC for an update.

---

**From:** Maranda, Pierrette IGRS:EX <[Pierrette.Maranda@gov.bc.ca](mailto:Pierrette.Maranda@gov.bc.ca)>  
**Sent:** April 11, 2022 10:30 AM  
**To:** Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>  
**Subject:** RE: IJC

thanks

---

**From:** Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>  
**Sent:** April 11, 2022 10:28 AM  
**To:** Maranda, Pierrette IGRS:EX <[Pierrette.Maranda@gov.bc.ca](mailto:Pierrette.Maranda@gov.bc.ca)>  
**Subject:** RE: IJC

Hi Pierrette,

ENV, EMLI and IGRS are all confirmed to attend the call (I will attend for our office). I have not yet received a copy of the concept paper, but will check with ministry colleagues to see if they have and follow up with you.

Nicole

---

**From:** Maranda, Pierrette IGRS:EX <[Pierrette.Maranda@gov.bc.ca](mailto:Pierrette.Maranda@gov.bc.ca)>  
**Sent:** April 11, 2022 10:27 AM  
**To:** Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>  
**Subject:** IJC

Nicole: From earlier notes, I see that on Wednesday (April 13), there will be a call between GAC, KNC, and bc ministries on the concept paper. I think BC officials were possibly getting a copy of the concept paper before Wednesday. Could you check please: 1) if they received it, and 2) which ministries will be on that call.

Thanks

Pierrette

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** March 3, 2022 3:53 PM  
**To:** Periwal, Sukumar IGRS:EX; Maranda, Pierrette IGRS:EX  
**Subject:** RE: IJC

I'm just on a call with them now, they've requested a verbal briefing and are in the process of setting it up, Anthony will make sure I am included in the call once the timing is finalized.

---

**From:** Periwal, Sukumar IGRS:EX <Sukumar.Periwal@gov.bc.ca>  
**Sent:** March 3, 2022 3:51 PM  
**To:** Maranda, Pierrette IGRS:EX <Pierrette.Maranda@gov.bc.ca>; Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Subject:** RE: IJC

I haven't heard about it, but Nicole is closer to the Env team on this file so I will defer to her.

---

**From:** Maranda, Pierrette IGRS:EX <Pierrette.Maranda@gov.bc.ca>  
**Sent:** March 3, 2022 3:30 PM  
**To:** Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Cc:** Periwal, Sukumar IGRS:EX <Sukumar.Periwal@gov.bc.ca>  
**Subject:** RE: IJC

Thanks to you both.

Would you know if Env is preparing a reply to GAC on the scope of the concept paper. Marta Morgan had said that GAC staff could give verbal information to BC staff on the content of the concept paper, but could not share it. I wonder if this has happened.

---

**From:** Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Sent:** March 3, 2022 3:24 PM  
**To:** Maranda, Pierrette IGRS:EX <Pierrette.Maranda@gov.bc.ca>  
**Cc:** Periwal, Sukumar IGRS:EX <Sukumar.Periwal@gov.bc.ca>  
**Subject:** RE: IJC

Hi Pierrette,

I haven't had any recent updates from EMLI or ENV staff, and I haven't seen a draft of the MBR note so I can't confirm either way what ended up in it, although I did flag that the meeting was taking place for the EMLI lead on IJC issues.

s.16

Let me know if there's anything you would like me to check in with staff about,

Nicole



---

**From:** Maranda, Pierrette IGRS:EX <[Pierrette.Maranda@gov.bc.ca](mailto:Pierrette.Maranda@gov.bc.ca)>  
**Sent:** March 3, 2022 3:18 PM  
**To:** Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>  
**Cc:** Periwal, Sukumar IGRS:EX <[Sukumar.Periwal@gov.bc.ca](mailto:Sukumar.Periwal@gov.bc.ca)>  
**Subject:** IJC  
**Importance:** High

Nicole:

Silas and I have a check-in meeting tomorrow morning at 8:30 with PCO.

I suggested to Silas that we raised the IJC. Silas will defer to me on this. Can you give me an update so that imam ready for the call.

I plan to say that MBR will or has a call with Min Wilkinson and his DM John Henneford. What else?

Thanks

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Brownsey, Silas IGRS:EX  
**Sent:** May 6, 2022 4:10 PM  
**To:** Mihlar, Fazil EMLI:EX; Trumpy, Chris EMLI:EX; Jardine, Kevin ENV:EX  
**Cc:** Nash, Laurel ENV:EX; Danks, Anthony ENV:EX; Maranda, Pierrette IGRS:EX; Longpre, Nicole IGRS:EX  
**Subject:** RE: MBR/MJW Meeting

Thanks Chris. I would suggest that Nicole Longpre from IGR also join that discussion.

---

**From:** Mihlar, Fazil EMLI:EX <Fazil.Mihlar@gov.bc.ca>  
**Sent:** May 6, 2022 2:43 PM  
**To:** Trumpy, Chris EMLI:EX <Chris.Trumpy@gov.bc.ca>; Brownsey, Silas IGRS:EX <Silas.Brownsey@gov.bc.ca>; Jardine, Kevin ENV:EX <Kevin.Jardine@gov.bc.ca>  
**Cc:** Nash, Laurel ENV:EX <Laurel.Nash@gov.bc.ca>; Danks, Anthony ENV:EX <Anthony.Danks@gov.bc.ca>; Maranda, Pierrette IGRS:EX <Pierrette.Maranda@gov.bc.ca>  
**Subject:** Re: MBR/MJW Meeting

Thx for the update. Agree with your suggested BC participants.

Get [Outlook for iOS](#)

---

**From:** Trumpy, Chris EMLI:EX <Chris.Trumpy@gov.bc.ca>  
**Sent:** Friday, May 6, 2022 2:36 PM  
**To:** Mihlar, Fazil EMLI:EX <Fazil.Mihlar@gov.bc.ca>; Brownsey, Silas IGRS:EX <Silas.Brownsey@gov.bc.ca>; Jardine, Kevin ENV:EX <Kevin.Jardine@gov.bc.ca>  
**Cc:** Nash, Laurel ENV:EX <Laurel.Nash@gov.bc.ca>; Danks, Anthony ENV:EX <Anthony.Danks@gov.bc.ca>; Maranda, Pierrette IGRS:EX <Pierrette.Maranda@gov.bc.ca>  
**Subject:** RE: MBR/MJW Meeting

Your weekly IJC update...

- s.16
- 
- 
- 

---

**From:** Trumpy, Chris EMLI:EX  
**Sent:** April 29, 2022 2:43 PM  
**To:** Mihlar, Fazil EMLI:EX <Fazil.Mihlar@gov.bc.ca>; Brownsey, Silas IGRS:EX <Silas.Brownsey@gov.bc.ca>; Jardine, Kevin ENV:EX <Kevin.Jardine@gov.bc.ca>  
**Cc:** Nash, Laurel ENV:EX <Laurel.Nash@gov.bc.ca>; Danks, Anthony ENV:EX <Anthony.Danks@gov.bc.ca>; Maranda,

Pierrette IGRS:EX <[Pierrette.Maranda@gov.bc.ca](mailto:Pierrette.Maranda@gov.bc.ca)>

**Subject:** RE: MBR/MJW Meeting

Hi all,

Just spoke with NRCAN:

- s.16

- 

- 

Chris

---

**From:** Mihlar, Fazil EMLI:EX <[Fazil.Mihlar@gov.bc.ca](mailto:Fazil.Mihlar@gov.bc.ca)>

**Sent:** April 26, 2022 12:22 PM

**To:** Trumpy, Chris EMLI:EX <[Chris.Trumpy@gov.bc.ca](mailto:Chris.Trumpy@gov.bc.ca)>; Brownsey, Silas IGRS:EX <[Silas.Brownsey@gov.bc.ca](mailto:Silas.Brownsey@gov.bc.ca)>; Jardine, Kevin ENV:EX <[Kevin.Jardine@gov.bc.ca](mailto:Kevin.Jardine@gov.bc.ca)>

**Cc:** Nash, Laurel ENV:EX <[Laurel.Nash@gov.bc.ca](mailto:Laurel.Nash@gov.bc.ca)>; Danks, Anthony ENV:EX <[Anthony.Danks@gov.bc.ca](mailto:Anthony.Danks@gov.bc.ca)>; Maranda, Pierrette IGRS:EX <[Pierrette.Maranda@gov.bc.ca](mailto:Pierrette.Maranda@gov.bc.ca)>

**Subject:** Re: MBR/MJW Meeting

Thx for update.

Get [Outlook for iOS](#)

---

**From:** Trumpy, Chris EMLI:EX <[Chris.Trumpy@gov.bc.ca](mailto:Chris.Trumpy@gov.bc.ca)>

**Sent:** Tuesday, April 26, 2022 11:33 AM

**To:** Mihlar, Fazil EMLI:EX <[Fazil.Mihlar@gov.bc.ca](mailto:Fazil.Mihlar@gov.bc.ca)>; Brownsey, Silas IGRS:EX <[Silas.Brownsey@gov.bc.ca](mailto:Silas.Brownsey@gov.bc.ca)>; Jardine, Kevin ENV:EX <[Kevin.Jardine@gov.bc.ca](mailto:Kevin.Jardine@gov.bc.ca)>

**Cc:** Nash, Laurel ENV:EX <[Laurel.Nash@gov.bc.ca](mailto:Laurel.Nash@gov.bc.ca)>; Danks, Anthony ENV:EX <[Anthony.Danks@gov.bc.ca](mailto:Anthony.Danks@gov.bc.ca)>; Maranda, Pierrette IGRS:EX <[Pierrette.Maranda@gov.bc.ca](mailto:Pierrette.Maranda@gov.bc.ca)>

**Subject:** RE: MBR/MJW Meeting

Hi all,

Just a quick update on conversation Laurel and I had with NRCAN this morning:

- s.16

- 

- 

Chris

---

**From:** Trumpy, Chris EMLI:EX

**Sent:** April 21, 2022 10:34 AM

**To:** Mihlar, Fazil EMLI:EX <[Fazil.Mihlar@gov.bc.ca](mailto:Fazil.Mihlar@gov.bc.ca)>; Brownsey, Silas IGRS:EX <[Silas.Brownsey@gov.bc.ca](mailto:Silas.Brownsey@gov.bc.ca)>; Jardine, Kevin ENV:EX <[Kevin.Jardine@gov.bc.ca](mailto:Kevin.Jardine@gov.bc.ca)>  
**Cc:** Nash, Laurel ENV:EX <[Laurel.Nash@gov.bc.ca](mailto:Laurel.Nash@gov.bc.ca)>; Danks, Anthony ENV:EX <[Anthony.Danks@gov.bc.ca](mailto:Anthony.Danks@gov.bc.ca)>; Maranda, Pierrette IGRS:EX <[Pierrette.Maranda@gov.bc.ca](mailto:Pierrette.Maranda@gov.bc.ca)>  
**Subject:** MBR/MJW Meeting

Just got off the phone, couple of key takeaways:

s.16

- 
- 
- 
- 

Any questions let me know,

Chris

**Chris Trumpy**

Executive Lead

Mines Competitiveness and Authorizations Division

Office: (778) 698-7295

Cell: (250) 415-7754

**Lewthwaite, Jennifer IGRS:EX**

---

**From:** Periwal, Sukumar IGRS:EX  
**Sent:** March 24, 2022 12:48 PM  
**To:** Maranda, Pierrette IGRS:EX; Smith, Grant H IGRS:EX  
**Cc:** Longpre, Nicole IGRS:EX  
**Subject:** RE: Meeting with PMJT  
**Attachments:** Meeting with Prime Minister Justin Trudeau March 29 2022\_spedits.docx

Please see attached my cut on point 2 based on the letters Grant had shared as well as other materials developed for the mining progress board.

Thanks

---

**From:** Maranda, Pierrette IGRS:EX <Pierrette.Maranda@gov.bc.ca>  
**Sent:** March 23, 2022 5:12 PM  
**To:** Smith, Grant H IGRS:EX <Grant.H.Smith@gov.bc.ca>; Periwal, Sukumar IGRS:EX <Sukumar.Periwal@gov.bc.ca>  
**Subject:** Meeting with PMJT

This is what I shared with Silas at the beginning of our meeting today.

He is supportive of using this format for the meeting next week between PMJT and PJH. Sukumar: it would be appreciated if you could write for us the item on point 2 "Resources" file (see attached email: FWD:bi-lat).

The 3 of us can discuss if you wish.

Pierrette

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** April 1, 2022 10:58 AM  
**To:** Periwal, Sukumar IGRS:EX  
**Cc:** Vinette, Nicole IGRS:EX  
**Subject:** RE: Question: April 11th Mtg w/ GAC DM in Van

s.13

---

**From:** Periwal, Sukumar IGRS:EX <Sukumar.Periwal@gov.bc.ca>  
**Sent:** April 1, 2022 10:56 AM  
**To:** Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Cc:** Vinette, Nicole IGRS:EX <Nicole.Vinette@gov.bc.ca>  
**Subject:** Fwd: Question: April 11th Mtg w/ GAC DM in Van

FYI - opportunity to bring up IJC informally... anything else?

Begin forwarded message:

**From:** "Vinette, Nicole IGRS:EX" <Nicole.Vinette@gov.bc.ca>  
**Date:** April 1, 2022 at 10:28:45 AM PDT  
**To:** "Lewthwaite, Jennifer IGRS:EX" <Jennifer.Lewthwaite@gov.bc.ca>  
**Cc:** "Periwal, Sukumar IGRS:EX" <Sukumar.Periwal@gov.bc.ca>, "Francis, Darren IGRS:EX" <Darren.Francis@gov.bc.ca>  
**Subject:** Question: April 11th Mtg w/ GAC DM in Van

Hi Jen,

I just heard from my counterpart from GAC's Foreign Affairs Division that DM Marta Morgan will be going to Asia in mid-April and will have a one-day stopover in Vancouver on April 11<sup>th</sup>. She has expressed interest in meeting with Silas in Vancouver if he's available at some point during the day.

I know Silas already has the NRW DOI virtual event from 8-9am on the 11<sup>th</sup> and likely also the meeting with Ambassador Hillman from 1-2:30pm, but if Silas would be interested in meeting with Marta Morgan, please let me know and I'll be happy to connect you and Darren with the schedulers in her DMO.

In terms of potential topics for discussion, my counterpart flagged both Asia-Pacific relations and U.S. advocacy as possibilities. I hope this is helpful as a starting point, but if you or Silas have any questions or need additional info, please let me know.

~Nicole

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Danks, Anthony ENV:EX  
**Sent:** March 24, 2022 1:03 PM  
**To:** Periwai, Sukumar IGRS:EX  
**Cc:** Paquin, Lisa C ENV:EX; Longpre, Nicole IGRS:EX  
**Subject:** RE: Unilateral IJC Reference : Key Considerations

Sukumar – Here is what Peter provided. <sup>s.13</sup>

Anthony

-----  
-----

For our discussion, FYI, selections from the Boundary Waters Treaty of 1909 are copied below with my highlighting.

s.13

See also my comments in red font in the initial email below. This is not legal advice, of course -- just my understanding from scanning the Treaty.

-P.

\_\_\_\_\_

[...]

ARTICLE III

Copyright

[...]

ARTICLE IV

Copyright

[...]

ARTICLE VII

Copyright

[...]

ARTICLE VIII

Copyright

---

ARTICLE IX

Copyright

---



[...]

---

**From:** Periwai, Sukumar IGRS:EX <Sukumar.Periwal@gov.bc.ca>  
**Sent:** March 24, 2022 12:15 PM  
**To:** Danks, Anthony ENV:EX <Anthony.Danks@gov.bc.ca>  
**Cc:** Paquin, Lisa C ENV:EX <Lisa.Paquin@gov.bc.ca>; Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Subject:** FW: Unilateral IJC Reference : Key Considerations

Hi Anthony

Would you happen to have the review by Peter Trotzki that Jen Anthony is referring to in her email below, by any chance?

s.13; s.16

Would welcome your thoughts...

Thanks

Sukumar

---

**From:** Anthony, Jennifer EMLI:EX <[Jennifer.Anthony@gov.bc.ca](mailto:Jennifer.Anthony@gov.bc.ca)>  
**Sent:** March 24, 2022 11:53 AM  
**To:** Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>

**Cc:** Paquin, Lisa C ENV:EX <[Lisa.Paquin@gov.bc.ca](mailto:Lisa.Paquin@gov.bc.ca)>

**Subject:** RE: Unilateral IJC Reference : Key Considerations

Hi Nicole, no, the closest we came was Peter Trotsky's high level review of the Boundary Waters Treaty and some key points.

s.16

Hope that helps clarify! I've looped Lisa and in as well as she may have additional value to add 😊  
Jen

---

**From:** Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>

**Sent:** March 24, 2022 11:24 AM

**To:** Anthony, Jennifer EMLI:EX <[Jennifer.Anthony@gov.bc.ca](mailto:Jennifer.Anthony@gov.bc.ca)>

**Subject:** FW: Unilateral IJC Reference : Key Considerations

Hi Jen,

Just wondering if you had any intel<sup>s.13</sup>  
s.13

Thanks!

Nicole

---

**From:** Danks, Anthony ENV:EX <[Anthony.Danks@gov.bc.ca](mailto:Anthony.Danks@gov.bc.ca)>

**Sent:** March 24, 2022 10:48 AM

**To:** Periwal, Sukumar IGRS:EX <[Sukumar.Periwal@gov.bc.ca](mailto:Sukumar.Periwal@gov.bc.ca)>

**Cc:** Paquin, Lisa C ENV:EX <[Lisa.Paquin@gov.bc.ca](mailto:Lisa.Paquin@gov.bc.ca)>; Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>

**Subject:** RE: Unilateral IJC Reference : Key Considerations

Hi Sukumar – I had not heard<sup>s.13</sup>  
s.13

Anthony

---

**From:** Periwal, Sukumar IGRS:EX <[Sukumar.Periwal@gov.bc.ca](mailto:Sukumar.Periwal@gov.bc.ca)>

**Sent:** March 24, 2022 8:47 AM

**To:** Danks, Anthony ENV:EX <[Anthony.Danks@gov.bc.ca](mailto:Anthony.Danks@gov.bc.ca)>

**Cc:** Paquin, Lisa C ENV:EX <[Lisa.Paquin@gov.bc.ca](mailto:Lisa.Paquin@gov.bc.ca)>; Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>

**Subject:** RE: Unilateral IJC Reference : Key Considerations

Good morning Anthony<sup>s.16</sup>  
Thanks for sharing this, very interesting.

s.16

s.16

s.16

s.13

I may have got that wrong<sup>s.13</sup>

Thanks as always  
Sukumar

---

**From:** Danks, Anthony ENV:EX <[Anthony.Danks@gov.bc.ca](mailto:Anthony.Danks@gov.bc.ca)>  
**Sent:** March 24, 2022 8:04 AM  
**To:** Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>; Periwai, Sukumar IGRS:EX <[Sukumar.Periwal@gov.bc.ca](mailto:Sukumar.Periwal@gov.bc.ca)>  
**Cc:** Paquin, Lisa C ENV:EX <[Lisa.Paquin@gov.bc.ca](mailto:Lisa.Paquin@gov.bc.ca)>  
**Subject:** FW: Unilateral IJC Reference : Key Considerations

fyi

---

**From:** [Evelyne.Coulombe@international.gc.ca](mailto:Evelyne.Coulombe@international.gc.ca) <[Evelyne.Coulombe@international.gc.ca](mailto:Evelyne.Coulombe@international.gc.ca)>  
**Sent:** March 24, 2022 7:59 AM  
**To:** Danks, Anthony ENV:EX <[Anthony.Danks@gov.bc.ca](mailto:Anthony.Danks@gov.bc.ca)>; Anthony, Jennifer EMLI:EX <[Jennifer.Anthony@gov.bc.ca](mailto:Jennifer.Anthony@gov.bc.ca)>;  
Paquin, Lisa C ENV:EX <[Lisa.Paquin@gov.bc.ca](mailto:Lisa.Paquin@gov.bc.ca)>  
**Cc:** [Felicia.Minotti@international.gc.ca](mailto:Felicia.Minotti@international.gc.ca); [Tana.Stratton@international.gc.ca](mailto:Tana.Stratton@international.gc.ca)  
**Subject:** Unilateral IJC Reference : Key Considerations

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Anthony, Jennifer and Lisa,

We have followed up on your request for additional information on the concept of a unilateral reference, which has never been done in the history of the International Joint Commission.<sup>s.16</sup>

s.16

While the information provided below is not legal advice, and it is possible that others analyze the situation differently, after internal discussions at GAC, including with our Legal Bureau, below are key considerations that must be accounted for in relation to this concept. We trust that BC will keep this correspondence confidential.

s.16

**Evelyne Coulombe** (she/her | elle)

Executive Director | U.S. Transboundary Affairs

Directrice exécutive | Affaires transfrontalières avec les États-Unis

Global Affairs Canada | Affaires mondiales Canada

Government of Canada | Gouvernement du Canada



We are the US Transboundary Affairs Division (NGB)—Click on this tab to learn more about us.



Nous sommes la Division des affaires transfrontalières – États-Unis (NGB)—Cliquez sur cet onglet pour nous mieux connaître.

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** March 15, 2022 3:01 PM  
**To:** Maranda, Pierrette IGRS:EX; Periwal, Sukumar IGRS:EX  
**Cc:** Parvani, Sasha IGRS:EX; Dawes, Sandra IGRS:EX  
**Subject:** RE: US-Canada Roadmap at One Event - Notes

s.13 Thanks Pierrette – PO has already signaled provisional support for the port tour | s.13

s.13 I think we're just waiting for confirmation that the time of day will line up to make it possible. I should also note the Ambassador is stopping in Vancouver after a visit to Alaska for the Arctic Encounter Symposium Apr 7-8 | s.22  
s.22 | and s.16  
s.16

---

**From:** Maranda, Pierrette IGRS:EX <Pierrette.Maranda@gov.bc.ca>  
**Sent:** March 15, 2022 2:54 PM  
**To:** Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>; Periwal, Sukumar IGRS:EX <Sukumar.Periwal@gov.bc.ca>  
**Cc:** Parvani, Sasha IGRS:EX <Sasha.Parvani@gov.bc.ca>; Dawes, Sandra IGRS:EX <Sandra.Dawes@gov.bc.ca>  
**Subject:** RE: US-Canada Roadmap at One Event - Notes

Thanks for the clarification.

s.13 One possibility – this is just an idea – s.13  
s.13

---

**From:** Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Sent:** March 15, 2022 2:47 PM  
**To:** Maranda, Pierrette IGRS:EX <Pierrette.Maranda@gov.bc.ca>; Periwal, Sukumar IGRS:EX <Sukumar.Periwal@gov.bc.ca>  
**Cc:** Parvani, Sasha IGRS:EX <Sasha.Parvani@gov.bc.ca>; Dawes, Sandra IGRS:EX <Sandra.Dawes@gov.bc.ca>  
**Subject:** RE: US-Canada Roadmap at One Event - Notes

s.16 Thanks for this, Pierrette. Just an fyi that my most recent intelligence from the Embassy is s.16  
s.16

s.16 I'm hoping to connect with Embassy staff to get further details this week. We will of course prepare briefing materials in any case.

---

**From:** Maranda, Pierrette IGRS:EX <Pierrette.Maranda@gov.bc.ca>  
**Sent:** March 15, 2022 2:45 PM  
**To:** Periwal, Sukumar IGRS:EX <Sukumar.Periwal@gov.bc.ca>  
**Cc:** Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>; Parvani, Sasha IGRS:EX <Sasha.Parvani@gov.bc.ca>; Dawes,

Sandra IGRS:EX <Sandra.Dawes@gov.bc.ca>

**Subject:** FW: US-Canada Roadmap at One Event - Notes

FYI

As you can guess, a BN will be needed for the meeting. If Amb Hillman had similar meetings with other Premiers, you should indicate it in the BN.

s.13

s.16  
FYI,

s.16

Thanks

---

**From:** Lewthwaite, Jennifer IGRS:EX <Jennifer.Lewthwaite@gov.bc.ca>

**Sent:** March 11, 2022 2:36 PM

**To:** Brownsey, Silas IGRS:EX <Silas.Brownsey@gov.bc.ca>; Maranda, Pierrette IGRS:EX <Pierrette.Maranda@gov.bc.ca>

**Cc:** Francis, Darren IGRS:EX <Darren.Francis@gov.bc.ca>

**Subject:** FW: US-Canada Roadmap at One Event - Notes

Just flagging as PJH is meeting with Ambassador Hillman in April.

---

**From:** Parvani, Sasha IGRS:EX <Sasha.Parvani@gov.bc.ca>

**Sent:** March 11, 2022 2:32 PM

**To:** Westgate, Rachael IGRS:EX <Rachael.Westgate@gov.bc.ca>; Lewthwaite, Jennifer IGRS:EX <Jennifer.Lewthwaite@gov.bc.ca>

**Subject:** US-Canada Roadmap at One Event - Notes

Hi Rachael and Jen,

Below are my notes from the Wilson Centre event on the US- Canada Roadmap at One with Ambassador Hillman and Ambassador Cohen. The BC / WA flooding comments (highlighted) may be of particular interest to Pierrette and Silas.

Thanks,

Sasha

### **Roadmap at One: Progress Report on a Renewed U.S.-Canada Partnership**

#### **Ambassador Hillman Remarks**

- First, would like to acknowledge the crisis in Ukraine. Canada and US work closely together to promote democracy at home and around the world. In working with the US and our allies, we are deeply concerned by what is happening in Ukraine. We welcome the continued leadership the US is demonstrating. Canada and US have worked closely to coordinate an array of measures.
- Canada and US are partners that are deeply invested in each others success. The roadmap is not an announceable or deliverable document. It truly is a roadmap, a document that articulates shared priorities and shared values. A partnership that evolves as the world evolves.
- Six Pillars: Combatting COVID-19, Building Back Better, Accelerating Climate Action, Diversity & Inclusion, Bolstering Security & Defence, Building Global Alliances.

- Achievements under the Roadmap:
- COVID-19: Significant collaboration re: accessing vaccinations, border measures, global vaccine equity (working towards vaccinating 70% of the global population).
- Critical Minerals: We advanced work on critical minerals action plan. Canada's 2021 budget allocated close to \$50 million towards critical minerals work.
- Border: Renewed vision for managing our border: Bringing together a lot of lessons we have learned through the disruptions over the last few years.
- Started negotiations towards a Science, Technology, and Innovation agreement
- Climate Change: Canada was inspired by the global leadership shown by President Biden. Announced an enhanced target of 40-45% reductions below 2005 levels.
- Diversity, Equity, and Inclusion: Canada has been delivering some training sessions to US public servants, including senior officials at the White House re: how gender equality assessments are carried out within our public service and how we approach those issues in our work.
- Security and Defence: Important contributions to NORAD.
- Global Alliances: Very moved when the Roadmap was announced and President Biden called for the release of the two Michael's. Very grateful for their release and the President's unwavering support. We are also working closely together on the Summit for Democracy. Canada is making some contributions to that agenda.
- Looking ahead, a lot has been done but still a lot to do. We are focused on transactional issues. However, above everything else we are focused on our shared values and our mutual benefit. What we do together is very much influenced by global challenges (for example, the Ukraine crisis). The Canada -US relationship strengthens and grows in the face of these challenges / upheavals.

#### US Ambassador Cohen Remarks

- Warmth and friendship between our two leaders and two countries is abundantly clear. The roadmap itself is quite an accomplishment. A truly comprehensive, strategic plan. All six pillars are important, but they interconnected. A number of substantive accomplishments:
- COVID-19: US and Canada made tough decisions, not always politically popular, to control the spread of the pandemic. We've become leading donors of vaccines globally.
- Building Back Better: Pandemic has disproportionately impacted women, people of colour, and indigenous communities in the US and Canada. We are committed to building back better from the pandemic, and making sure economic recovery is inclusive and sustainable. Greatest year of job creation in US history. 6.6 million new jobs. US unemployment rate has decreased to 3.9%.
- Bilateral Trade: Tremendous growth in trade b/w our two countries: bilateral trade up 23% in 2021 to \$750 billion US. More than \$2 billion US crosses our border every day sustaining jobs on both sides of the border.
- We have some disagreements as any family does. We can't let our disagreements bury our incredibly strong relationship. The US and Canada have an incredible track record of handling our disagreements and continuing to grow the pie of trade.
- Climate Change: Our leaders understand the health of our people and economies is at stake. US and Canada led by example at COP26 to accelerate global ambitions. Both have signed on to the global methane pledge. Committed to achieving net zero emissions by 2050.
- Diversity, Equity, Inclusion: Making our societies more equitable, diverse, inclusive, accessible. I'm very passionate about this personally. Very proud it plays a central role in the Roadmap. This cuts across all the other pillars of the Roadmap. If we can't make progress on these issues, we will have a difficult time bringing prosperity to all our people and strengthening democracy around the world.
- Support for SMEs: Met with 3 women owned businesses just yesterday. They have survived the pandemic and are now building back better with support from the gov't. I'm having my own conversations with gov't officials in Canada and the US, with the private sector, and with SMEs re: trying to create an initiative in Canada that effectively provides a one stop shop for SMEs, especially those owned by women, people of colour, and indigenous peoples. Will facilitate access to private and public sector support and enable participating SMEs to benefit from mentoring and pro bono consulting services. There are many programs like this in the US. I've heard only excitement about creating similar opportunities in Canada to help us build back better.

- **Security and Defence:** We agreed in the Roadmap that collective security is a shared responsibility. The US and Canada are in lockstep with our allies in holding Russia accountable. As NATO allies, Canada and US have pledged 2% of our GDP to defence.
- **Global Alliances:** Our relationship is not limited to bilateral issues. Host of priorities including the Summit for Democracy, the North American Leaders' Summit, Haiti, and NATO. PM Trudeau and VP Harris meeting in Poland today to reaffirm shared commitment to defence and transatlantic security.

## Q&A

- **Q: In the wake of protests in Canada re: COVID mandates. Are there any strategies that the two governments can work towards to avoid the risk of trade bottlenecks in the future and focus on supply chain resiliency?**
- Ambassador Hillman: Disruptions at our border happen from time to time due to protests, BC / WA flooding, 9/11 etc. Underscores the degree to which we are deeply integrated. Priority for Canada to manage these situations from a public safety perspective and avoid escalation. Important to ensure we have systems in place to be able to react quickly and in a more coordinated way with the US. At all times we should be learning from all our experiences.
- Ambassador Cohen: First, this emphasizes how integrated our supply chains are. Next, how do we avoid interruptions to our supply chains from natural events and human events? The BC/WA flooding demonstrated an enormous level of cooperation between the US and BC/ Canada to ameliorate and minimize the impacts of the flooding with almost instantaneous waiver of regulations and barriers to enable the flow of goods in untraditional ways. We have working groups engaged in studying our supply chain and making it more resilient. Third, COVID related restrictions may have lit the spark for these protests. But, I firmly believe the cause of these protests in countries around the world is much broader and complicated than COVID mandates. There are concerns around the world from people that don't like government. There is concern about jobs /employment which generates this unrest. I'll always stand behind those COVID mandates and the millions of lives they've saved.
- **Q: The Roadmap includes a selection of goals around the idea of Building Back Better, in particular assisting groups that were disproportionately impacted by the pandemic. What tools are both countries using to promote opportunities for job creation and opportunities for women, youth, and other underrepresented groups.**
- ADC: Both countries are focusing their efforts to make sure SMEs are fully included in the recovery. That includes governmental financing programs and private sector financing programs. A host of programs in the US where the gov't is partnering with businesses to provide info about the programs that are available to SMEs. 15-20 years ago the main form of assistance was a loan. In the wake of the pandemic, too many SMEs are burdened with debt, so loans may not be best solution. In the US, the concept of forgivable loans was introduced. Substantial grant program available to minority owned SMEs. In Canada, I'm trying to gauge the interest in creating the same type of joint venture approach from provincial governments, the national government, and the private sector. I'm optimistic that we can bring the structure of those US based programs to Canada.
- AKH: We often deal with global issues. However, we spend a lot of time talking about our domestic policy implementation in areas where we are trying to achieve the same goals. We live in the same neighbourhood. When it comes to promoting opportunities for small businesses and minority owned businesses, there is a lot of domestic policy involved in addressing those situations (tax policy, childcare policy etc). We often compare notes with the US and try to learn from each other. On the bilateral front, our economies are largely driven by SMEs. They are hugely underrepresented in trade. Promoting SMEs in taking their first steps into Canada – US trade is a very worthwhile endeavour that pays dividends beyond efforts in other areas. Services within our government that help coach these companies in taking this first step.
- ADC: There is nothing new Canada or the US needs to create to accomplish these goals. We just need to stitch together existing and available programs, promoting them to SMEs, and letting them work their magic across a broader base of SMEs.



- **Q: You both spoke about Russia and Ukraine. Two things in the Roadmap stand out – commitment to a US / Canada Arctic dialogue. The Arctic Council has been suspended as Russia is the current chair. Where do we go from here on the Arctic, human rights, and democracy?**
- **AKH:** The Arctic is an enormous part of our identity. Increased focus on bilateral Arctic dialogue given geopolitical realities. In terms of the promotion of democracy, we need to pay attention to the institutions underpinning democracies everywhere, at home and internationally. This includes respect of human rights, free and fair elections, press freedom, access to information. Thinking more about how to address disinformation.
- **ADC:** Democracy is a central part of the shared culture between the US and Canada to promote democracy in our countries and around the world. I can't think of a better partner than Canada in promoting more positive pro-democratic speech at home and around the world. We currently see a classic disinformation campaign in Russia. This is an important part of the Roadmap.

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Periwal, Sukumar IGRS:EX  
**Sent:** February 28, 2022 10:27 AM  
**To:** Longpre, Nicole IGRS:EX  
**Subject:** Re: (No subject)

Good morning Nicole

Let's raise it at our 1 pm meeting with them if we get a chance, or else let's set up another meeting to focus on this specifically.

Thanks for not letting this go through the cracks.

On Feb 28, 2022, at 10:00 AM, Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca> wrote:

Hi Sukumar,

Just wondering if you would be able to check in with SB and PM about what exactly they would like done on this, when you have a chance?

Thanks, and happy Monday!

Nicole

---

**From:** Brownsey, Silas IGRS:EX <Silas.Brownsey@gov.bc.ca>  
**Sent:** February 21, 2022 6:49 PM  
**To:** Maranda, Pierrette IGRS:EX <Pierrette.Maranda@gov.bc.ca>  
**Cc:** Periwal, Sukumar IGRS:EX <Sukumar.Periwal@gov.bc.ca>; Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Subject:** RE: Mining Board

Thanks for this Pierrette. Agree that we are likely best placed to scope out the IJC referral process.

Suggest you and I connect with Michael and Louise again on this, and cc'ing Sheena <sup>s.13; s.16</sup>  
<sup>s.13; s.16</sup> (Sheena – let's talk tomorrow?).

---

**From:** Maranda, Pierrette IGRS:EX <Pierrette.Maranda@gov.bc.ca>  
**Sent:** February 18, 2022 4:06 PM  
**To:** Brownsey, Silas IGRS:EX <Silas.Brownsey@gov.bc.ca>  
**Cc:** Periwal, Sukumar IGRS:EX <Sukumar.Periwal@gov.bc.ca>; Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Subject:** Mining Board

Confidential

At the Mining Board meeting today, the agenda included an update on the IJC. Fazil, Kevin and I spoke to the issue.

Silas: you will remember that following your communication with Michael at PCO, a call took place between Fazil and Marta Morgan at GAC. That call was earlier this week, ie either Feb 14 or 15. s.16

s.16

s.16

It was agreed.

Fazil will work to arrange a call between MBR and Minister Jonathan Wilkinson. He hopes that the call take place next week (week of Feb.21). One consideration is that the IJC is having its quarterly Board Meeting in April and this issue is likely to be discussed there, s.16

s.16

Kevin would like to know the process of an IJC referral, (how long it may take, what are the steps, etc.) Knowing this will help define BC's actions, time them accordingly, and assess if the referral might interfere or link with other provincial involvement in this area of the province. Although Kevin's request was not assigned to anybody specifically, I believe, IGRS could contribute to this, particularly given our in-house knowledge and the contacts we have with GAC.

We can discuss more, if you wish.

Pierrette

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Trumpy, Chris EMLI:EX  
**Sent:** January 21, 2022 1:04 PM  
**To:** Danks, Anthony ENV:EX; Anthony, Jennifer EMLI:EX; Longpre, Nicole IGRS:EX; Downie, AJ ENV:EX; Moore, Sean ENV:EX  
**Cc:** Nash, Laurel ENV:EX; Paquin, Lisa C ENV:EX; Vander Steen, Benjamin ENV:EX; Graham, Tessa ENV:EX  
**Subject:** RE: DN - IJC (signed)

Thanks, this did get discussed at the Board mtg and I believe Silas is reaching out to his counterpart in Ottawa to gather some more info.

s.16

Chris

---

**From:** Danks, Anthony ENV:EX <Anthony.Danks@gov.bc.ca>  
**Sent:** January 21, 2022 10:40 AM  
**To:** Trumpy, Chris EMLI:EX <Chris.Trumpy@gov.bc.ca>; Anthony, Jennifer EMLI:EX <Jennifer.Anthony@gov.bc.ca>; Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>; Downie, AJ ENV:EX <AJ.Downie@gov.bc.ca>; Moore, Sean ENV:EX <Sean.Moore@gov.bc.ca>  
**Cc:** Nash, Laurel ENV:EX <Laurel.Nash@gov.bc.ca>; Paquin, Lisa C ENV:EX <Lisa.Paquin@gov.bc.ca>; Vander Steen, Benjamin ENV:EX <Benjamin.VanderSteen@gov.bc.ca>; Graham, Tessa ENV:EX <Tessa.Graham@gov.bc.ca>  
**Subject:** DN - IJC (signed)

FYI

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** October 27, 2021 9:30 AM  
**To:** Paquin, Lisa C ENV:EX  
**Cc:** Anthony, Jennifer EMLI:EX; Danks, Anthony ENV:EX; Barwin, Gabrielle EMLI:EX; Ryan-Aylward, Michel ENV:EX  
**Subject:** RE: GAC Call

Thanks Lisa – if there's an opportunity for a Team BC chat on this in the next few days that would be valuable.

---

**From:** Paquin, Lisa C ENV:EX <Lisa.Paquin@gov.bc.ca>  
**Sent:** October 27, 2021 9:09 AM  
**To:** Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Cc:** Anthony, Jennifer EMLI:EX <Jennifer.Anthony@gov.bc.ca>; Danks, Anthony ENV:EX <Anthony.Danks@gov.bc.ca>; Barwin, Gabrielle EMLI:EX <Gabrielle.Barwin@gov.bc.ca>; Ryan-Aylward, Michel ENV:EX <Michel.RyanAylward@gov.bc.ca>  
**Subject:** FW: GAC Call  
**Importance:** High

Hi Nicole,

Jen, Anthony, Mich and I had a debrief with GAC on their transboundary mining meeting on Oct 15<sup>th</sup> with DOS (see bullets below). We'll be organizing another meeting next week to have a further discussion b/c it was a short 30min call and we were caught off guard by their proposal. Lisa

Below are bullets stemming from a call today with GAC providing an update on their bilateral with DOS on Oct 15.

GAC brainstormed different ideas with EPA/ DoS at their meeting and have identified a path forward<sup>s.16</sup>  
s.16

- s.16
- s.16

- s.16

-

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** January 27, 2022 9:36 AM  
**To:** Danks, Anthony ENV:EX  
**Cc:** Paquin, Lisa C ENV:EX  
**Subject:** RE: IJC update

Hi Anthony,

He sent an email to Marta Morgan last week and an invite has gone into calendars for a meeting with the GAC ADM who holds this file, which Pierrette for sure and possibly Silas will be attending (scheduled for first thing next Monday morning). Still unsure whether this is a pre-meeting in advance of a meeting with GAC DM or if she has delegated. I'll keep you both posted on outcomes from the Monday discussion, but let me know in advance if there are any new questions you'd like Pierrette to raise.

Thanks,

Nicole

---

**From:** Danks, Anthony ENV:EX <Anthony.Danks@gov.bc.ca>  
**Sent:** January 26, 2022 12:57 PM  
**To:** Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Cc:** Paquin, Lisa C ENV:EX <Lisa.Paquin@gov.bc.ca>  
**Subject:** FW: IJC update

Do you know if Silas has had the conversation?

Anthony

---

**From:** Trumpy, Chris EMLI:EX <Chris.Trumpy@gov.bc.ca>  
**Sent:** January 26, 2022 11:57 AM  
**To:** Danks, Anthony ENV:EX <Anthony.Danks@gov.bc.ca>; Nash, Laurel ENV:EX <Laurel.Nash@gov.bc.ca>; Paquin, Lisa C ENV:EX <Lisa.Paquin@gov.bc.ca>  
**Cc:** Downie, AJ ENV:EX <AJ.Downie@gov.bc.ca>  
**Subject:** RE: IJC update

Do you know if Silas has spoken with his counterpart in Ottawa yet on this?

s.16

---

**From:** Danks, Anthony ENV:EX <Anthony.Danks@gov.bc.ca>  
**Sent:** January 26, 2022 11:55 AM  
**To:** Nash, Laurel ENV:EX <Laurel.Nash@gov.bc.ca>; Trumpy, Chris EMLI:EX <Chris.Trumpy@gov.bc.ca>; Paquin, Lisa C ENV:EX <Lisa.Paquin@gov.bc.ca>  
**Cc:** Downie, AJ ENV:EX <AJ.Downie@gov.bc.ca>  
**Subject:** RE: IJC update

Anthony

---

**From:** Nash, Laurel ENV:EX <[Laurel.Nash@gov.bc.ca](mailto:Laurel.Nash@gov.bc.ca)>

**Sent:** January 26, 2022 11:33 AM

**To:** Trumpy, Chris EMLI:EX <[Chris.Trumpy@gov.bc.ca](mailto:Chris.Trumpy@gov.bc.ca)>; Danks, Anthony ENV:EX <[Anthony.Danks@gov.bc.ca](mailto:Anthony.Danks@gov.bc.ca)>; Paquin, Lisa C ENV:EX <[Lisa.Paquin@gov.bc.ca](mailto:Lisa.Paquin@gov.bc.ca)>

**Cc:** Downie, AJ ENV:EX <[AJ.Downie@gov.bc.ca](mailto:AJ.Downie@gov.bc.ca)>

**Subject:** RE: IJC update

Hi Anthony and Lisa do you have any more on this?

**Laurel Nash** (she/her)

Assistant Deputy Minister

Environmental Protection Division

Ministry of Environment &

Climate Change Strategy

☎ (250) 953-4004 or (250) 508-1670

✉ [Laurel.Nash@gov.bc.ca](mailto:Laurel.Nash@gov.bc.ca)

*I am grateful to live and work on the beautiful traditional territory of the Lekwungen speaking people and the Songhees, Esquimalt and WSÁNEĆ peoples whose historic relationships with the land and sea continue to this day.*

*To report an act of pollution, call the RAPP (Report All Poachers and Polluters) line at 1-877-952-7277 or #7277 on the TELUS Mobility Network or report the incident [online](#).*

---

**From:** Trumpy, Chris EMLI:EX <[Chris.Trumpy@gov.bc.ca](mailto:Chris.Trumpy@gov.bc.ca)>

**Sent:** January 26, 2022 11:32 AM

**To:** Nash, Laurel ENV:EX <[Laurel.Nash@gov.bc.ca](mailto:Laurel.Nash@gov.bc.ca)>

**Subject:** FW: IJC update

s.16

---

**From:** Shepard, Michael EAO:EX <[Michael.Shepard@gov.bc.ca](mailto:Michael.Shepard@gov.bc.ca)>

**Sent:** January 26, 2022 11:31 AM

**To:** Danks, Anthony ENV:EX <[Anthony.Danks@gov.bc.ca](mailto:Anthony.Danks@gov.bc.ca)>

**Cc:** Trumpy, Chris EMLI:EX <[Chris.Trumpy@gov.bc.ca](mailto:Chris.Trumpy@gov.bc.ca)>

**Subject:** FYI: IJC update

Hi Anthony,

This may not be news to you, but wanted to share just in case.

We heard today from our colleagues at IAAC that they heard from GAC yesterday on the IJC request. It sounds like they are now working with State to draft a terms of reference for the IJC re Elk Valley WQ. I can't recall if you mentioned this specifically on your update to ADMs last week.

Mike

Get [Outlook for iOS](#)

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** January 28, 2022 10:38 AM  
**To:** Maranda, Pierrette IGRS:EX  
**Cc:** Dawes, Sandra IGRS:EX  
**Subject:** RE: Materials for Jan. 31 mtg  
**Attachments:** 385704\_DecNote-IJC in the Elk Valley (DM Approved).pdf

Hi Pierrette,

Attached is the most recent, and probably most helpful document (a DN that was drafted to inform the discussion at the mining reform meeting that took place last Friday that Silas mentioned). I will loop in with colleagues to see if they have any additional materials.

Thanks,

Nicole

---

**From:** Maranda, Pierrette IGRS:EX <Pierrette.Maranda@gov.bc.ca>  
**Sent:** January 28, 2022 10:33 AM  
**To:** Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Cc:** Dawes, Sandra IGRS:EX <Sandra.Dawes@gov.bc.ca>  
**Subject:** FW: Materials for Jan. 31 mtg

Nicole:

Do you have additional material I can look at on this file. I would go over it this week-end. Thanks

e.g., you mentioned a meeting with Evelyn and Tana in the summer – any notes of the meeting? This is an example only.

Thanks

---

**From:** Dawes, Sandra IGRS:EX <[Sandra.Dawes@gov.bc.ca](mailto:Sandra.Dawes@gov.bc.ca)>  
**Sent:** January 26, 2022 1:38 PM  
**To:** Maranda, Pierrette IGRS:EX <Pierrette.Maranda@gov.bc.ca>  
**Subject:** Materials for Jan. 31 mtg

The invite just came in from Michael Grant for Jan. 31 8:30am mtg. I've attached the materials here and they are also in the calendar invite.

**BC Government participants:**

- Pierrette Maranda, Associate Deputy Minister

**GAC:**

- Michael Grant, Assistant Deputy Minister, Americas

**Sandra Dawes**

IGR Coordinator, Finance & Administration  
Intergovernmental Relations Secretariat / Office of the Premier



Office: (250) 387-0783 Cell: (250) 508-3104

Sandra.Dawes@gov.bc.ca

**2020 Top Work Unit Winner**

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** November 4, 2021 3:05 PM  
**To:** Paquin, Lisa C ENV:EX; Anthony, Jennifer EMLI:EX  
**Cc:** Danks, Anthony ENV:EX; Ryan-Aylward, Michel ENV:EX; Barwin, Gabrielle EMLI:EX  
**Subject:** RE: Nov 5 Meeting Questions - GAC-BC re IJC proposal

Hi Lisa,

Thanks very much for this. I think a DN is a good way forward but would strongly recommend that we schedule a briefing attended by all Deputies to allow for questions and discussion.

s.16

s.16 I think it does make sense to share a list of priority questions, though, if only so that GAC has clarity on which items we most need their feedback on.

Thanks,

Nicole

---

**From:** Paquin, Lisa C ENV:EX <Lisa.Paquin@gov.bc.ca>  
**Sent:** November 4, 2021 1:43 PM  
**To:** Anthony, Jennifer EMLI:EX <Jennifer.Anthony@gov.bc.ca>; Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Cc:** Danks, Anthony ENV:EX <Anthony.Danks@gov.bc.ca>; Ryan-Aylward, Michel ENV:EX <Michel.RyanAylward@gov.bc.ca>; Barwin, Gabrielle EMLI:EX <Gabrielle.Barwin@gov.bc.ca>  
**Subject:** FW: Nov 5 Meeting Questions - GAC-BC re IJC proposal

Hello Jen and Nicole,

Thank you very much for your feedback on the attached document. We have tried to incorporate the majority of the input provided for the call with GAC tomorrow. You will also see that we have lifted out six key questions that we would like to ensure are asked of GAC as we recognize there is no way we are going to get through all the questions.

s.13; s.16

Based on the information we receive, we are proposing to develop a Decision Note for the DMs of ENV, EMLI and IGRS to will outline the GAC proposal and potential next steps for B.C. s.13; s.16

s.13; s.16

s.13; s.16

Let me know if you would like to discuss or have any concerns with the proposed approach.

Cheers, Lisa

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Longpre, Nicole IGRS:EX  
**Sent:** February 1, 2022 3:58 PM  
**To:** Maranda, Pierrette IGRS:EX  
**Subject:** RE: RESENDING: Transboundary water quality in the Elk Valley

Hi Pierrette,

Below is a short draft body of an email for your consideration.

Thanks,

Nicole

-----

I wanted to thank you for sharing Canada's draft response to the U.S. on a proposed scope of work for the IJC earlier today. I note that you plan to submit Canada's comments to the U.S. by the end of this week. The Deputy Ministers of the B.C. ministries involved in this work met earlier today, and they have indicated that given the importance of the issue to B.C. and the potential impacts to the Province, they will require two weeks to prepare a response to Canada's comments. This additional time would allow the views of all relevant ministries to be canvassed in order to best provide meaningful feedback on the proposed scope of the IJC work.

Again, thank you for you and your team's support and collaboration on this matter.

-----

---

**From:** Maranda, Pierrette IGRS:EX <Pierrette.Maranda@gov.bc.ca>  
**Sent:** February 1, 2022 3:48 PM  
**To:** Longpre, Nicole IGRS:EX <Nicole.Longpre@gov.bc.ca>  
**Subject:** RE: RESENDING: Transboundary water quality in the Elk Valley

Thanks

I would appreciate your draft

s.13; s.16

---

**From:** Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>  
**Sent:** February 1, 2022 3:46 PM  
**To:** Maranda, Pierrette IGRS:EX <[Pierrette.Maranda@gov.bc.ca](mailto:Pierrette.Maranda@gov.bc.ca)>  
**Subject:** RE: RESENDING: Transboundary water quality in the Elk Valley

I think going directly to Michael Grant would likely be more effective, just to highlight that the concerns around the tight timeline are not limited to staff. I can draft an email for you if that's helpful.

---

**From:** Maranda, Pierrette IGRS:EX <[Pierrette.Maranda@gov.bc.ca](mailto:Pierrette.Maranda@gov.bc.ca)>  
**Sent:** February 1, 2022 3:44 PM  
**To:** Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>  
**Subject:** FW: RESENDING: Transboundary water quality in the Elk Valley

Nicole:

What's your view on the following:

s.13; s.16

Should I send an email to Michael Grant saying that  
s.13; s.16

Alternatively, you can do it with Felicia.

What's your preference?

---

**From:** Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>  
**Sent:** February 1, 2022 2:30 PM  
**To:** Maranda, Pierrette IGRS:EX <[Pierrette.Maranda@gov.bc.ca](mailto:Pierrette.Maranda@gov.bc.ca)>  
**Cc:** Periwal, Sukumar IGRS:EX <[Sukumar.Periwal@gov.bc.ca](mailto:Sukumar.Periwal@gov.bc.ca)>; Westgate, Rachael IGRS:EX <[Rachael.Westgate@gov.bc.ca](mailto:Rachael.Westgate@gov.bc.ca)>  
**Subject:** FW: RESENDING: Transboundary water quality in the Elk Valley

---

**From:** [Felicia.Minotti@international.gc.ca](mailto:Felicia.Minotti@international.gc.ca) <[Felicia.Minotti@international.gc.ca](mailto:Felicia.Minotti@international.gc.ca)>  
**Sent:** February 1, 2022 2:28 PM  
**To:** Danks, Anthony ENV:EX <[Anthony.Danks@gov.bc.ca](mailto:Anthony.Danks@gov.bc.ca)>  
**Cc:** Paquin, Lisa C ENV:EX <[Lisa.Paquin@gov.bc.ca](mailto:Lisa.Paquin@gov.bc.ca)>; Anthony, Jennifer EMLI:EX <[Jennifer.Anthony@gov.bc.ca](mailto:Jennifer.Anthony@gov.bc.ca)>; Periwal, Sukumar IGRS:EX <[Sukumar.Periwal@gov.bc.ca](mailto:Sukumar.Periwal@gov.bc.ca)>; Longpre, Nicole IGRS:EX <[Nicole.Longpre@gov.bc.ca](mailto:Nicole.Longpre@gov.bc.ca)>; [Tana.Stratton@international.gc.ca](mailto:Tana.Stratton@international.gc.ca); [Evelyne.Coulombe@international.gc.ca](mailto:Evelyne.Coulombe@international.gc.ca)  
**Subject:** RESENDING: Transboundary water quality in the Elk Valley

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

\*\*apologies, resending as I had Sukumar's email address wrong in the first message, so want to ensure it's correct\*\*

Anthony,

Let me begin by noting our appreciation for the many discussions that B.C. has had with GAC on the issue of potential IJC involvement in Elk Valley water quality.

s.16

s.16

s.13; s.16

s.16

Felicia

**Felicia Minotti**

Deputy Director (Energy and Environment), U.S. Transboundary Affairs  
Directrice adjointe, Affaires transfrontalières avec les États-Unis  
Global Affairs Canada | Affaires mondiales Canada  
Mobile: 613-697-1572  
[felicia.minotti@international.gc.ca](mailto:felicia.minotti@international.gc.ca)



Global Affairs  
Canada

Affaires mondiales  
Canada

**\*N'hésitez pas à répondre à ce courriel dans la langue de votre choix\***

## Lewthwaite, Jennifer IGRS:EX

---

**From:** Marlene.Moreno@international.gc.ca  
**Sent:** January 28, 2022 6:02 AM  
**To:** Caroline.Vanderloo@international.gc.ca; Evelyne.Coulombe@international.gc.ca; kelly.schmidt@international.gc.ca; Tana.Stratton@international.gc.ca; Maranda, Pierrette IGRS:EX; Felicia.Minotti@international.gc.ca  
**Cc:** Longpre, Nicole IGRS:EX  
**Subject:** RE: BC ADM Pierrette Maranda/GAC Grant - Monday at 11:30am (EST)  
**Attachments:** BC IGA DM re IJC and Elk Valley - August 2021.pdf; DM Morgan ltr to DM Brownsey.pdf

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Due to an IT outage, GAC is not able to access Teams at the moment.  
We have sent a Webex invitation.  
You can find the meeting documents enclosed.  
Thank you.

### Marlene Moreno

Executive Assistant / Adjointe exécutive  
Office of the Assistant Deputy Minister | Bureau du Sous-ministre adjoint  
Americas Branch | Secteur des Amériques  
125 Sussex Drive / 125 Promenade Sussex, Ottawa (Ontario), K1A 0G2  
Telephone / Téléphone: 613-799-3832  
[marlene.moreno@international.gc.ca](mailto:marlene.moreno@international.gc.ca)

Global Affairs Canada | Affaires mondiales Canada  
Government of Canada | Gouvernement du Canada



Global Affairs  
Canada

Affaires mondiales  
Canada

-----Original Appointment-----

**From:** Moreno, Marlene -NGM **On Behalf Of** Grant, Michael -NGM  
**Sent:** January 26, 2022 4:33 PM  
**To:** Grant, Michael -NGM; Vanderloo, Caroline -NGM; Coulombe, Evelyne -NGB; Schmidt, Kelly -NGD; Stratton, Tana -NGB; 'pierrette.maranda@gov.bc.ca'; Minotti, Felicia -NGB  
**Cc:** Longpre, Nicole IGRS:EX  
**Subject:** BC ADM Pierrette Maranda  
**When:** January 31, 2022 11:30 AM-12:00 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** Virtual (link to come)

#### BC Government participants:

- Pierrette Maranda, Associate Deputy Minister

#### GAC:

- Michael Grant, Assistant Deputy Minister, Americas

=====

**From:** Brownsey, Silas IGRS:EX <[Silas.Brownsey@gov.bc.ca](mailto:Silas.Brownsey@gov.bc.ca)>  
**Sent:** January 21, 2022 10:22 AM  
**To:** 'marta.morgan@international.gc.ca' <[marta.morgan@international.gc.ca](mailto:marta.morgan@international.gc.ca)>  
**Cc:** Francis, Darren IGRS:EX <[Darren.Francis@gov.bc.ca](mailto:Darren.Francis@gov.bc.ca)>  
**Subject:** Transboundary watershed issue

Hello Marta,

Happy new year, and hope you are doing well.

Suggest we connect in the next short while **on transboundary issues and a potential IJC referral, further to your letter from last month and developments since then. There are a number of questions from a BC perspective that would be useful to clarify.**

Have copied Darren from my office to help coordinate if that works for you.

Many thanks.

Cheers,  
Silas

CONTACT:  
Darren Francis  
A/Senior Executive Assistant | Deputy Minister's Office  
Intergovernmental Relations Secretariat | Office of the Premier  
O: 236 478 1169  
C: 778 678 5684

## NATURAL RESOURCE SECTOR – JOINT MINISTRY INFORMATION NOTE

Date: March 11, 2022

Date of previous note: [date]

File: [arcs/orcs #]

CLIFF: NRS 115999

**PREPARED FOR:** Fazil Mihlar, Deputy Minister, Ministry of Energy, Mines and Low Carbon Innovation, Kevin Jardine, Deputy Minister, Ministry of Environment and Climate Change Strategy, Elenore Arend, Associate Deputy Minister, Environmental Assessment Office, Rick Manwaring, Deputy Minister, Ministry of Forest Lands and Natural Resource Operations, Doug Caul, Deputy Minister, Ministry of Indigenous Relations and Reconciliation

**ISSUE:** Key Areas of Challenge between B.C. and Federal Departments on Natural Resource Sector Projects, Initiatives and Policy.

### **BACKGROUND:**

s.16

### **DISCUSSION:**

s.16



Page 02 of 86

Withheld pursuant to/removal as

s.16

**SUMMARY:**

s.16

**Contact:**

*ADM: Peter Robb*

**Alternate Contact:**

*Name:*

**Prepared by:**

*Name: Jennifer Anthon, ED*

*Div:MCAD*  
*Phone: 778 698-7235*

*Div/Region/Branch: MCAD*  
*Phone:*

*Branch/Region:MCAD, ADMO*  
*Phone:250-889-1315*

<b>Reviewed by</b>	<b>Initials</b>	<b>Date</b>
DM		
DMO		
ADM		
PRGM Dir./Mgr.		

# BC/US EXECUTIVES - INTRODUCTORY MEETING

July 21, 2021

1:30 pm – 3:00 pm (PDT)

2:30 pm – 4:00 pm (MDT)

4:30 pm – 6:00 pm (EST)

## Microsoft Teams

### Attendees:

#### B.C. Ministry of Environment and Climate Change Strategy

- Kevin Jardine, Deputy Minister
- James Mack, ADM
- AJ Downie, Director
- Robyn Roome, Director
- Anthony Danks, Executive Director
- Lisa Paquin, Director
- Michel Ryan-Aylward, Sr.Policy Advisor

#### B.C. Ministry of Energy, Mines and Low Carbon Innovation

- Fazil Mihlar, Deputy Minister
- Peter Robb, ADM
- Nathaniel Amann-Blake, ADM
- Chris Trumpy, Executive Lead
- Jen Anthony, Director
- Colin Squirrell, Project Director
- Gabby Barwin, Senior Advisor

#### B.C. Environmental Assessment Office

- Scott Bailey, ADM
- Michael Shepard, Executive Project Director

#### B.C. Ministry of Forests, Lands, Natural Resource Operations and Rural Development

- Eamon O'Donoghue, ADM
- Paul Rasmussen, ADM
- Garth Wiggill, Regional Executive Director
- Ray Morello, District Manager

#### B.C. Intergovernmental Relations Secretariat

- Silas Brownsey, Deputy Minister
- Nicole Longpre, Manager

#### Idaho Department of Environmental Quality

- Jess Byrne, Director
- Kristin Ryan, Deputy Director
- Mary Anne Nelson, Surface and Wastewater Division Administrator
- Jason Pappani, Surface Water Bureau Chief
- Dan McCracken, Coeur d'Alene Regional Administrator
- Robert Steed, Coeur d'Alene Regional Water Quality Manager

#### Montana Department of Environmental Quality

- Chris Dorrington, Director
- Myla Kelly, Water Quality Standards Manager

#### US Environmental Protection Agency

- Darcy O'Connor, Senior Advisor, Region 8
- Bert Garcia, Water Division Director, Region 8
- Jason Gildea, Water Policy Advisor, Region 8
- Michelle Pirzadeh, Acting Regional Administrator, Region 10
- Patty McGrath, Mining Advisor, Region 10
- Dan Opalski, Water Division Director, EPA Region 10
- Sylvia Correa, International Environmental Program Specialist, EPA Office of International and Tribal Affairs.

#### Environment and Climate Change Canada

- Anna Classen, Regional Director General, West and North

### Purpose:

Establish executive-level engagement between the heads of our agencies to support enhanced collaboration, information sharing, and discussion of transboundary mining issues along the B.C.-Montana/Idaho border.

**Proposed Agenda:**

<b>#</b>	<b>Item</b>	<b>Lead</b>
1	Introductions	ENV (Kevin)
2	Overview of B.C.'s Regulatory and Statutory Frameworks Governing Coal Mining in the Elk Valley	ENV, EMLI, EAO, FLNRORD
3	Overview of US Selenium Standard in Montana & Idaho	MT DEQ, ID DEQ & EPA
4	Update on B.C.'s Water Quality Objective and Area Based Management Plan renewal	ENV (Kevin)
5	Discuss next steps	All
6	Adjourn	

**Attachments:**

1. Overview of B.C.'s Regulatory and Statutory Frameworks Governing Coal Mining in the Elk Valley
2. SE BC-US Engagement Snapshot June 24 2021

Page 07 of 86 to/à Page 08 of 86

Withheld pursuant to/removed as

s.16



# Overview of B.C.'s Regulatory Framework Governing Mining in the South East

MINISTRY OF ENVIRONMENT AND CLIMATE CHANGE STRATEGY (ENV)

BC ENVIRONMENTAL ASSESSMENT OFFICE (EAO)

MINISTRY OF ENERGY, MINES AND LOW CARBON INNOVATION (EMLI)

MINISTRY OF FORESTS, LANDS, NATURAL RESOURCE OPERATIONS AND  
RURAL DEVELOPMENT (FLNRORD)



# Table of Contents

- 1. Jurisdictional Overview**
- 2. B.C. Regulatory Framework Snapshot**
- 3. Provincial Inter-Agency Coordination on Mining:**
  - Pre-development
  - Construction and Operations
  - Reclamation and Closure
- 4. Enhancements to Regulatory Effectiveness**
- 5. Mines Audit and Effectiveness Unit**
- 6. B.C.-KNC Engagement**
- 7. Cumulative Effects & Stewardship**





# Jurisdictional Overview

- Canada's Constitution Acts, 1867 to 1982 establish division of powers between the federal government, provinces and territories
- Provinces are responsible for managing natural resources within their jurisdictions, including mining
- Includes the full lifecycle of mining projects: exploration and environmental impact assessments, construction and operational permitting, compliance and enforcement, closure and reclamation
- B.C. and the Government and Canada have a framework in place to cooperatively exercise our respective powers and duties through a single environmental assessment process
- Federal government can set regulatory floors for discharges to the environment

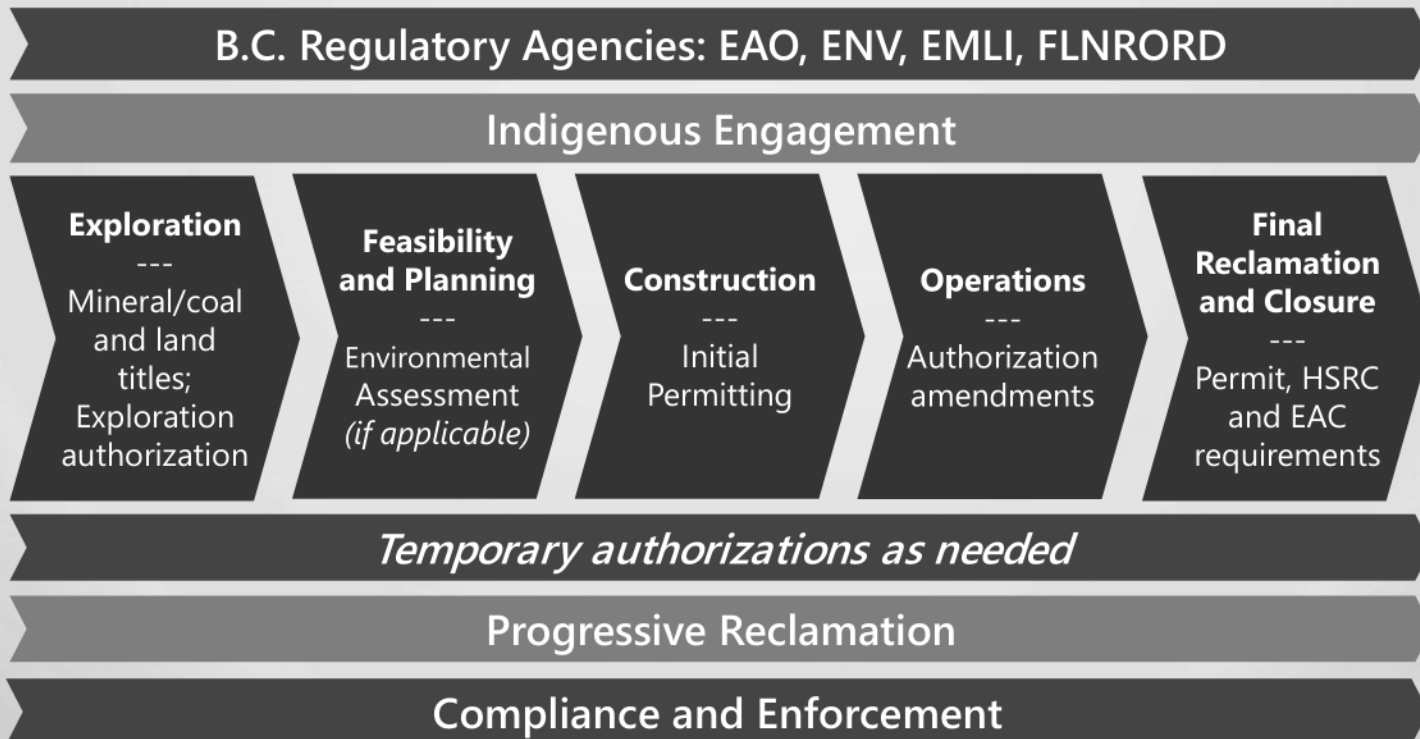


## B.C.'s Regulatory Framework

- Risk-based approach to planning and permitting
- Regulatory efforts follow adaptive management and continuous improvement principles
  - Set requirements using regulatory instruments
  - Check for compliance and conduct enforcement
  - Monitor and evaluate effectiveness, and adjust as needed
- Organizational structures include separation of permitting and compliance functions



# Provincial Inter-agency Coordination





## Pre-development



### Exploration

- Ministry of Energy, Mines and Low Carbon Innovation (EMLI) authorizes exploration and manages issuing of mineral, coal and land titles
- Authorizes proponents to gather information to inform development of project proposals

### **Feasibility and Planning**

- The Environmental Assessment Office (EAO) Conducts reviews of major projects and administers the B.C. Environmental Assessment Act



## Construction & Operations



### Permitting for Construction and Operation

- Multi-agency application review process under Environmental Management Act, Mines Act, Forest Act, and Water Sustainability Act
- Includes approvals for a mine plan, a program for protection of the land and watercourses, and a reclamation program
- US agencies notified and provided opportunity to input, where applicable
- Independent tribunal considers appeals

### Compliance and Enforcement (C&E)

- All agencies are involved in implementing a robust C&E framework guided by ministry-specific policies and procedures, using a risk-based approach
- If non-compliance is discovered, a matrix determines the appropriate tool to achieve future compliance. Ongoing non-compliance results in escalation of response.



## Final Reclamation and Closure



### Reclamation & Closure

- Approval of a Reclamation Plan is required as part of earlier permitting phase
- Progressive reclamation with annual reclamation reports required
- Proponents must place a security with the Province to ensure reclamation obligations are kept
- Security is only returned once the mine site has been reclaimed to a satisfactory level and there are no ongoing monitoring or maintenance requirements



## Enhancements to Regulatory Effectiveness

- Standing Code Review Committee is in place to ensure B.C. has strong, updated protections for health, safety and the environment at mine sites
- Restructuring of mining divisions to separate health, safety, compliance and enforcement activities from permitting activities
- Amending the Mines Act to strengthen and modernize compliance and enforcement



# Mines Audit and Effectiveness Unit

- Conducts audits to evaluate the effectiveness of the regulatory framework for mining in B.C. in protecting the public, workers and the environment
- Separate and independent from other regulatory functions for mining, including permitting, compliance and enforcement
- Findings for the code requirements for tailings storage facilities (TSF) audit concluded that the Code continues to rank among the best frameworks globally for the regulation of TSFs





# B.C.-KNC Elk Valley Engagement

- *Declaration on the Rights of Indigenous Peoples Act*
- Deeply engaged on permitting and strategic initiatives in the Elk Valley at technical and leadership levels
- Strive for consensus on decisions that impact Ktunaxa rights and title
- Established structures and processes to increase Ktunaxa's role:
  - Decision making
  - Stewardship initiatives
  - Compliance
  - Policy development
- For example: cumulative effects, Lake Koocanusa Water Quality Objective, Westlope Cutthroat Trout recovery



## Elk Valley Cumulative Effects (CE)

- The Elk Valley Cumulative Effects Management Framework was initiated in 2013 to assess the impact or cumulative effects of resource extraction activities and land use decisions in the Elk Valley
- CE assessments are decision support tools. They are non-regulatory and provide an indication of risk to assist decision makers (e.g. authorizations and Environmental Assessments)
- CE assessments in the Elk Valley focus on the Valued Components of:

Riparian Ecosystems	Old and Mature Forests	Grizzly Bear
Bighorn Sheep	Westslope Cutthroat Trout	High Elevation Grassland
- CE assessments allows us to better understand current risk based on historic disturbance and predictive modelling allows us to forecast future risk based on foreseeable activities and predicted natural changes



# Other Stewardship Initiatives in the South East

- Upper Fording River Westslope Cutthroat Trout Recovery
- Lower Kootenay Burbot Recovery
  - Co-managed by FLNRORD, Kootenai Tribe of Idaho, Idaho Fish and Game, Montana Fish Wildlife and Parks
- Upper Kootenay Burbot Recovery
  - Burbot Scientific Working Group including Montana, B.C., Canada, Ktunaxa and Shuswap Indian Band
- Collaborative Stewardship Framework
  - Five Collaborative Stewardship forum established in 2018 to pilot incorporation of Indigenous knowledge in natural resource decision making and stewardship processes
  - Framework with the Ktunaxa is focused on joint stewardship, shared decision-making



BRITISH  
COLUMBIA

# Questions



# **Appendix: Additional Detail Regarding**

## **Environmental Assessment Office & EA Processes**

### **Elk Valley Area Based Management Plan**

### **Elk Valley Cumulative Effects Framework**

### **Westslope Cutthroat Trout & Burbot Recovery**



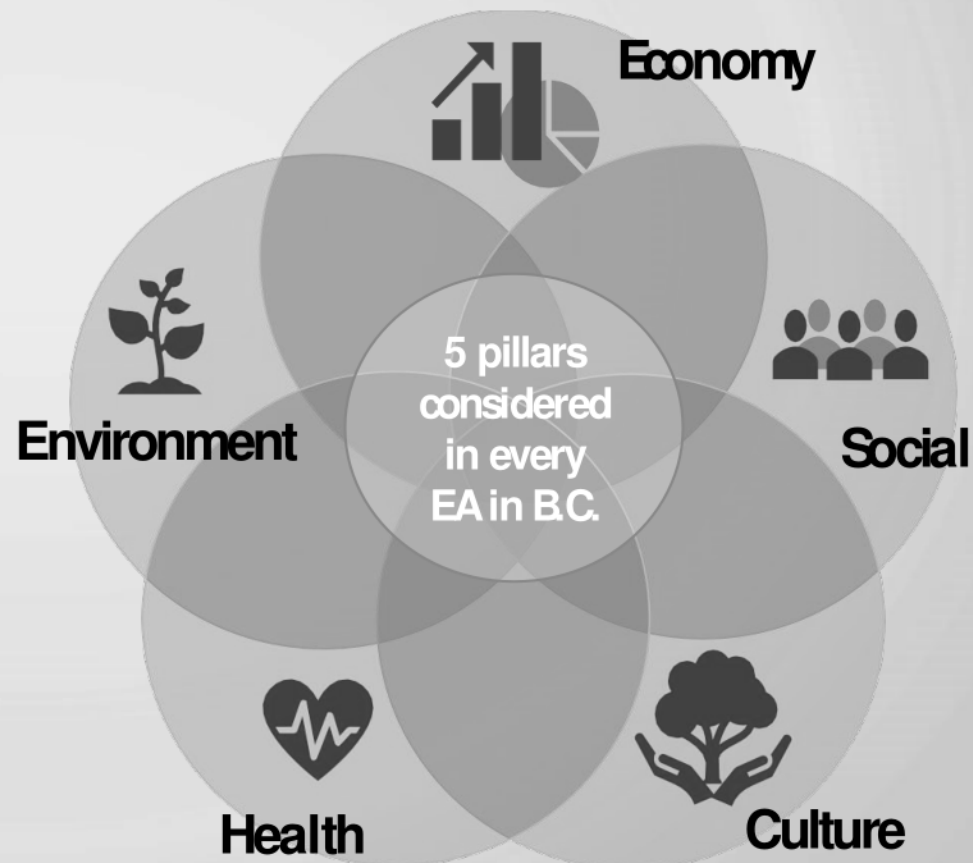
## Purpose of the EAO

- Small office with a focused mandate
- Conducts reviews of major projects and administers the B.C. Environmental Assessment Act through:
  - promoting sustainability by protecting the environment and fostering a sound economy and the well-being of British Columbians and their communities; and
  - supporting reconciliation with Indigenous peoples in British Columbia.
- Led by the Associate Deputy Minister and Chief Executive Assessment Officer
- Only Province in Canada with a stand-alone office dedicated to Environmental Assessments



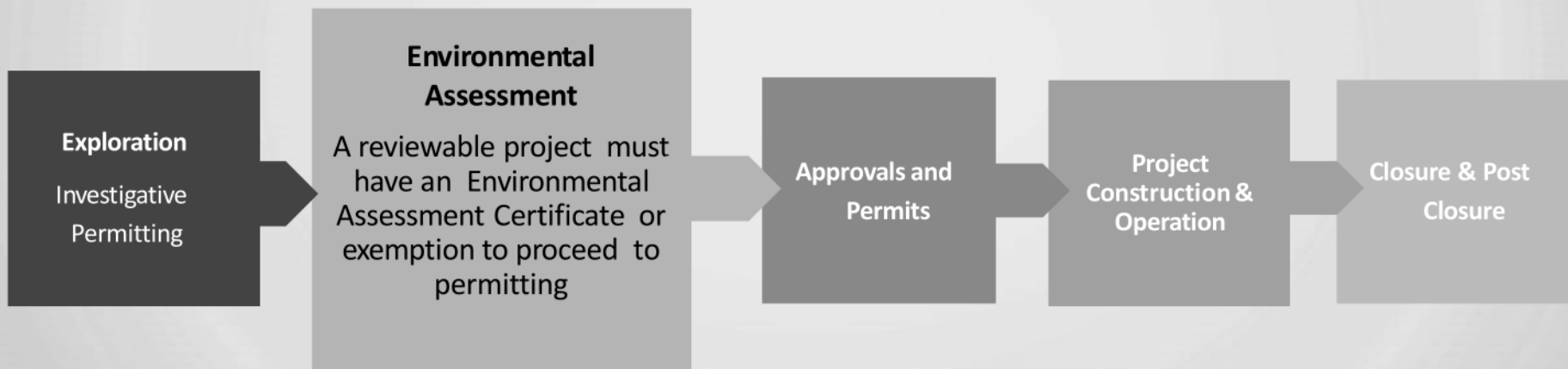
# What is an Environmental Assessment?

- Process to evaluate effects on Indigenous nations interests
- Process to identify and evaluate potential positive and negative effects of projects on the five pillars
- Inform provincial decision makers' approval (or not) of a project before it proceeds to permitting
- Identify requirements to mitigate potential adverse effects or amplify positive effects





# Where is Environmental Assessment in the Development of a Project?







## Key Elk Valley EA Issues

**EA participants have raised concerns regarding the potential impacts of proposed and continued coal mining on:**

- Indigenous interests
- Water quality
- Wildlife
- Vegetation and ecosystem health
- Westslope cutthroat trout and aquatic ecosystems
- Human health
- Cumulative effects from decades of mining
- Lack of previous assessment of projects permitted prior to EA legislation
- Potential for transboundary effects



## Coordination with Federal Impact Assessments

- Some reviewable projects may require a federal impact assessment by the Impact Assessment Agency of Canada (formerly CEAA)

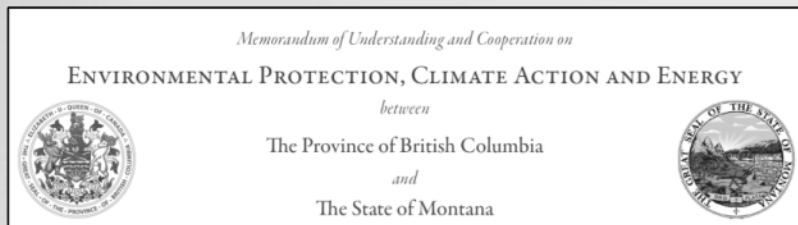
What is the Cooperation Agreement?

- Establishes a framework between B.C. and Canada for cooperation on assessments and sets a goal for common requirements and joint issuance of documents.
- Enables the **Coordination of the provincial and federal processes**
- Ensures a single assessment that meets requirements of both governments through joint documents and coordinated engagement with participants

The principle of 'One Project, One Assessment' means that Canada and B.C. agree to cooperatively exercise their respective powers and duties, while retaining the power to make their own decisions on projects.



# Engagement with US Agencies & Tribes



## B.C. and Montana MoU (February 18, 2010)

- *Requires EAO to “Collaborate on environmental assessment of any project of cross border significance that has potential to degrade land or water resources”*
- State, federal and tribal agencies are invited to participate on the working group/TAC for B.C. EA projects with potential transboundary effects



MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY  
AND  
THE BRITISH COLUMBIA MINISTRY OF WATER, LAND AND AIR  
PROTECTION

## B.C. and Idaho MoU (September 2003) and Cooperation Arrangement (2004)

- *The MOU commits to “establish working relationships with regional representatives of federal agencies and Indian tribes to facilitate cooperation on appropriate issues” and “include the regional office of the other jurisdiction in the distribution of environmental assessments”.*
- Describes approaches to addressing transboundary environmental issues that can be used by B.C. and Idaho agencies.



# Elk Valley EA Projects – Summary and Status

- **Michel Coal**

- Application Submission and Screening = fall 2021
- Detailed technical review of Application = anticipated winter 2021/22
- EAO will request Working Group review of the Application during screening and technical review

- **Crown Mountain**

- Application Submission and Screening = late fall 2021
- Detailed technical review of Application = anticipated winter 2021/22
- EAO will request Working Group review of the application during screening and technical review

- **Fording River Extension**

- Teck submission of Detailed Project Description (DPD) = expected late July 2021
- EAO to request Technical Advisory Committee review of the DPD and Readiness Decision recommendation
- EAO Readiness Decision = early fall 2021



# ENV's Regulatory Framework – Elk Valley






# Area Based Management Plan (ABMP)

- Developed by Teck in 2013 under Ministerial Order, to address increasing levels of contaminants in the Elk Valley watershed
- Purpose was to stabilize water quality and set targets to demonstrate progressive improvement
- Developed with multi-stakeholder input including US agencies and an independent scientist (plus B.C. agencies, Canada and KNC)
- Based on best available science, and commits to adaptive management
- Supports regional (watershed-wide) management of cumulative effects



# EMA Permit 107517 (“Valley-wide Permit”)

- Authorized discharges
  - Water quality limits
- Water treatment requirements
- General operating requirements
- Management plans
  - Adaptive Mgmt. & others
- Monitoring and reporting
- Research and development

 **MINISTRY OF ENVIRONMENT AND CLIMATE CHANGE STRATEGY**

**PERMIT**  
107517


*Under the Provisions of the Environmental Management Act*

**Teck Coal Limited**  
3300-550 Burrard ST  
Vancouver, BC V6C 0B3

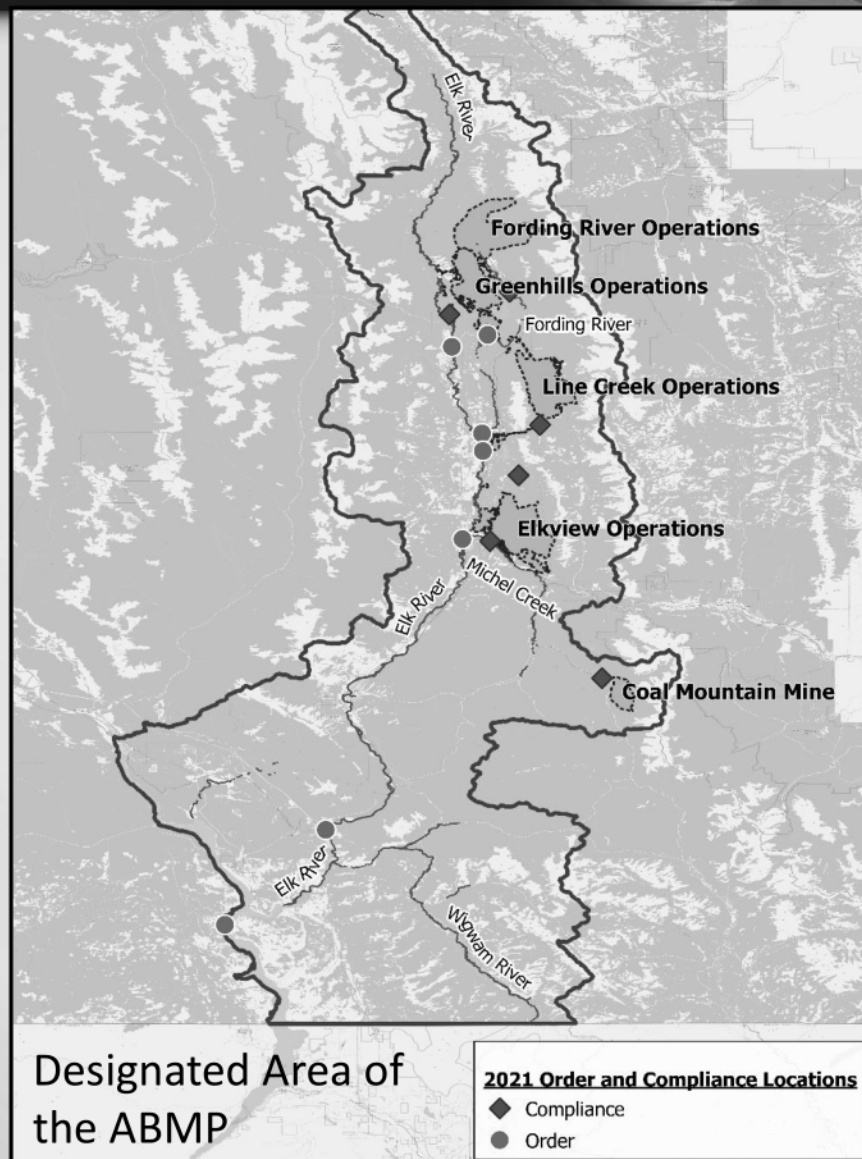
is authorized to discharge effluent to the land and water from five coal mine sites located within the Elk Valley near Elkford and Sparwood, British Columbia, subject to the terms and conditions listed below. Contravention of any of these conditions is a violation of the *Environmental Management Act* and may lead to prosecution.

The terms and conditions included in this permit are intended to supplement the commitments and processes contained in the Elk Valley Area Based Management Plan approved November 18, 2014. Should any conflict exist between this permit and the Elk Valley Area Based Management Plan, the permit requirements take precedence.

Date issued: November 18, 2014  
Date amended: April 4, 2019  
(most recent)

  
Douglas J. Hill, P.Eng.  
for Director, Environmental Management Act

Page 1 of 88  
Permit Number: 107517







## Elk Valley Cumulative Effects (CE)

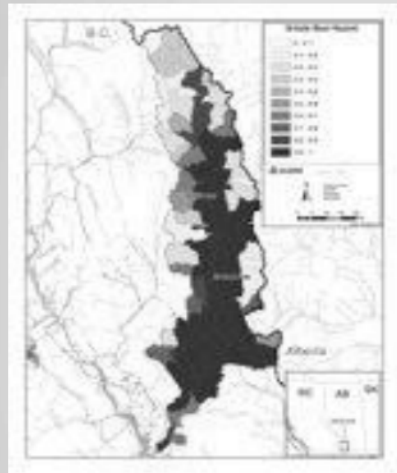
- The Elk Valley Cumulative Effects Management Framework was initiated in 2013 to assess the impact or cumulative effects of resource extraction activities and land use decisions in the Elk Valley
- CE assessments are decision support tools. They are non-regulatory and provide an indication of risk to assist decision makers (e.g. authorizations and Environmental Assessments)
- CE assessments in the Elk Valley focus on the Valued Components of:

Riparian Ecosystems	Old and Mature Forests	Grizzly Bear
Bighorn Sheep	Westslope Cutthroat Trout	High Elevation Grassland
- CE assessments allows us to better understand current risk based on historic disturbance and predictive modelling allows us to forecast future risk based on foreseeable activities and predicted natural changes

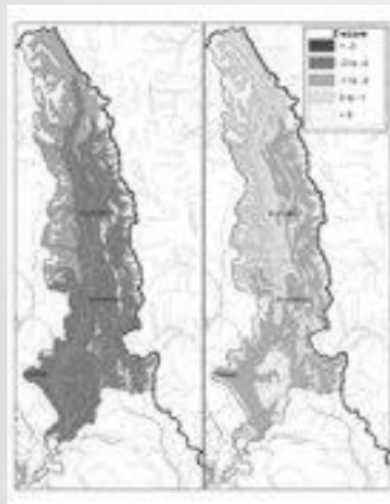


BRITISH  
COLUMBIA

# Elk Valley Cumulative Effects



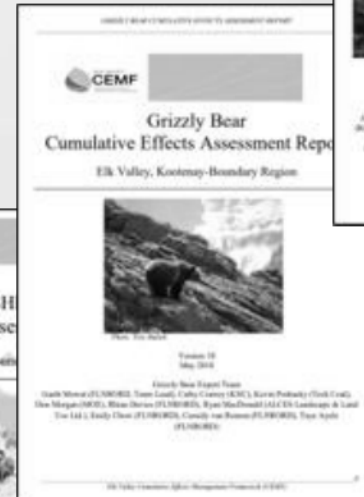
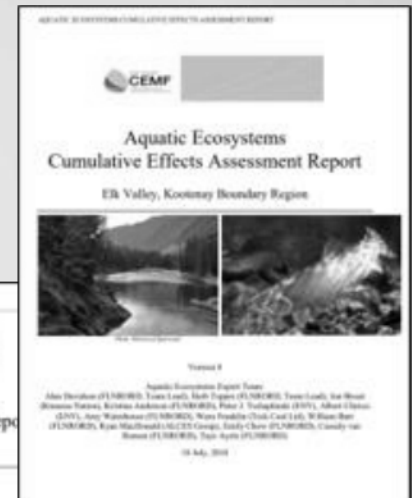
Grizzly Bear



Aquatic ecosystems



Bighorn Sheep



Page 37 of 86

Withheld pursuant to/removed as

s.13 ; s.16



# Upper Fording River Westslope Cutthroat Trout (WCT) Recovery

- WCT population in the Upper Fording River is genetically pure, listed under the Federal *Species At Risk Act* and culturally important to the Ktunaxa people
- 2019 population survey identified a 90% collapse in the adult population
- The Province, in collaboration with the Ktunaxa Nation, is finalizing an Upper Fording River WCT Recovery Plan



# Westslope Cutthroat Trout Recovery

- **Key Stressors:**

- Reductions/losses to riparian habitat
- Low stream flows during critical periods (fall migration and over wintering)
- Extreme winter weather events
- Water quality

- **Next Steps:**

## Confirming Recovery Actions

- Short term actions to improve fish resiliency (e.g. improving water use/management and habitat improvements)
- Longer term actions (e.g. strategic habitat restoration, reduce water use, water storage, water quality projects)



# Burbot Recovery

## 1. Lower Kootenay River

- Burbot recovery is co-managed between FLNRORD, Kootenai Tribe of Idaho, Idaho Department of Fish and Game and Montana Fish Wildlife and Parks

## 2. Upper Kootenay (including Lake Koocanusa)

- Burbot Scientific Working Group (Montana, B.C., Canada, Ktunaxa and Shuswap Indian Band)

## DECISION NOTE

**DATE:** January 20, 2022

**PREPARED FOR:** Kevin Jardine, Deputy Minister of Environment and Climate Change Strategy

**ISSUE:** Potential reference to the International Joint Commission (IJC) to intervene in B.C.-  
Montana transboundary water quality

**RECOMMENDED OPTION:**

s.13; s.16

**BACKGROUND:**

- Teck has four active and one inactive coal mines in the Elk Valley in southeast B.C. Historic and active mine waste deposits discharge selenium into the Kootenay River and the Koocanusa Reservoir. It then flows into Montana and Idaho, before returning to B.C. The area is Ktunaxa Nation traditional territory, which includes bands in B.C. that are represented by the Ktunaxa Nation Council (KNC), as well as traditional territory for U.S. tribes.
- Teck is proposing expansions and other companies are exploring opportunities for new coal mines in the Elk Valley.
- B.C. and KNC, with U.S. agencies, have studied water quality in the Koocanusa Reservoir since 2015 with a goal to establish protective selenium levels in both jurisdictions.
- The U.S. Environmental Protection Agency (EPA) approved Montana's selenium standards for the reservoir in February 2021, which created an expectation for B.C. to follow suit. Montana's standard is now subject to review in their State legislature.
- In early 2022, B.C. and KNC expect to finalize a water quality objective for the Canadian side and initiate a process to re-assess the Koocanusa Reservoir selenium target that is included in the Area Based Management Plan (ABMP) for water quality in the Elk River Watershed upstream of the reservoir. This process is expected to take 12-24 months.
- The KNC and the State of Montana have both written to the Canadian federal government requesting IJC intervention. Various stakeholders have also called for an IJC intervention.
- In B.C. some substances, like selenium, have science-based policies in the form of provincial water quality guidelines (WQG), and some watersheds or waterbodies have local water quality objectives (WQO), as is being proposed in the Koocanusa Reservoir.

## DISCUSSION:

s.16

- 

- 

s.16

We are also awaiting a “discussion paper” currently in draft form prepared by Department of State and Global Affairs on this subject.

- A preliminary ENV review of the treaty governing the IJC indicates that either party can launch a unilateral process and the IJC can make recommendations on either side of the transboundary watershed.
- Calls for the IJC involvement are partly due to a perceived lack of clarity on when/how enforceable, new selenium levels will be in place in B.C. and how proposed area mines in the environmental assessment process now will fit with new selenium levels given Teck, at times, exceeds current targets.
- Significant progress has been made to review existing and new science to inform development of an updated selenium WQO in the Koocanusa Reservoir and it is B.C.’s view s.13; s.16
- B.C. and KNC have an established collaborative and ongoing relationship with Montana. As a formal ABMP amendment process and EA processes advance, U.S. parties will have opportunities to meaningfully engage.

- s.13; s.16

- While Montana has set a selenium standard that applies to the U.S. portion of the reservoir, the issue is not resolved there either, as a joint resolution of state Senators and House Representatives has asked its Department of Environmental Quality to re-study the issue, citing stakeholder questions on the recently adopted selenium level. The study is expected to conclude in April 2022. It is B.C.’s view that it is premature to consider an IJC mandate if neither B.C. or Montana have settled on levels.

- s.13; s.16

## OPTIONS:

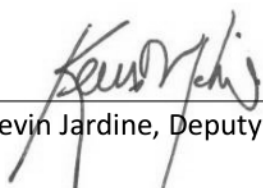
s.13; s.16



**RECOMMENDATION:**

Option 1

☐ Approved / Not Approved:

  
\_\_\_\_\_  
Kevin Jardine, Deputy Minister

\_\_\_\_\_  
January 20, 2022  
Date

**Executive Director:**  
*Anthony Danks*  
SPD  
778 698-4409

**Alternate contact for content:**  
*Lisa Paquin*  
SPD/IGR  
778 698-4419

**Prepared by:**  
*Benjamin Vander Steen*  
SPD/IGR  
250 940-8535

## INFORMATION NOTE

**DATE:** February 3, 2022

**PREPARED FOR:** Kevin Jardine, Deputy Minister, Ministry of Environment and Climate Change Strategy  
Fazil Mihlar, Deputy Minister, Ministry of Energy, Mines and Low Carbon Innovation  
Silas Brownsey, Deputy Minister, Intergovernmental Relations Secretariat

**ISSUE:** Potential reference to the International Joint Commission (IJC) to intervene in B.C.-Montana transboundary water quality

### KEY FACTS:

- Global Affairs Canada (GAC) continues to work with the U.S. Department of State (DOS) on a potential joint reference to the IJC under the Boundary Waters Treaty in relation to trans-boundary water quality issues in southeast British Columbia.
- B.C. remains opposed to such a reference, highlighting work to date on selenium and other water quality issues with the Ktunaxa Nation, Teck Resources, the State of Montana, the US Environmental Protection Agency, US Tribes and other key stakeholders.

- s.16

- s.16

### BACKGROUND:

- The KNC, US Tribes and the State of Montana have all written to the Canadian federal government requesting IJC intervention. Various stakeholders have also called for an IJC intervention.

- s.16

s.16

s.16

- 

#### **DISCUSSION:**

- s.13; s.16

- 

- 

- s.13; s.16

- 

-

s.13; s.16

•

•

**Executive Director:**

*Anthony Danks*

*SPD*

*778 698-4409*

**Alternate contact for content:**

*Lisa Paquin*

*SPD/IGR*

*778 698-4419*

**Prepared by:**

*Anthony Danks/Lisa Paquin*

*SPD*

*778 698-4409*

## MEETING NOTE

**DATE:** March 29, 2022

**PREPARED FOR:** s.13; s.16

**ISSUE:** Potential reference to the International Joint Commission (IJC) to intervene in B.C.-Montana transboundary water quality and the proposed federal Coal Mining Effluent Regulations (CMER)

### KEY FACTS:

- Global Affairs Canada (GAC) continues to work with the U.S. Department of State (DOS) on a potential joint reference to the IJC under the Boundary Waters Treaty in relation to trans-boundary water quality issues in southeast British Columbia.
- B.C. remains opposed to such a reference, highlighting work to date on selenium and other water quality issues with the Ktunaxa Nation, Teck Resources, the State of Montana, the US Environmental Protection Agency, US Tribes and other key stakeholders.
- s.16
- 
- At the same time, the federal government is consulting with British Columbia and other provinces and stakeholders on proposed *Coal Mining Effluent Regulations*.
- Teck Resources and the Mining Association of BC have written to the federal government and the province expressing concerns about both these processes.

### BACKGROUND:

#### International Joint Commission

- The KNC, US Tribes and the State of Montana have all written to the Canadian federal government requesting IJC intervention. Various stakeholders have also called for an IJC intervention.
- s.16

- Monitoring and assessment in Koocanusa reservoir have not detected mine-related ecosystem impacts. The majority of fish tissue samples in Koocanusa (98%) are below the Se threshold for safe consumption by humans

s.13; s.16

- 

s.13; s.16

### **Mercury in the Koocanusa Reservoir and the 2021 Human Health Risk Assessment (HHRA)**

- As part of responding to the proposal for an IJC reference, Teck has raised questions about possible impacts associated with mercury in the reservoir.
- The presence of mercury is well documented in numerous lakes and especially in reservoirs in B.C. and is not unique to the Koocanusa reservoir.
- Human health from mercury are best addressed by health experts at the Health Authority as they are already engaged with Teck and B.C. on a comprehensive HHRA that is underway in the Elk Valley, as part of an existing permit requirement.

### **KEY MESSAGES:**

- British Columbia is a key partner with the federal government on many fronts in relation to environmental management, green recovery and climate action.

s.17

- 

- 

s.16

-

- Teck has made over \$1B in investments in water treatment facilities and source control measures and continues to bring more treatment online. Their presence in the valley guarantees these investments will continue.
- B.C.'s draft Se WQO assessment considered and summarized more than 1400 fish tissue samples from 12 different species collected from Lake Koocanusa between 2008-2021. From this extensive dataset, only approximately 2% of the samples exceeded the proposed tissue-based selenium WQO to protect human health of Ktunaxa community members and the public consuming fish from Koocanusa reservoir.

• s.13; s.16

#### **Attachments:**

1. 386280\_DMbullets\_BC input to draft IJC Scope of Work\_16 March 2022
2. 386296\_Zwieg\_SIGNED\_FINAL
3. 386296\_Attachment 1 CMER BC Table of Comments

#### **Executive Director:**

*Anthony Danks*  
Strategic Policy Division  
778 698-4409

#### **Alternate contact for content:**

*Lisa Paquin*  
SPD/IGR  
778 698-4419

#### **Prepared by:**

*Anthony Danks*  
Strategic Policy Division  
778 698-4409

Page 50 of 86 to/à Page 52 of 86

Withheld pursuant to/removed as

s.13 ; s.16





Reference: 388924

*April 14, 2022*

The Honourable Mélanie Joly, PC, MP  
Minister of Foreign Affairs  
House of Commons  
Ottawa ON K1A 0A6

Sent via email: melanie.joly@parl.gc.ca

Dear Minister:

This is a follow up to the recent meetings Premier Horgan had with Prime Minister Trudeau, U.S. Ambassador to Canada David Cohen and Canadian Ambassador to the U.S. Kristen Hillman. We are writing to share British Columbia's (B.C.) concerns with the potential International Joint Commission (IJC) reference under the Boundary Waters Treaty for the Koocanusa reservoir. <sup>s.16</sup>

s.16

s.16

The Province maintains there are other, more efficient ways to address concerns around selenium levels and will continue to co-develop approaches with Ktunaxa and in collaboration with governments in both Canada and the U.S., as well as with industry and other stakeholders.

At a time of global market and supply chain uncertainty—and the increasing demand on materials (including steel) needed to transition to a low-carbon economy—it is more important than ever that B.C. and Canada continue our strong partnership on climate action and support B.C.'s metallurgical coal mining to meet these demands, both globally and domestically, as it is among the lowest carbon metallurgical coal available. B.C. continues to work with the industry to ensure a sustainable and competitive mining sector with a regulatory approach that is responsive to new information and technologies to improve environmental, social and governance outcomes and support the transition to a low carbon economy.

The Koocanusa reservoir is a transboundary waterbody between B.C. and the State of Montana. Over the past several decades, metallurgical coal mining in the Elk Valley has resulted in elevated selenium levels in the reservoir. The four active metallurgical coal mines in the Elk Valley are operated by Teck Resources Ltd. and represent the largest metallurgical coal mines in Canada. Metallurgical coal is essential for steel production and the mines are a significant economic driver for B.C. and the federal government, employing 3600 people and generating over \$1 billion in direct annual provincial and federal government revenues.

There has been regular bilateral transboundary collaboration between the B.C. and Montana governments over a number of years through the LKMRWG. The LKMRWG was established through the implementation of the 2014 Elk Valley ABMP which manages new and existing discharges. As part of ABMP implementation, Teck has undertaken extensive research, development, and investments to understand and address selenium levels throughout the reservoir and worked with the Province and Ktunaxa Nation Council (KNC) technical staff to establish comprehensive environmental effects monitoring programs to monitor the impacts and risks associated with mine-related contaminants throughout the watershed. Monitoring and assessment in Koocanusa reservoir have not detected mine-related ecosystem impacts.

The Province's regulatory framework has driven Teck to make well over \$1 billion in investments in water treatment facilities and source control measures, with that amount expected to reach \$2 billion by 2030. The Province is working in partnership with Ktunaxa representatives to review the technical, scientific and management learnings from the past seven years and has initiated early engagement on proposed amendments to the ABMP. The outreach has included industry, Environment and Climate Change Canada, the State of Montana and U.S. federal agencies.

s.16

We thank you for your attention to this matter.

Sincerely,



George Heyman  
Minister of Environment  
and Climate Change Strategy



Bruce Ralston  
Minister of Energy, Mines and Low Carbon  
Innovation



August 5, 2021

Marta Morgan, Deputy Minister of Foreign Affairs  
Global Affairs Canada  
125 Sussex Drive  
Ottawa, Ontario K1A 0G2

Dear Deputy Minister:

I write regarding recent correspondence from U.S. Senator Jon Tester to Secretary of State Anthony Blinken requesting a referral to the International Joint Commission (IJC) for transboundary watersheds in the Kootenai region of Montana. It is the view of the Government of British Columbia that pursuing a referral to the IJC would compromise ongoing cross-border environmental management efforts which are on track to address concerns that have been raised.

B.C. continues to strive to be a globally attractive and competitive mining jurisdiction building on B.C.'s environmental, social and governance strengths and recognizes the importance of maintaining and building on our strong relationship with our U.S. partners. For years, B.C. has worked collaboratively with the State of Montana and the U.S. federal administration to monitor this transboundary watershed. B.C. and Montana are signatories to a 2003 Statement of Cooperation and 2010 Memorandum of Understanding (MOU), both of which include commitments to cooperate on environmental management. The implementation of the agreements is overseen by a bilateral working group that includes the B.C. Ministry of Environment & Climate Change Strategy and Montana's Department of Environmental Quality.

In order to support the implementation of this MOU, provincial staff work closely with their state-level counterparts, as well as with representatives of U.S. federal agencies, on key shared issues including monitoring projects and developing policy. Most recently, this has included collaborative work to assess the impacts of selenium on Lake Koocanusa, which has taken place over the past several years. An inter-agency meeting held on July 21 also provided representatives of environmental agencies in Idaho, Montana, and the U.S. federal government with the opportunity to engage with senior executives in B.C. and to ask questions on issues of mutual concern with further follow-up sessions expected. This demonstrates in a concrete way, B.C.'s commitment to transparency with respect to the province's regulatory processes. This close cooperation has established and deepened relationships between the provincial agencies responsible for environmental management and industrial regulation and their American counterparts. These relationships continue to serve as essential conduits for the movement of information across the border. The intervention of a body such as the IJC would undermine these collaborative relationships, delay further progress on key stewardship initiatives and undo years of bilateral work under the auspices of the B.C.-MT MOU.

B.C. has a thorough and robust regulatory framework governing mining, grounded in the best

.../2



-2-

available science. In recent years the Ministry of Energy, Mines and Low Carbon Innovation has taken significant steps to further strengthen B.C.'s mining regulatory framework and oversight activities. Notable changes include organizational restructuring to distinguish permitting from health, safety, compliance and enforcement functions; amending the *Mines Act* to strengthen and modernize compliance and enforcement; and establishing an independent audit unit and function within the ministry to undertake audits, as well as establishing a Code Review Committee to ensure a mechanism is in place to update and keep B.C.'s mining regulations current.

Ensuring compliance with regulatory requirements is a priority for B.C. We continue to have a focused compliance and enforcement effort in the South East region of the province, working in partnership with Environment and Climate Change Canada. We also work with the Ktunaxa Nation by sharing and contributing information on enforcement responses to non-compliances to ensure regulatory compliance is achieved. B.C. remains committed to achieving conservation objectives which are currently being set jointly with the Ktunaxa Nation and which will be used to assess current stewardship performance, forecast the impact of new projects, and support the decision-making process for authorizations and permitting. The Collaborative Stewardship Framework with the Ktunaxa Nation is focused on advancing stewardship initiatives through incorporation of Indigenous knowledge and law.

The B.C. Ministries of Environment and Climate Change Strategy and Energy, Mines and Low Carbon Innovation regularly engage with U.S. agencies in the course of their permitting processes, including permitting for new treatment technologies. The B.C. Environmental Assessment Office and the Impact Assessment Agency of Canada are also presently coordinating the environmental assessment processes for major mining projects in the South East of B.C., bordering the Kootenai region of Montana. As part of this process the Environmental Assessment Office has been engaging with the U.S. Environmental Protection Agency (EPA), State of Montana, and U.S. tribes to ensure that their input is considered and that potential transboundary concerns can be addressed. Global Affairs Canada (GAC) staff are actively engaged through their quarterly transboundary mining meetings with the Department of State and U.S. EPA. We work closely with GAC in achieving consistency of messaging and relevant updates on key files and appreciate their support in ensuring effective communication between agencies on either side of the border.

Thank you for your continued attention to this important file, and your ongoing work to strengthen Canada's relationship with the United States. British Columbia supports this vital objective and will continue to engage cooperatively with our American neighbours.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Silas Brownsey', is written over a horizontal line.

Silas Brownsey  
Deputy Minister, Intergovernmental Relations Secretariat

.../3



-3-

cc: Kevin Jardine, Deputy Minister, Environment and Climate Change Strategy  
Fazil Mihlar, Deputy Minister, Energy, Mines and Low-Carbon Innovation  
Elenore Arend, Associate Deputy Minister and Chief Executive Assessment Officer,  
Environmental Assessment Office  
Louise Baird, Assistant Deputy Minister, Intergovernmental Affairs, Privy Council  
Office  
Christine Hogan, Deputy Minister, Environment and Climate Change Canada  
Jean-François Tremblay, Deputy Minister, Natural Resources Canada



Global Affairs  
Canada  
Deputy Minister  
of Foreign Affairs

Affaires mondiales  
Canada  
Sous-ministre  
des Affaires étrangères

December 3, 2021

Mr. Silas Brownsey  
Deputy Minister  
Intergovernmental Relations Secretariat  
Office of the Premier  
Government of British Columbia  
[Sandra.Dawes@gov.bc.ca](mailto:Sandra.Dawes@gov.bc.ca)

Dear Mr. Brownsey:

Silas

Let me first express my deep concern about the unprecedented flooding and landslides in British Columbia and the major impacts it has had on individuals, communities and critical infrastructure in your province. My thoughts are with all those affected.

Thank you for your correspondence of August 5, 2021, regarding U.S. Senator Jon Tester's letter to U.S. Secretary of State Antony Blinken requesting a reference to the International Joint Commission (IJC) for the transboundary watersheds in the Kootenai region of Montana. I appreciate your patience while we awaited Canada's new federal cabinet to be sworn in.

Finding solutions to water quality issues requires sustained work on the part of multiple levels of government. In this regard, the Government of Canada greatly appreciates the regular engagement with the Government of British Columbia to exchange information on projects within all of British Columbia's transboundary watersheds.

In recent months, Global Affairs Canada (GAC), Environment and Climate Change Canada, the U.S. Department of State, the U.S. Environmental Protection Agency, and the IJC have received correspondence from Canadian and U.S. Indigenous peoples, environmental non-governmental organizations, and other stakeholders expressing growing concern from historic, current and potential new coal operations in the Elk Valley. These stakeholders are calling for the IJC's involvement to bring affected parties from both sides of the border to the table to address transboundary mining issues in the Elk Valley.

The Government of Canada supports British Columbia's ongoing efforts to address these concerns, including engaging directly with U.S. federal, state and tribal governments. However, the Government of Canada is responsible for ensuring that its international obligations, including those under the Boundary Waters Treaty of 1909, are upheld. This includes obligations regarding transboundary water pollution. s.13; s.16

.../2

The Government of Canada will continue to work closely and cooperatively with the Government of British Columbia to ensure that Canadian interests are protected.

Thank you for taking the time to write and share your concerns.

Sincerely,

*We will continue to work closely  
with you and your team on these  
issues.*

  
Marta Morgan

c.c. Mr. Kevin Jardine  
Deputy Minister  
Ministry of Environment and  
Climate Change Strategy  
Government of British Columbia

Mr. Fazil Mihlar  
Deputy Minister  
Ministry of Energy, Mines,  
and Low-Carbon Innovation  
Government of British Columbia

Ms. Elenore Arend  
Associate Deputy Minister and Chief Executive Assessment Officer  
Environmental Assessment Office  
Environment and Climate Change Strategy  
Government of British Columbia

Ms. Christine Hogan  
Deputy Minister  
Environment and Climate Change Canada  
Government of Canada

Mr. Jean-François Tremblay  
Deputy Minister  
Natural Resources Canada  
Government of Canada

Ms. Louise Baird  
Assistant Deputy Minister  
Intergovernmental Affairs  
Privy Council Office  
Government of Canada

## Fact Sheet: Elk Valley Water Quality Plan

*Fording River South Water Treatment Facility is currently under construction, and is expected to come online in 2021 with capacity to treat up to 20 million litres of water per day.*

Teck is implementing the Elk Valley Water Quality Plan (EVWQP), a long-term approach to address the management of selenium and other substances released by mining activities in the Elk Valley.

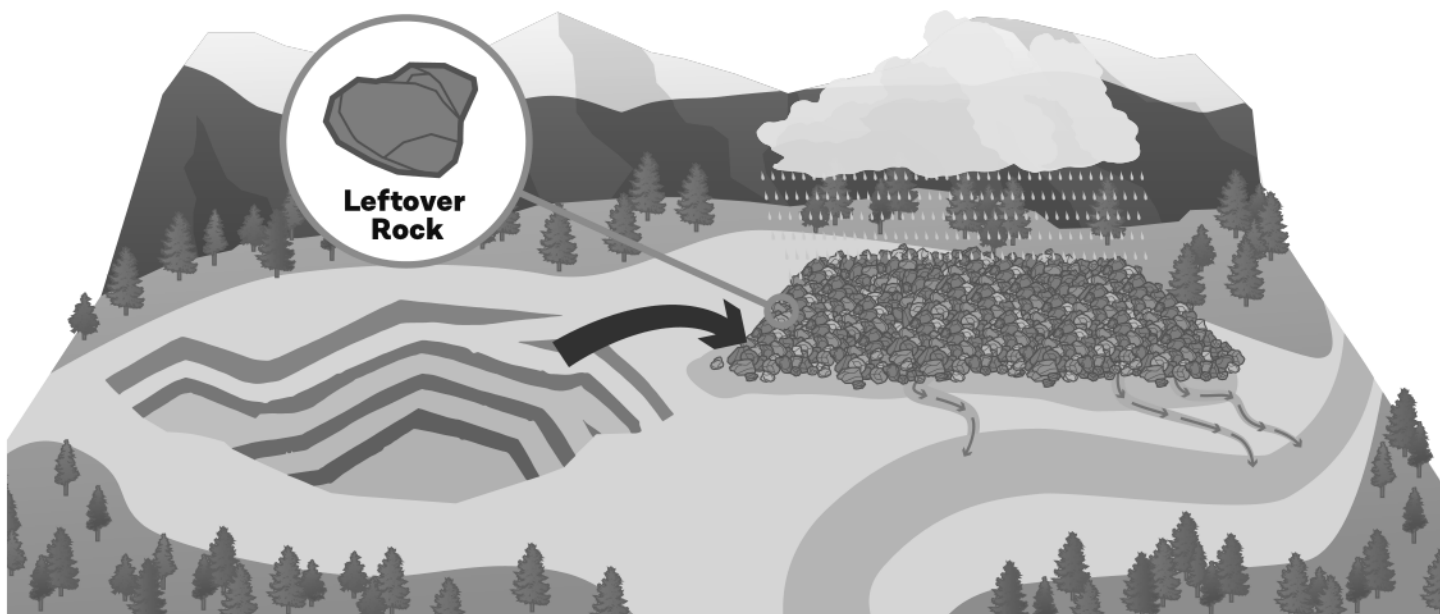
### The Challenge

Water quality challenges in the Elk Valley are connected to the long history of mining in the region. The mining process generates large quantities of leftover rock that contains naturally-occurring substances such as selenium, an element that is essential for human and animal health in small amounts. Water from both precipitation and runoff flows through these rock piles and carries selenium and other substances, such as nitrate, into the local watershed. If present in high enough concentrations in the watershed, these substances can adversely affect aquatic health.

Another challenge we are facing is the buildup of calcite.

Calcite is a hard mineral that can form on streambeds. It is the same as the buildup that forms in tea kettles or water heaters in homes with hard water.

Calcite occurs naturally, but its formation can be accelerated by runoff water from mines. It is not a human health concern, but excessive calcite build-up can change the characteristics of streambeds by cementing rocks together and affecting habitat for fish and invertebrates.





## Developing the Elk Valley Water Quality Plan

In 2013, in consultation with the Government of BC, the Ktunaxa Nation, scientists, and local communities, Teck developed the Elk Valley Water Quality Plan, which was approved by the Provincial Government in 2014.

This is a long-term plan with the goal of stabilizing and reversing the trend of selenium, calcite and other constituents and improving the health of the watershed, while at the same time allowing for continued sustainable mining in the region.

The Plan establishes short, medium and long-term water quality targets for selenium and other mine-related constituents to protect the environment and human health, as well as a plan to manage calcite formation.

To achieve the objectives of the plan, we're undertaking extensive monitoring, research & development, and building and implementing water treatment to remove selenium, calcite and other constituents from the watershed.

## Implementing the Elk Valley Water Quality Plan

Our **first water treatment facility** is successfully treating 7.5 million litres of water per day at our Line Creek operation and we are seeing reductions in selenium and nitrate concentrations downstream.

Our **second water treatment facility**, the Elkview Saturated Rock Fill, has been achieving near complete removal of selenium and nitrate from up to 10 million litres of water per day since 2018. The capacity of this facility was doubled in 2020 to treat up to 20 million litres of water per day.

Our **third water treatment facility**, the Fording River South Water Treatment Facility, is currently under construction and is expected to come online in 2021 with capacity to treat up to 20 million litres of water per day.

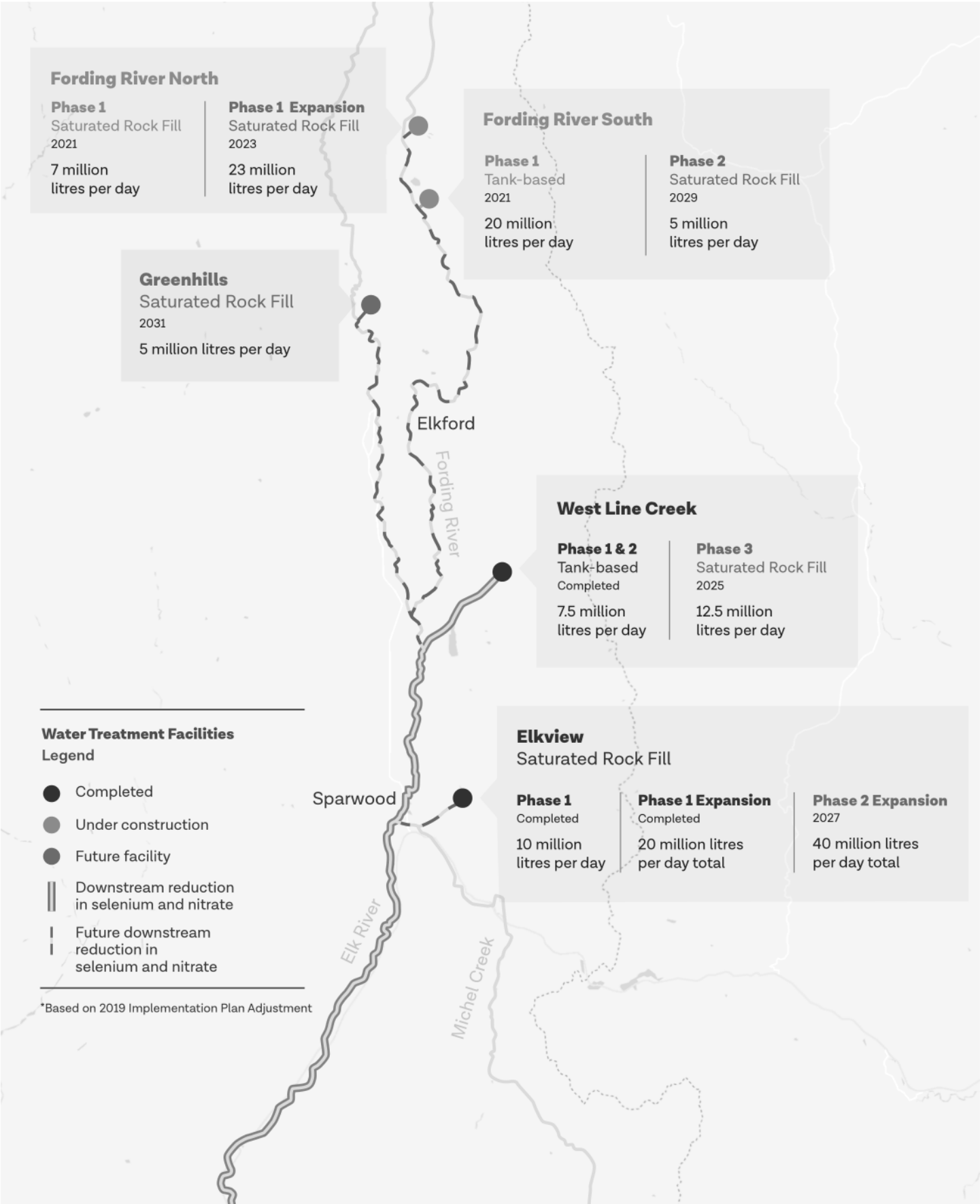
Our **fourth water treatment facility**, the Phase 1 Fording River North Saturated Rock Fill, is currently under construction and is planned for commissioning in the fourth quarter of 2021 with capacity to treat up to 7 million litres of water per day.

In 2021, we expect to have capacity to treat more than 54 million litres per day – nearly three times our 2020 treatment capacity.

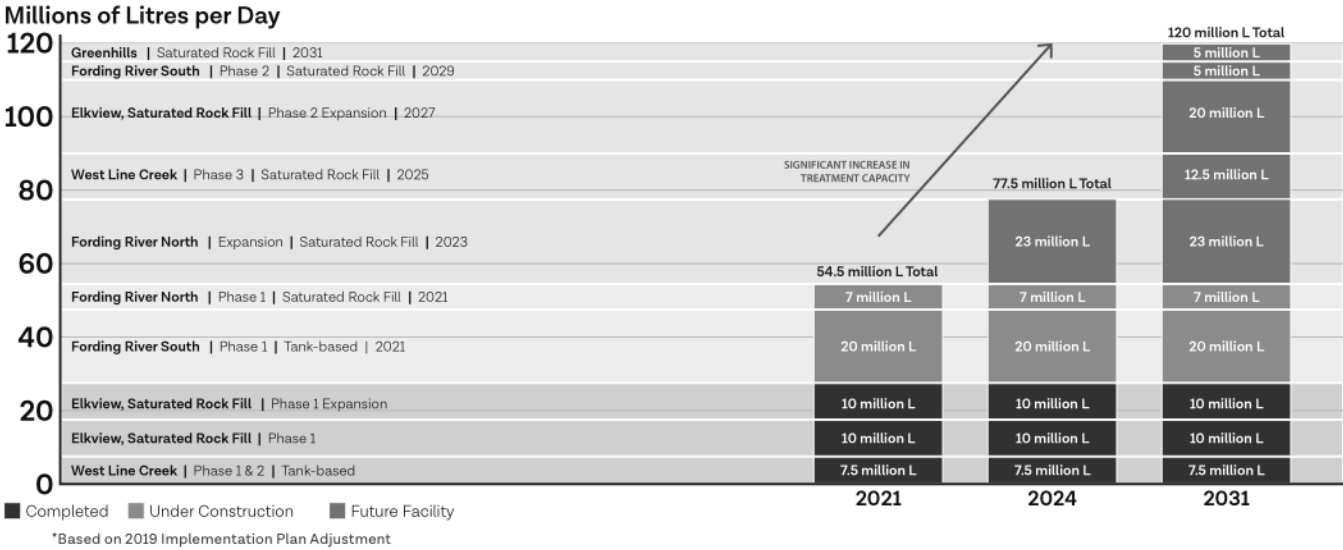
We expect further significant reductions of selenium and nitrate as additional facilities come online.



# Progress building water treatment facilities



# Increasing water treatment capacity



## Progressing treatment and remediation for calcite

Teck has built five treatment facilities that are using proven, effective and safe antiscalant-based calcite mitigation technology that prevent further spread of calcite formations to maintain good substrate quality in tributaries and rivers downstream of mining.

Teck has been installing this technology on tributaries and we expect these installations will neutralize significant sources of calcite to the Fording River, such as Swift, Cataract, Kilmarnock, and Greenhills Creeks and Dry Creek at our Line Creek Operations.

Further to calcite precipitation mitigations, Teck is also working towards calcite remediation to restore habitat.

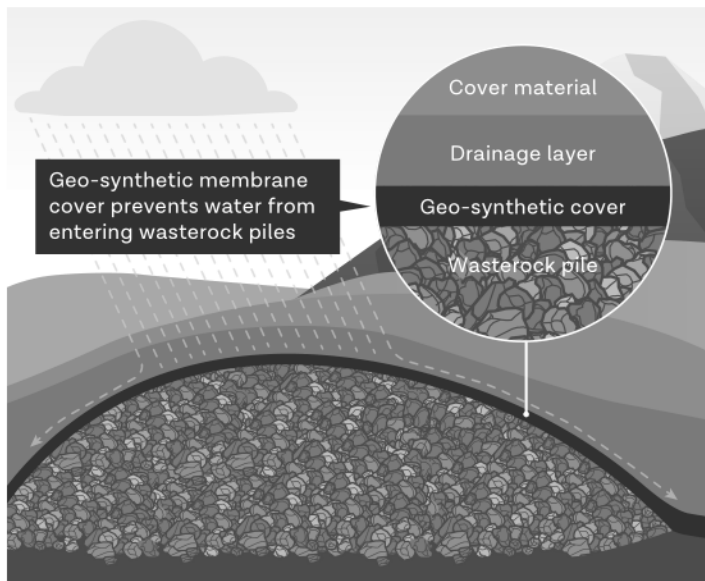
Teck is planning remediation of an approximately 250-metre-long section of Greenhills Creek which will pilot a methodology to implement the broader vision of habitat restoration work for this tributary and for calcite remediation in mine-affected tributaries valley-wide.



One of five treatment facilities to prevent further spread of calcite formations.

## Implementing source control

As part of the Elk Valley Water Quality Plan, Teck is researching and implementing methods to control selenium release at the source.



### Geo-synthetic Covers

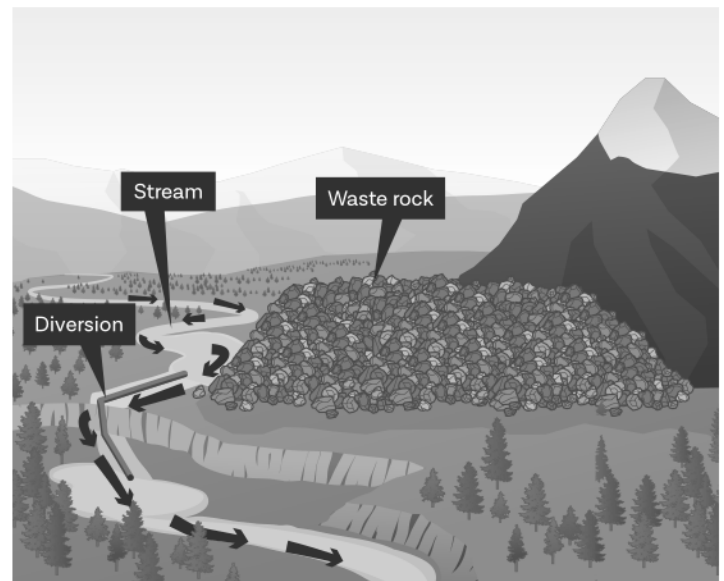
Geo-synthetic covers are low permeability synthetic membrane barriers placed over top of a waste rock pile to reduce water percolating through waste rock and carrying selenium and nitrate into the watershed.

We are currently working towards the installation of a 200-hectare geo-synthetic cover trial in the Greenhills creek drainage by 2030.

The headwaters of Greenhills Creek have been identified as the location where a geo-synthetic cover over waste rock has the greatest technical potential as a source control measure.

If the cover trial is successful, there may be potential for geo-synthetic covers to be deployed in a limited number of other specific settings in the Elk Valley to supplement other source control measures already under development.

This visual helps show how the cover acts as a barrier to prevents rain and snow melt from flowing through the waste rock pile.



### Water Diversions

Clean water diversions can reduce the volume of water affected by waste rock, thereby reducing the amount of water that needs to be treated.

This involves the construction of earthen dikes, channels or other physical barriers and/or pipes to direct clean water around mining activities.

## Monitoring

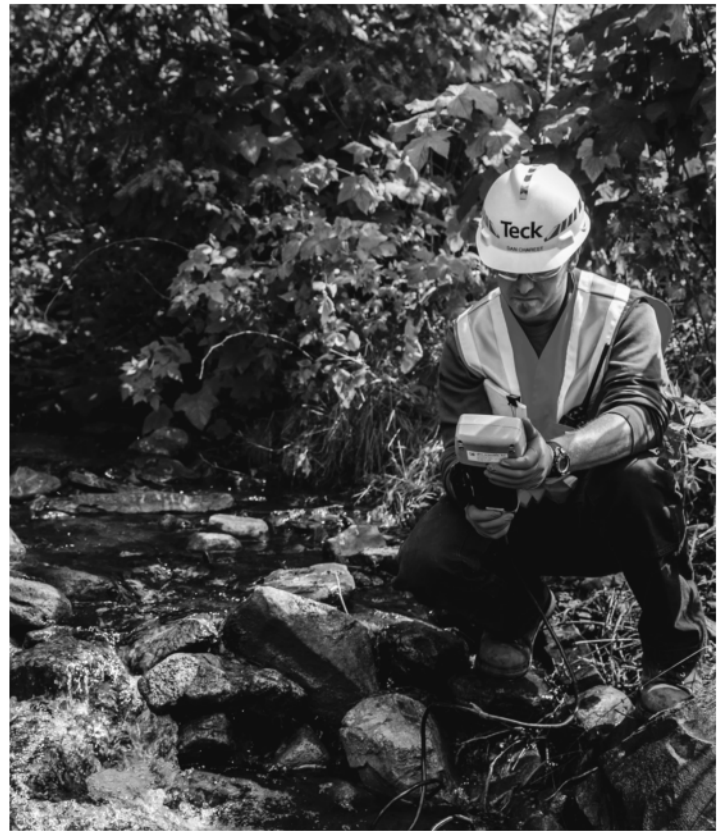
We are conducting extensive studies and monitoring of water quality and aquatic health which includes regular water quality monitoring at more than 100 locations in the Elk Valley.

Monitoring shows that selenium concentrations have been reduced downstream of our water treatment facilities at Line Creek and Elkview and we expect further significant reductions as the new Fording River facilities come online.

### Sharing Monitoring Results

Teck is committed to being transparent with stakeholders as we implement the Elk Valley Water Quality Plan. We make data and results from ongoing water quality, aquatic and animal health research and monitoring undertaken as part of the Plan available, and we will continue to share those results going forward. This includes Annual Reports completed by an Environmental Monitoring Committee comprised of an independent scientist and representatives from the B.C. Government, Ktunaxa Nation Council, Interior Health Authority, and Teck.

Monitoring reports related to the Elk Valley Quality Plan can be found at: [teck.com/elkvalley](https://teck.com/elkvalley)



*“Teck’s use of saturated rock fills to treat mine-affected water is leading-edge sustainable technology. Saturated rock fill is extremely effective at removing selenium and nitrate from mine affected water and improving water quality”*

— Dr. Lisa Kirk, an affiliate professor in Montana State University’s Department of Chemical and Biological Engineering, who helped develop saturated rock fill technology.

## Investments

To date, we have spent \$1 billion to implement the Elk Valley Water Quality Plan.

Between 2021 and 2024 we plan to invest up to a further \$655 million in work to protect the watershed.

## Research and Development

The Teck Elk Valley Water Quality Plan includes the adoption of new technologies and management approaches as further advancements in technology are achieved through this program.

Teck has undertaken a comprehensive research and development program that has led to the development of breakthrough technologies including:

- Saturated Rock Fill technology to treat mine-impacted water that is achieving near complete removal of selenium and nitrate.
- Development of a new nitrate management technique that uses liners that prevent explosives with nitrate from coming in contact with water. This technique is currently being installed across our operations in the Elk Valley. In 2021, the majority of blast holes will contain a liner that will significantly reduce nitrate at the source and help to protect water quality.

Teck has more than 25 research and development projects underway, including the advancement of smaller, in-situ water treatment facilities that can be built closer to where treatment is needed.

### For more information

Visit [teck.com/elkvalley](https://teck.com/elkvalley)



## **TULSEQUAH CHIEF MINE**

### **Remarks:**

The reclamation efforts at the Tulsequah Chief Mine site have been a key focus of the AK/BC Bilateral Working Group and in recent years site activities have continued in an effort to secure the site, and undertake the preliminary steps required to support the broader reclamation plan.

B.C. secured funding for further reclamation work for the 2021 field season, funding for future efforts at site will be determined over the course of the next year.

The 2021 field season saw partnership with the Taku River Tlingit First Nation in developing and implementing a water quality monitoring program which will support the development of an Aquatic Effects Monitoring Program.

In addition, rip-rap repair along the airfield and engineering of bridge repairs were undertaken.

B.C. is closely collaborating with Teck and the Taku River Tlingit First Nation and continues to keep Alaska's Department of Natural Resources apprised of remediation work and any other-related developments.

B.C. participated in a public forum hosted by the Alaskan Commissioner of Department of Natural Resources in May 2021 to provide information on the bilateral working group and work under the MOU and SOC as well as information specific to Tulsequah.

## **B.C./MT Selenium Standard for Lake Koocanusa**

### **Remarks:**

#### **B.C. Process**

- B.C. remains committed to establishing a Water Quality Objective (WQO) using a science-based process informed by the best data available.
- B.C. has plans to move forward with a selenium WQO for Lake Koocanusa as part of a broader process that includes an amendment to the Area Based Management Plan (ABMP) for the Elk Valley.
- Collaborative development of the draft selenium WQO for Lake Koocanusa between B.C. and the Ktunaxa Nation Council (KNC) is complete.
- B.C. is continuing to work with the KNC to confirm a framework and a process for how an approved water quality objective may inform changes to the ABMP. ENV has had preliminary discussions with KNC and Teck about this but the process itself has not yet been initiated. Any ABMP amendment would be initiated by a Ministerial Order and require between 12-24 months to complete. If any amendments are made to the ABMP it is anticipated that any permits in the valley, including Permit 107517, may be amended to align with the amended ABMP.

#### **Re: MT's Standard**

- While the MT DEQ Criteria and the ENV WQO are both based on the same USGS model, there are important differences in the approaches taken in some of the model inputs.

- B.C. and KNC water quality experts undertook an extensive engagement process with Teck to examine the modelling, data, and outcomes, including hiring our own consultant to support further model analysis around the bioaccumulation factors. The technical analysis will be made available as part of the public consultation package for the finalization of the selenium WQO.
- B.C. is confident in our transparent process and the rigour of the data and scientific work that went into deriving the draft selenium WQO.

## Saturated Rock Fill

Remarks:

### Elkview Operations (EVO) Saturated Rock Fill (SRF)

- The EVO SRF Phase 2 commissioning period ended on August 13, 2021. The facility continues to increase throughput and optimize performance.
- In August 2021 the facility removed 235 kg of nitrate/day and 2.37 kg of selenium/day. This represents the facility's best removal performance to date.

### Fording River Operation (FRO) Eagle 4 SRF

- The Eagle 4 SRF will be the second SRF in the Elk Valley and is being constructed in two phases. Phase 1 is intended to demonstrate site specific characterization assumptions. Phase 2 will expand capacity to reflect full scale operations (up to approximately 30,000 m<sup>3</sup>/day).
- Phase 1: Construction is nearly complete and the commissioning and operations permitting is underway with a decision targeted for mid-October 2021.
- Phase 2: The target decision date for commissioning and operations permitting is August 30, 2022.

Teck is currently beginning to work on an update to the ABMP Implementation Plan Adjustment (IPA) and through this process will be determining the locations, size and timing of future treatment plants. The IPA is a plan which lays out the various water treatment and mitigation projects that are proposed to meet the ABMP water quality targets. (The ABMP sets the targets, and the IPA identifies how the proponent proposes to go about meeting those targets).

### US Engagement on SRFs

- B.C.'s Ministry of Environment and Climate Change Strategy, Environmental Protection Division, with support from the Ministry of Energy Mines and Low Carbon Innovation, have been engaging with the EPA to answer questions about B.C.'s water quality mitigation projects and associated permitting.
- Technical staff from B.C. & EPA last met on May 27, 2021 where B.C. provided updates on water treatment facilities, Saturated Rock Fill water treatment technology, as well as updates to the regional water quality model and the Area Based Management Plan's Implementation Plan Adjustment.

- B.C. will continue to provide updates and share information with the EPA through regular check-in meetings and will ensure referrals are made on applications that may have transboundary implications, as was done for the EVO SRF application.
- The Environmental Protection Division has been working closely with Teck to respond to the EPA and MT DEQ requests for information related to treatment technology.
- B.C. and the EPA are working with Teck to schedule an SRF Technical Workshop.
- The next B.C./EPA quarterly meeting is being scheduled and is planned for October/November 2021.
- Teck posted Annual Water Treatment Performance Reports to their website on September 21, 2021. Link: <https://www.teck.com/responsibility/sustainability-topics/water/water-quality-in-the-elk-valley/research-and-monitoring-reports/>



**From:** Longpre, Nicole IGRS:EX  
**To:** Brownsey, Silas IGRS:EX; Maranda, Pierrette IGRS:EX; Periwal, Sukumar IGRS:EX  
**Subject:** GAC verbal debrief notes  
**Date:** March 14, 2022 1:10:51 PM  
**Attachments:** image001.png

---

I've just gotten off the verbal debrief from GAC on the proposed IJC referral. Exec and staff from ENV and EMLI were also on the line and led the B.C. feedback. Below is a brief summary of the advice that GAC provided (not verbatim). Happy to meet to provide further colour as needed.

GAC: DOS has raised concerns re: water quality in Lake Koocanusa for several years now. In more recent years, increased advocacy for action on this file. At invitation of Teck GAC accompanied American delegation to operations in Elk Valley last Sept. Also met with KNC. <sup>s.16</sup>

s.16

s.16

s.16

s.16

s.16

s.16

s.16

s.16

s.16

s.16

s.16

Nicole Longpré  
A/Manager, U.S. Relations  
Intergovernmental Relations Secretariat | Office of the Premier  
Tel. 236.478.1954  
Mobile. 250.589.2145

Pronouns: she/her/hers



## **MEETING SUMMARY: BC-Idaho-Montana-US EPA**

**DATE:** July 21, 2021

**SUBJECT:** Overview of BC Regulation of Mining in the South East

### **MEETING HIGHLIGHTS:**

- On July 21, 2021 Executive and staff from the ministries of ENV, EMLI, FLNRORD, EAO and IGRS met with counterparts from the Idaho Department of Environmental Quality (ID DEQ), Montana Department of Environmental Quality (MT DEQ), and the US Environmental Protection Agency (EPA) to provide an overview of how BC regulates mining in the South East of the province
- The meeting was convened and led by Deputy Minister Jardine (ENV)
- Slides were shared with attendees in advance, along with the agenda and a visual aid which identifies various intersections and engagement between US, BC and Indigenous agencies on transboundary issues
- The meeting was focused on BC walking through the presentation followed by some questions
- The BC presentation provided an overview of:
  - Division of powers between provinces and the government of Canada
  - The responsibilities and authorities of ENV, EMLI, FLNRORD and EAO
  - The lifecycle of a mining project from exploration through to reclamation and recovery, including the various roles of different agencies throughout
  - Highlights of recent enhancements to regulatory effectiveness under EMLI and the Mines Audit and Effectiveness Unit
  - BC-KNC engagement
  - The Elk Valley Cumulative Effects Management Framework (CEMF)
  - Recovery and conservation initiatives for Westslope Cutthroat Trout and Burbot
  - The BC-KNC Collaborative Stewardship Framework
- Questions included the following:  
s.16

s.16

- In closing Deputy Jardine asked for input on next steps for the conversation amongst our agencies.  
s.16

- No follow-up commitments.

**ATTACHMENTS:**

- Meeting Agenda
- Presentation slides (including additional appendix slides)
- US Engagement Snapshot

**Meeting with Prime Minister Justin Trudeau, March 29, 2022**

**SUMMARY**

s.13; s.16

Page 75 of 86

Withheld pursuant to/removed as

s.13 ; s.16

Page 76 of 86

Withheld pursuant to/removed as

s.16



## Debrief and Follow-up from Oct 15<sup>th</sup> GAC-DOS Quarterly Transboundary Mining Mtg

On October 26 Global Affairs Canada (GAC) debriefed B.C. regarding an October 15<sup>th</sup> bilateral meeting between GAC, the Department of State (DoS) and US Environmental Protection Agency (EPA) on transboundary mining in the SE. GAC's debrief identified the following information:

s.13; s.16

### Background - IJC role

- The IJC, guided by the *Boundary Waters Treaty* of 1909 has two main responsibilities: approving projects that affect water levels and flows across the international boundary; and investigating transboundary issues and recommending solutions.
- When asked by governments, the IJC investigates, monitors and recommends actions regarding the quality of water in lakes and rivers along the Canada-United States border.
  - The IJC currently has water quality responsibilities for the St. Croix River, the Rainy River and the Red River. However, much of the Commission's work focuses on helping governments clean up the Great Lakes and prevent further pollution.
- When the IJC receives a government request, called a reference, it appoints a board with equal numbers of experts from each country. Board members are chosen for their professional abilities, not as representatives of a particular organization or region.
- References to the IJC have focused mostly on water and air quality and on the development and use of shared water resources. For example, one reference led to the *Great Lakes Water Quality*

*Agreement* (1972), in which the two countries agreed to control pollution and to clean up wastewater from industries and communities. In 1978, a new agreement added a commitment to rid the Great Lakes of persistent toxic substances, which remain in the environment for a long time and can poison food sources for animals and people.

In light of this work moving forward we have identified the questions below:

#### B.C.'s Water Quality Objective (WQO) and Area Based Management Plan (ABMP)

Context:

- The ABMP is a regional management plan to improve overall environmental quality in the Elk Valley over time by stabilizing and reducing concentrations of Se, nitrate, sulphate, cadmium, and calcite formation in mainstream receiving environments.
- To improve water quality while enabling sustainable mining, the ABMP identifies progressively more protective water quality targets throughout the Elk Valley, including Lake Koocanusa.
- The ABMP and its targets consider and balance environmental risks from historical and current mining activities, with the technology needed to achieve improvements. This means water quality targets in the Elk Valley are sometimes higher than existing water quality guidelines (WQG) and the proposed WQO.
- The Minister of Environment has given direction to ENV decision makers to consider the ABMP when making decisions in the Elk Valley. The ABMP was therefore used to inform compliance limits and site performance objectives in Teck's *Environmental Management Act* (EMA) discharge permit.
- The ABMP currently identifies the province-wide Se WQG as the long-term target for Lake Koocanusa, and this is included as a site performance objective in Teck's EMA permit.
- B.C. is in the process of preparing to amend the ABMP and reassessing its Se target, following adoption of the Koocanusa Se WQO. We hope to complete the target reassessment process within 12-24 months.

s.16

#### Monitoring

Context:

- The Environmental Monitoring Committee (EMC) was established in 2015 following the approval of the ABMP and issuance of Teck's Elk Valley Permit (Permit #107517).
  - The EMC currently includes 10 members: 2 ENV reps; 2 EMLI reps; 2 KNC reps; 1 B.C. Interior Health Authority rep; 1 independent scientist and 2 Teck reps.
  - It is coordinated and facilitated by a neutral 3<sup>rd</sup> party facilitation team including a professional facilitator and an administrator/document control manager.
- The EMC provides technical advice and Indigenous Knowledge to Teck's ongoing monitoring submissions, associated supporting studies and reports required by their permit.
  - It reviews submissions, shares open dialogue and documents advice and input as part of the review process in an effort to support continual improvement in monitoring activities under the ABMP and Teck's permit.
- The EMC hosts annual public meetings to inform the public and scientific community of the year's activities and findings.

- More on the EMC: <https://www.teck.com/responsibility/sustainability-topics/water/water-quality-in-the-elk-valley/research-and-monitoring-reports/%20>
- Ongoing monitoring programs provide data for the following:
  - Surface Water Monitoring
  - Groundwater Monitoring
  - Local Aquatic Effects Monitoring Program (LAEMP)
  - Regional Aquatic Effects Monitoring Program (RAEMP)
  - Koocanusa Reservoir Monitoring
  - Calcite Monitoring
  - Selenium Speciation Monitoring
  - Chronic Toxicity Testing Program
  - Human Health Risk Assessment
  - Adaptive Management
  - Tributary Management

s.16

#### Lake Koocanusa Monitoring and Research Working Group (LKMRWG)

##### Context:

- The LKMRWG was established in 2014 as a cross-border forum through which information and environmental monitoring data would be shared, and as a venue for development of scientifically-based recommendations for updates to B.C. and US water quality objectives/criteria. It is co-chaired and managed by B.C. ENV and the Montana Department of Environmental Quality.
- For the past six years the LKMRWG has focused on development of recommendations for updated selenium water quality objectives/criteria. Recommendations were received in August, 2020 which informed MT's new selenium standard and B.C.'s upcoming WQO.
- In 2020 B.C. and Montana surveyed the LKMRWG membership to gather feedback and input on the future of the working group.
  - A summary of the responses has been shared with the LKMRWG and is available to anyone who is interested. B.C. ENV and Montana DEQ will discuss the survey feedback and potential changes to the working group after the path forward for B.C.'s WQO and potential ABMP amendments is underway.
  - In the meantime, B.C. and MT continue to support the LKMRWG as a venue for information sharing, scientific discussion, and collaboration. It continues to meet twice a year, with the next meeting scheduled for November 18, 2021.

s.16

Page 80 of 86

Withheld pursuant to/removed as

s.16

## Attachment 1

### Summary of the Great Lakes-St. Lawrence River Adaptive Management (GLAM) Committee

- The International Joint Commission (IJC), guided by the *Boundary Waters Treaty* of 1909, has two main responsibilities: 1) approving projects that affect water levels and flows across the international boundary; and 2) investigating transboundary issues and recommending solutions.
  - The GLAM Committee connects to the IJC's role in managing water levels and flows.
- Over the past century the IJC has approved construction and operation of structures that affect water levels and flows in three rivers (Sault Ste. Marie on the St. Marys River, at Niagara Falls on the Niagara River and at Cornwall/Massena on the St. Lawrence River).
- IJC approval of those structures included setting requirements for construction and operation through Orders of Approval and/or IJC Directives.
- Three international boards of control are responsible for monitoring compliance with those requirements (Lake Superior; Niagara; St. Lawrence River)
- Two of the boards periodically studied new regulation plans to better meet requirements or provide additional benefits. That work provided the basis for the GLAM Committee, which was established by IJC directive in 2015.
- The GLAM Committee reports to the boards of control and the IJC.
  - It undertakes monitoring, modeling and assessment related to the on-going evaluation of the regulation plans and addresses other questions that may arise due to changing conditions, in consultation with the Boards.
  - As more is learned and as conditions change over time, this information will help determine whether changes to regulation should be considered.
  - It is also tasked with liaising and coordinating between the Great lakes control boards and the boards created by the Great Lakes Water Quality Agreement (the Great Lakes Water Quality Board, and Science Advisory Board) to better link water levels and flows regulation with water quality considerations.

#### GLAM Committee operations

- The overall objective of the GLAM Committee is to provide information to the Boards regarding the effects that the structures approved in the IJC's Orders of Approval and Directives have on levels and flows in boundary waters and the impacts these have on the affected interests. This includes the on-going review and evaluation of regulation plans related to:
  - the effectiveness of the existing regulation plans in managing water levels and flows in the Lake Ontario-St. Lawrence River system and the outflows of Lake Superior;
  - examining how the system may be changing over time and whether any modifications to the regulation plan may be warranted to address what is learned over time including emerging issues and/or to address changing conditions; and
  - any other questions requested by the Boards and/or IJC that may affect the Boards' water management decisions over the long-term.
- The Committee was tasked with designing a work plan that assists the international Boards in determining if there are opportunities to improve the management of levels and flows based on previous understanding of the system and to address future conditions.
- The GLAM Committee's work is an on-going, long-term effort with specific timelines set for the following tasks:
  - Annually produce a work plan for approval by the Board and IJC
  - Semi-annually, update the Board in advance of the IJC semi-annual meetings
  - Once every three years, in consultation with the Boards, prepare a comprehensive progress report to the IJC
  - As directed by the IJC, and no more than 15 years after establishment of the committee, facilitate comprehensive reviews and evaluation of the regulation plans by the Boards based on the available data and information garnered over the review period

- Reports, recorded webinars and other information are publicly available on the committee's website <https://ijc.org/en/glam>
- To support the GLAM, the international Boards are tasked with:
  - Providing a list of priority issues for the GLAM Committee related to each Board, particularly noting issues related to the performance of the regulation plans raised during the Board's public meetings or consultations;
  - Review and approve GLAM Committee work plans;
  - Providing in writing requests to the GLAM Committee to address specific questions related to the Board responsibilities as outlined in IJC Orders of Approval and Directives to the Boards; and
  - Making recommendations to the IJC for modifications to the regulation plans to address what has been learned and/or to address changed conditions of the system, based on consensus within the individual Boards.
- Membership on the GLAM Committee
  - Technical experts from both countries, appointed by the IJC, including representatives from the federal, state and provincial governments as well as the Regulation Representatives (or alternates) from the Superior and St. Lawrence Boards and Working Committee Chairs (or alternates) from the Niagara Board.
  - Key stakeholders, academia and representatives of non-government agencies that have the technical capacity to work on various components of the work plan may be engaged by the GLAM Committee as appropriate as members on sub-committees and task teams as required.
  - Although the Committee's public information does not explicitly mention inclusion of Indigenous representatives, the current membership includes a First Nations Chief.
  - Members serve at the pleasure of the IJC and are expected to be full participants in all activities of the GLAM Committee. As with all IJC Boards and Task Forces, the GLAM Committee members serve the IJC in their personal and professional capacity, not as a representative of their agencies or employers.
  - List of members can be found here <https://ijc.org/en/glam/who/members>

March 30, 2022

Honourable Mélanie Joly, P.C., M.P.  
Minister of Foreign Affairs  
125 Sussex Drive  
Ottawa, ON K1A 0G2

**Re: Why Canada Must Oppose an International Joint Commission Reference for the  
Koocanusa Reservoir**

Dear Minister Joly:

On behalf of Teck, I am writing to share our position regarding the possibility of an International Joint Commission (IJC) reference for the Koocanusa Reservoir. We fully appreciate that you, your department and many other Canadian officials are rightfully focused on resolving the crisis in Ukraine. However, we believe this Canada-U.S. transboundary matter requires your immediate attention given the potential significant impacts it can have on Teck, the tens of thousands of associated jobs, and the Canadian economy at large. We also believe it can negatively impact the reputation of Canada's regulatory system and set a troubling precedent for future transboundary water disputes.

As background, Teck is a diversified natural resource company and global sustainability leader with business units focused on copper, steelmaking coal and zinc, as well as investments in energy assets. Headquartered in Vancouver and proudly Canadian, we own, or have interests in, 11 operations in Canada, the United States, Chile and Peru. Teck directly employs over 10,000 people in Canada, and our steelmaking coal operations alone create and sustain over 30,000 jobs across the country and \$1.5 billion in government revenues.

Since September 2021, we have remained connected with officials from Global Affairs Canada about the possibility of an IJC reference for the Koocanusa Reservoir. This included hosting a delegation from your department, the U.S. State Department, the U.S. Environmental Protection Agency (EPA) and U.S. Geological Survey (USGS) to tour the water treatment facilities at our steelmaking coal operations last year. Historically, Canada has opposed an IJC reference, properly protective of its own regulatory authority and instead facilitating input from U.S.-based interested persons as appropriate in both its own regulatory processes and via binational working groups.

In the months since, we have been told that Canadian officials have been under increasing pressure from certain U.S. constituencies to agree to a joint reference. Moreover, we have been told a draft reference is already in the works, and a decision to move forward is "imminent."

In this letter, we want to share with you the reasons why we believe this is a wrong approach.

The Koocanusa Reservoir is a large waterbody that straddles the borders of British Columbia and the U.S. state of Montana. It is about 100 kilometers upstream of Teck's steelmaking coal operations in the Elk Valley in southeast B.C. There have been calls from U.S.-based officials, as well as ENGOs and Indigenous leaders on both sides of the border, for an IJC reference related to selenium in these transboundary waters.

As a threshold matter, it should be recognized that there is no problem or threat to water quality below the U.S. border related to our steelmaking coal operations that necessitates an IJC reference. Concerns about, and actions of, certain U.S. constituencies pertaining to selenium effects in the Koocanusa Reservoir are overstated, lacking full context, premised on hypotheticals, and misconstrue or misrepresent the ample available environmental data. In fact, as far as the health of the Koocanusa Reservoir is imperiled, a primary contributor to water quality issues in Montana is the Libby Dam, not our steelmaking coal operations.

Teck has been told officials in Canada and the U.S. were discussing a "temporary, limited-scope" board under the auspice of the IJC to review influence of Elk Valley mining on water quality in the Koocanusa Reservoir (i.e., to evaluate operations and regulation in Canada). Such an approach would not only impinge on Canada's own ongoing regulatory processes but be faulty and one-sided, since it is apparent that the real environmental challenges to healthy aquatic life populations in the watershed are due primarily to management of the reservoir itself, particularly the Libby Dam. Thus, any investigation of "water quality issues" that does not address these realities would not reflect the reality of the situation and would not be fair.

While we understand "no final decisions have been made", officials inside Global Affairs Canada have indicated that an IJC reference is under immediate consideration. These officials tell us that a top concern is that the U.S. might initiate one unilaterally regardless of whether Canada agrees to it or not. We understand a unilateral IJC reference has never happened in the 113 years since the IJC was founded. As such, it is quite striking that Canada would acquiesce to U.S. demands. If the U.S. does proceed with a unilateral reference, it would stand as flagrant jurisdictional overreach and we believe Canada would still have the opportunity to respond in the strongest terms.

An IJC reference meant to subsume Canadian operations and regulations presents real risks to both Canada and to Teck. Among other things, it would interrupt the implementation of the rigorous Elk Valley Water Quality Plan (EVWQP)<sup>1</sup> and could also seriously sideline Canada's development of the Coal Mining Effluent Regulations (CMER)<sup>2</sup> currently underway.

Teck has and continues to support science-based approaches to water quality management and has invested heavily in implementing the EVWQP that was developed under Canadian regulatory authority specifically to protect aquatic life downstream of our steelmaking coal operations. The EVWQP was developed in consultation with a Technical Advisory Group that included not only the governments of Canada and British Columbia, and the Ktunaxa First Nation, but also with input from several interested U.S. parties, including the Montana Department of Environmental Quality (MDEQ), EPA, and USGS.

---

<sup>1</sup> Teck Resources Limited: "Elk Valley Water Quality Plan".

<sup>2</sup> Environment and Climate Change Canada: "[Proposed Coal Mining Effluent Regulations](#)".



The EVWQP is a long-term plan that establishes site-specific water quality objectives based on an extensive research program specific to the Elk Valley. To date, Teck has spent more than \$1.2 billion to implement the EVWQP, and between 2022 and 2024, and we plan to invest up to a further \$750 million in work to meet these objectives. These regulatory efforts, combined with Teck's commitment to improving water quality, are working. The EVWQP is already functioning to improve water quality in the Elk Valley, and treatment capacity is mammoth and growing. In fact, this year, Teck will have capacity to treat up to 77.5 million litres of water per day, a four-fold increase from our treatment capacity in 2020.

With this additional treatment capacity, we expect to achieve the primary objective of the EVWQP this year, which is to stabilize and reduce the selenium trend in the Elk Valley. Teck plans to have 157 million litres of treatment capacity complete by 2032. Our water treatment facilities are achieving up to 95% removal of selenium and are progressively lowering selenium and nitrate concentrations throughout the watershed. At minimum, an IJC reference would be a distraction from this program. At worst, it could be a de facto derailment.

The potential for a costly and protracted process is significant. In fact, it appears the average length of an IJC has been roughly four years. This could delay permitting and projects vital to Canada's ability to continue to produce much needed steelmaking coal and would divert resources that the governments of Canada and B.C., and Indigenous nations, among others, are currently applying to advancing domestic Canadian regulatory processes.

As referenced previously, the real irony in this situation is that downstream in the U.S., the most significant environmental challenges are unrelated to our operations in Elk Valley. Selenium is not the key factor affecting aquatic health in the Koocanusa Reservoir. People are not restricted today according to the Montana fish consumption guidelines from eating fish from the reservoir because of selenium but rather because of high levels of mercury. These effects are unrelated to mining activities in Canada but are influenced by the operation of the Libby Dam on the U.S. side of the border. In fact, the presence and generation of mercury in reservoirs is well documented in literature, including the influence of reservoir fluctuation on enhanced production beyond the initial impact of landscape flooding. However, in all discussions we have had, it has been made clear to us, and we understand to Canada as well, that the U.S. is firmly against including this science and these actions in any IJC reference that would look at the Koocanusa Reservoir.

It is also important to know that there is considerable disagreement in Montana over this issue. Lincoln County Commissioners, who are elected to represent the region that the Koocanusa Reservoir is in, have come out publicly against MDEQ's proposed site-specific standard for the Koocanusa Reservoir stating, "the standard is not in Lincoln County's or Montana's best interest, is not scientifically justified, and could have long-term negative impacts across Montana".<sup>3</sup> The County Commissioners did so after learning that data used by MDEQ to justify a new standard had been found to be not scientifically valid, did not follow EPA and USGS criteria for data collection and had been deemed unreliable and unusable. Furthermore, MDEQ data of average selenium concentrations by county in Montana show that Lincoln's average is in the lower half of all counties and well below EPA's national criteria.

---

<sup>3</sup> Independent Record: "[Strict selenium standard not in state's best interest](#)", March 3, 2022.

It has become increasingly clear in our engagements with our colleagues in the U.S. that science and sound policy are not the primary drivers for an IJC reference. We have been told several times that the U.S. push for this reference is "political" in nature. As such, we believe Global Affairs Canada needs to look closely and skeptically at whether an IJC reference that could effectuate concessions of Canada's regulatory authority over Canadian business and resources and could easily become an unwieldy diversion from major ongoing regulatory programs and processes, is truly necessary, or whether Canada would be better served by resisting such pressures.

As such, we are requesting that Global Affairs Canada revert to the historical position of opposition to an IJC reference for the Kooicanusa Reservoir. It is unnecessary, and it will not further the interests of Canada. We hope science and the tens of thousands of jobs at stake will be kept in mind during your deliberations.

Thank you for considering our position. Should you have any questions, or would like any clarifications or additional information, please do not hesitate to contact me at [Marcia.Smith@teck.com](mailto:Marcia.Smith@teck.com) or 604-699-4616.

Sincerely,

A handwritten signature in dark ink, appearing to read 'M. Smith', with a stylized, cursive script.

Marcia Smith  
Senior Vice President, Sustainability & External Affairs

Cc: Honourable Jonathan Wilkinson, P.C., M.P., Minister of Natural Resources  
Marta Morgan, Deputy Minister, Foreign Affairs, Global Affairs Canada  
Sandra Aubé, Chief of Staff, Office of the Minister of Foreign Affairs, Global Affairs Canada  
Marcella Munro, Head, Government & Regulatory Affairs, Teck Resources Limited