

COLUMBIA BASIN FISH AND WILDLIFE AUTHORITY

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Coordinating and promoting effective protection and restoration of fish, wildlife, and their habitat in the Columbia River Basin.

The Authority is comprised of the following tribes and fish and wildlife agencies:

Burns Paiute Tribe

Coeur d'Alene Tribe

Confederated Salish and Kootenai Tribes of the Flathead Reservation

Confederated Tribes of the Colville Reservation

Confederated Tribes of the Umatilla Indian Reservation

Confederated Tribes of the Warm Springs Reservation

Confederated Tribes and Bands of the Yakama Nation

Idaho Department of Fish and Game

Kootenai Tribe of Idaho

Montana Department of Fish, Wildlife and Parks

National Marine Fisheries Service

Nez Perce Tribe

Oregon Department of Fish and Wildlife

Shoshone-Bannock Tribes of Fort Hall

Shoshone-Paiute Tribes of Duck Valley

U.S. Fish & Wildlife Service

Washington Department of Fish and Wildlife

Coordinating Agencies

Columbia River Inter-Tribal Fish Commission

Upper Columbia United Tribes

February 15, 2007

Mr. Garry Alexander
Project Assessment Director
Environmental Assessment Office
P.O. Box 9426 Stn. Prov. Govt.
Victoria, B.C. Canada V8W 9V1

Re: Comments on the Cline Mining Corporation Lodgepole Coal Mine Project

Dear Mr. Alexander:

The Columbia Basin Fish and Wildlife Authority (CBFWA), a regional organization of state, tribal, and federal agencies in the Columbia River Basin, dedicated to ensuring the effective implementation of the Pacific Northwest Power and Conservation Act of 1980, requests that you please enter these comments into the public record on the proposed mining project.

Members of the CBFWA collaborate, by consensus, to implement the Northwest Power and Conservation Council's Columbia Basin Fish and Wildlife Program, which is funded by the Bonneville Power Administration, to offset losses caused by the construction and operation of federal dams. Over \$13.5 million dollars have been invested in the Flathead River Watershed to mitigate the effects of Hungry Horse Dam on fisheries resources, including transboundary populations that spawn in Canadian headwaters, including the Wigwam, and later migrate to Montana for over half of their lifecycles. Since 2000, funds have been provided to British Columbia Ministries to monitor bull trout populations in the Wigwam River in the Kootenay Watershed. We believe these and future investments in fish and wildlife restoration should not be compromised by mining and road construction in sensitive areas of the North Fork Flathead Watershed.

Existing coal mines, similar to the proposed mine, have resulted in increased nutrient loading (nitrates, nitrites and phosphates), salts and metals (e.g. selenium, mercury) known to negatively affect fisheries resources. For example, Canadian water quality data downstream of the Coal Mountain Mine in the adjacent Elk Valley in the Kootenay Watershed show that selenium levels are 25 times higher than baseline conditions, nitrates/nitrites are 300-500 times higher than baseline conditions, and phosphates are 10 times higher. Streams downstream of the proposed Cline Mine in the North Fork Flathead contain bull trout spawning areas and genetically pure populations of westslope cutthroat trout that would be directly impacted by mine waste and effluents.

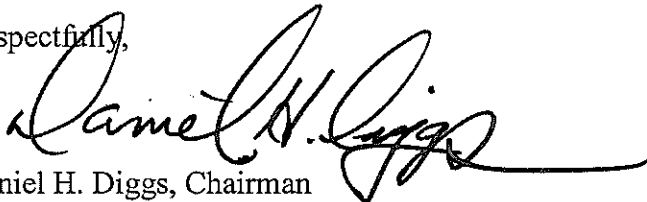
Mr. Garry Alexander
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This proposal, if approved, could initiate additional coal development in the B.C. Flathead. The Transboundary Flathead Basin contains one of North America's most diverse wildlife communities and specially designated lands including the International Biosphere Reserve, World Heritage Site, International Peace Park, Wild and Scenic River, and National Forest designations. The cultural landscape of the watershed contains traditional sites that pertain to the Salish, Pend Oreille, and Kootenai cultures and beliefs. Land disturbances and road development associated with this mining proposal would eliminate wildlife habitat and interrupt migration corridors for elk, moose, and bear.

We are concerned that Cline's "Terms of Reference" for assessing mine impacts do not include potential impacts in Montana or cumulative impacts in the North Fork headwaters. The CBFWA supports the Northwest Power and Conservation Council's position (see attached letter) that urges the British Columbia Provincial Government to allow sufficient time for an assessment of baseline environmental conditions in the Transboundary Flathead Watershed and a thorough assessment of potential impacts south of the proposed mine site.

We urge you to collaborate with the state of Montana and Confederated Salish and Kootenai Tribes and First Nations to develop Terms of Reference that are mutually agreed upon by British Columbia and Montana. Baseline monitoring must be completed in the Canadian headwaters to meet the intent of the Environmental Cooperation Arrangement signed by Montana's former Governor Judy Martz and B.C. Premier Gordon Campbell, and Article IV of the Boundary Waters Treaty which states that waters flowing across the US/Canadian boundary shall not be polluted to the injury of health or property on either side of the border.

Respectfully,



Daniel H. Diggs, Chairman
Columbia Basin Fish and Wildlife Authority

Enclosure: NPCC Letter dated 1/18/07
Re: Cline Mining Proposal for the
Headwaters of the Flathead River

cc: Honorable Gordon Campbell
Governor Brian Schweitzer
Flathead Basin Commission
Thomas Karier, Ph.D., NPCC
CBFWA Members

Tom Karier
Chair
Washington

Frank L. Cassidy Jr.
"Larry"
Washington

Jim Kempton
Idaho

W. Bill Booth
Idaho



Joan M. Dukes
Vice-Chair
Oregon

Melinda S. Eden
Oregon

Bruce A. Measure
Montana

Rhonda Whiting
Montana

January 18, 2007

Mr. Gary Alexander
Project Assessment Office
Environmental Assessment Office
P.O. Box 9426 Stn. Prov. Govt.
Victoria, B.C. Canada V8W 9V1

Re: Cline Mining Proposal for the Headwaters of the Flathead River

Dear Mr. Alexander:

The Northwest Power and Conservation Council is concerned about the potential for negative downriver impacts to water quality and to fish and wildlife in the Flathead and Columbia Basins from the proposed Cline Mine just north of the Montana/British Columbia border at the headwaters of the Flathead River. The Council is particularly concerned that the information gathered so far is not sufficient to determine the impacts of the proposed mine on the resources of the Flathead Basin and beyond. We request that you broaden your inquiries before considering the proposal further, including allowing sufficient time for an assessment of baseline environmental conditions and potential impacts south of the border.

The Council is an interstate agency formed through a compact among the states of Idaho, Montana, Oregon and Washington, as authorized by the national Congress in the Northwest Power Act of 1980. The Power Act directs the Council to develop and oversee the implementation of a *Columbia River Basin Fish and Wildlife Program* to protect, mitigate and enhance the fish and wildlife affected by the Columbia hydrosystem. The Council's Fish and Wildlife Program includes a specific mitigation plan for the Flathead River subbasin. The Flathead Subbasin Plan consists of a detailed assessment of habitat and population conditions in all parts of the river, including the North Fork, an inventory of ongoing activities, and a management plan for critical species in the Flathead, including bull trout and westslope cutthroat trout. Representatives from British Columbia, including from the Ministry, participated in the development of the plan, contributing especially to the technical elements of the plan. The Council's Fish and Wildlife Program and the Flathead Subbasin Plan in particular may be found

on the Council's website, at <http://www.nwcouncil.org/fw/program/Default.htm> and <http://www.nwcouncil.org/fw/subbasinplanning/flathead/plan/>.

The Council is concerned about the possible impacts to bull trout and westslope cutthroat trout and other aquatic species if mining activities cause water quality downstream to deteriorate, effectively countering the Council's efforts through its program to improve conditions for these species. Several projects funded by the federal Bonneville Power Administration to implement the Council's program address these species. This includes the Hungry Horse Mitigation Project, which among other activities engages in extensive water quality monitoring throughout the North Fork Flathead River system on both sides of the border. The Montana Department of Fish, Wildlife, and Parks and the Ministry of Environment collaborate in this effort, collecting baseline fisheries and water quality data downstream of the proposed mine site. The Council and others, including the Flathead Basin Commission, see the need for additional water quality monitoring and the collection of other environmental baseline data before it would even be possible to assess the potential for environmental damage to waters, fish and wildlife in the subbasin from the proposed mining activities. While others may question the possibility of protecting the river from the negative impacts associated with a proposed mine in the headwaters, the Council finds that it is not possible to consider that question without additional information.

For these reasons, and in the mutual interests of our stakeholders, the Council encourages the Ministry and other British Columbia officials to work with and consider the concerns of the Council and other interested parties in Montana and throughout the Columbia Basin. The review process should include allowing sufficient time for the entities already at work to gather further information on baseline environmental conditions, and then a thorough assessment of potential impacts south of the proposed mine site using the baseline and other data mentioned above as well as any other relevant data from the Montana Department of Natural Resources and Conservation, Montana Fish, Wildlife & Parks, the Flathead Basin Commission, the Confederated Salish and Kootenai Tribes, the Council's subbasin plan, the U.S. Fish and Wildlife Service, and other pertinent entities. The review effort should also look at what the impacts have been in the Kootenai River basin from similar activity in the Elk River drainage.

To summarize, the Council is concerned that the information currently gathered is not sufficient to determine the impacts of the proposed Cline mine on the fish, wildlife, and other resources of the Flathead River Basin. We encourage you to broaden significantly your inquiries into these potential impacts.

Sincerely,



Tom Karier
Chair

cc: U.S. Fish and Wildlife Service
Montana Department of Fish, Wildlife and Parks

Montana Department of Natural Resources and Conservation
U. S. Army Corps of Engineers
Environmental Protection Administration
Bonneville Power Administration
Confederated Salish and Kootenai Tribes
Flathead Basin Commission
Governor Ted Kulongoski
Governor Christine Gregoire
Governor Butch Otter
Governor Brian Schweitzer