

## **Over Ten First Nations, Tribes Demand Immediate Action on Dangerous Mining Operations in British Columbia, Amid Canada-U.S. Talks**

*Call on Canadian leaders to fulfill their promises during Bilateral Talks this week*

April 24, 2023—

Over ten First Nations and Tribes are calling on Canadian officials to address the growing crisis of industrial mining in British Columbia. In a letter sent to Prime Minister Trudeau and B.C. Premier Eby last week, the coalition of First Nations and Tribes condemn the governments of Canada and British Columbia for allowing the mining industry to lay waste to Indigenous territory, and demand that Trudeau and Eby honor their “legal and ethical obligation to protect transboundary waters and the communities they sustain.”

The letter comes during a period of intense pressure on Canada and British Columbia to finally stand up to the powerful B.C. mining industry. In late March, following negotiations between Prime Minister Trudeau and President Biden, Canada jointly committed to “protect fragile ecosystems” in Canada-U.S. transboundary waters, and stated its intent to “reach an agreement in principle by this summer to reduce and mitigate the impacts of water pollution in the Elk-Kootenai watershed,” a transboundary watershed that has experienced downstream pollution from B.C. mines for decades. Further bilateral talks between Canada and the United States are scheduled for this week.

The Indigenous leaders who write to Trudeau and Eby are asking Canada to back up its commitment with real action at the April bilateral talks. “It is time for Canada to fulfill their promise and end the poisoning of our natural resources,” said Chairman Tom McDonald of the Confederated Salish and Kootenai Tribes. “It is encouraging that the recent joint statement from Prime Minister Trudeau and President Biden recognized the need for action, but a vague commitment to ‘work together’ is not enough. Canada and the United States must announce a Joint Reference to the International Joint Commission during the bilateral talks this week.” Chairman McDonald added, “Canada has kicked the can for far too long. There is absolutely no excuse for further delay.”

For decades, the governments of Canada and British Columbia have stood by as the mining industry in British Columbia wreaks havoc on transboundary waters—even as British Columbia’s own Auditor General documented widespread, systemic non-compliance with the province’s mining regulations. Mining toxins threaten crucial salmon habitats in Alaska and British Columbia, and the threat of full-scale dam failures looms large across the region. Recent studies show there is a dangerously high probability for Copper Mountain mine’s existing tailings dam to fail and cause disastrous effects on downstream wildlife and communities. When confronted with this research, mine officials have implied the risk is just the cost of doing business. In the Elk-Kootenai(y) watershed, decades of selenium contamination from Teck Resources’ mines has already seriously damaged rivers and critical fish populations in Canada and the United States.

“The Colville Tribes and the Sinixt have fought against Teck’s pollution of the Columbia River for nearly two decades” said Chairman Jarred-Michael Erickson of the Confederated Tribes of the Colville

Reservation. “Water is sacred. We will always assert our sovereignty to protect our resources. It is long past time that pollution of our waterways be eliminated at the source.”

“Our wild salmon rivers of Southeast Alaska and Canada connect our cultures, traditions, and families. The Canadian and U.S. administrations must respond to our Tribes and First Nations, which have joined together in the call for the International Joint Commission to address our concerns about pollution from these mines and British Columbia’s resistance to be held liable for impacts to our traditional territories and way of life” says President Richard (Chalyee Éesh) Peterson of the Central Council of Tlingit and Haida Indian Tribes of Alaska, Alaska’s largest federally-recognized Tribe.

Rather than address pollution, Canada and British Columbia continue to greenlight large-scale mining expansions—highlighting a dangerously close relationship between industry and government. This relationship was on full display earlier this month, when former B.C. Premier John Horgan announced plans to join the mining industry. As Premier from 2017 to 2022, Horgan repeatedly undermined attempts to address Teck’s pollution in the Elk Valley and Kootenay watershed. Now, only a few months after stepping down as Premier of British Columbia, and the day after resigning his seat in the B.C. Legislature, Horgan has announced he plans to join the Board of Directors of Elk Valley Resources, a proposed spinoff of Teck Resources. The Horgan announcement is only the latest in decades of similar scandals. In 2013, for instance, Imperial Metals donated hundreds of thousands of dollars to the B.C. Liberal Party, and its controlling shareholder hosted a \$1-million fundraiser for then-Premier Christy Clark. A year later, when the company’s tailings dam failed and caused the worst mining spill in Canadian history, the company faced no fines or criminal charges.

“While Canada and British Columbia stonewall efforts by First Nations, Tribes, and the United States to address pollution, B.C. mining continues to leach toxic pollutants into our transboundary waters,” said Vice Chairman Gary Aitken Jr. from the Kootenai Tribe of Idaho. “We are monitoring the death of our river systems, while those in power have corrupt relationships with the mining industry and refuse to stand up to pollution. It’s like watching a loved one die, knowing that they could be saved.”

This week, First Nations and Tribes across what is now known as British Columbia, Montana, Idaho, Washington, and Alaska stand together, calling on Canada and British Columbia to prioritize people over profit. “Canada and British Columbia’s failure to appropriately regulate mining across our homelands jeopardizes our culture, our food security, and most importantly the health of ʔa·kxaṁ is ǰapi qapsin (All Living Things) for which we are responsible. Despite the Canadian Constitution, the federal Fisheries Act, the provincial Environmental Management Act, and the United Nations Declaration on the Rights of Indigenous Peoples adopted by Canada and British Columbia, we continue to see coal mining pollution impacting our rivers, groundwater and fish” says Ktunaxa Nation Chair Kathryn Teneese. “Canada has failed to properly regulate pollution from coal mines for too long, and their proposed new Coal Mining Effluent Regulations are not enough to reverse the harm to our waters. We need more than a soft commitment to agree to a solution in principle. The Kootenay River deserves, and the Ktunaxa people expect, clear federal action from the Canada-U.S. bilateral negotiations.”

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Attachments

Letter to Prime Minister Trudeau and Premier Eby  
Confederated Salish and Kootenai Tribes Resolution Number 23-070  
Upper Columbia United Tribes Resolution 2022 on Transboundary Mining  
Southeast Alaska Indigenous Transboundary Commission Resolution Number 1222  
Central Council of Tlingit and Haida Indian Tribes of Alaska EC Resolution Number 22-68  
National Congress of American Indians Resolution Number ATL-14-082

Documents available here.