

HOUSE JOINT RESOLUTION NO. 16

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES ORTIZ, Kreiss-Tomkins

Introduced: 2/27/15

Referred:

A RESOLUTION

1 **Urging the United States government to continue to work with the government of**
2 **Canada to refer the issue of transboundary development in the Alaska-British Columbia**
3 **region to the International Joint Commission, and to use any and all powers under the**
4 **Boundary Waters Treaty to investigate the long-term, region-wide downstream effects**
5 **of proposed and existing industrial development and to develop measures to ensure that**
6 **state resources are not harmed by upstream development in British Columbia.**

7 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

8 **WHEREAS** the transboundary rivers of Northwest British Columbia and Southeast
9 Alaska have tremendous unique economic, ecological, subsistence, cultural, and recreational
10 value; and

11 **WHEREAS** protecting productive, pristine waters and intact habitats throughout
12 those transboundary river systems is necessary to ensure healthy wild salmon populations and
13 abundant fisheries; and

14 **WHEREAS** large-scale mining in British Columbia is experiencing unprecedented

1 and rapid expansion within the Taku, Stikine, and Unuk watersheds; and

2 **WHEREAS** proposed mines in the transboundary area include Tulsequah Chief, New
3 Polaris, and Big Bull in the Taku watershed; Galore Creek, Red Chris, and Schaft Creek in the
4 Stikine watershed; and the Kerr-Sulphurets-Mitchell project in the headwaters of the Unuk
5 River; and

6 **WHEREAS** large-scale mining and energy development could have significant
7 adverse effects on the environment and fisheries within the transboundary region; and

8 **WHEREAS** the proposed mines would generate billions of tons of acid-generating
9 tailings, which would be held behind huge dams and could pose the threat of acid rock
10 drainage for centuries, if not in perpetuity; and

11 **WHEREAS** the tailings would need monitoring, maintenance, water treatment, and
12 possible remediation for centuries, if not in perpetuity; and

13 **WHEREAS** ongoing acid rock drainage at the Tulsequah Chief mine and the tailings
14 dam failure at the Mount Polley mine demonstrate weaknesses in current monitoring and
15 enforcement efforts in British Columbia; and

16 **WHEREAS** the federal-provincial environmental assessment process does not
17 address the long-term, cumulative effects of industrial development in the transboundary
18 region; and

19 **WHEREAS** commercial fishermen, subsistence and recreational users, elected
20 leaders, local communities, and Alaska Native and First Nation tribes on both sides of the
21 Alaska-Canada border have raised concerns about the pace and scope of the proposed
22 industrial development in the headwaters of the transboundary river systems and the potential
23 for harm to water quality, fish and wildlife, and the socio-economic sustainability of local
24 communities in the region; and

25 **WHEREAS** the Boundary Waters Treaty states, "waters flowing across the boundary
26 shall not be polluted on either side to the injury of health or property on the other," and the
27 treaty establishes the International Joint Commission to address transboundary river concerns;

28 **BE IT RESOLVED** that the Alaska State Legislature strongly urges the United States
29 government to continue to work with the government of Canada to refer the issue of
30 transboundary development in the Alaska-British Columbia region to the International Joint
31 Commission, and to use any and all powers under the Boundary Waters Treaty to investigate

1 the long-term, region-wide downstream effects of proposed and existing industrial
2 development and to develop measures to ensure that state resources are not harmed by
3 upstream development in British Columbia.

4 **COPIES** of this resolution shall be sent to the Honorable John F. Kerry, United States
5 Secretary of State; and the Honorable Lisa Murkowski and the Honorable Dan Sullivan, U.S.
6 Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska
7 delegation in Congress.