

SENATE RESOLUTION NO. 8

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY SENATOR MCGUIRE

Introduced: 4/15/09

Referred: Resources

A RESOLUTION

1 **Reaffirming support for the environmentally responsible development of the Kensington**
2 **Gold Mine; and urging the governor to encourage and facilitate the prompt**
3 **continuation or reinstatement, reactivation, and period extension of permits authorizing**
4 **the construction and operation of the Kensington Gold Mine upon a decision by the**
5 **United States Supreme Court in favor of the Kensington Gold Mine.**

6 **BE IT RESOLVED BY THE SENATE:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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