

CITY AND BOROUGH OF WRANGELL

RESOLUTION NO. 10-21-1616

A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, STRONGLY SUPPORTING EFFORTS TO PROTECT TRANSBOUNDARY WATERS, SPECIFICALLY THE STIKINE RIVER, AND THE ECOSYSTEM, INDIGENOUS PEOPLE, COMMUNITIES, RESIDENTS, AND ECONOMIES THAT DEPEND ON ITS HEALTH

WHEREAS, the Wrangell Borough Assembly represents the residents of the City & Borough of Wrangell; and

WHEREAS, the City & Borough of Wrangell lies at the very mouth of the Stikine River, and is an inseparable part of the transboundary region of the Stikine River Watershed; and

WHEREAS, the health of the Stikine River is exceptionally vital to Wrangell, and the region's ecosystem, cultural heritage, Indigenous People, communities, residents, subsistence, recreation, and economies; and

WHEREAS, the Wrangell Borough Assembly members are leaders in this community and have a responsibility to protect it for generations to come; and

WHEREAS, the Boundary Waters Treaty of 1909 was signed to prevent and resolve disputes over the use of shared waters between the United States (U.S.) and Canada, declaring in Article IV that, "it is further agreed that the waters herein defined as boundary waters and waters flowing across the boundary shall not be polluted on either side to the injury of health or property on the other;" and

WHEREAS, the Alaska-British Columbia (B.C.) Memorandum of Understanding and associated Statement of Cooperation on Protection of Transboundary Waters signed by the State of Alaska and the Province of B.C. in 2015 are important, but cannot provide binding, enforceable protections for the residents, rivers, and watersheds of the Alaska-B.C. transboundary region; and

WHEREAS, the Auditor General of British Columbia issued a report on May 3, 2016 that found the British Columbia Ministry of Energy and Mines, and the Ministry of Environment, "...compliance and enforcement activities of the mining sector are inadequate to protect the province from significant environmental risks;" and

WHEREAS, more than two-dozen inadequately regulated Canadian hard rock mines in Northwest B.C., most of which are large-scale and open-pit, are occurring in known acid-generating ore bodies near the transboundary Taku, Stikine, and Unuk Rivers shared with Southeast Alaska, producing massive tailings dams that have to store toxic waste forever, expansive waste rock storage facilities, the need for perpetual water treatment, roads, and

other infrastructure, as well as threatening (both in the short term and on geological timescales) the productivity and ecological health of these watersheds through cumulative impacts, contamination, habitat destruction, and/or possible catastrophic failures; and

WHEREAS, the mines in the Stikine River Watershed include the Johnny Mountain Mine, and SNIP Mine (currently in exploration), the proposed Schaft Creek Mine, the operational Red Chris Mine, and the proposed Galore Creek Mega-Mine; and

WHEREAS, inadequate regulatory oversight and monitoring of closed and reclaimed, operating, and proposed mines in the Stikine River Watershed has the potential to result in catastrophic environmental impacts to the Watershed; and

WHEREAS, the leaching of heavy metals to groundwater and sediment from mining can contaminate freshwater systems for decades, preventing recovery of fish populations many years after the cessation of mining activity and posing a risk to human health and the ecosystem; and

WHEREAS, B.C.'s environmental assessment process does not set legal requirements or standards for assessing cumulative effects of existing and proposed development, and B.C.'s open-pit Red Chris Mine has been operating at the headwaters of the Stikine River since 2015, the entire riparian corridor of the Iskut River, the largest tributary of the Stikine River, is staked with B.C. mineral claims; and

WHEREAS, the waters of the Stikine River and the surrounding Watershed support the life of integral foods, such as five species of salmon, oolichan, trout, and plants and fungi that support subsistence, sport and commercial harvests; and

WHEREAS, the health of salmon species within the Watershed is already at risk as identified in the most recent Southeast Alaska Regional Fisheries Management Plan where data through 2018 shows Chinook salmon escapements from 2016-2018 were between 25%-48% below lower escapement goals and between 63%-74% below upper escapement goals, and the Alaska Department of Fish & Game has a plan to list Chinook salmon in the Stikine River as a Stock of Concern; and

WHEREAS, the clean water and intact habitat of Alaska-B.C. transboundary watersheds are historically some of the most productive wild salmon rivers on the entire west coast of North America, with the Taku, Stikine, and Unuk Rivers alone contributing nearly \$50 million in economic activity, \$34 million in direct spending, over 400 jobs and almost \$20 million in labor income toward Southeast Alaska's annual multi-billion dollar fishing and visitor industries; and

WHEREAS, the Wrangell economy is heavily tied to several commercial fisheries with virtually every local business benefitting from commercial fishing related economic activity; and

WHEREAS, mine contamination of the Unuk, Taku, and specifically the Stikine, Rivers would affect Wrangell commercial fishermen in a number of ways: 1) fishing would be closed or limited in the affected system for a period of time, reducing the total allowable catch in Southeast Alaska, forcing fishermen into districts in which they would normally not fish, thereby increasing competition for fewer resources already dwindling in size; 2) shellfish fisheries would also be impacted, particularly on the Stikine Flats, but could also affect geoduck and cucumber fisheries near impacted systems; and 3) pollution in the Stikine River would also impact halibut fisheries, particularly in Frederick Sound; and

WHEREAS, the local economy is also heavily dependent on the success of the Wrangell Marine Service Center, of which a significant amount of business come from the regional commercial fishing fleet throughout Southeast Alaska; and

WHEREAS, the risk of natural forces such as extreme precipitation events and landslides, which are becoming more common due to climate change, add further instability to the mining infrastructure and could trigger catastrophic failure of the tailings waste dams and thereby release contaminants into the Stikine River Watershed and are inadequately addressed in B.C. mine operations designs; and

WHEREAS, Alaska Native Tribes, B.C. First Nations, commercial fishermen, tour operators, traditional, customary, and recreational users of local communities, and conservation groups on both sides of the US/Canadian border have raised concerns about the lack of oversight and continued development of the mining industry in British Columbia presenting significant potential for harm to water quality, fish and wildlife, cultural practices, and local economies; and

WHEREAS, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) emphasizes the Indigenous peoples' rights to live in dignity, to maintain and strengthen Indigenous institutions, cultures and traditions and to pursue self-determined development, in keeping with Indigenous needs and aspirations, and British Columbia's provincial government passed the Declaration on the Rights of Indigenous Peoples Act into law in November 2019, establishing the UN Declaration as the Province's framework for reconciliation with indigenous peoples; and

WHEREAS, the current lack of protection afforded the transboundary waters of Southeast Alaska, including the Stikine River, compels the Assembly to take action; and

WHEREAS, consistent with our earlier Resolutions Nos. 09-17-1378, 11-19-1502, and 01-20-1508, the Assembly of the City & Borough of Wrangell, Alaska strongly urges the United States and Canadian governments to utilize any and all powers under the Boundary Waters Treaty to develop binding and enforceable protections, including long term water quality monitoring, to ensure that Alaska and British Columbia interests and ways of life are not harmed by upstream Canadian development in the shared transboundary watersheds of Southeast Alaska and Northwest British Columbia.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, THAT:

Section 1. The Wrangell Borough Assembly strongly supports efforts to protect transboundary waters, specifically the Stikine River, and the ecosystem, Indigenous people, communities, residents, and economies that depend on its health.

Section 2. The members of the Wrangell Borough Assembly agree to share information and seek all opportunities for collaboration to address these issues, promote methods to protect the Stikine River, and other Southeast Alaska transboundary waters, from harm, and seek to facilitate and promote meaningful dialogue and engagement at the Tribal, local, state, federal, and provincial levels to assure protection of resources on both sides of the boarder.

Section 3. The Wrangell Borough Assembly calls upon state and federal officials, working with their Canadian counterparts to use all methods afforded under the United States-Canada Boundary Waters Treaty of 1909 to prevent and resolve disputes over the use of shared waters.

Section 4. The Assembly further calls on federal officials to work with Canadian counterparts to immediately address the multitude of regulatory and oversight deficiencies of the mining industry identified by the BC provincial government; and to take meaningful steps to protect the transboundary waters from further catastrophic impacts.

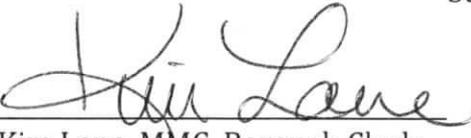
Section 5. The Wrangell Borough Assembly supports an immediate, temporary pause in permitting, development and expansion of Canadian mines along shared Alaska-B.C. salmon rivers until a binding international agreement on watershed protections, developed by all jurisdictions in these shared transboundary watersheds and consistent with the Boundary Waters Treaty of 1909 and the United Nations Declaration on the Rights of Indigenous Peoples, is implemented.

Section 6. The Wrangell Assembly further calls on state and federal officials to convene with local communities, stakeholders, and Indigenous leaders of the Taku, Stikine, and Unuk watersheds to develop the aforementioned binding international agreement on watershed protections. This agreement will identify and honor no-go zones and decisions by local residents and Indigenous people on both sides of the international border, ensure mining companies and shareholders are liable for cleaning up their waste and compensating impacted communities for all damages, and enforce requirements for mining best practices, including a permanent ban on the perpetual storage of contaminated water and wet tailings behind earthen dams along these irreplaceable Alaska-B.C. transboundary salmon rivers.

PASSED AND APPROVED BY THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA THIS 26<sup>TH</sup> DAY OF OCTOBER, 2021.

CITY & BOROUGH OF WRANGELL

  
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Stephen Prysunka, Mayor

ATTEST:   
Kim Lane, MMC, Borough Clerk

