



Dear Co-Chairs and Members of the House Labor and Commerce Committee,

2/7/2022

Senate Joint Resolution 15 *Recognizing and honoring the relationship between Canada and the state; and recognizing the importance of the United States-Mexico-Canada Agreement* fails to acknowledge the longstanding concerns of thousands of Alaskans regarding British Columbia's large-scale mining near significant habitat in the headwaters of Southeast Alaska's largest salmon-producing rivers.

Despite concerns regarding B.C.'s modern-day gold rush from Alaska Tribes, communities, and lawmakers for more than a decade, B.C. has moved full-steam ahead with permitting, development, and operation of large-scale open-pit mines, including large earthen mine waste dams at the headwaters of shared rivers, without the meaningful input of communities and Tribes downstream. While transboundary salmon runs continue to decline, B.C. has allowed approximately 20% of the Taku, Stikine, and Unuk watersheds to be staked with mineral claims, and most of the dozens of operating and proposed mines in this region include one or more tailings dams that will require the storage of toxic waste in perpetuity.

In spring of 2021, members of the Alaska Legislature sent a letter to B.C. Premier John Horgan, conveying "the deep concerns of our constituents regarding the potential impacts to our transboundary rivers from abandoned, operating, and future large-scale mining projects in British Columbia."

Premier Horgan has yet to respond.

Over the past few months, Tribes and Municipalities across Southeast Alaska have passed resolutions calling for an immediate and temporary pause on B.C.'s new mining activity until a binding international agreement on watershed protections is implemented; and for a permanent ban on mine tailings dams - along AK-B.C. transboundary salmon rivers. So far, the following communities and tribes have passed resolutions: the Ketchikan Gateway Borough Assembly, the City and Borough of Sitka Assembly, the City and Borough of Petersburg Assembly, City and Borough of Wrangell Assembly, Gustavus City Council, Tenakee City Council, Pelican City Council, Craig City Council, Saxman City Council, Organized Village of Kake, Sitka Tribe of Alaska, Craig Tribal Association, Wrangell Cooperative Association, Ketchikan Indian Community, and the Organized Village of Kasaan.

A robust alliance between Alaska and Canada is important for our integrated economies, shared natural resources, and cross-border relationships. However, B.C. has been and continues to be, a bad neighbor to Alaskan communities and Tribes downstream when it comes to transparency, consent, and collaboration around the permitting and regulation of large-scale mines along international rivers. We humbly request that you amend SJR 15 to include a clause highlighting the concerns of thousands of Alaskans regarding B.C.'s transboundary mining, the need for improved governance of international watersheds, and the need to honor the sovereignty of indigenous peoples and respect indigenous traditions in resource management decisions.

Sincerely,
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February 7, 2022

Alaska House Labor and Commerce Committee
Alaska State Legislature
Alaska State Capitol
120 4th Street
Juneau, Alaska 99801

RE: Senate Joint Resolution 15, Alaska and Canada Relationship

Dear Co-Chairs Fields and Spohnholz and Committee Members,

Please accept these comments on Senate Joint Resolution No. 15 submitted on behalf of the Southeast Alaska Conservation Council.

SEACC is the regional conservation organization for Southeast Alaska and has worked diligently to protect the communities, wildlife, habitat, and lifestyle of Southeast Alaska for over 50 years. We are a membership-supported and driven organization based in Juneau with supporters throughout the region and throughout Alaska.

We would like to express some concerns about SJR 15, and about the relationship between Alaska and Canada. It is our view that SJR 15 paints an entirely rosy view of our relationship with Canada, and that this view does not reflect the experience of Southeast Alaska residents and communities, particularly as it relates to the shared transboundary waters of the Taku, Stikine, and Unuk rivers.

We have watched with growing dismay as Canada and province of British Columbia have supported a headlong rush to exploit the mineralized headwaters of our shared rivers with little regard for the long-term impact on downstream Alaska communities, fishing industry, and Tribes. The huge number of mines and tailings dams projected for these waters should give pause to any Alaska legislator. The impacts of even a single failure event could be devastating.

This blanket resolution does not reflect the very real problems we have with our upstream neighbors, nor does it reflect their unwillingness to deal with the concerns of Tribes and communities. We urgently need a bilateral, an international approach to management of shared waterways.

Please consider including language in this resolution that addresses Southeast Alaskan's concerns about our shared waterways.

Sincerely,

Aaron Brakel
Inside Passage Waters Program Manager for the Southeast Alaska Conservation Council



Comments by the Southeast Alaska Indigenous Transboundary Commission (SEITC) on Senate Joint Resolution 15, a Resolution recognizing and honoring the relationship between Canada and the state; and recognizing the importance of the United States-Mexico-Canada Agreement (SJR 15).

The SEITC is commissioned by 15 sovereign indigenous Tribes located in Tlingit, Haida, and Tsimshian traditional territories now referred to as southeast Alaska. SEITC is dedicated to the protection of our way of life on these lands in the face of rapid mining development in the British Columbia (BC) headwaters of the great rivers that sustain our lands and waters.

SEITC objects to this resolution based on several reasons, the foremost of which is language referring to our people's knowledge in the same sense as a "natural resource". See first "Whereas" at line 4. As the first people of this land that nurtured and lived in balance with our surroundings, we do not make the distinction between ourselves and the "natural" environment. We also know from experience that you view natural resources only in the sense that they are fungible, not of any value left as they are.

Elsewhere the statement is made that "WHEREAS Canada and the state strive to advance the goal of sustaining healthy. . .strengthening indigenous,. . . cultural, and family connections across the region." This is not true at all and is a whitewashing of the history of the state of Alaska failing to recognize the sovereign right to self-determination of its indigenous peoples. Since statehood began, the state has fought the 229 Tribes within its borders from subsistence hunting and fishing rights to consultation. This blatant attempt at re-writing history is also evident in the statement "recognizes the. . . environmental, and cultural importance of the Arctic." Alaska, in its headlong rush to develop oil fields in the Arctic National Wildlife Refuge, makes it clear that it will trade one resource for another; a unique and sustainable ecosystem our people depend on for short-term monetary gain.

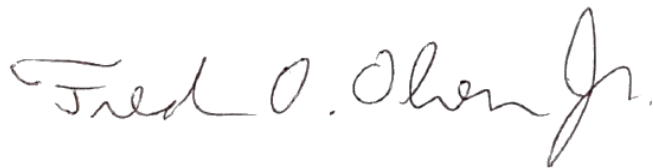
SEITC requests that all reference to indigenous peoples and protection of the environment be removed from this SFR 15. We understand this resolution is little more than cheer-leading for the pro-development corporations, but since it will be copied to the federal government, Alaska has no right to represent the sovereign indigenous nations in this attempt at whitewashing an ongoing history of treating the Tribes as if they do not exist.

SEITC also objects to the use of the word "environment" in SJR 15. This fails to reflect the concerns over the dozens of mines in various stages of abandonment, development, and operations near the headwaters of the Alaska-BC transboundary salmon rivers and the 3

consecutive findings by the BC Auditor General that the permitting system in BC is incapable of providing an adequate measure of safety. The MOU and SOC between Alaska and BC has been stagnant under the current Alaska administration and has not held a single public meeting. Indigenous peoples have been completely left out of this process and have not been consulted.

The Tulsequah Chief Mine is a case in point. We all breathed a sigh of relief when the then BC Minister of Mines, Bill Bennett, stated that BC would take action to stop the on-going 65-year pollution into our shared Taku watershed. However, in 2022, the pollution continues and BC did not act to end the receivership that would have prevented progress on the issue. For its part, Alaska has been silent.

SEITC finds this resolution untrue, unbalanced, and contributing nothing to the relationship between Alaska and BC/Canada. As in any relationship both the good and bad must be addressed. SJR 15 does not do this.

A handwritten signature in cursive script that reads "Fred O. Olsen Jr." The signature is written in black ink and is positioned above the typed name and title.

Frederick Olsen, Jr.
Executive Director, SEITC
February 7, 2022