



September 22, 2022

Honourable John Horgan  
 Premier  
 PO Box 9041 STN PROV GOVT  
 Victoria, BC V8W 9E1

**RE: Recent Mineral Rights Surrender Agreement for the “Donut Hole” in the Skagit Headwaters**

Dear Premier Horgan:

The 187 undersigned conservation, recreation and wildlife organizations as well as U.S. Tribes, Canadian First Nations, local businesses, elected officials, and other concerned interests representing Washington State are writing to express our sincere gratitude for your leadership in the agreement that was finalized on January 19, 2022, which surrendered the mineral tenures in the area known as the Skagit “donut hole.” Funding provided by the British Columbia Government, the Skagit Environmental Endowment Commission (SEEC), Washington State, the City of Seattle and the Nature Conservancy of Canada were a critical element in bringing resolution to concerns about mining and related activities in the headwaters of the iconic Skagit River.

This issue is complicated by the fact that it is truly a transboundary issue where activities proposed in British Columbia impact downstream values in neighboring Washington State to the South. Over the last four years, since the logging threat emerged in the “donut hole,” an international coalition of nearly 300 U.S. Tribes, Canadian First Nations, elected officials, local businesses, outdoor industry leaders, hunting and fishing interests as well as conservation, recreation, and wildlife organizations on both sides of the border have come together to call for protection of the Skagit Headwaters.

### **Importance of the Skagit River Basin to Washington Stakeholders**

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 potential mining and logging activities in the Canadian headwaters provide a real and significant threat to many of the values connected to the Skagit River watershed in Washington State.

We appreciate that you listened to the comment letters, resolutions, and media reports on this issue from Washington State stakeholders who rely on clean water from the Skagit River for safe drinking water, fish, wildlife, agriculture, recreation, a healthy Puget Sound, and to support the recovery of the southern resident killer whale population that both Washington and British Columbia share. Of equal importance is what the Skagit River means to several native American Tribes who rely on the fish wildlife and other resources for the fulfillment of their Treaty rights and Tribal lifeways.

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 the bull trout from Ross Lake spawn in the Upper Skagit downstream of the Skagit headwaters.

### **Key Tenets of the Agreement**

We applaud your leadership in crafting the agreement which surrendered mineral tenures from Imperial Metals in the “donut hole” area removing the mining threat posed to a critical transboundary watershed. We also appreciate British Columbia government’s announcement that as of 2019, there would be no further timber harvesting in the area.

Our understanding is that the British Columbia Government has further committed to the following additional actions associated with the agreement. We strongly support each of these actions:

1. The implementation of regulatory measures including a no-registration reserve under the Mineral Tenure Act, which ensures that no additional mineral claims can be staked in that area, as well as a reserve under Section 16 of the Land Act, which reserves the area from disposition.
2. The implementation of formal consultation initiated with Canadian First Nations to identify suggestions on permanent protection opportunities for the “donut hole” area.
3. Imperial Metals will be required to carry out their reclamation obligations in relation to past work in the area by December 2023.

In conclusion, we thank you for your leadership and for listening to Canadian First Nations, U.S. Tribes, and other stakeholders in both British Columbia and Washington State to find a solution that works for all parties involved and protects the Skagit Headwaters in keeping with the 1984 High Ross Treaty.

Sincerely,

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Washington State House of Representatives

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Representative, Legislative District 1  
Washington State House of Representatives

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Cc: Honourable George Heyman, Minister of Environment and Climate Change Strategy