



May 15, 2019

Herman Henning
 Chief Inspector of Mines
 Ministry of Energy Mines & Petroleum Resources
 c/o Mining Division - Southwest Region
 PO Box 9395 Stn Prov Govt
 Victoria BC, V8W 9M9
 Submitted electronically to SouthwestMinesDivision@gov.bc.ca

RE: Imperial Metals' application for an amended mine plan and reclamation program for the Giant Copper Property in the Silverdaisy Area and Skagit Headwaters

Dear Chief Inspector Henning:

The undersigned conservation, recreation and wildlife organizations as well as local businesses and elected officials representing Washington State are writing to express our strong opposition to the proposed mineral exploration permit proposed by Imperial Metals being considered by the Ministry of Energy, Mines & Petroleum Resources.

Importance of the Skagit River and Basin

The Skagit River flows south from British Columbia through Washington State through North Cascades National Park and Mt. Baker Snoqualmie National Forest before flowing into the Puget Sound. The proposed mining activities and potential future development of a mine in the Canadian Skagit headwaters provides a real and significant threat to many of the values connected to the Skagit River and watershed in Washington State.

The Skagit Watershed supports large, diverse fish and wildlife populations and provides over 30 percent of the freshwater flowing into Puget Sound. It also provides critical habitat for imperiled species such as bull trout, grizzly bears, and spotted owls.

The Skagit River supports the largest populations of threatened steelhead and Chinook salmon in the Puget Sound, and the largest run of chum salmon in the conterminous US. Approximately, 90 percent of bull trout from Ross Lake spawn in the Upper Skagit downstream of the proposed activities. These fish are a critical food resource for the imperiled Southern Resident Killer Whales and are central to the culture and integrity of several Tribes both in the United States and Canada who have treaty rights to these important resources.

Inconsistency with International Treaty Obligations

As you should be aware, the 1984 High Ross Treaty between the United States and Canada resolved the dispute over raising Seattle's High Ross Dam and avoided flooding part of the Upper Skagit Watershed. Recognizing the unique ecological and recreational values of the Skagit Watershed, one of the main purposes of the Treaty was to maintain the environmental integrity of the Watershed. The City of Seattle and the BC government signed the accompanying Agreement.

Furthermore, the Treaty also created the Skagit Environmental Endowment Commission (SEEC) to administer this collaborative partnership, the Commissioners of which are appointed by the Premier and the Mayor. The governments together established SEEC's primary mission: (1) to conserve and protect wilderness and wildlife habitat, 2) to enhance recreation opportunities in the Skagit, and 3) to acquire mineral or timber rights consistent with conservation and recreational objectives.

The proposed activities are in the "donut hole", an area encircled by Skagit Valley and Manning Provincial Parks, that was left out of the parks due to existing mineral claims. Consistent with its purpose, the SEEC has been actively pursuing acquisition of these claims in order to protect and incorporate the donut hole into one of the adjacent parks. This has been done with the knowledge and encouragement of the BC government. Logging and mining in the donut hole conflicts with the intent and the efforts made thus far to protect this area and incorporate it into the surrounding parkland.

Neither the previously allowed logging activities, pending timber sales, nor this latest mineral exploration permit proposal are in alignment or in keeping with the spirit and intent of the Treaty. The proposed mineral exploration activities including creating access roads and trails, conducting surface exploration drilling with associated water supply and catchment sumps, and mechanical trenching over a five-year period of continued disturbance are wholly unacceptable. The area that Imperial Metals is proposing to investigate has already been searched many times before as documented in your records. In addition, the Skagit Environmental Endowment Commission has paid for an assessment of the proposed Giant Copper mine indicating that the mine would not be economically viable.

Potential Impacts from Mining Activity on Down Stream Values in the Skagit Watershed

Logging and mining are well known to increase sediment, water temperatures and threats of contaminants in downstream areas which would impact this and other aquatic species downstream. Even exploratory drilling have been shown to release copper. Copper can be lethal to fish and aquatic invertebrates at relatively small concentrations. Recent studies have found that copper has substantial sublethal impacts to fish at levels that were previously considered safe. This sensitivity is greatest where water quality is excellent. Given that Ross Lake supports one of the largest populations of bull trout, listed under the Endangered Species Act and the Skagit River supports the largest Chinook population in Puget Sound, no mining activity in the donut hole should be permitted.

Unacceptable Record of Responsibility and Accountability of Imperial Metals

In addition to the unacceptable impacts to fish, wildlife and water resources down stream and violation of an international treaty, there is great concern over the past record of Imperial Metals with respect to compliance

safety and accountability. Their permit applicant's record is poor considering the August 2014 Mount Polley mine tailings pond spill which was one of the largest environmental disasters in Canadian history.

The failed tailings dam forced 24 million cubic meters of mine waste, containing mercury, arsenic, selenium, copper, and other heavy metals over 12 hours into Hazeltine Creek. The contaminated mine waste ultimately entered Quesnel Lake—the source of drinking water for residents of Likely, BC, and home to about a quarter of the province's sockeye salmon population.

In conclusion, we urge the Ministry of Energy, Mines & Petroleum Resources to deny the proposed mining permit by Imperial Metals and move forward with efforts to facilitate the purchase of the mineral tenures and provide long term protection for the Skagit headwaters consistent with the High Ross treaty.

Sincerely,

Daniel J, Evans
Former Washington Governor
Former U.S. Senator

John McCoy
Senator (District 38)
Washington State Senate

Jesse Salomon
Senator (District 32)
Washington State Senate

Liz Lovelett
Senator (District 40)
Washington State Senate

Dave Paul
Representative (District 10)
Washington State House of Representatives

Sharon Shewmake
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RE Sources for Sustainable Communities

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Pacific Rivers

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American Rivers

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Wild Steelhead Coalition

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Save Our Wild Salmon Coalition

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Becky Kelley
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Annie Cubberly
President, Polly Dyer Cascadia Chapter
Great Old Broads for Wilderness

CC: Imperial Metals Corporation
Washington Governor Jay Inslee
Senator Patty Murray (D-WA)
Senator Maria Cantwell (D-WA)
Congresswoman Suzan DelBene (D-WA01)
Seattle Mayor Jenny Durkan