

The State of Alaska  
Thirty-Third Legislature  
Official Business



Capitol Building  
120 4<sup>th</sup> Street  
Juneau, AK 99801

The Honorable Antony Blinken  
Secretary of U.S. Department of State  
2201 C Street NW  
Washington, DC 20520

March 9<sup>th</sup>, 2023

Dear Secretary Blinken,

We have heard loud and clear from our constituents about their growing concern regarding our transboundary waters. Abandoned, operating, and future large-scale mines sprinkle the landscape of British Columbia along the Taku, Stikine, and Unuk rivers that flow into Alaska. Despite existing treaties and frequent requests, British Columbia (B.C.) permitting processes still deny Alaskans a way to protect our interests and our salmon from upriver B.C. mine pollution. **We urge the Biden Administration to employ the U.S.-Canada Boundary Waters Treaty of 1909, and immediately refer the Taku, Stikine, and Unuk-Nass Rivers to the International Joint Commission (IJC) to uphold and enforce the long-standing requests from Tribes and communities in Alaska.**

The transboundary Taku, Stikine, and Unuk Rivers of Southeast Alaska and Northwest B.C. have tremendous ecological, subsistence, economic, and recreational value. The region is now home to nearly 80,000 people across dozens of communities. **These rivers are historically among the most productive wild salmon rivers on the entire west coast of North America**, annually contributing nearly \$50 million in economic activity, \$34 million in direct spending, and almost \$20 million in labor income towards Southeast Alaska's annual multi-billion-dollar fishing and visitor industries.

More than two-dozen inadequately regulated Canadian hard rock gold-copper mining projects are in various stages of abandonment, permitting, development, or operation on these watersheds in B.C. Most of these mines are large-scale, open pit mines; occur in known acid-generating ore bodies; and will require tailings dams, which are massive waste material storage facilities that require water treatment in perpetuity. These mines, along with the roads and other infrastructure the mines require, pose an existential threat to the ecological health and productivity of the Taku, Stikine, and Unuk rivers.

British Columbia's environmental assessment process does not set legal requirements or standards for assessing the cumulative effects of existing and proposed development. Moreover, following the Mount Polley mine tailings dam disaster in B.C.'s Fraser River watershed 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 mine tailings dam failures per every ten years.

Alaskan's concerns over impacts from B.C. mines in international salmon watersheds has been ongoing for over six decades, with local tribes, the State of Alaska, and the U.S. federal government formally requesting intervention. Former Alaska Governor Bill Walker and Lt. Governor Byron Mallott signed a Memorandum of Understanding (MOU) with B.C. in 2015 and the Statement of Cooperation on Protection of Transboundary Waters (SOC) with B.C. in 2016. **However, these non-binding, unfunded agreements cannot provide enforceable protections for the Alaska-B.C. transboundary region.**

From 2014-2018, over 100 Alaska Tribes, municipalities, commercial and sport fishing businesses and organizations, as well as Alaska State legislators, the Alaska congressional delegation, and thousands of Alaskans, passed resolutions and wrote letters calling on the U.S. federal government to enforce the Boundary Waters Treaty and secure with Canada a federal-to-federal process. In 2021 and 2022, seven tribes and nine municipalities across Southeast Alaska passed resolutions calling on the Biden Administration to:

1. Use 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 the request of Alaska tribes and communities for an **immediate and temporary pause in permitting, exploration, development, and expansion of B.C. mines** until a binding international agreement on watershed protections is implemented that is developed by the federal, Tribal, First Nation, and municipal governments in these shared transboundary watersheds and consistent with the Boundary Waters Treaty of 1909; and
3. Convene 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 indigenous people and local residents 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.

**We fully support the above requests from our constituents and urge you to take immediate action.**

B.C.'s underregulated gold-copper mines in the headwaters of the transboundary Taku, Stikine and Unuk wild salmon rivers pose a clear threat to U.S. Tribes, communities, and Alaskan interests. The new B.C. Premier David Eby said that B.C. mine exploration bordering Alaska increased by 84% in 2022. Given the rampant expansion of gold mining activity and the decades of unanswered calls for meaningful collaboration, we request President Joe Biden to work with Prime Minister Justin Trudeau to secure the requests detailed above, most notably to establish binding, enforceable international protections consistent with the Boundary Waters Treaty through the International Joint Commission.

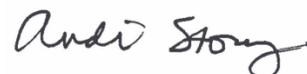
Sincerely,



Rep. Dan Ortiz  
House District 1



Rep. Rebecca Himschoot  
House District 2



Rep. Andi Story  
House District 3



Rep. Sara Hannan  
House District 4



Rep. Louise Stutes  
House District 5



Sen. Jesse Kiehl  
Senate District B