

**PETERSBURG BOROUGH  
RESOLUTION #2021-11**

**A RESOLUTION OF THE PETERSBURG BOROUGH ASSEMBLY IN SUPPORT OF  
A PERMANENT BAN ON TAILINGS DAMS AND FOR A TEMPORARY PAUSE IN  
THE PERMITTING, EXPLORATION, DEVELOPMENT, AND EXPANSION OF  
CANADIAN MINES ALONG ALASKA-BRITISH COLUMBIA TRANSBOUNDARY  
SALMON RIVERS UNTIL THE UNITED STATES-CANADA BOUNDARY WATERS  
TREATY OF 1909 AND THE UNITED NATIONS DECLARATION ON THE RIGHTS  
OF INDIGENOUS PEOPLES ARE UPHELD AND AN INTERNATIONAL  
AGREEMENT ON WATERSHED PROTECTIONS IS IMPLEMENTED**

**WHEREAS**, the transboundary Taku, Stikine, and Unuk Rivers are of tremendous and unique cultural, ecological, subsistence, economic, and recreational value as Indigenous peoples from several Nations have stewarded the Alaska-B.C. transboundary region since time immemorial and this region is now home to nearly 80,000 people in dozens of communities; and

**WHEREAS**, the clean water and intact habitat of the Alaska-British Columbia (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 towards Southeast Alaska's annual multi-billion fishing and visitor industries; and

**WHEREAS**, Petersburg's economy is heavily tied to several commercial fisheries and virtually every local business benefits from commercial fishing dollars, and Petersburg is normally ranked in the top 25 fishing ports in the U.S. by both weight and value and the estimated ex-vessel income by Petersburg-based fishermen was \$50.5 million in 2018 --with landings of 35.3 million pounds of seafood, and salmon is the most abundant and valuable species to the fishermen of the Petersburg Census Area (that includes Petersburg, Kake, Kupreanof, and Port Alexander) with total landings of over 24.6 million pounds worth more than \$23.3 million in 2018; and

**WHEREAS**, more than two-dozen inadequately regulated Canadian hard rock mining projects are in various stages of abandonment, permitting, development, or operation in the watersheds of Taku, Stikine, and Unuk Rivers in Northwest B.C., most of which are large-scale and open pit, occur in known acid-generating ore bodies, include massive tailings dams that have to store toxic waste forever, expansive waste rock storage facilities, and the need for perpetual water treatment, roads, and other infrastructure, 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**, 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, B.C.'s Kerr-Sulphurets-Mitchell project (KSM), if built as proposed in both the Unuk and Nass River watersheds, would be the largest open-pit mine in Canada and one of the largest in the world, and more than half of the B.C. portion of the Unuk watershed is staked with mineral claims; and

**WHEREAS**, the Taku, Stikine, and Unuk Rivers are experiencing a decline in wild salmon populations, resulting in the Alaska Department of Fish and Game listing Chinook salmon in the Unuk River as a Stock of Concern in 2017 and currently a plan to soon list Chinook salmon in the Taku and Stikine Rivers as Stocks of Concern; 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 B.C.'s Tulsequah Chief mine in the Taku River watershed has been abandoned and leaching acid mine drainage since 1957; and

**WHEREAS**, mine contamination of the Taku, Stikine, and/or Unuk Rivers would likely affect Petersburg commercial fishermen in a number of ways: (1) fishing would be limited near the affected system for a period of time, which would reduce total allowable catch in Southeast Alaska, forcing fishermen to move into districts in which they would not normally fish, thereby increasing effort and reducing fishing opening lengths, (2) shellfish fisheries would also be impacted, particularly on the Stikine flats, but could also affect geoduck and cucumber fisheries near other impacted systems, (3) pollution in the Stikine River would also likely impact halibut fisheries, particularly in Frederick Sound, and (4) long-term pollution could affect fisheries in the Gulf of Alaska and even the Bering Sea, and Petersburg fishermen participating in those fisheries; and

**WHEREAS**, following B.C.'s Mount Polley mine disaster in 2014 an expert panel appointed by the B.C. government found that if mining companies continue their business-as-usual operations the province could face an average of two dam failures every ten years; and

**WHEREAS**, the Alaska-British Columbia 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 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 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**, consistent with our earlier Resolutions #2014-17, #2017-18, #2019-13 and #2019-20, the Petersburg Borough Assembly 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.

**THEREFORE, BE IT RESOLVED** that the Petersburg Borough Assembly calls on President Biden and the United States government and Prime Minister Trudeau and the Canadian government to expeditiously:

1. Utilize their authority under the United States-Canada Boundary Waters Treaty of 1909 to prevent and resolve disputes over the use of shared waters; and
2. Support an immediate temporary pause in permitting, exploration, 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; and
3. 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 Petersburg Borough Assembly on October 19, 2021.**

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**Mark Jensen, Mayor**

**ATTEST:**

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**Rebecca Regula, Deputy Borough Clerk**