



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

MEMORANDUM

To: Mayor Eisenbeisz and Assembly Members

From: Assembly Members Knox and Himschoot

Date: June 18, 2022

Subject: A Resolution in Support of Clean Up of the Tulsequah Chief Mine site

Background

In September 2017 the Assembly unanimously approved a resolution in support of protecting trans-boundary watersheds between British Columbia and Alaska. That resolution recognized the important role of transboundary rivers in Sitka area fisheries. On October 19, 2021, 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-B.C transboundary salmon rivers until the U.S.-Canada Boundary Waters Treaty of 1909 and the U.N. Declaration on the Rights of Indigenous Peoples are upheld and an international agreement on watershed protections is implemented.

The Tulsequah Chief Mine site went out of operation in the 1950s and has been releasing toxic drainage for over 60 years into the Taku River, an important salmon river for Southeast Alaska commercial and subsistence fisheries. In August 2022 the receivership on the mine is set to expire, finally leaving the site in the control of the BC government. In anticipation of this the BC government has been preparing to begin the clean up. This resolution urges the government of BC to continue on this path and decline any additional companies interested in re-opening the mine.

Analysis

In August the Tulsequah Chief mine will finally exit receivership. This new status will remove an important barrier to the BC government beginning clean up work at the site. Extending the receivership will only delay the long overdue clean up, as well as opening up the possibility of a re-opening of the mine without addressing the tailings drainage into the Taku, and will in fact likely increase this danger.

The Petersburg Assembly recently passed a similar resolution to encourage the receivership be allowed to expire and the clean up work begin as quickly as possible after that benchmark is reached. Juneau and Wrangell Assemblies, Central Council of Tlingit and Haida are also considering similar resolutions in the next two weeks, as well

as the Southeast Indigenous Transboundary Commission and the Territorial Sportsmen.

Fiscal Note

There is no fiscal impact to the city.

Recommendation

The assembly should pass this important statement of support for beginning the clean up of the Tulsequah Chief Mine site.

CITY AND BOROUGH OF SITKA

RESOLUTION NO. 2022-19

A RESOLUTION OF THE CITY AND BOROUGH OF SITKA ENCOURAGING THE PROMPT AND FULL CLOSURE AND CLEANUP OF THE TULSEQUAH CHIEF MINE AND URGING THE B.C. GOVERNMENT TO OPPOSE ANY EXTENSION OF THE RECEIVERSHIP PROCESS

WHEREAS, the Taku River is usually Southeast Alaska's largest overall salmon producer, with Southeast's largest run of coho and king salmon. The Taku produces up to 100,000 Chinook, 300,000 coho, 400,000 sockeye, 50,000 chum and 1,000,000 pink salmon, as well as significant populations of steelhead trout, cutthroat trout, Dolly Varden char and eulachon and is of tremendous and unique ecological, customary and traditional use ("subsistence"), cultural, commercial and recreational fisheries value; and,

WHEREAS, Sitka's commercial fishermen and commercial salmon processors have historically fished for and processed salmon returning to the Taku River, other B.C./AK transboundary Watersheds, and watersheds throughout Washington and Oregon; and,

WHEREAS, the Tulsequah Chief mine has been discharging toxic acidic wastewater into the Taku watershed since it was abandoned in 1957. The ongoing pollution is detrimental to maximum salmon production and is in violation of the Canadian Fisheries Act, B.C. mine permits and water quality standards, and an agreement with the Taku River Tlingit First Nation. Despite numerous calls for cleanup, the pollution continues; and,

WHEREAS, the Assembly of the City and Borough of Sitka passed Resolution #2017-18 urging the US Government to utilize any and all powers under the Boundary Waters Treaty to ensure that Alaska resources are not harmed by upstream development in the Alaska/British Columbia (BC) Transboundary Region, and Resolution #2021-21 on October 19, 2021, 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-B.C transboundary salmon rivers until the U.S.-Canada Boundary Waters Treaty of 1909 and the U.N. Declaration on the Rights of Indigenous Peoples are upheld and an international agreement on watershed protections is implemented; and,

WHEREAS, maintaining and protecting healthy wild salmon populations throughout these river systems must be a priority. The concerns of local communities, individuals, and user groups downstream from these projects must be integral to any transboundary watershed development and decision making; and,

WHEREAS, the City and Borough of Sitka seeks all opportunities for collaboration to address these issues, promote methods to protect these vital rivers from harm, to facilitate and promote meaningful dialogue and engagement at the local, state, federal,

51 provincial, and Tribal levels to assure protection of resources on both sides of the
52 border; and,

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54 **WHEREAS,** the community of Sitka and the Assembly of the City and Borough of Sitka, seek a
55 thriving Salmon Coast (AK-B.C. transboundary region) fed by intact ecosystems,
56 healthy salmon populations and landscapes, robust traditional lifestyles, and
57 sustainable economies; and,

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59 **WHEREAS,** the Assembly of the City and Borough of Sitka as well as Alaska legislators,
60 governors, members of congress, other community leaders, fishing and tourism
61 groups, businesses and other Alaskans have made cleanup of the Tulsequah
62 Chief a main goal in discussions with B.C. Provincial and Canadian federal officials
63 for many years. This concerted pressure is finally showing results; and,

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65 **WHEREAS,** the Taku is the traditional territory of Tlingit people on both sides of the border.
66 The Douglas Indian Association, the federally recognized tribe in Alaska, and the
67 Taku River Tlingit First Nation, based in Atlin, B.C., have both called for the cleanup
68 and closure of the Tulsequah Chief mine; and,

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70 **WHEREAS,** after decades of international controversy and two failed attempts to re-open this
71 mine that have resulted in bankruptcies, it is clear the Tulsequah Chief is not a
72 viable mine; and,

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74 **WHEREAS,** Chieftain Metals, the current owner of the Tulsequah Chief, is in a court-ordered
75 bankruptcy receivership process that is scheduled to end this August. This process
76 has hindered cleanup efforts; and,

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78 **WHEREAS,** there is concern that a creditor of Chieftain Metals could petition the court to extend
79 the receivership process, which could significantly delay or prevent mine closure
80 and cleanup; and,

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82 **WHEREAS,** the government of British Columbia has made commitments to close and clean up
83 the Tulsequah Chief and issued a draft reclamation plan in 2020. However, the
84 acid mine drainage still continues, partly due to the receivership process restricting
85 what actions B.C. can take; and,

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87 **WHEREAS,** continued pressure and attention from Alaska will be critical to ensuring B.C.
88 opposes any extension of the receivership process and moves aggressively to take
89 over the mine, clean it up and close it down.

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91 **NOW, THEREFORE, BE IT RESOLVED,** that the Assembly of the City and Borough of Sitka
92 urges the B.C. government to oppose any extension of the receivership process and, regardless
93 of the status of the receivership, B.C. should be moving aggressively to do everything possible to
94 close down the abandoned Tulsequah Chief mine, and permanently stop the acid mine drainage.

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96 **BE IT FURTHER RESOLVED,** that the Assembly of the City and Borough of Sitka strongly urges
97 the State of Alaska and United States federal government to make it clear to the B.C. and
98 Canadian federal governments that the receivership process must end as scheduled this August
99 and that B.C. should then move aggressively to take over the abandoned mine, close it down,
100 and permanently stop the acid mine drainage.

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102 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka,
103 Alaska on this 28th day of June, 2022.

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Kevin Knox, Deputy Mayor

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107 ATTEST:

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110 Sara Peterson, MMC
111 Municipal Clerk

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113 1st and final reading: 6/28/2022

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115 Sponsors: Knox and Himschoot