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Montana Wildlife Federation
Montana Environmental Information Center
Montana Wilderness Association
American Rivers
Idaho Conservation League
Conservation Northwest
Montana Trout Unlimited
Flathead Valley Trout Unlimited
Kootenai Valley Trout Unlimited
Flathead Wildlife
SalmonState
Salmon Beyond Borders

The Honourable Jonathan Wilkinson MP
Minister of Environment and Climate Change
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cc:
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July 13, 2020

RE: Request for Designation of the Castle Project under s. 9(1) of the Impact Assessment Act

Dear Minister Wilkinson:

We are requesting the Minister designate Teck's Castle expansion of their Fording River coal mine for a federal environmental assessment, with a review panel.

The key reason for designating is because we believe impacts in the US are certain and we do not believe a provincial EA will assess these impacts (all past EA's for coal mines in the Elk Valley (EV) have only assessed impacts as far downstream as the BC-MT border in Lake Koocanusa, denying that there were impacts beyond the border). The Castle constitutes a new mine project, not an expansion of an existing mine, and represents a major, overall expansion of mining in the Elk Valley and will add many decades more of mining and pollution to an already bad situation.

The key issues we believe must be assessed are:

1) Cumulative impacts of water pollution from the Castle mine and existing EV coal mines and potential future coal mines (including existing Teck mines, with decades of already approved expansion at Elkview, Fording and Line Creek, plus three mines from other companies already undergoing EA and possible other expansions that Teck has indicated publicly (Elkview and Greenhills)).

a) This would include impacts of water pollution on Lake Koocanusa;

- These potential impacts significant;
- We don't believe that the BC-MT process to establish a selenium standard at the border will either lead to a shared Se water standard or that BC will be able or willing to enforce the shared water standard;
- Beyond the Koocanusa process, we are concerned about cumulative impacts of multiple pollutants, including nitrate, sulphate and nickel;
- Additional, long-term pollution from EV have the real potential to very adversely effect white sturgeon (a US protected species under the ESA) in the US Kootenai River;
- We don't believe that Teck's science is sufficient in Koocanusa or downstream, and substantial US agency science has taken place because BC/Teck have purposefully omitted assessment of this zone of the watershed. US federal agencies that have done the bulk of the science south of the border can be brought in for their technical expertise if Castle becomes subject to the Canadian federal EA process (USGS, EPA, FWS).

b) The impacts on the Kootenai River run all the way from Koocanusa back to the Canadian border at Creston, including ESA and SARA listed endangered white sturgeon, a population which is shared between BC, ID, and MT. Recent USGS / Kootenai Tribe of Idaho research demonstrated elevated selenium in water and fish tissue throughout the US Kootenai. Canada may wish to assess impacts to their part

of the Kootenay at Creston as well, given elevated Se levels there and the slow moving river increasing risk, not to mention shared sturgeon.

c) We are concerned that Teck's Saturated Rock Fill (SRF) technology, which they have indicated they intend to use for the project and existing mines in the EV, is unproven and no information is publicly available about its functioning, reliability, etc. A recent BC permit amendment application for Teck's Elkview SRF allowing for 41ug/L selenium is more than double the limit originally used for Active Water Treatment Facility (AWTF) with more than double the nitrate as well. We also have concerns about AWTF, given the issues with the Line Creek AWTF and the recent permit amendment application for 37ug/L selenium for the Fording River Operations South AWTF.

d) We understand the selenium pollution problem could continue for a very long time and we don't believe Teck or BC has any plan to address the problem beyond water treatment, which we don't expect would continue significantly beyond active mining. We're concerned that treatment would be discontinued, leading to a rapid increase in pollutant loads in the US. BC's reclamation bonding system does not adequately account for true reclamation costs, and clearly does not provide sufficient assurances for continued water treatment.

e) We're concerned about violation of the Boundary Waters Treaty (BWT) and that Canada will violate the BWT in such a way that long term damage is done before any changes can be made, given the long-term nature of the pollutant leaching problem.

f) We're concerned that BC's regulatory system has not worked to protect our river and fish to date and we don't believe it will do so in the future. Past letters from US agency experts and US elected leaders, including all 8 US senators from states bordering BC, have not received adequate response from BC authorities.

g) We don't believe past provincial EAs in the last decade (for expansions at Line Creek Phase II, Fording Swift and Elkview Baldy Ridge) have been sufficient to protect US fish and waterways, as seen by rising selenium in Koocanusa since those projects were approved.

2) We have serious concerns with the long term, the cumulative impacts on wildlife that use the Crown of the Continent eco-region in MT and BC. This includes the crucial connectivity corridor from Glacier-Waterton International Peace Park (and points south) to Canada's Rocky Mountain National Parks complex. Of particular concern are wide-ranging species including grizzly bears and wolverines. We believe the location of the project, adjacent to the Continental Divide, could significantly impair connectivity for these species to travel north-south, further isolating the populations in the US from Canadian populations, with potentially significant impacts.

3) We stand with the Confederated Salish and Kootenai and Kootenai Tribe of Idaho, originally the Ktunaxa/Kootenai people who lived on both sides of the 49th parallel, who have requested a federal assessment of the project for reasons given in their letters, especially the risk to white sturgeon.

Please grant Canadian federal environmental review of Teck's proposed Castle project.
Thank you.

Sincerely,

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