

# STATE OF ALASKA

## SENATE

2009

**Source**  
SR 8

**Senate**  
**Resolve No.**  
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Reaffirming support for the environmentally responsible development of the Kensington Gold Mine; and urging the governor to encourage and facilitate the prompt continuation or reinstatement, reactivation, and period extension of permits authorizing the construction and operation of the Kensington Gold Mine upon a decision by the United States Supreme Court in favor of the Kensington Gold Mine.

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### BE IT RESOLVED BY THE SENATE:

**WHEREAS** the state possesses abundant natural resources, particularly mineral resources, and the state seeks to develop these resources in an environmentally responsible manner to benefit all residents of the state; and

**WHEREAS** the economy of Southeast Alaska is experiencing a decline, and the Kensington Gold Mine, which is of vital economic importance both to Juneau and to Southeast Alaska, would help to diversify the struggling economy of Southeast Alaska; and

**WHEREAS** the Kensington Gold Mine enjoys the support of the members of the Alaska State Legislature, as indicated in resolutions passed in 2005, 2007, and 2008; and

**WHEREAS** the Kensington Gold Mine enjoys the support of a great majority of the

residents of Juneau, as well as the Juneau Chamber of Commerce, the Haines Chamber of Commerce, the Greater Ketchikan Chamber of Commerce, Goldbelt, Inc., Kake Tribal Corp., Klukwan, Inc., the City and Borough of Juneau, the Haines Borough, the City of Hoonah, Local 942 of the Laborers' International Union of North America, Huna Totem Corporation, the Juneau Economic Development Council, the Resource Development Council, the Southeast Conference, the Alaska Miners Association, the Central Council of Tlingit and Haida Indian Tribes of Alaska, the Southeast Alaska Native Economic Futures Coalition, the Alaska Native Brotherhood Grand Camp, and many Alaska residents statewide; and

**WHEREAS** the Kensington Gold Mine will continue to provide substantial income to many Alaska businesses through direct and indirect purchases; and

**WHEREAS** the Kensington Gold Mine will continue to recruit, train, and employ Alaska residents, including Alaska Natives and other citizens participating in a voluntary affirmative action program conducted in cooperation with the University of Alaska Southeast, Alaska Department of Labor and Workforce Development, Central Council of Tlingit and Haida Indian Tribes of Alaska, and Berners Bay Consortium Human Resources Development Corporation; and

**WHEREAS** the Kensington Gold Mine was fully permitted by all federal, state, and local agencies, including the United States Forest Service, the United States Environmental Protection Agency, the United States Army Corps of Engineers, the State of Alaska, and the City and Borough of Juneau, using research and data from three environmental impact statements and over 1,000 environmental and engineering studies that exhaustively studied the plan and allowed the agencies to make the firm determination that the plan for the construction and operation of the Kensington Gold Mine is the environmentally preferred option; and

**WHEREAS** the Senate is confident that all of the federal, state, and local agencies have properly permitted the Kensington Gold Mine; and

**WHEREAS** Coeur Alaska filed an appeal with the United States Supreme Court to reverse a decision by the Ninth Circuit Court of Appeals in a case brought by the Sierra Club, Southeast Alaska Conservation Council, and Lynn Canal Conservation against permits granted to Coeur Alaska by the United States Forest Service and the United States Army Corps of Engineers; and

**WHEREAS** the State of Alaska joined as a party in the appeal to the United States Supreme Court in support of the Kensington Gold Mine to express its confidence in the federal agencies' decisions to issue permits to allow the Kensington Gold Mine to go forward; and

**WHEREAS** the United States Department of Justice, on behalf of the United States Forest Service and the United States Army Corps of Engineers, together with the United States Environmental Protection Agency, joined in the appeal to the United States Supreme Court to reverse the Ninth Circuit Court of Appeals decision; and

**WHEREAS**, on January 12, 2009, the United States Supreme Court heard oral arguments regarding the Kensington Gold Mine tailings permit, and is expected to issue its decision in the near future; and

**WHEREAS** the Kensington Gold Mine is nearly fully constructed and, as one of the most "shovel-ready" projects in the United States, stands ready to provide family-wage jobs paying an annual average of \$80,000, plus benefits, to approximately 300 people during continued construction, and 200 people each year during operation for the estimated 10-year life of the mine; and

**WHEREAS** the Kensington Gold Mine is a showcase project that would help address the Obama Administration's concern for economic recovery and employment of Americans;

**BE IT RESOLVED** that the Senate reaffirms its long-term commitment to the Kensington Gold Mine and strongly supports environmentally responsible development of the mine; and be it

**FURTHER RESOLVED** that, should the United States Supreme Court rule in favor of the permits for the Kensington Gold Mine, the Senate urges the governor to encourage and facilitate efforts by state and federal agencies to facilitate the prompt continuation or reinstatement, reactivation, and period extension of the permits that were in effect at the time that the Ninth Circuit Court of Appeals issued an injunction delaying mine operations, in order to allow the Kensington Gold Mine to complete construction and begin operations in the most timely manner.

**COPIES** of this resolution shall be sent to the Honorable Barack Obama, President of the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Nancy Pelosi, Speaker of the U.S. House of

Representatives; the Honorable Jeff Bingaman, Chair of the U.S. Senate Committee on Energy and Natural Resources; the Honorable Nick J. Rahall II, Chair of the U.S. House Committee on Natural Resources; Dennis E. Wheeler, President, Coeur Alaska, Inc.; and the Honorable Lisa Murkowski and the Honorable Mark Begich, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.