

SCOMM

#48:12



Alaska State Legislature

House of Representatives

Committee on Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4833

HEARING DATE:

2/11/85

NAME (Please Print)	ADDRESS	REPRESENTING	TESTIFY (Yes or No)	PHONE NUMBER
Nash Andrew	Tulkisarmute Tuluksak, Ak	Yup'it nation Tulkisarmute - Tuluksak	NO	695-9123
Andrew B. Allen	Gen. Del.	Tulkisarmute Native Comm.	NO	695-6313
Peter, Moses K.	Gen Del	Tulkisarmute Native Com.	NO	695-9135
Joseph Olafie	Tuluksak	Tuluksak City Council	NO	695-6212
Victor, Sammy J.	Tuluksak	Tuluksak City Council	NO	695-6212
Paula Cullenberg	Box 80283867 Fbks AK	Tanana Chiefs Conference	NO	452-8251
Ann Conry	Juneau	Anch. Daily News	NO	586-1531
Joseph Demanters	Tuluksak	MAYOR	NO	695-6615
Ed Priest	Buch Creek	Council	yes	221 2113
Ed Newman	Barrow	Village		358-3178
Harmon Sabuk	Bettles Field, Ak	Koyukuk River Adv. Comm		
Don Stenema	Stenema Village, Ak	Interior Regional Council	yes	478-9226
Irene Nicholas	Tanana, Ak	Tanana	yes	366-7160
Anna Phillip	Tuluksak Ak	Tuluksak	yes	695-6610



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NAME (Please Print)	ADDRESS	REPRESENTING	TESTIFY (Yes or No)	PHONE NUMBER
RONNIE M. SILAS	MINTO, ALASKA	TOWN & GAC	YES	456-1863
Andy Jimmie	MINTO ALASKA	MINTO IRA COUNCIL	yes	998-7114
John Napoko Jr.	Tulaktak, AK	Tulaktak, IRA Council	yes	68-6620
Rodger Painter	Juneau	Fisheries committee	NO	
Jim AYERS	Juneau	ADFEB	NO	54100
BRUCE BAKER	JUNEAU	ADFG MARIT DIVISION	NO	465-4105
Steven Behnke	Juneau	ADFG Division of Subsistence	No	465-4147
RANDY BAYLISS	POUCH O JNU	ADAPT ENV CON	NO	465-2653
KEITH KELTON	POUCH O JNU	ADEC	NO	465-2640
Scott Highleyman	Juneau	AK Environmental Lobby	NO	586-2345
DAN JOLING	PRESS ROOM	NEWS-MINER, Fairbanks	NO	586-6877
Bruce Scambling	"	Associated Press	NO	586-1515
Bob Charles	Juneau	Rep. Binkley	NO	
Frederic C. Fowler	Pouch 20 Juneau	Ombudsman	NO	465-4970

BIRCH CREEK: ED PRIEST, REPRESENTATIVE

The village of Birch Creek (approximately 50 residents) uses the water of Birch Creek for drinking, cooking and washing. Residents engage in fishing, moose hunting, waterfowl hunting, berry picking and trapping in the area. Birch Creek is normally a clear water stream which supports fish.

There are about 75 placer miners on Birch Creek tributaries, causing it to be extremely muddy in the summer. Fish, muskrats and moose have declined in recent years; residents associate it with discharges from the mining.

RAMPART: TURAK NEWMAN, REPRESENTATIVE

Rampart, population about 80, used to use the normally clear water of Minook Creek as a drinking water source in the summer. Residents fished for grayling in Minook Creek. The clear water from Minook flowed out of the mouth and into the Yukon in front of the village enabling residents to clean their fish in this water.

About 7 miners are located on the tributaries off of Minook Creek. For the last 6-7 years, no one has been able to drink Minook's water or go grayling fishing in it due to mud from placer mining. This summer, it was impossible to tell the difference between Yukon water and the water of Minook Creek.

After 3 years of complaints by Rampart residents, Fish and Game and EPA visited the mines (DEC stated they did not have time). Despite turbidity readings of up to 1000 NTU (the legal limit is 5 NTU), no citations were issued since Minook Creek was not a "priority stream."

TANANA: IRENE NICHOLIA, REPRESENTATIVE

Tanana residents (about 500) traditionally use Fish Lake to hunt, fish and trap. Six Native allotments are located on the lake.

Miners on Boulder Creek and American Creek, Fish Lake's two feeder streams are extremely muddy from mining in the summer. Fish Lake is filling up with silt deposited by these two creeks.

Residents can no longer get across Fish Lake by boat after early summer and have to pole in to shore. Fish and muskrat populations have declined. The water from Fish Creek which drains into the Tanana from Fish Lake is gray in the summer. All of these waterways used to be crystal clear.

The Tozimoran River is also used for fishing, and fish use it to spawn. Mining discharges have made the normally clear stream so muddy that you can no longer see your hand in it.

MINTO: ANDY JIMMIE AND RON SILAS, REPRESENTATIVES

Minto Flats, has for hundreds of years been used by Minto residents (and many Fairbanks residents) for trapping, hunting and fishing. Minto Flats is being filled in by silt discharged by mining activity. Three heavily mined streambeds: the Chatanika, the Tolovana and Goldstream all drain mud and silt into Minto Flats.

Residents have noticed a decline in fish and furbearers including sheefish, whitefish, pike, muskrats and mink. Shallow ponds freeze to the bottom in the winter reducing fish overwintering habitat. River camping has become difficult due to lack of drinking water and muck lined shores. All of these streams and lakes were at one time clear and deep.

TULUKSAK: ANNA PHILLIP, REPRESENTATIVE

Northland Gold Dredge would like to rechannel about one mile of the Tuluksak River. The company has a record of repeated water quality and permit violations. Muddy water from the mine have

prevented salmon management in the area and according to village residents, has hurt the fish and wildlife resources.

Tuluksak residents (about 200) are now unable to drink the water of the Tuluksak River during mining season and feel that their hunting and fishing has declined from the impacts of muddy water. The Tuluksak is the spawning ground for three species of salmon. Turbidity on the Tuluksak river has been measured at over 100 NTU while the mine was in operation. The Tuluksak is normally a clear water stream.

BETTLES/ EVANSVILLE: HOMER TOBUK, REPRESENTATIVE

Bettles/Evansville are located on the Koyukuk River. Mines on a number of tributaries have changed from crystal clear to turbid in the summer. Villagers have noted sediment buildup in the bottom of their water bottles used for drinking. The Koyukuk River is downstream from Nolan Creek, which was recently reclassified from "drinking water" to "industrial use".

INTERIOR REGIONAL COUNCIL: DON STEVENS, REPRESENTATIVE (STEVENS VILLAGE)

The Interior Regional Council and five of that region's Fish and Game Advisory Committees have passed resolutions asking for clean water.

Hearing before House Special Committee on Fisheries & Committee on
Community & Regional Affairs Juneau 2/11/85

Introduction

Let me begin by stating my name is Jim Kuntzky. I am the Director of Wildlife and Parks for the Tanana Chiefs Conference. TCC is the nonprofit regional Native Corporation for Interior Alaska known as the Inupiaq Region. TCC is a consortium of more than 40 Native Village governments.

Historical Overview

Historically the indigenous peoples of Interior Alaska have made direct use of locally available resources. The streams, lakes and rivers and the ~~associated~~ environment associated with these waters support a host of resources used by ~~the~~ local residents, including water animals such as beaver and muskrats, waterfowl, resident species of fish as well as anadromous fish, large mammals, smaller mammals, and plants for wood needs.

These uses continue today. It is really important to emphasize that the use of locally available renewable resources by rural native and other people today, as in historic times, is an economic activity. ~~And that is the reality~~ It is common today to think of fishing as fishing and hunting as shooting moose, but ~~it~~ not to consider these as economic activities ~~activities~~ and not to think of these ^{economic} activities as a the ~~central or main~~ main part or the centerpiece of an economic system. My main point here is that the annual seasonal round of harvests of game, fish ^{and} wood and fibre is part - and the major part in most cases - of the economic system in rural Alaskan communities.

Additionally, it is necessary to stress that the streams, lakes, sloughs and rivers are directly used by rural Alaskans, for washing, for cooking, for travel in all seasons, and in many cases, for drinking.

5/11/85

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The Problem of Water Quality As it Affects Rural Local Residents

Persons from rural Alaska can explain far better than I how they use the water, the environment, and the resources.

But the major point I would like to stress today is that the present debate if we can call it that between those who use the streams for industrial uses and make them dirty in the process, and those who are now demanding that the state and the federal government enforce the water quality laws and regulations to clean up these streams is not, in our view, a matter between the miners and the conservationists;

But rather, this is a matter of great concern for indigenous, local ^{communities} ~~residents~~ who live downstream of the sources of the dirty water. There is real flesh and blood out there — real, live people live on these waterways. They use the resources of the water and associated land, and these uses ~~are~~ ^{are} a major element of an economic system. Economic interests of rural communities are being damaged. People are being hurt.

~~In some cases~~ Reclassification of Streams

One activity which interests using water most likely for industrial types of uses have asked to use is to "reclassify" a stream — that is, to lower the water quality standards for that particular body of water so that a polluting activity, such as ~~placer mining~~ that of a placer miner — or any other activity discharging directly back into that stream ~~can be made legal~~ who does not or will not clean up so as to meet present standards — can be made legal.

~~We would prefer that~~ In all instances where ^{local} uses are made of that water directly or indirectly - and of the associated resources - we would prefer to see no reclassification. We would prefer to see the laws enforced, and the industry clean up and operate cleanly. In some cases where local uses and users are not affected, reclassification may be an answer, although the State of Alaska would have to enforce those new standards.

However, on this subject, I would like to say that we feel it is most unfortunate that the State of Alaska, and DEC in particular, sees this as a problem with conflicts of over placer mining. We strongly differ. By this I mean that this is a problem of water quality. The State spends all of its limited energy and staff on placering and reclassification studies, when it should be spending these resources on enhancing the uses of water for all residents. That is the level ~~water~~ - the goal - to which the State of Alaska should ~~continue~~ set.

Currently, due to the policy of non endorsement, which is the only realistic way to describe this state DEC and ADFG presence and activities in this matter (as well as the US EPA) I regret to have to tell you that there is no confidence in the State's ability to address the ^{broad} question of water quality.

Further, I'd like to see any discussion of reclassification of streams addressed in the context of all ~~possible~~ likely and all ~~or~~ even remotely possible industrial uses - not in the context of only placering.

2/11/85

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Reclamation

Much is said in defense of dirty water about how a particular stream is naturally muddy and turbid, or that the tests showing turbid water were taken in a rainy season during ~~high water~~ naturally turbid high water — ~~that~~ that this is not ~~an~~ condition caused by upstream ~~man~~ man made activities.

But we would point out that periods of heavy rain are such that the runoff from the disturbed placering areas ~~is~~ not ~~so~~ severely is ^{washing} ~~removing~~ the sediment off of those disturbed areas ~~in~~ into the creeks and in downstream.

On federal BLM mining claims a reclamation requirement exists, but BLM is not known to enforce these requirements. We'd like to see reclamation of industrial sites on federal and state lands.

Enforcement

The state does not enforce its water quality regulations. Downstream communities ~~in~~ whose interests are damaged are "subsidizing" the placering industry. They bear the costs of damage to their economic activity even though the measurement of these costs are not convenient to measure in city man's terms.

Although DEC and ADFG Habitat Division personnel go through the exercise of enforcement-like maneuvers, the actual upholding of water quality standards — in other words — the "enforcement" of ~~the~~ clean water is not achieved. There is in fact a policy to not achieve — to not enforce, in our view.

Should the State of Alaska really be on a serious track of orderly and environmentally safe and sound development of its natural resources, regrettably we'd have to say there is ^{real} ~~no~~ evidence of it ~~otherwise~~ ~~in this matter~~.

We are not trying to shut down the paper mill industry. Far from it. But we do insist that there must be real protection of water resources with results that can be measured not only in turbidity units and other scientific measurements taken over time, but most important - results that can be ~~observed~~ clearly observed by the local ~~and~~ communities who know the rivers and streams best ^{and} who use them year round as their ancestors have - not for 50 years, not for 100 years, but for thousands of years.

There is now ^{terrible} need for leadership in state government to resolve these

problems and restore confidence

I would like to say here that, notwithstanding the frustration and the best efforts of a few, ~~the~~ the enforcement ^{failure} by the two state agencies and the federal government is ~~not only~~ has engendered a lack of confidence on the part of the rural people who live out there and who are directly affected by the results or the lack of results brought about by these failures.

(Pause)

Testing

I would like to urge that complete analysis be made of the water samples which are being collected by ~~some~~ residents of several rural villages.

6/

The samples are now being analyzed, initially for
fertility and arsenic. DEC has indicated
the complete chemical kits are too expensive to
perform. We insist that at least some of village
samples being collected should be completely
analyzed by the State of Alaska.

Native Documents

7/

~~File~~

Many Native Allotments are located ~~near~~ ^{along} rivers and on lakes in ~~areas~~ ^{areas} affected by mining. Generally, these ~~are~~ allotments which are held in trust or restricted status, are downriver from mining operations. The allotment were granted to ~~these~~ ^{Natives} Alaskans, for the purpose of maintaining ~~the~~ subsistence hunting and fishing ~~life~~ ^{life} economy. In regards to fishing, the use of these allotments has been adversely affected by ~~pollution~~ ^{glacier} contamination. Fish stocks have been reduced ~~and~~ ^{fishing and trapping opportunities,} and in some cases, water access has been made more difficult. The ~~rights~~ riparian rights of these Native allottees, ~~seem to be~~ ^{as they relate to subsistence fish and ~~game~~ ^{game} production} have been threatened. Generally riparian rights are ~~not~~ ^{are} classed as property rights ~~appurtenant~~ ^{appurtenant} to the property interest. In the case of Native allottees, these rights are subject to a continuing Trust Obligation of the United States, which includes a trust obligation ~~to~~ ^{to} protect the riparian rights of Native allottees. The T ^{has} ~~has~~ raised this issue to the B.I.A. and ~~we~~ believe that we have received concurrence with our understanding ^{and the obligation to protect riparian rights of Native Allottees.} of this situation. ~~No~~ ^{surely no one} body wants to increase federal regulatory presence in Alaska. However, threats to the Native allottees riparian interests must be protected. ~~as~~

7/

Conclusion

In conclusion: I want to emphasize that this debate over water quality must be elevated and redirected so that the legislature, the Administration, and the Alaskan public ~~is~~ clearly understands that when surface waters which are normally clear water bodies are damaged, then the economic interests of real, live Alaskans are damaged - be they local muskrat trappers, fishers who fish for pike, white fish grayling, Commercial fishermen as many as a thousand or more miles downstream, Kupers A households who make direct use of the water at home or traveling ~~on the~~ and staying at logging, ~~stream~~ hunting and fish camps, and so forth.

AD ^{dr}
Kung

Some questions they would like asked.

QUESTIONS FOR CHAIRMAN GOLL FOR HEARING ON WATER QUALITY

FM:
Paula
Cullenberg

QUESTIONS FOR VILLAGE RESIDENTS:

- [REDACTED]
- COULD YOU DESCRIBE HOW THE WATER HAS CHANGED OVER THE YEARS AND HOW IT LOOKS NOW?
 - COULD YOU DESCRIBE HOW THIS [REDACTED] ^{ED} AFFECTS YOUR USE OF FISH AND GAME?
 - DO OTHER PEOPLE IN YOUR COMMUNITY AND AREA NOTICE THE SAME PROBLEMS WITH WATER?
 - DO STATE AGENCIES EVER MAKE INQUIRIES AS TO WATER QUALITY PROBLEMS IN YOUR COMMS.?
 - HOW DOES ENFORCEMENT OF WATER QUALITY IN YOUR AREA COMPARE WITH THE WAY THE STATE ENFORCES FISH AND GAME LAWS?
 - WHAT WOULD YOU LIKE THE STATE TO DO?

QUESTIONS FOR AGENCIES

FOR DEC:

- DESCRIBE TO COMMITTEE WHAT IS ACTUALLY DONE NOW IN THE ENFORCEMENT PROCESS?
- HOW MANY MINES ^S THAT YOU VISIT ARE BREAKING THE WATER QUALITY STANDARDS?
- HOW MANY WERE CITED? HOW MANY WERE PROSECUTED? DO YOU CONTACT VILLAGES TO SEE IF THEY HAVE PROBLEMS?
- WHY SO FEW CITATIONS?

FOR DEC AND FISH AND GAME:

- ARE YOU PERFORMING ANALYSES OF WATER SAMPLES COLLECTED BY VILLAGE RESIDENTS AND IF SO, ARE YOU ANALYSING FOR TURBIDITY, ARSENIC, OTHER HEAVY METALS OR CONTAMINANTS?
- ARE THE STREAMS THAT RUN THROUGH THESE VILLAGES ON YOUR PRIORITY ENFORCEMENT LIST FOR 1984, for 1985??
- DO YOU INVOLVE THESE RESIDENTS IN YOUR SELECTION OF PRIORITY ENFORCEMENT STREAMS?

STATE OF ALASKA THE LEGISLATURE

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May, 1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

House Special Committee on Fisheries, 2/11/85, 3:00pm



Official Business

Alaska State Legislature

House of Representatives

Special Committee on Fisheries

Pouch V
Juneau, Alaska 99801

Phone:
(907) 465-4924

MEMORANDUM

February 6, 1985

TO: Members
Special Committee on Fisheries

FROM: Representative Peter Goll *Peter Goll*
Chairman

SUBJECT: Briefing on TANANA CHIEFS +
Streamside Management, Water Quality
and Community Development Options

The Special Committee on Fisheries will be meeting jointly with the House Committee on Community and Regional Affairs 3:00 p.m., Monday, February 11, in the Governor's Conference Room. The purpose of the meeting is to hear testimony by the Tanana Chiefs Conference and representatives from Interior villages on problems associated with the management of local streams.

The briefing session was initiated in response to a request from the Tanana Chiefs Conference and an outpouring of concern from fish and game advisory committees throughout Interior and Western Alaska.

The three attachments should provide background for understanding the concerns of the delegation of Interior villages and local fish and game advisory committees who will be addressing the joint hearing.

Attachment #1 is a packet of resolutions on the issue forwarded to me by the Tanana Chiefs Conference. Attachment #2 is a letter from the village of Tuluksak, along with a news article on the village's situation. Attachment #3 is the executive summary from a recent publication by the Department of Fish and Game concerning the effects of turbidity on fisheries resources.

I have invited representatives of the Departments of Fish and Game, Environmental Conservation and Community and Regional Affairs to respond to questions from the committee. I will schedule a later meeting of the Special Committee on Fisheries to discuss followup to Monday's briefing.

Tanana Chiefs Conference, Inc.

Doyon Building
201 First Avenue
Fairbanks, Alaska 99701

Phone (907) 452-8251
January 21, 1985

Representative Peter Goll
Pouch V
Juneau, Alaska 99811

Dear Representative Goll:

For your information, Tanana Chiefs Conference, Inc., is forwarding you copies of 21 resolutions recently passed requesting that the State of Alaska improve its enforcement of the State Water Quality Standards and ensure protection of clean water from placer miners illegally discharging silty and muddy wash water into the State's streams and waterways. The resolutions are from Fish and Game Advisory Committees, the Interior Regional Council, fishermen's associations, and Native organizations including the Alaska Federation of Natives.

Included also, is a memo on DEC, DF&G, and EPA enforcement of the Water Quality Standards. A crucial key to compliance with any regulations is an adequate, consistent field presence. There is no incentive to clean up, if there is no threat from noncompliance.

Tanana Chiefs and groups represented by these resolutions feel that it is time for the mining industry to take responsibility for the damage they do to the economic well being of the other users of Alaska's waterways including commercial fishermen and rural residents who harvest fish and wildlife as a source of food for their families. We know that the Alaska Legislature takes seriously its responsibility to protect the fish and wildlife resources of the State. We look forward to working closely with you on this issue during the session. If you need further information, please contact Paula Cullenberg at 452-8251.

Sincerely,

TANANA CHIEFS CONFERENCE, INC.



William C. "Spud" Williams
President

enclosures

**KOYUKUK RIVER FISH AND GAME ADVISORY COMMITTEE
RESOLUTION 84-1**

ENFORCE WATER QUALITY LAWS AND REGULATIONS

- WHEREAS, The Koyukuk River Fish and Game Advisory Committee represents the residents of Game Management Unit 24 including the communities of Huslia, Hughes, Allakaket, Alatna, and Bettles, in all matters concerning conservation, development and use of fish and wildlife resources; and
- WHEREAS, We, the people of the Koyukuk River, continue to make direct use of the water of the Koyukuk River for drinking water and other personal uses; and
- WHEREAS, We, the residents of the Koyukuk River, also directly rely upon harvest of the fish and game which are supported by the environment of the Koyukuk River; and
- WHEREAS, We now have reports that fine, light colored sediment of a chalky-like substance is now depositing at the bottom of jerry cans used for the collection of water from the Koyukuk River for drinking and other personal uses; and
- WHEREAS, We also have reports of extremely muddy conditions in the Hogatza ("Hog") River in recent years near Huslia, which is a tributary of the Koyukuk River; and
- WHEREAS, Because we rely upon the normally clean water of the Koyukuk River, we have become extremely concerned and very disturbed over the fact that the quality of our water is being allowed to deteriorate due to probable illegal upstream activities, and that state and federal water quality laws and regulations are not being upheld; and
- WHEREAS, The Committee is informed of the fact that the U.S. Environmental Protection Agency may soon grant permission to the State of Alaska to legally downgrade the present level of protection for Nolan Creek by reclassifying this stream which is a tributary of the Koyukuk River;

NOW THEREFORE BE IT HEREBY RESOLVED, that the Koyukuk River Fish and Game Advisory Committee requests that the State of Alaska and the U.S. Environmental Protection Agency immediately take all necessary steps to enforce and to maintain the present water quality standards for all waters of the Koyukuk River; and

BE IT FURTHER RESOLVED, that the Koyukuk River Fish and Game Advisory Committee requests that the State of Alaska and the U.S. Environmental Protection Agency seek the causes of the deterioration of the water now being collected for personal uses on the Koyukuk River and that they take appropriate steps to clean up the source of this pollution; and

BE IT FURTHER RESOLVED, that the Koyukuk River Fish and Game Advisory Committee requests that the U.S. Bureau of Land Management take all necessary steps to clean up the Hog River and its tributaries including:

- 1) close this area to new mineral staking,
- 2) enact and enforce stricter controls for any existing, and any new, placer mining on existing Hog River area mining claims, and
- 3) strictly enforce regulations which require each miner to restore and reclaim surface areas which have been or which may be in the future, disturbed due to mining activities;

BE IT STILL FURTHER RESOLVED, that the Koyukuk River Fish and Game Advisory Committee strongly opposes any action to reclassify Nolan Creek or any other stream in the Koyukuk River watershed to any standard other than the present standards as of this date.

Homer Toluk
Vice Chairman

Koyukuk River Fish & Game Advisory Committee

December 1 1984
Date

ALASKA FEDERATION OF NATIVES, INC.
1984 ANNUAL CONVENTION

RESOLUTION NO. 84-60

TITLE: ENFORCE WATER QUALITY REGULATIONS

- WHEREAS, the harvest of fish and wildlife is vital to the continuation of the rural economy of Alaska Natives; and
- WHEREAS, the streams and rivers of Alaska provide habitat for fish and wildlife; and
- WHEREAS, rural Alaska Natives also depend on these waters for drinking water, wash water, cooking water, transportation sources and garden irrigation; and
- WHEREAS, serious water quality problems exist on a number of streams in Alaska due to illegal discharge of mud and silt from placer mining operations, often greatly in excess of State Water Quality standards and federal requirements for clean water; and
- WHEREAS, fish and wildlife habitat are being damaged by the turbidity and the buildup of silt deposited on the bottom of streams by this discharge; and
- WHEREAS, the continued decline of Alaska's water quality will severely hurt the economics of rural Alaska Natives residing in downstream communities; and
- WHEREAS, the State of Alaska and U.S. Environmental Protection Agency have permitted the increasing degradation of Alaska's water quality through lack of proper monitoring and enforcement of state and federal laws and regulations designed to protect water quality for all users,

NOW THEREFORE BE IT RESOLVED that the Alaska Federation of Natives demand that the State of Alaska and the U.S. EPA immediately take steps to protect water quality in Alaska by enforcing the State Water Quality standards and the federal requirements for clean water and

BE IT FURTHER RESOLVED that the AFN urge the Alaska State Legislature, the Alaska Department of Environmental Conservation, the U.S. Environmental Conservation and the U.S. Environmental Protection Agency to take all possible measures to assist the placer mining industry to develop technology and economic solutions which will allow the industry to operate with clean discharge of waste water, and

RESOLUTION NO. 84-60
page two

BE IT FURTHER RESOLVED that the State of Alaska and the federal government take all necessary actions to clean up and to restore streams currently damaged by illegal discharges of sediment and turbidity and that they take all appropriate action to prevent future damage to these watersheds.

RESOLUTIONS COMMITTEE RECOMMENDATION: DO PASS

CONVENTION ACTION: PASSED





INTERIOR REGIONAL FISH & GAME COUNCIL RDI

c/o ADF&G, DIVISION OF BOARDS, P.O. BOX 3-2000, JUNEAU, ALASKA 99802 PHONE: (907) 465-4110

RESOLUTION 84.4

PROTECT FISH AND GAME HABITAT FROM WATER POLLUTION

ADVISORY COMMITTEES

Clear/Healy

Delta

Eagle

Fairbanks

Galena

Grayling/Anvik/Shageluk/Holy Cross

Koyukuk

McGrath

Ruby

Tanana

Upper Tanana/40-Mile

Yukon Flats

Whereas, The Interior Regional Council represents thousands of subsistence fishermen in the Alaska Interior, and is empowered to make recommendations to the Alaska Boards of Fisheries and Game regarding protection of subsistence users; and

Whereas, The annual harvest and continued strength the salmon and other anadromous fish runs and the annual harvest of wildlife is vital to the rural communities and livelihood of the subsistence users of this region; and

Whereas, The streams and rivers provide essential habitat for fish and wildlife; and

Whereas, Fish and wildlife habitat is being damaged by turbidity, sediments, and silt being illigally discharged into many streams and rivers, often greatly in excess of State Water Quality Standards and Federal Requirements for clean water; and

Whereas, The State of Alaska, Department of Environmental Protection Agency have permitted this increasing degradation of Alaska's water quality through lack of proper monitoring and enforcement;

Be It Resolved, that the Interior Regional Council requests the Alaska Boards of Fisheries and Game to make a formal review of the Department of Fish and Game's Title 16 Regulations to determine if they are adequately protecting fish and wildlife habitat in Alaska's waterways; and

Be It Further Resolved, that the Division of Subsistence, Department of Fish and Game, direct its studies to the impacts of placer mining and poor water quality on subsistence economy.



INTERIOR REGIONAL FISH & GAME COUNCIL ^{ADP}

c/o ADF&G, DIVISION OF BOARDS, P.O. BOX 3-2000, JUNEAU, ALASKA 99802 PHONE: (907) 465-4110

RESOLUTION 84.5

PROTECT FISH AND GAME HABITAT FROM WATER POLLUTION

ADVISORY COMMITTEES

Clear/Healy

Delta

Eagle

Fairbanks

Jalena

Graveling/Anvik/Shageluk/Holy Cross

Koyukuk

McGrath

Ruby

Tanana

Upper Tanana/40-Mile

Yukon Flats

Whereas, The Interior Regional Council represents thousands of subsistence

fishermen in the Alaska Interior, and is empowered to make recommendations

to the Alaska Boards of Fisheries and Game regarding protection of

subsistence users; and

Whereas, The annual harvest and continued strength the salmon and other anadromous fish runs and the annual harvest of wildlife is vital to the rural communities and livelihood of the subsistence users of this region; and

Whereas, The streams and rivers provide essential habitat for fish and wildlife; and

Whereas, Fish and wildlife habitat is being damaged by turbidity, sediments, and silt being illegally discharged into many streams and rivers, often greatly in excess of State Water Quality Standards and Federal Requirements for clean water; and

Whereas, The State of Alaska, Department of Environmental Protection Agency have permitted this increasing degradation of Alaska's water quality through lack of proper monitoring and enforcement;

Be It Therefore Resolved, that the Interior Regional Council urges the Governor, State Legislature, and DEC to take seriously its responsibility to protect water quality for the residents of Alaska by actively enforcing the State Water Quality Standards and adequately funding these enforcement efforts; and

Be It Further Resolved, that the policy of the State Legislature and Governor gives priority to the protection of renewable resources over non renewable resources in user conflicts

Appendix I.

NUSHAGAK
FISH AND GAME ADVISORY COMMITTEE RESOLUTION
ENFORCE STATE WATER QUALITY STANDARDS

- WHEREAS, the Nushagak Fish and Game Advisory Committee represents hundreds of commercial and subsistence fishermen in the Bristol Bay region; and
- WHEREAS, the annual harvest and continued strength of salmon runs is vital to the economy and livelihood of these fishermen; and
- WHEREAS, placer mining on the rivers and tributaries of salmon spawning streams often illegally discharges mud and silt into these waterways, killing fish and destroying their habitat; and
- WHEREAS, the State of Alaska and the U.S. Environmental Protection Agency is allowing this illegal destruction of salmon habitat by inadequately monitoring and enforcing the State Water Quality Standards and Federal requirements for clean water;
- BE IT THEREFORE RESOLVED, that the Nushagak Fish and Game Advisory Committee urges the Alaska Department of Environmental Conservation and the U.S. EPA to take all necessary steps to protect the salmon resources of the State by monitoring and enforcing the State Water Quality Standards, and that the Governor and Legislature see that such enforcement is adequately funded: and
- BE IT FURTHER RESOLVED, that the Governor and area legislators create a State policy that clearly gives renewable resources priority over nonrenewable resources and ensures the protection of our salmon stocks.

Oct 28 1984
Date

Leon Braswell
Leon Braswell, Chairman
Nushagak Fish and Game Advisory
Committee

NAKNEK - KVICHAK
FISH AND GAME ADVISORY COMMITTEE RESOLUTION
ENFORCE STATE WATER QUALITY STANDARDS

84-2

Whereas, the Naknek - Kvichak Fish and Game Advisory Committee represents hundreds of commercial and subsistence fishermen in the lower Bristol Bay region; and

Whereas, the annual harvest and continued strength of salmon runs is vital to the the economy and livelihood of these fishermen; and

Whereas, placer mining on the rivers and tributaries of salmon spawning streams often illegally discharges mud and silt into these waterways, killing fish and destroying their habitat; and

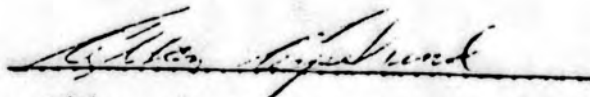
Whereas, the State of Alaska and the U.S. Environmental Protection Agency is allowing this illegal destruction of salmon habitat by inadequately monitoring and enforcing the State Water Quality Standards and federal requirements for clean water;

Be it therefore resolved, that the Naknek - Kvichak Fish and Game Advisory Committee urges the Alaska Department of Environmental Conservation and the U.S. EPA to take all necessary steps to protect the salmon resources of the State by monitoring and enforcing the State Water Quality Standards, and that the Governor and Legislature see that such enforcement is adequately funded; and

Be it further resolved, that the Governor and area legislators create a State policy that clearly gives renewable resources priority over nonrenewable resources and ensures the protection of our salmon stocks.

C.A. 24-84

Date



Alvin Aspelund, Chairman, Naknek - Kvichak
Fish and Game Advisory Committee

Copy

Yukon Flats Fish & Game Advisory Committee

Enforce Water Quality Laws and Regulations

- WHEREAS: Communities represented by the Yukon Flats Fish and Game Advisory Committee depend upon the harvest of fish and game as the main part of their economy;
- WHEREAS: fish and wildlife habitat in the areas of these communities is being damaged by mud and turbidity illegally discharged into streams in these areas;
- WHEREAS: the harvest of fish and furbearers has been damaged by the discharges of mud and silt;
- WHEREAS: productivity of fish is harmed by turbidity and by silt deposited on the bottoms of streams;
- WHEREAS: the State of Alaska and the U.S. Environmental Protection Agency have not taken prompt and sufficient action to enforce state and federal laws and regulations designed to protect the water quality of Interior Alaska anadromous fish streams;

BE IT RESOLVED, that the Yukon Flats Fish and Game Advisory Committee hereby requests that the State of Alaska Department of Fish and Game, the Alaska Department of Environmental Conservation and the U.S. Environmental Agency immediately take steps to enforce applicable laws and regulations designed to protect water quality in Interior Alaska's streams; and

BE IT FURTHER RESOLVED, that the Yukon Flats Fish and Game Advisory Committee hereby also requests that the aforementioned agencies begin the task of cleaning up Birch and Beaver Creeks and all other streams in this region damaged by mining impacts.

Added - be put on top priority list.

Don Starna 10-21-84
Chairman

MIDDLE YUKON FISH & GAME ADVISORY COMMITTEE

RESOLUTION 84-2

- WHEREAS: both the Hogatza River and the streams draining into it, located on BLM land, support a large portion of the Yukon summer chum run; and
- WHEREAS: these streams produce a major portion of the summer chum salmon which are harvested for subsistence and commercial use by downstream residents of the Yukon River drainage; and
- WHEREAS: the production of such summer chum salmon makes up a major element in the economy of downstream communities on the Yukon River; and
- WHEREAS: the 51 active placer mining claims located on these streams are currently discharging or have in the past discharged high levels of sediment and turbidity into these streams, often greatly in excess of state water quality standards and in excess of federal requirements for clean water; and
- WHEREAS: sediment and turbidity in these streams damage fisheries habitat and hamper the production of fish; and
- WHEREAS: over time, the destruction of fisheries habitat in one stream after another will directly adversely affect the economy of downstream communities; and
- WHEREAS: the Central Yukon Plan has the opportunity to regulate or restrict such placer mining activity;

BE IT HEREBY RESOLVED that the Middle Yukon Fish and Game Advisory Committee (otherwise known as the Galena Fish and Game Advisory Committee) recommends that the Bureau of Land Management in its Central Yukon Plan, close the Hogatza River and the streams draining into it to all future mineral exploration and development; and

BE IT FURTHER RESOLVED that the Bureau of Land Management in its Central Yukon Plan establish the Hogatza River and the streams draining into it as Areas of Critical Environmental Concern (ACEC); and

BE IT FURTHER RESOLVED that within the Area of Critical Concern, all existing miners be required to meet state water quality standards and submit annual preseason plans of operation to the BLM.

D. J. [Signature]
Chairman

11/10/84
Date

Resolution 84- 3
Clean Up Interior Placer Streams

WHEREAS, many clearwater tributary streams of the Yukon River of Interior Alaska support runs of spawning salmon, and

WHEREAS, such streams produce the salmon which are harvested for subsistence and commercial use by downstream residents of the Yukon River drainage; and

WHEREAS, the production of salmon makes up a major element in the economy of downstream communities on the Yukon River; and

WHEREAS, placer mining activity currently is discharging high levels of sediment and turbidity into Interior streams, often greatly in excess of state water quality standards and in excess of federal requirements for clean water; and

WHEREAS, sediment and turbidity in these streams damage fisheries habitat and hamper the production of fish; and

WHEREAS, the State of Alaska and the U.S. Environmental Protection Agency permits the illegal pollution of otherwise clearwater streams through inefficient, inappropriate enforcement of regulations and laws designed to protect water quality; and

WHEREAS, over time, the destruction of fisheries habitat in one stream after another will directly adversely affect the economy of downstream communities,

BE IT HEREBY RESOLVED that the Middle Yukon Fish and Game Advisory Committee (otherwise known as the Galena Fish and Game Advisory Committee) demands that the State of Alaska and the U.S. Environmental Protection Agency properly and totally meet their legal commitments and requirements to promptly enforce water quality laws and regulations in Interior Alaska placer mining streams, and

BE IT FURTHER RESOLVED that the State of Alaska and the federal government take all necessary actions to clean up and to restore streams presently damaged by illegal discharges of sediment and turbidity and that they take all appropriate action to prevent future damage to these watersheds.

George D. Tinker 10/20
Chairman Date

THE LOWER YUKON FISH AND GAME
ADVISORY COMMITTEE

RESOLUTION
#84-08-01

WHEREAS, The Lower Yukon Fish and Game Advisory Committee represents the fisheries and wildlife interests of the 15 villages of the Lower Yukon area; and

WHEREAS, The placer mining taking place in the upriver areas of the Yukon River between the Koyukon and the Porcupine has no monitoring or enforcement to protect the streams so important to successful reproduction of salmon; and

WHEREAS, The fishermen of the Lower Yukon River believe that they should have equal rights as the placer miners, and have their economy protected by the State of Alaska through its equal enforcement of clean water quality laws to prevent spoilage of these spawning rivers by placer mining pollution; and

WHEREAS, The fishermen are regulated, monitored, and enforced by the State of Alaska, to conserve the resource, yet nothing is done by the State of Alaska, to regulate, monitor, or enforce placer mining;

NOW, THEREFORE, BE IT

RESOLVED: By the Lower Yukon Fish and Game Advisory Committee that the Governor of the State of Alaska, and the legislators from this area be asked to regulate, monitor, and when necessary enforce clean water quality laws in the placer mining industry; and

BE IT FURTHER

RESOLVED: That the Governor and the area legislators should seek funds to allow State resource agencies such as Alaska Department of Fish and Game and Alaska Department of Environmental Conservation to monitor the placer mining operations and if pollution occurs, cease the operation before the pollution kills off the salmon fisheries that the area fishermen depend on for their only cash livelihood.

MOTIONED AND PASSED THIS 8-18-84 DAY OF AUGUST, 1984.

1/s/ Johnny Thompson
Johnny Thompson, Chairman

RECEIVED

SEP 13 1984

THE CENTRAL BERING SEA FISH AND GAME
ADVISORY COMMITTEE

RESOLUTION
#84-03-01

WHEREAS, The Central Bering Sea Fish and Game Advisory Committee represents the fisheries and wildlife interests of the 13 villages of the Lower Kuskokwim area; and

WHEREAS, The placer mining taking place in the upriver areas of the Yukon River between Koyukon and the Porcupine, and in the upper Tuluksak River of the Kuskokwim has no monitoring or enforcement to protect the streams so important to successful reproduction of salmon; and

WHEREAS, The fishermen of the Lower Kuskokwim villages believe that they should have equal rights as the placer miners, and have their economy protected by the State of Alaska through its equal enforcement of clean water quality laws to prevent spoilage of these spawning rivers by placer mining pollution; and

WHEREAS, The fishermen are regulated, monitored, and enforced by the State of Alaska, to conserve the resource, yet nothing is done by the State of Alaska, to regulate, monitor, or enforce placer mining;

NOW, THEREFORE, BE IT

RESOLVED: By the Central Bering Sea Fish and Game Advisory Committee that the Governor of the State of Alaska, and the legislators from this area be asked to regulate, monitor, and when necessary enforce clean water quality laws in the placer mining industry; and

BE IT FURTHER

RESOLVED: That the Governor and the area legislators should seek funds to allow State resource agencies such as Alaska Department of Fish and Game and Alaska Department of Environmental Conservation to monitor the placer mining operations and if pollution occurs, cease the operation before the pollution kills off the salmon fisheries that the area fishermen depend on for their only cash livelihood.

MOTIONED AND PASSED THIS 21 DAY OF AUGUST, 1984.

Jack U. Williams
Jack U. Williams, Chairman

SEP 13 1984

LOWER KUSKOKWIM
FISH AND GAME
ADVISORY COMMITTEE

RESOLUTION
#84-08-01

WHEREAS, THE LOWER KUSKOKWIM Fish and Game Advisory Committee represents the fisheries and wildlife interests of the 13 villages of the Lower Kuskokwim area; and

WHEREAS, The placer mining taking place in the areas of the upper Tuluksak River of the Kuskokwim has no monitoring or enforcement to protect the streams so important to successful reproduction of salmon; and

WHEREAS, The fishermen of the Lower Kuskokwim villages believe that they should have equal rights as the placer miners, and have their economy protected by the State of Alaska through its equal enforcement of clean water quality laws to prevent spoilage of these spawning rivers by placer mining pollution; and

WHEREAS, The fishermen are regulated, monitored, and enforced by the State of Alaska, to conserve the resource, yet nothing is done by the State of Alaska, to regulate, monitor, or enforce placer mining;

NOW, THEREFORE, BE IT

RESOLVED: By the Lower Kuskokwim Fish and Game Advisory Committee that the Governor of the State of Alaska, and the legislators from this area be asked to regulate, monitor, and when necessary enforce clean water quality laws in the placer mining industry; and

BE IT FURTHER

RESOLVED: That the Governor and the area legislators should seek funds to allow State resource agencies such as Alaska Department of Fish and Game and Alaska Department of Environmental Conservation to monitor the placer mining operations and if pollution occurs, cease the operation before the pollution kills off the salmon fisheries that the area fishermen depend on for their only cash livelihood.

MOTIONED AND PASSED THIS 24 DAY OF AUGUST, 1984.

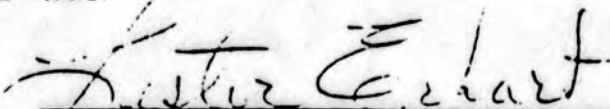
/s/ Chuck Chaliak
Chuck Chaliak, Chairman

Resolution 84-

Enforce Water Quality Laws and Regulations

- WHEREAS: Communities represented by the Tanana Fish and Game Advisory Committee depend upon the harvest of fish and game as the main part of their economy;
- WHEREAS: fish and wildlife habitat in the areas of these communities is being damaged by mud and turbidity illegally discharged into streams in these areas;
- WHEREAS: the harvest of fish and furbearers has been damaged by the discharges of mud and silt;
- WHEREAS: productivity of fish is harmed by turbidity and by silt deposited on the bottoms of streams;
- WHEREAS: the State of Alaska and the U.S. Environmental Protection Agency have not taken prompt and sufficient action to enforce state and federal laws and regulations designed to protect the water quality of Interior Alaska anadromous fish streams;
- BE IT RESOLVED, that the Tanana Fish and Game Advisory Committee hereby requests that the State of Alaska Department of Fish and Game, the Alaska Department of Environmental Conservation and the U.S. Environmental Agency immediately take steps to enforce applicable laws and regulations designed to protect water quality in Interior Alaska's streams; and
- BE IT FURTHER RESOLVED, that the Tanana Fish and Game Advisory Committee hereby also requests that the aforementioned agencies begin the task of cleaning up the following streams:

Minook Creek
Goldstream Creek
Chatanika River
Tolovana River


Chairman

Approved By Tanana Fish
and Game Advisory Committee

October 19, 1984

Location: Anchorage

TANANA CHIEFS CONFERENCE, INC.

Tolovana Pollution

Resolution No. 84-13

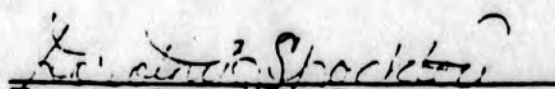
- WHEREAS: The residents of communities of Minto and Nenana make substantial use of the water of the Tolovana River, including the Upper Tolovana River, and its associated environments in the Minto Flats; and
- WHEREAS: These residents have harvested fish and game resources from the Tolovana River and its associated environments including the Upper Tolovana River; and
- WHEREAS: The waters and associated environment of the Tolovana River have become muddy and polluted during the placer mining season due to mining activities taking place in the headwaters of the Tolovana River; and
- WHEREAS: This muddy water has damaged the habitats of water animals, fish and water fow; and
- WHEREAS: Harvests of game and fish resources has been damaged due to degraded water quality; and
- WHEREAS: Residents of Minto and Nenana depend upon fish and game harvests as a major element in the economy of their communities;

THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference, Inc. Board of Directors asks that the State of Alaska and the U.S. Environmental Protection Agency take all necessary steps to enforce the state and federal water quality standards, laws and regulations on the Tolovana River Drainage.

BE IT FURTHER RESOLVED that the Tanana Chiefs Conference, Inc. Board of Directors urges the Governor and the Alaska State Legislature to make funds and expertise available to develop proper technology which will permit placer mining to continue in a way which results in no discharge of muddy or polluted placering water back into the Tolovana River.

CERTIFICATION

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 15, 1984 at Fairbanks, Alaska.


Tanana Chiefs Conference, Inc.
Dorothy Shockley
Secretary/Treasurer

TANANA CHIEFS CONFERENCE, INC.

Water Quality in Minook Creek

Resolution No. 84-14

WHEREAS: Minook and Little Minook Creeks and associated environments are utilized by residents of Rampart, and of the area generally; and

WHEREAS: the water of Minook Creek and Little Minook Creek is the subject of complaints of residents of Rampart due to high levels of turbidity and mud caused by placer mining discharges upstream; and

WHEREAS: the State of Alaska has regulations to protect water quality in such clear water streams but is generally reluctant to enforce these regulations; and

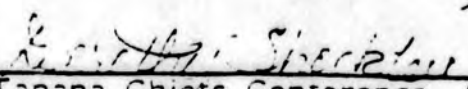
WHEREAS: the poor water quality interferes with and diminishes the use of Minook Creek and associated environments by the residents of Rampart and the area generally; and

THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference, Inc. Board of Directors requests the State of Alaska to enforce present regulations concerning water in Minook Creek and Little Minook Creek, and

BE IT FURTHER RESOLVED that the Tanana Chiefs Conference, Inc. Board of Directors urges the Alaska State legislature and the State administration to provide technical and financial assistance to placer miners so as to help them develop, install and utilize new technology which would permit placer mining to take place while achieving clean water in placering streams.

CERTIFICATION

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 15, 1984 at Fairbanks, Alaska.



Tanana Chiefs Conference, Inc.
Dorothy Shockley
Secretary/Treasurer

TANANA CHIEFS CONFERENCE, INC.

Environmental Effects of Mining Operations
on Birch Creek
Resolution No. 82-28

- WHEREAS: Birch Creek is important to the residents living near or around the river; and
- WHEREAS: there are mining operations upriver from the residents living and using the river in a traditional manner; and
- WHEREAS: the methods the mining operations utilize dirties and clouds the river; and
- WHEREAS: this hampers the traditional practices of those living downriver; and
- WHEREAS: the methods of the mining operations damages the environmental, aesthetic, and ecological characteristics of the river; and now,

THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference Board of Directors direct the staff of Tanana Chiefs Conference to inform the appropriate State, Federal and private agencies of the detrimental methods of mining operations used on Birch Creek.

Submitted by: Theresa McCall

CERTIFICATION

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 18, 1982 at Fairbanks, Alaska.

Tanana Chiefs Conference, Inc.
Dorothy Shockley
Secretary/Treasurer

TANANA CHIEFS CONFERENCE, INC.

Birch Creek Water Quality

Resolution No. 84-26

- WHEREAS: the communities of Birch Creek, Circle, and other area residents utilize and depend upon the lands and waters of the lower Birch Creek watershed for harvest of renewable resources including fish and game; and
- WHEREAS: such local residents utilize Birch Creek as a primary source of drinking water as well as a source of water for washing, cooking, and laundry; and
- WHEREAS: the water quality of Birch Creek is in deplorable condition during summer months due to severe pollution caused by heavy placer mining activity in the upper Birch Creek watershed; and
- WHEREAS: the regulations of the State of Alaska designed to protect the water quality are grossly violated on Birch Creek due to placer mining activity; and
- WHEREAS: the State of Alaska continues to not enforce its water quality standards on Birch Creek; and
- WHEREAS: the degradation of water quality in Birch Creek is resulting in damage to associated fish and wildlife habitats and diminished opportunities of local residents to harvest such resources; and
- WHEREAS: the lack of enforcement of its water quality regulations and prevention of management of fish resources on any stream represents significant mismanagement of both the water and the fisheries resources of the State of Alaska; and
- WHEREAS: the development and use of water recycling and other new technologies should provide needed answers to allow placer mining to continue in a way that prevents pollution of placering streams such as Birch Creek;
- THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference, Inc. Board of Directors request that the State of Alaska and the U.S. Environmental Protection Agency enforce all state and federal water quality regulations and laws in Birch Creek and in other watersheds of Alaska, and

BE IT FURTHER RESOLVED that the State of Alaska, the Alaska State legislature and the Federal Government take all possible steps to clean up the dirty water caused by placer mining activities on the Birch Creek and other watersheds through development of appropriate technologies, and that placer miners receive direction and assistance to bring such technologies successfully into use in the field.

CERTIFICATION

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 15, 1984 at Fairbanks, Alaska.

Tanana Chiefs Conference, Inc.
Dorothy Shockley
Secretary/Treasurer

BERING SEA FISHERMEN'S ASSOCIATION
RESOLUTION NUMBER 5

WHEREAS the Bering Sea Fishermen's Association represents over 1600 commercial salmon and herring fishermen in western Alaska and,

WHEREAS the rapid expansion of the placer mining industry in interior and western Alaska has resulted in a loss of fish populations, spawning and rearing habitat and the deterioration of water quality necessary for continued fish production and,

WHEREAS the Alaska Legislature has shown a reluctance to fund resource agency attempts to regulate, control, monitor and enforce the placer mining industry's activities and,

NOW THEREFORE BE IT RESOLVED that the Bering Sea Fishermen's Association request the Alaska Legislature to appropriate the funds necessary to regulate, control, monitor and enforce placer mining activities and,

BE IT FURTHER RESOLVED that the Association request the Alaska Legislature to adopt legislation that will strengthen current water quality standards to ensure the long-term and continuing production of viable fish populations.

Motion Passed this 31 day of August 1984 in Anchorage, Alaska



HENRY IVANOFF
PRESIDENT - BERING SEA FISHERMEN'S ASSOCIATION

UNITED VILLAGES OF NELSON ISLAND AND VICINITY
RESOLUTION # 84-08-01

WHEREAS THE UNITED VILLAGES OF NELSON ISLAND AND VICINITY represents the villages of this area in the Yukon-Kuskokwim Delta of southwestern Alaska; and

WHEREAS in recent years, village fishermen have been able to harvest salmon from the Kuskokwim and Yukon rivers migrating pass the island depending upon wind direction to supplement the marine mammal and herring subsistence diet of our villages; and

WHEREAS the expansion of the placer mining industry on both the Yukon and Kuskokwim Rivers, the lack of monitoring and enforcement of water quality standards by State and Federal agencies, and the concern by villages located on both rivers that their salmon fisheries will be threatened by these activities;

NOW THEREFORE BE IT RESOLVED BY THE UNITED VILLAGES OF NELSON ISLAND AND VICINITY that the Governor and area legislators take steps to make placer miners obey the same environmental laws that commercial fishermen and subsistence harvesters must follow to conserve all resources; and

BE IT FURTHER RESOLVED that the Governor and area legislators take steps to secure funds to allow State resource agencies to monitor and when necessary enforce State water quality laws if violated by placer miners to protect clean streams and our salmon resources.

MOTIONED AND PASSED THIS 26th DAY OF AUGUST, 1984

Michael Albert
CHAIRMAN

RESOLUTION OF KOKECHIK CORPORATION

RESOLUTION # 84-37-02

WHEREAS THE KOKECHIK CORPORATION represents the commercial herring and subsistence fishermen of the three villages of Hocper Bay, Chevak, and Scammon Bay, and

WHEREAS salmon are important to the limited entry permit holders in several of our villages and to all of our villagers for subsistence, and

WHEREAS State biologist believe without verification that migrating salmon taken by our villages are Yukon stock, and where

WHEREAS the expansion of placer mining activity in the Yukon River's tributaries, and the lack of monitoring and enforcement by state and Federal resource agencies to protect water quality necessary for salmon reproduction;

NOW THEREFORE BE IT RESOLVED BY THE KOKECHIK CORPORATION that the State of Alaska and the Federal EPA takes all necessary steps to enforce water quality laws through monitoring placer mining operations, and if necessary enforce these regulations to get miner compliance; and

BE IT FURTHER RESOLVED that the Governor and area legislators secure adequate funding for DEC and ADFG to carry out the monitoring and enforcement of stream water quality to protect successful salmon reproduction.

NOTIONED AND PASSED THIS 27th DAY OF AUGUST, 1984

Joseph V. Banzil
CHAIRMAN

RURAL ALASKA RESOURCES ASSOCIATION

P.O. Box 3-3908

Anchorage, AK 99501

RESOLUTION NO. 84 - 4

ENTITLED: RELIEF FROM PLACER MINING DAMAGE TO WATERSHEDS

WHEREAS, serious water quality problems exist on a number of streams in Alaska due to illegal waste water discharges from placer mining operations; and

WHEREAS, such water quality problems created by placer mining discharges are damaging the water resources, the associated environments and the fisheries and other village resources which are supported by these waters; and

WHEREAS, such water quality problems created by placer mining discharge are currently threatening and possibly damaging the health and the general economic well-being of local residents who live downstream and who utilize the water, the associated environments and the harvestable renewable resources supported by such environments; and

WHEREAS, fisheries management in particular is made difficult or impossible by the clouded condition of water in streams which support fish but which are subject to siltation and turbidity caused by placer discharges upstream; and

WHEREAS, the State of Alaska and the U.S. Environmental Protection Agency have not enforced the water quality laws and regulations which are very frequently violated in placer mining activities; and

WHEREAS, the U.S. Environmental Protection Agency, in proposing Best Available Technology for the placer industry, has proposed weakening standards including for suspended particles and for arsenic; and

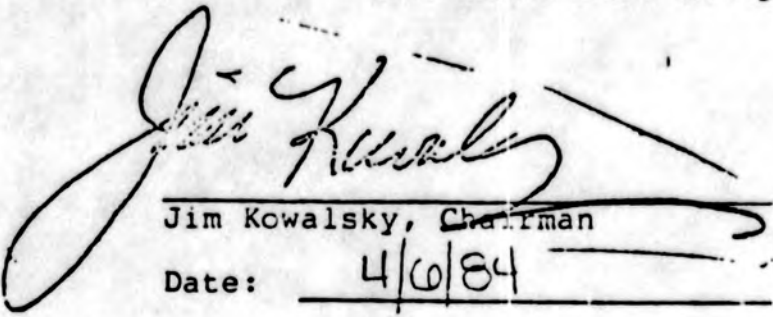
WHEREAS, the communities of Tuluksak, Birch Creek, Minto and Rampart are among the communities who have registered complaints about damage to waterways caused by upstream placer mining;

BE IT HEREBY RESOLVED, that the Rural Alaska Resources Association urges the State of Alaska to reject the weakened water quality standards as a part of Best Available Technology; and

BE IT FURTHER RESOLVED, that the Rural Alaska Resources Association urges the Alaska State Legislature, the State of Alaska and the U.S. Environmental Protection Agency to take all possible measures to assist the placer mining industry to develop technology and economic solutions which will allow the industry to operate with clean discharges of waste water; and

BE IT FURTHER RESOLVED, that the Rural Alaska Resources Association urges that the State of Alaska and the U.S. Environmental Protection Agency vigorously pursue the cleaning up of placering streams through enforcement of existing laws and regulations; and

BE IT STILL FURTHER RESOLVED, that Rural Alaska Resources Association supports the efforts of the community of Tuluksak to delay the permit to dredge requested by Northland Gold Dredging.



Jim Kowalsky, Chairman

Date:

4/6/84

MEMORANDUM

RE: Enforcement of the State Water Quality Standards
FROM: Paula Cullenberg, Tanana Chiefs Conference, Inc.
DATE: January 22, 1985

* * * * *

The intent of this memo is to document the urgent need for increased funding for monitoring and enforcement of water quality in the state's river and streams as impacted by placer mining. Tanana Chiefs Conference, Inc. feels that the health and continued economic survival (referring to both the commercial and subsistence economy) of Alaska's rural residents is dependent on the protection of clean water. Placer miners, who illegally discharge mud, silt, and toxic chemicals such as mercury and arsenic into the streams are going virtually unregulated, since enforcement of the State Water Quality Standards is minimal at best. That water quality in Alaska has not improved since the standards were adopted in 1972 is indicative that they have never been adequately enforced.

This lack of enforcement has hurt all rural Alaskans who drink, cook with, and wash with the waters flowing downstream from the mines or who depend either as a food source or as a commercial venture, on fish and wildlife, who use the streams as habitat or spawning sites. Tanana Chiefs Conference, Inc. in the past three years has received numerous complaints from rural residents of dirty water hurting their livelihoods, including residents of Tanana, Rampart, Minto and Birch Creek and Circle. Residents of Minto have noted that Minto Flats, a major hunting, fishing and trapping area has been filling up with silt and mud; the Tolovana River, the Chatanika River and the Goldstream River, all heavily mined streams flow into Minto Flats. The village of Tuliaksak, downstream from the Northland Gold Dredge has experienced turbid water for the last 3 years; Fish and Game was unable to make any escapement counts in 1983. The Hogatza River, one of the most productive spawning grounds of Yukon summer chums, has had severe water quality problems when only several of the 51 active mining claims were operating (see enclosed). Turbidity levels in the normally clear streams have reached 1200 NTU's - the State Water Quality Standard for fish protection (supported by a draft Fish and Game report) is 25 NTU's. This last example indicates that water quality is a statewide concern, since summer chums are a mainstay for rural Alaskans living along the entire reach of the Yukon River down to the Bering Sea. A list of fish producing streams that have been adversely impacted by placer mining are enclosed.

Responsibility for protection of water quality and fish and wildlife habitat is held by the Department of Environmental Conservation, the Department of Fish and Game and the Environmental Protection Agency. In 1984, approximately 500 placer miners were in operation in the State. All miners are required to apply for a Tri-Agency permit (DEC, DNR, and F&G) and a National Pollution Discharge Elimination System Permit (NPDES) from the EPA. These permits stipulate certain water quality standards or habitat protection stipulations that a mining operation is required to meet to remain within the law.

EPA enforces miners primarily for lack of discharge permits and if they are meeting the settleable solids limit of .7 m./l. Five miners are now being brought before Federal Court for lack of permits. In addition, EPA issued "309 Compliance Orders", an administrative order, that is reviewed and signed during the winter. It basically notifies the mines that they must "comply immediately" with the requirements. In 1984, EPA issued 7-12 Compliance Orders to miners that were operating without settling ponds. EPA has never taken a miner to court for anything other than lack of a discharge permit.

Enforcement by State agencies (F&G and DEC) was directed in 1984 by the Interagency Placer Mining Guidelines. The guidelines specified 15 "priority streams" significant for drinking water and fisheries, to be the focus of the State's enforcement efforts. The procedure is to issue Notice of Violations followed by return visits to measure the increase in compliance. Continued failure to comply or attempt to comply with stipulations may result in court action.

ADF&G, Habitat Division is empowered to enforce its "Habitat Protection Permit." Any mining operation that may impact an anadromous fish stream must receive this permit. This permit stipulates certain habitat protection measures. Unfortunately, all permits issued are based solely on the statutory language (Title 16) since Fish and Game has never promulgated regulations to interpret the statutes. Thus, enforcement of the permits is extremely difficult since it is easy to argue that the stipulations placed on the mines are arbitrary and have no regulatory backing. The Division staff does do compliance investigations and gives miners NOV's. In 1984, the Habitat Division visited approximately 50 of the mines that were permitted by Fish and Game. About 5-7 were cited for non-compliance with the Habitat Protection Permit. Only violations on priority streams were cited. Return visits were made to several of the mines cited. No legal action has ever resulted from Fish and Game compliance investigations.

Since Title 16 regulations do not exist, the only enforceable regulations that placer miners must meet are the State Water Quality Standards. This means that the primary agency responsible for enforcement of the mining industry is DEC. DEC enforces the settleable solids and turbidity standards. The State standard for turbidity is 5 NTU's for all waters in the State except the Chena River which is 25 NTU's.

It is generally accepted that a majority of the mining industry is not in compliance with the standards. In fact, there are still miners who do not apply for the required permits or who operate settling ponds. Both Fish and Game and DEC employees note that "essentially any mine we go to, we could issue a NOV to."

Yet DEC is generally understaffed to perform an adequate number of field inspections. Water samples are taken only at operations that are active during the visit. From the enclosed table, it is clear that for the past four years, less than 10% of the 500 + mines have water samples taken from them by field officers each year. With less than 50% of the mines from 1981-1983 meeting the settleable solids standard, and less than 10% meeting the turbidity standard, the number of field inspections must increase to expect any improvement.

The number of NOV's issued is equally small. Whether or not an NOV is given to a miner is primarily a judgment call by the field officer and does not correspond to any clear, consistent policy. This is confusing to both the mining industry and the general public.

The lack of adequate enforcement results from: 1) inadequate staffing, 2) lack of Title 16 habitat regulations, and 3) lack of coordination and direction of the enforcement effort.

For example, Rampart complained to Tanana Chiefs Conference about muddy water in Minook Creek in 1984 for the third year in a row; Minook Creek is Rampart's drinking water source. TCC passed the complaint along to DEC. DEC responded by saying that Minook Creek was not a priority stream and so they could not respond to the complaint. The Habitat Division and EPA did eventually visit Rampart, spoke to the village residents, and visited 6 mines upriver. Despite the fact that two miners were operating and were in violation; one miner was operating at 1,000 NTU's; no NOV's were given, due to a "misunderstanding as to whether NOV's should be given on nonpriority streams." TCC was notified of the visit and told that "no further action was anticipated." Rampart residents continue to drink dirty water.

This example illustrates all three of the above mentioned flaws in the current state enforcement policy. It sends a message to the mining industry that they will probably not be cited; and, if cited, they will probably not be taken to court. Adequate, consistent field presence by enforcement personnel is vital to encouraging serious attempts at compliance by the placer mining industry. One State employee has stated that 70 enforcement personnel would be necessary to provide adequate protection of clean water. TCC does not consider it a radical stance to advocate a gradual move toward clean water in the State.

Requirements necessary to achieve eventual compliance with the State Water Quality Standards include:

- 1) Increase in enforcement personnel at DEC; i.e., 4 more full-time enforcement personnel specifically for placer mining operations. Adequate funding to support these positions is necessary. (See attached Fiscal Note).
- 2) Technical and/or monetary assistance to the mining industry enabling them to construct recycling systems leading to zero discharge.
- 3) Establishment of Title 16 regulations by the Habitat Division, essential before the Habitat Division has real enforcement powers.
- 4) Directed Attorney General time with definite goals of being available for prosecuting x number of placer miners per year. (See attached Fiscal Note).
- 5) A goal of visiting 50% of the placer mines in operation each season, and a directed timetable for eventual compliance with all the water quality standards including turbidity with a set goal of reducing the number of violations each year and of meeting the standards within a number of years.

The first and third of these goals can be directly achieved by the Legislature. The other two goals may be mandated by the Legislature. DEC needs to clearly understand that one goal of the Legislature is a move in a positive direction toward protection of clean water.

enclosure

PLACER MINING DEC ENFORCEMENT
(Northern Regional Office & Forty Mile District)

	<u>1984</u>	<u>1983</u>	<u>1982</u>	<u>1981</u>
# Mines	500 ⁽¹⁾ (40-50) ⁽²⁾	450	500	500
# Inspections (# Mines)	[58(10)]	175(63)	230(NA) (48(22))	100(62)
# Compliance Inspections	(20) (at 10 mines)	40	NA(11)	32
# Mines Inspected	(20%)	9%	NA(20%)	6%
# Mines meeting EPA Settleable Solids Standard	(16)	19	NA(6)	13
% of mines meeting settleable solids standard	(80%) ⁽³⁾	47%	NA(55%)	(40%)
# mines meeting turbidity standard	(1)	3	NA(1)	2 (met 25 NTU's)
% mines meeting turbidity standard	(5%)	8%	NA(9%)	7%
# NOV's given out	4(2)	6	11(1)	NA
# Litigations	1	0	(1)	0
# Complaints of dirty water	(10+)	56	14+	41

- (1) The State processed almost 800 applications to placer mine for gold. Many were not active; over 150 were recreational.
- (2) Data compiled only for the Fortymile area to date for 1984. Numbers in parentheses are only from Fortymile area.
- (3) The major increase in the percentage of mines meeting EPA's settleable solids limit is due in a large part to the increase in the standard. The 1984 Settleable Solids Standard was .7 ml/l; 1983, 1982, 1981 the standard was .2 ml/l.
- (4) Data available for the Fortymile area only.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
NORTHERN REGIONAL OFFICE/PLACER MINING SECTION
1983 FIELD SEASON

	DATE	DRAINAGE	DESCRIPTION OF OPERATION	U/D TURBIDITY	SETTLABLE SOLIDS	% RECYCLE AND # PONDS
ions	5-18	Hbks	None	Not Operating	-	No recycle, 1 pond
1	5-18	Hbks	Faith	Not Operating	-	No recycle, 2 ponds
	5-18	Hbks	Faith	Not Operating	-	No recycle, 1 pond
tain	5-18	Hbks	Deep	Not Operating	-	No recycle, 3 ponds
	5-18	Circle	Eagle	Not Operating	4/70	No Trace
	5-18	Circle	Porcupine	Not Operating	-	No recycle, 1 pond
1	5-19	Circle	Porcupine	Not Operating	-	No recycle, 1 pond
	5-19	Circle	Bonanza	Not Operating	-	No recycle, 1 pond
	5-19	Circle	Porcupine	Not Operating	-	No recycle, 1 pond
	5-19	Circle	Mammoth	Not Operating	-	No recycle, 2 ponds
	5-19	Circle	Mammoth	Not Operating	-	No recycle, 2 ponds
	5-19	Circle	Harrison	Not Operating	-	No recycle, 2 ponds
	5-19	Circle	Harrison	Not Operating	-	No recycle, No ponds
	5-19	Circle	Mammoth	Not Operating	-	No recycle, 3 ponds
	5-19	Circle	Golddust	Not Operating	650	3.6 ml/1
	5-19	Circle	Golddust	Not Operating	-	No recycle, 4 ponds
	5-20	Circle	Birch	Not Operating	2100	4 ml/1
	5-20	Circle	Butte	Not Operating	80 NTUs	<.1
0.	5-24	Hbks	Engineer	Not Operating	35 NTUs	Trace
h	5-24	Hbks	Faith	Not Operating	-	No recycle, 3 ponds
	5-24	Hbks	Deep	Not Operating	-	No recycle, 2 ponds
	5-24	Hbks	Faith	Not Operating	-	No recycle, 1 pond
ryant	6-8	Wiseman	Musco	Stripping	-	No recycle, 3 ponds
	6-14	Hbks	Faith	Stripping	-	No recycle, 2 ponds
0.	6-20	Hbks	Engineer	Operating	1/4200/1800 (above-1/4 mile-1/2 mile)	No recycle, 3 ponds
ers	6-21	Hbks	Ester	Not Operating	-	100% recycle, 3 ponds
	6-23	Hbks	Louis	Operating	4/No-Discharge	100% recycle, 3 ponds
ining	6-27	Hbks	Sumner	Operating	2/2400	8.4 ml/1 - verbal warnings

R	DATE	DISTRICT	DRAINAGE	OPERATION	TURBIDITY	SOLIDS	RECYCLE AND POUNDS
Sons	6-27	Hbks	None	Operating	13/1600	1.4 ml/l-	No recycle, 1 pond
				Install additional ponds - verbal warning			
Oil	6-28	Livengood	Wilbur	Not Operating	-	-	No recycle, 4 ponds
	6-29	Hbks	Cleary	Hydrock	-	-	Hydrock Operation
	6-29	Hbks	Fish	Operating	1/220	<.1 ml/l	No recycle, 8 ponds
Sons	7-11	Hbks	None	Operating	6/860	.3 ml/l	No recycle, 3 ponds
Mining	7-11	Hbks	Sumner	Pulled Out	-	-	Pulled Out
Int Ventures	7-12	Livengood	Livengood	Operating	zero discharge	zero discharge	Total recycle, 2 ponds
Comery	7-12	Livengood	Livengood	Not Operating	-	-	Total recycle, 3 ponds
Flinger	7-12	Livengood	Livengood	Not Operating	-	-	Setting up
	7-20	Hbks	Gilmore	Operating	4/1800	<.1	Total recycle, 6 ponds
	7-21	Hbks	Fairbanks	Operating	2/1400	2 ml/l-	100% recycle, 3 ponds
						upgrade ponds	
in	7-25	Hbks	Fish	Operating	12/210	<.1 ml/l	No recycle, 8 ponds
in	7-28	Richardson	Caribou	Not Operating	-	-	Setting Up
	8-2	Hbks	Gilmore	Operating	1/1600	<.1	Total recycle, 6 ponds
ok	8-2	Hbks	Fairbanks	Not Operating	-	-	Total recycle, 3 ponds
Nelson	8-17	Hbks	Hope	Operating	3.7/93	No Trace	No recycle, 6 ponds
Minerals	8-23	Livengood	Livengood	Not Operating	11/560	1.2 ml/l verbal warning	Constructing 3 ponds
O./Patton	8/4-8/24	Attached					
	9-20	Hbks	Deep	Operating	.6/600	<.1 ml/l issued NOV	No recycle, 1 pond
	9-20	Hbks	Faith	Operating	60/55	<.1 ml/l issued NOV	No recycle, 3 ponds
sh	9-20	Hbks	Faith	Operating	4/500	.2 ml/l issued NOV	No recycle, 2 ponds
Nelson	9-20	Hbks	Hope	Pulled Out	-	issued NOV	No recycle, 6 ponds

A partial selected list of streams which, in recent times, have water quality problems related to placer mining, and which contain or support fish:

In the Kantishna, all of Bear Paw drainage except for extreme upper headwaters including these creeks:

Glacier Creek
Caribou Creek
Moose Creek
Eureka Creek
Spruce Creek
Chena River in east or (middle) fork
Portion of South Fork of Koyukuk River
Hogatza River
Chatanika River
Birch Creek
Tolovana River near Minto
Minook Creek near Rampart
American Creek and Fish Lake near Tanana
Tuluksak River in the Y-K Delta
Salmon River in Goodnews Bay Area (Platinum Placer Dredge)
Lower Snake River (Nome area)
George River west of McGrath
Smoke River

Tuluksak City Council
General Delivery
Tuluksak, Alaska 99679
695-6212

Tulkisarmyte IRA Council
General Delivery
Tuluksak, Alaska 99679
695-6313

Rep. Peter Goll
Pouch V
Juneau, Alaska 99811

#2
December 28, 1984

Tuluksak is fighting the mining company (Northland Gold) for Two years. We have find our how dangerous the mining company is dumping pollution into our river and don't want them to operate anymore.

We met with Governor Sheffield, State and Federal Agencies trying to get our message across not to issue the permit to the mining company. The Elders in Tuluksak and the surrounding villages know our environment. They also know what happens to the environment every season, the change it does. Of all the meeting we had with them and all the money we spend traveling to Anchorage and Juneau, State and Federal Agencies gave the permit to the mining company. Subsistence is so important to us it is our only way to survive in the village. To survive we need our environment to gather the food we eat and the clothes we wear from hunting fur-bearing animals. We are being threaten by the mining company, who is destroying the land and water, which we depend on to survive.

Tuluksak City Council and Tulkisarmute IRA Council on behalf of the people of Tuluksak is asking for your help in looking into this matter and find a way to stop the mining company to operate. Our land and water is so important to us.

We will appreciate your interest and help. Our people and our environment is so important than a piece of gold.

Tuluksak City Council Signiture,

Joe Demantle Sr.
Joe Demantle Sr., Mayor

John Peter
John Peter, Vice Mayor

Sammy Peter
Sammy Peter, Secretary

Joshua Phillip
Joshua Phillip, Treasure

John M. Alexie
John M. Alexie, Member

Noah Andrew
Noah Andrew, Member

Carl Napoak Sr.
Carl Napoak Sr., Member

Tulkisarmute IRA Council Signiture,

John Napoka Jr.
John Napoka Jr., Chairman

Andrew B. Alexie
Andrew B. Alexie, Vice Chairman

Anna Phillip
Anna Phillip, Secretary

Jack M. Kinegak
Jack Kinegak, Treasure

Joe Demantle Jr.
Joe Demantle Jr., Member

Fred Napoka
Fred Napoka, Member

Peter Waskie
Peter Waskie, Member

Alaska mayor fights to save her people's past, present

by Paul Dean
Los Angeles Times

LOS ANGELES — On one hand, Anna Phillip believes she cannot lose. Consider the rights and emotions here. They are, she said, the very stuff of today's public mood and conscience.

Phillip, a 27-year-old Eskimo and the young mayor of an ancient village, is fighting a big-city mining company. Its dredging for gold, she contends, has fed arsenic and mercury into an Alaskan river. That in turn, she charges, is poisoning her tiny Tuluksak, sickening its people, halting salmon breeding, killing berries . . . and maybe, one day, if continued, the contamination could throttle the village.

So she came here last month to gain support for her village's environmental battle and for her other battle — to preserve Eskimo culture.

"Eskimos have lived off the land for centuries. If it is destroyed we cannot get it back. If the river dies, so will Tuluksak, where 70 percent of the people follow a subsistence lifestyle . . . People are more important than gold so we're going to fight it until we win. Period." The mining, she emphasizes, will end. Period.

Period? Could be, concedes Chuck Hawley, one of four partners of Northland Gold Dredging Ltd. of Anchorage that mines the Tuluksak River 30 miles upstream from Tuluksak village.

And after three years of protest, examination and litigation, Hawley well recognizes the odds facing any company tangling with people fighting to save their native culture, environment and the ecology.

"We can't win the PR (public relations) battle," he said, "but if we win the legal one we might be able to go ahead. On the merits of the issue, we can't lose. But what do we do about the politics involved?"

Hawley agreed, with resignation, that all victories and sympathies to date have gone to Anna Phillip and her village. Last year, legalities stemming from the Eskimo protest delayed Northland until it was too late to exercise a 1984



Anna Phillip
A fighting mayor

mining operation. Permits for 1985 have been obtained but are frozen by appeals from Phillip's attorneys. If the situation is not resolved before February, Hawley said, another mining season will be lost.

"And if it's not resolved within a couple of years, we're dead," he said. "In effect, we are closed down now and will have to line up a different batch of investors. The others (investors) were tired of seeing their money going out on nothing."

On the other hand, Anna Phillip knows she cannot win it all. She will eventually be defeated in her second fight, a tussle for what little is left of the Eskimo past. "It is these things," she said. She tapped the big, square, buttoned, digital, stainless steel watch on her wrist. "It is calculator watches, designer jeans, television and villagers who don't visit anymore because they're too busy watching 'Dallas' and 'Dynasty'."

Life in Tuluksak, she said, has become a scramble of two cultures. And the white man's products and services have changed the Eskimo. "I don't want to see an Eskimo village as a museum or an Eskimo as something out of history. I want us to live, to be known, to contribute as a culture."

"It is sad. Deep down I know I cannot stop it . . . but I can maybe slow this change and work to keep

the best of our old ways."

Industry first, culture second. Salvation from the former, of course, will mean some preservation of the latter. With mining gone and the river intact, hunting and fishing and salmonberry ice cream will remain as a tradition with the Yupik Eskimos of Tuluksak.

And with both motives inseparable, Anna Phillip came to Los Angeles.

As an Eskimo traditionalist, she spoke to the annual conference of the National Association for the Education of Young Children. Her presentation described Yaariuta, or mud drawings, a form of storytelling that still exists among Eskimo youngsters.

As Mayor Anna Phillip of Tuluksak, she scouted platforms, funds and support to continue her village council's siege of Northland Dredging.

Tuluksak, which is in western Alaska, 50 miles northeast of Bethel, once was a winter camp for the

nomadic Yupik. In spring, they rested and prepared for the year at one place. In summer, they fished from another. In winter, they returned to Tuluksak to hunt moose and trap beaver and muskrat.

But Europeans came and brought rifles that killed more easily and more often than the spear. Eskimos sold to fur traders or were recruited by whalers and began seeing the difference between income and subsistence.

Plank homes of a town replaced the sod houses of a camp. The population steadied at 350.

Anna Phillip was born in Tuluksak as the middle youngster of nine brothers and sisters. Father taught her brothers how to trap, fish and survive alone off the land. Mother taught the sisters how to gut and dry salmon and make Eskimo ice cream from sugar and berries — but with Crisco and Wesson oil replacing the seal oil she had once used.

In Bethel, at high school, Anna Phillip noticed other intrusions. She was forgetting or misusing words in her native Yupik. At Seattle Pacific University, in her first year of psychology, the erosion became visible. She started wearing Calvin Klein jeans.

"I even started thinking in English and wanted to do all these modernized things . . . buying a calculator watch and a Minolta camera. That's when I felt the urge to go back to the village."

Phillip went back to Tuluksak, was elected to the City Council at the age of 23. In 1982, villagers began complaining that their river was running muddy.

"When they drank it, they got sick," Phillip said. "Stomachache, sore throat, fevers. At first we thought it might be the flu. Then the water was tested, found to be polluted and we were told not to drink from the river."

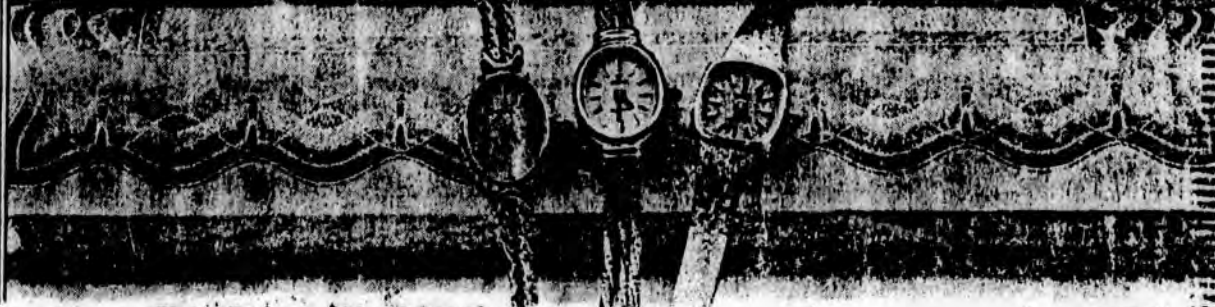
Until then, she continued, moose came to the river to drink. Their numbers became smaller. The number of salmon swimming upstream to spawn, she said, dropped off.

Northland, its upstream dredging creating visible pollution, was accused. It denied all charges. The battle was on.

A new mining operation for Northland was announced, one including a 6,000-foot diversion of the Tuluksak. It was agreed to by the company and federal and state governments. The village, it was stated, would be shielded by 47 pages of provisions aimed at preserving water quality and salmon habitat.

The compromise measure, however, brought no endorsement from Tuluksak, which filed an appeal that has blocked Northland's permit from the Bureau of Land Management.

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as much!

#3

EXECUTIVE SUMMARY

Turbidity is an optical property of water, wherein suspended sediments and other material in the water scatter and absorb light. Turbidity measurements can be used to estimate both the penetration of light into a body of water and the concentration of suspended material in water. The value of water quality standards based upon specific turbidity criteria has been questioned, and the Alaska State Water Quality Standards (18 AAC 70) are currently being reevaluated. This paper attempts to outline relationships between turbidity and a suite of parameters that are most relevant to sustained increases of turbidity in clear-water systems. Specifically, examples from recent studies performed in Alaska, and elsewhere, provide ample illustration that turbidity criteria can be used as reasonable and effective water quality standards which, if implemented, can prevent or ameliorate the following adverse effects caused by suspended sediments in water:

1. Extinction of light in lakes and streams
2. Reduction or loss of primary (plant) production in lakes and streams
3. Reduction or loss of secondary (zooplankton and aquatic insect) production in lakes and streams
4. Reduction or loss of fish production in lakes and streams
5. Reduction in recreational fishing use of streams
6. Reduction in efficiency of fishery management techniques

Furthermore, because turbidity can be directly related to the concentration of suspended sediments in water, with adequate data predictive relationships between turbidity and suspended sediment concentration can be developed. This type of relationship can allow for the use of turbidity standards to address and regulate the direct physical effects of suspended material on aquatic life, which have also been described in available literature.

Productivity in Lakes

Studies conducted by the Alaska Department of Fish and Game (Koenings 1984) on the production of sockeye salmon in lakes provide the following information on clear and naturally turbid (glacial) lakes, i.e. lakes ranging in turbidity from approximately 0 nephelometric turbidity units (NTU) to an average of approximately 52 NTU:

1. Increases in turbidity from 0-1 NTU to approximately 10 NTU cause a dramatic reduction in the depth to which one percent of available surface light penetrates into water. Such compensation depths for clear-water lakes were measured at approximately 16-17 meters, while compensation depths for lakes with turbidity of between 2-10 NTU were measured at only 2-6 meters. The compensation depth for a lake averaging 52 NTU occurred at less than 1 meter. A 5 NTU increase of turbidity can reduce the productive volume of a clear-water lake by approximately 75 percent.
2. Abundance of zooplankton in naturally turbid lakes was observed to be lower than that in clear-water lakes. Moreover, abundance of preferred food items (Cladocera) for juvenile sockeye salmon was observed to be dramatically reduced in turbid lakes.
3. Production of juvenile sockeye salmon and returns of adult sockeye salmon were observed to be lower in turbid lake systems than in clear-water lake systems.

A study conducted by R&M Consultants (1982b) also compares the extinction of light and turbidity in a glacial lake. The results describe a similar dramatic reduction in light penetration with small increases of turbidity above 0-1 NTU.

Productivity in Streams

Studies conducted by the University of Alaska-Fairbanks (LaPerriere et al. 1983, Van Nieuwenhuyse 1983, LaPerriere 1984, Simmons 1984, Wagener 1984) describe the following set of adverse effects associated with human-induced turbidity and sedimentation in clear-water streams:

1. Light penetration is reduced by turbidity, and light extinction is directly related to turbidity.
2. Primary production in streams is reduced or eliminated by turbidity. Calculations derived in this report using equations relating turbidity, light availability, and primary productivity indicate that a turbidity of 5 NTU may reduce primary production in a normally clear-water stream 0.5 meters (1.5 feet) deep by approximately 13 percent; a 25 NTU increase in turbidity over normally clear-water conditions may reduce plant production by 50 percent. These effects may be even more pronounced in deeper streams.

3. Abundance of macroinvertebrates in turbid and sedimented streams is much lower than that in clear-water streams.
4. Abundance of fish (arctic grayling) in turbid and sedimented streams is reduced or eliminated. Also, physiological stress is exhibited by grayling in highly turbid streams.

Observations by the Alaska Department of Fish and Game (Townsend 1983, Ott 1984b) indicate that recreational use of streams for sportfishing is reduced in normally clear-water streams when turbidity increases above 8 NTU, and that aerial survey techniques employed in the management of commercial fisheries are hampered at turbidities of 4-8 NTU and above.

Suspended Sediment Concentration

Turbidity can be directly related to suspended sediment concentration. Therefore turbidity standards can be used to control the direct physical effects of sediment on aquatic life. Using data retrieved from statewide sampling conducted by the U.S. Geological Survey (USGS 1984), we have calculated a general relationship between turbidity and suspended sediment concentration. This relationship indicates that 25 mg per liter is associated with turbidity on the order of 5 NTU and that 100 mg per liter is associated with turbidity on the order of 25 NTU. A regression equation derived by Peratrovich et al. (1982) illustrates a similar relationship for the Susitna River. From recent data compiled from selected streams in interior Alaska (Post 1984, Toland 1984) we have calculated a more specific relationship indicating a one-to-one correspondence between turbidity in NTU and suspended sediment concentration in mg per liter.

Turbidity Standards

Based upon the information summarized in this report, derived from studies conducted in Alaska and elsewhere, the current State Water Quality Standard for turbidity to protect the propagation of fish and wildlife (25 NTU above natural conditions in streams, 5 NTU above natural conditions in lakes) may be sufficient to provide a moderate level of protection for clear-water aquatic habitats. A 25 NTU increase in turbidity in shallow clear-water systems may potentially reduce stream primary productivity by 13 to 50 percent or more, depending on stream depth and ambient water quality, and be associated with an increase in suspended sediment concentration of approximately 25 to 100 mg per liter.

A higher level of protection will require the application of a stricter turbidity standard. The standard presently applied to drinking water is 5 NTU above natural conditions in streams and lakes. A 5 NTU increase in turbidity in clear-water systems may reduce the primary productive volume of lakes by approximately 75 percent, reduce stream productivity by 3 to 13 percent or more, depending on stream depth and ambient water quality, and be associated with an increase in suspended sediment concentration of approximately 5 to 25 mg per liter. The current Interagency Placer Mining Guidelines (State of Alaska 1984) use turbidity of 3 NTU or less as a criterion to specify high priority streams. Application of a 5 NTU above ambient standard would bring total turbidities in these streams to 8 NTU, the level at which recreational fishing may decline and at or above the level at which efficiency of aerial surveys for fishery management are affected.

REQUESTS FOR RELIEF FROM WATER POLLUTION AND FOR ACTION THAT RESULTS
IN CLEAN WATER

*The State should fund more complete and systematic water samples from its streams and rivers, testing settleable solids, turbidity, and metal contents. The results of these tests should be publicized regularly.

*The streams and their tributaries discussed here should be placed on the list of Priority Enforcement Streams. The public should be involved in determining priority enforcement streams and enforcement policies.

*Placer miners that are monitored and found to be breaking the law should be cited. Enforcement must bring relief, and not be merely a suggestion or a piece of paper. Funding should be available to adequately monitor, cite and complete an enforcement action. Full compliance with the standards should be achieved within a fixed date.

*The State should support a loan or grant program requiring a miner to install technology such as recycling that will result in zero discharge or will meet the Water Quality Standards.

*The miners will be asked to submit a list of their priorities for stream reclassification. The streams would be looked at by DEC to see if they fall within the law.

Respectfully submitted by:

Irene Nicholia, Tanana

Turak Newman, Rampart

Andy Jimmie, Minto

Anna Phillip, Tuluksak

Ed Priest, Birch Creek

Ron Silas, Tanana Fish and Game Advisory Committee

MEMORANDUM

State of Alaska

TO: Richard A. Neve'
Commissioner

DATE: March 12, 1984

FILE NO:

TELEPHONE NO: 465-2653

FROM: Randy Bayliss
Chief
Water Quality Management

SUBJECT: For Your Turbidity
Information

Much has been said about how Alaska's water quality standards compare with those of other states. This table is an incomplete summary of the turbidity standards of various states. The source of information sources was not clear on whether some of the states "cold water fish stream" standards were equivalent to "drinking water standards." When you recall that most settling pond discharges run about 4000 JTU's, the differences between 5, 10, and 25 JTU's are of no consequence.

Water Quality Comparison of State Standards Allowable Turbidity Increases

FOR COLD WATER FISH STREAMS

<u>25 JTU</u>	<u>10 JTU</u>	<u>5 JTU</u>	<u>+10%</u>	<u>Secchi Std or Equivalent</u>	<u>"No substantial increase..."</u>
Alaska	Arizona	Idaho	California	Hawaii - 5%	Louisiana
Iowa	Arkansas	Washington	Nebraska	New Mexico	Maine
Minnesota	Connecticut				New York
	Delaware				Texas
	Indiana				Michigan
<u>50 JTU</u>	Montana				
Alabama	Nevada				
Florida	New Hampshire				
Maryland	North Carolina				
	Oklahoma				
	Rhode Island				
	Utah				
	Vermont				
	Wyoming				

FOR DRINKING WATER SOURCES

<u>5 NTU</u>	<u>1 NTU</u>	<u>No Increase</u>
Alaska	Colorado	Connecticut
Minnesota		Massachusetts
Rhode Island		Vermont

RB/bb

cc: Chris Noah Bill Ross
Keith Kelton John Freshman
Jim Palmer

**ALASKA FEDERATION OF NATIVES, INC.
1984 ANNUAL CONVENTION**

RESOLUTION NO. 84-60

TITLE: ENFORCE WATER QUALITY REGULATIONS

- WHEREAS,** the harvest of fish and wildlife is vital to the continuation of the rural economy of Alaska Natives; and
- WHEREAS,** the streams and rivers of Alaska provide habitat for fish and wildlife; and
- WHEREAS,** rural Alaska Natives also depend on these waters for drinking water, wash water, cooking water, transportation sources and garden irrigation; and
- WHEREAS,** serious water quality problems exist on a number of streams in Alaska due to illegal discharge of mud and silt from placer mining operations, often greatly in excess of State Water Quality standards and federal requirements for clean water; and
- WHEREAS,** fish and wildlife habitat are being damaged by the turbidity and the buildup of silt deposited on the bottom of streams by this discharge; and
- WHEREAS,** the continued decline of Alaska's water quality will severely hurt the economics of rural Alaska Natives residing in downstream communities; and
- WHEREAS,** the State of Alaska and U.S. Environmental Protection Agency have permitted the increasing degradation of Alaska's water quality through lack of proper monitoring and enforcement of state and federal laws and regulations designed to protect water quality for all users,
- NOW THEREFORE BE IT RESOLVED** that the Alaska Federation of Natives demand that the State of Alaska and the U.S. EPA immediately take steps to protect water quality in Alaska by enforcing the State Water Quality standards and the federal requirements for clean water and
- BE IT FURTHER RESOLVED** that the AFN urge the Alaska State Legislature, the Alaska Department of Environmental Conservation, the U.S. Environmental Conservation and the U.S. Environmental Protection Agency to take all possible measures to assist the placer mining industry to develop technology and economic solutions which will allow the industry to operate with clean discharge of waste water, and

RESOLUTION NO. 84-60
page two

BE IT FURTHER RESOLVED that the State of Alaska and the federal government take all necessary actions to clean up and to restore streams currently damaged by illegal discharges of sediment and turbidity and that they take all appropriate action to prevent future damage to these watersheds.

RESOLUTIONS COMMITTEE RECOMMENDATION: DO PASS

CONVENTION ACTION: PASSED





INTERIOR REGIONAL FISH & GAME COUNCIL

c/o ADFAG, DIVISION OF BOARDS, P.O. BOX 3-2000, JUNEAU, ALASKA 99802 PHONE: (907) 465-4110

RESOLUTION 84.5

PROTECT FISH AND GAME HABITAT FROM WATER POLLUTION

ADVISORY COMMITTEES

Clear/Healy

Delta

Eagle

Fairbanks

Jalena

Grayling/Anvik/Shageluk/Holy Cross

Koyukuk

McGrath

Ruby

Tanana

Upper Tanana/40-Mile

Yukon Flats

Whereas, The Interior Regional Council represents thousands of subsistence fishermen in the Alaska Interior, and is empowered to make recommendations to the Alaska Boards of Fisheries and Game regarding protection of subsistence users; and

Whereas, The annual harvest and continued strength the salmon and other anadromous fish runs and the annual harvest of wildlife is vital to the rural communities and livelihood of the subsistence users of this region; and

Whereas, The streams and rivers provide essential habitat for fish and wildlife; and

Whereas, Fish and wildlife habitat is being damaged by turbidity, sediments, and silt being illegally discharged into many streams and rivers, often greatly in excess of State Water Quality Standards and Federal Requirements for clean water; and

Whereas, The State of Alaska, Department of Environmental Protection Agency have permitted this increasing degradation of Alaska's water quality through lack of proper monitoring and enforcement;

Be It Therefore Resolved, that the Interior Regional Council urges the Governor, State Legislature, and DEC to take seriously its responsibility to protect water quality for the residents of Alaska by actively enforcing the State Water Quality Standards and adequately funding these enforcement efforts; and

Be It Further Resolved, that the policy of the State Legislature and Governor gives priority to the protection of renewable resources over non renewable resources in user conflicts.

Resolution 84-

Enforce Water Quality Laws and Regulations

- WHEREAS:** Communities represented by the Tanana Fish and Game Advisory Committee depend upon the harvest of fish and game as the main part of their economy;
- WHEREAS:** fish and wildlife habitat in the areas of these communities is being damaged by mud and turbidity illegally discharged into streams in these areas;
- WHEREAS:** the harvest of fish and furbearers has been damaged by the discharges of mud and silt;
- WHEREAS:** productivity of fish is harmed by turbidity and by silt deposited on the bottoms of streams;
- WHEREAS:** the State of Alaska and the U.S. Environmental Protection Agency have not taken prompt and sufficient action to enforce state and federal laws and regulations designed to protect the water quality of Interior Alaska anadromous fish streams;

BE IT RESOLVED, that the Tanana Fish and Game Advisory Committee hereby requests that the State of Alaska Department of Fish and Game, the Alaska Department of Environmental Conservation and the U.S. Environmental Agency immediately take steps to enforce applicable laws and regulations designed to protect water quality in Interior Alaska's streams; and

BE IT FURTHER RESOLVED, that the Tanana Fish and Game Advisory Committee hereby also requests that the aforementioned agencies begin the task of cleaning up the following streams:

Minook Creek
Goldstream Creek
Chatanika River
Tolovana River


Chairman

TANANA FISH & GAME ADVISORY COMMITTEE

FISH LAKE & AMERICAN CREEK

POLLUTION

DIVISION OF CONSERVATION

WHEREAS:

The residents of Tanana make substantial use of the water of the American Creek and Fish Lake; and

WHEREAS:

These residents have harvested fish and game resources from American Creek and it's associated environments including Fish Lake; and

WHEREAS:

The waters and associated environment of American Creek and Fish Lake have become muddy and polluted during the placer mining season due to mining activities taking place in the headwaters of Fish Lake; and

WHEREAS:

This muddy water has damaged the habitats of water animals, fish and water fowl; and

WHEREAS:

Harvests of game and fish resource has been damaged due to degraded water quality; and

WHEREAS:

Residents of Tanana depend upon fish and game harvests as a major element in the economy of their communities;

THEREFORE BE IT RESOLVED that the Tanana Fish & Game Advisory Committee asks that the State of Alaska and the U.S. Environmental Protection Agency take all necessary steps to enforce the State and Federal water quality standards, laws and regulations on Fish Lake and American Creek.

BE IT FURTHER RESOLVED that the Tanana Fish & Game Advisory Committee urges the Governor and the Alaska State Legislature to make funds and expertise available to develop proper technology which will permit placer mining to continue in a way which results in no discharge of muddy or polluted placer water back into Fish Lake and American Creek.

CHAIRMAN

Lester Erhart

**NUSHAGAK
FISH AND GAME ADVISORY COMMITTEE RESOLUTION
ENFORCE STATE WATER QUALITY STANDARDS**

- WHEREAS**, the Nushagak Fish and Game Advisory Committee represents hundreds of commercial and subsistence fishermen in the Bristol Bay region; and
- WHEREAS**, the annual harvest and continued strength of salmon runs is vital to the economy and livelihood of these fishermen; and
- WHEREAS**, placer mining on the rivers and tributaries of salmon spawning streams often illegally discharges mud and silt into these waterways, killing fish and destroying their habitat; and
- WHEREAS**, the State of Alaska and the U.S. Environmental Protection Agency is allowing this illegal destruction of salmon habitat by inadequately monitoring and enforcing the State Water Quality Standards and Federal requirements for clean water;
- BE IT THEREFORE RESOLVED**, that the Nushagak Fish and Game Advisory Committee urges the Alaska Department of Environmental Conservation and the U.S. EPA to take all necessary steps to protect the salmon resources of the State by monitoring and enforcing the State Water Quality Standards, and that the Governor and Legislature see that such enforcement is adequately funded: and
- BE IT FURTHER RESOLVED**, that the Governor and area legislators create a State policy that clearly gives renewable resources priority over nonrenewable resources and ensures the protection of our salmon stocks.

Date

Leon Braswell, Chairman
Nushagak Fish and Game Advisory
Committee

TANANA CHIEFS CONFERENCE, INC.

Birch Creek Water Quality

Resolution No. 84-26

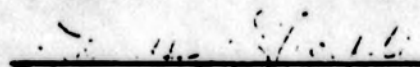
- WHEREAS:** the communities of Birch Creek, Circle, and other area residents utilize and depend upon the lands and waters of the lower Birch Creek watershed for harvest of renewable resources including fish and game; and
- WHEREAS:** such local residents utilize Birch Creek as a primary source of drinking water as well as a source of water for washing, cooking, and laundry; and
- WHEREAS:** the water quality of Birch Creek is in deplorable condition during summer months due to severe pollution caused by heavy placer mining activity in the upper Birch Creek watershed; and
- WHEREAS:** the regulations of the State of Alaska designed to protect the water quality are grossly violated on Birch Creek due to placer mining activity; and
- WHEREAS:** the State of Alaska continues to not enforce its water quality standards on Birch Creek; and
- WHEREAS:** the degradation of water quality in Birch Creek is resulting in damage to associated fish and wildlife habitats and diminished opportunities of local residents to harvest such resources; and
- WHEREAS:** the lack of enforcement of its water quality regulations and prevention of management of fish resources on any stream represents significant mismanagement of both the water and the fisheries resources of the State of Alaska; and
- WHEREAS:** the development and use of water recycling and other new technologies should provide needed answers to allow placer mining to continue in a way that prevents pollution of placering streams such as Birch Creek;

THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference, Inc. Board of Directors request that the State of Alaska and the U.S. Environmental Protection Agency enforce all state and federal water quality regulations and laws in Birch Creek and in other watersheds of Alaska, and

BE IT FURTHER RESOLVED that the State of Alaska, the Alaska State legislature and the Federal Government take all possible steps to clean up the dirty water caused by placer mining activities on the Birch Creek and other watersheds through development of appropriate technologies, and that placer miners receive direction and assistance to bring such technologies successfully into use in the field.

CERTIFICATION

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 15, 1984 at Fairbanks, Alaska.



Tanana Chiefs Conference, Inc.
Dorothy Shockley
Secretary/Treasurer

RURAL ALASKA RESOURCES ASSOCIATION

P.O. Box 3-3908

Anchorage, AK 99501

RESOLUTION NO. 84 - 4

ENTITLED: RELIEF FROM PLACER MINING DAMAGE TO WATERSHEDS

WHEREAS, serious water quality problems exist on a number of streams in Alaska due to illegal waste water discharges from placer mining operations; and

WHEREAS, such water quality problems created by placer mining discharges are damaging the water resources, the associated environments and the fisheries and other village resources which are supported by these waters; and

WHEREAS, such water quality problems created by placer mining discharge are currently threatening and possibly damaging the health and the general economic well-being of local residents who live downstream and who utilize the water, the associated environments and the harvestable renewable resources supported by such environments; and

WHEREAS, fisheries management in particular is made difficult or impossible by the clouded condition of water in streams which support fish but which are subject to siltation and turbidity caused by placer discharges upstream; and

WHEREAS, the State of Alaska and the U.S. Environmental Protection Agency have not enforced the water quality laws and regulations which are very frequently violated in placer mining activities; and

WHEREAS, the U.S. Environmental Protection Agency, in proposing Best Available Technology for the placer industry, has proposed weakening standards including for suspended particles and for arsenic; and

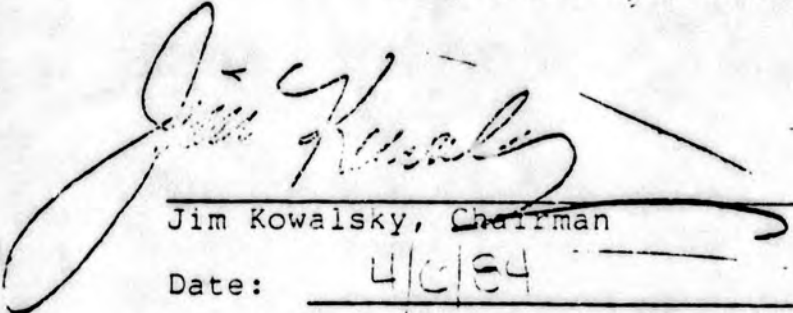
WHEREAS, the communities of Tuluksak, Birch Creek, Minto and Rampart are among the communities who have registered complaints about damage to waterways caused by upstream placer mining;

BE IT HEREBY RESOLVED, that the Rural Alaska Resources Association urges the State of Alaska to reject the weakened water quality standards as a part of Best Available Technology; and

BE IT FURTHER RESOLVED, that the Rural Alaska Resources Association urges the Alaska State Legislature, the State of Alaska and the U.S. Environmental Protection Agency to take all possible measures to assist the placer mining industry to develop technology and economic solutions which will allow the industry to operate with clean discharges of waste water; and

BE IT FURTHER RESOLVED, that the Rural Alaska Resources Association urges that the State of Alaska and the U.S. Environmental Protection Agency vigorously pursue the cleaning up of placering streams through enforcement of existing laws and regulations; and

BE IT STILL FURTHER RESOLVED, that Rural Alaska Resources Association supports the efforts of the community of Tuluksak to delay the permit to dredge requested by Northland Gold Dredging.



Jim Kowalsky, Chairman

Date: 4/6/84

MIDDLE YUKON FISH & GAME ADVISORY COMMITTEE

RESOLUTION 84-2

- WHEREAS: both the Hogatza River and the streams draining into it, located on BLM land, support a large portion of the Yukon summer chum run; and
- WHEREAS: these streams produce a major portion of the summer chum salmon which are harvested for subsistence and commercial use by downstream residents of the Yukon River drainage; and
- WHEREAS: the production of such summer chum salmon makes up a major element in the economy of downstream communities on the Yukon River; and
- WHEREAS: the 51 active placer mining claims located on these streams are currently discharging or have in the past discharged high levels of sediment and turbidity into these streams, often greatly in excess of state water quality standards and in excess of federal requirements for clean water; and
- WHEREAS: sediment and turbidity in these streams damage fisheries habitat and hamper the production of fish; and
- WHEREAS: over time, the destruction of fisheries habitat in one stream, after another will directly adversely affect the economy of downstream communities; and
- WHEREAS: the Central Yukon Plan has the opportunity to regulate or restrict such placer mining activity;
- BE IT HEREBY RESOLVED that the Middle Yukon Fish and Game Advisory Committee (otherwise known as the Galena Fish and Game Advisory Committee) recommends that the Bureau of Land Management in its Central Yukon Plan, close the Hogatza River and the streams draining into it to all future mineral exploration and development; and
- BE IT FURTHER RESOLVED that the Bureau of Land Management in its Central Yukon Plan establish the Hogatza River and the streams draining into it as Areas of Critical Environmental Concern (ACEC); and
- BE IT FURTHER RESOLVED that within the Area of Critical Concern, all existing miners be required to meet state water quality standards and submit annual preseason plans of operation to the BLM.

W. D. / [Signature]
Chairman

10-20
Date

TANANA CHIEFS CONFERENCE, INC.

Tolovana Pollution

Resolution No. 84-13

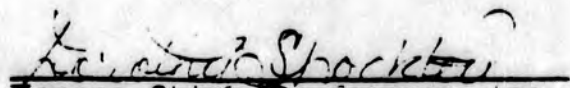
- WHEREAS: The residents of communities of Minto and Nenana make substantial use of the water of the Tolovana River, including the Upper Tolovana River, and its associated environments in the Minto Flats; and
- WHEREAS: These residents have harvested fish and game resources from the Tolovana River and its associated environments including the Upper Tolovana River; and
- WHEREAS: The waters and associated environment of the Tolovana River have become muddy and polluted during the placer mining season due to mining activities taking place in the headwaters of the Tolovana River; and
- WHEREAS: This muddy water has damaged the habitats of water animals, fish and water fowl; and
- WHEREAS: Harvests of game and fish resources has been damaged due to degraded water quality; and
- WHEREAS: Residents of Minto and Nenana depend upon fish and game harvests as a major element in the economy of their communities;

THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference, Inc. Board of Directors asks that the State of Alaska and the U.S. Environmental Protection Agency take all necessary steps to enforce the state and federal water quality standards, laws and regulations on the Tolovana River Drainage.

BE IT FURTHER RESOLVED that the Tanana Chiefs Conference, Inc. Board of Directors urges the Governor and the Alaska State Legislature to make funds and expertise available to develop proper technology which will permit placer mining to continue in a way which results in no discharge of muddy or polluted placer water back into the Tolovana River.

CERTIFICATION

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 15, 1984 at Fairbanks, Alaska.


Tanana Chiefs Conference, Inc.
Dorothy Shockley
Secretary/Treasurer

TANANA CHIEFS CONFERENCE, INC.

Clean Up Placer Mining Water on Tolovana River

Resolution No. 83-46

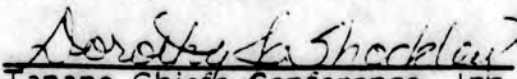
- WHEREAS: the Tolovana River flows from its headwaters through the Minto Flats; and
- WHEREAS: placer mining on the tributaries of the Tolovana River causes the water to be polluted and to be in violation of present State of Alaska Water Quality Standards for Multiple Uses of the water in this river, even with the use of settling ponds at the mine sites; and
- WHEREAS: placer mine settling ponds generally fail to settle out the fine clays and sediments which cause polluted, turbid water to be returned into the originally clean streams; and
- WHEREAS: the Tolovana/Livengood Mining District has petitioned the State of Alaska Department of Environmental Conservation (DEC) to reclassify the Upper Tolovana River so as to remove all of the applicable water quality standards except those standards for industrial use, thus making the Tolovana an industrial river only;
- WHEREAS: the residents of Minto utilize the waters of the Tolovana River and of the Minto Flats generally for multiple purposes, including use of the Tolovana as a prime source of drinking water; and
- WHEREAS: the proposed reclassification of the Tolovana River water to a single use Industrial Stream only will harm and damage the Minto residents and interfere with their multiple uses of this water;

THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference Board of Directors hereby opposes the reclassification of any portion of the Tolovana River to an Industrial Stream;

BE IT FURTHER RESOLVED that the Tanana Chiefs Board of Directors urges that the U.S. Environmental Protection Agency and the DEC require that placer mines operate with totally closed systems and recycle the placering water rather than to return it into the streams as "Best Practicable Technology."

CERTIFICATION

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 17, 1983 at Fairbanks, Alaska.


Tanana Chiefs Conference, Inc.
Dorothy Shockley
Secretary/Treasurer

TANANA CHIEFS CONFERENCE, INC.

Environmental Effects of Mining Operations
on Birch Creek
Resolution No. 82-28

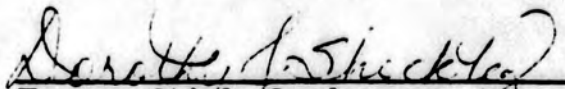
- WHEREAS: Birch Creek is important to the residents living near or around the river; and
- WHEREAS: there are mining operations upriver from the residents living and using the river in a traditional manner; and
- WHEREAS: the methods the mining operations utilize dirties and clouds the river; and
- WHEREAS: this hampers the traditional practices of those living downriver; and
- WHEREAS: the methods of the mining operations damages the environmental, aesthetic, and ecological characteristics of the river; and now,

THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference Board of Directors direct the staff of Tanana Chiefs Conference to inform the appropriate State, Federal and private agencies of the detrimental methods of mining operations used on Birch Creek.

Submitted by: Theresa McCall

CERTIFICATION

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 18, 1982 at Fairbanks, Alaska.


Tanana Chiefs Conference, Inc.
Dorothy Shockley
Secretary/Treasurer

TANANA CHIEFS CONFERENCE, INC.

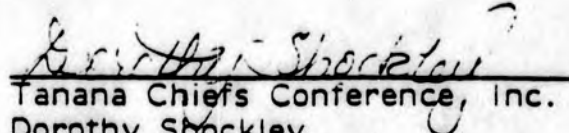
Water Quality in Minook Creek

Resolution No. 84-14

- WHEREAS:** Minook and Little Minook Creeks and associated environments are utilized by residents of Rampart, and of the area generally; and
- WHEREAS:** the water of Minook Creek and Little Minook Creek is the subject of complaints of residents of Rampart due to high levels of turbidity and mud caused by placer mining discharges upstream; and
- WHEREAS:** the State of Alaska has regulations to protect water quality in such clear water streams but is generally reluctant to enforce these regulations; and
- WHEREAS:** the poor water quality interferes with and diminishes the use of Minook Creek and associated environments by the residents of Rampart and the area generally; and
- THEREFORE BE IT RESOLVED** that the Tanana Chiefs Conference, Inc. Board of Directors requests the State of Alaska to enforce present regulations concerning water in Minook Creek and Little Minook Creek, and
- BE IT FURTHER RESOLVED** that the Tanana Chiefs Conference, Inc. Board of Directors urges the Alaska State legislature and the State administration to provide technical and financial assistance to placer miners so as to help them develop, install and utilize new technology which would permit placer mining to take place while achieving clean water in placer streams.

CERTIFICATION

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 15, 1984 at Fairbanks, Alaska.


Tanana Chiefs Conference, Inc.
Dorothy Shockley
Secretary/Treasurer

UNITED VILLAGES OF NELSON ISLAND AND VICINITY
RESOLUTION # 84-08-01

WHEREAS THE UNITED VILLAGES OF NELSON ISLAND AND VICINITY represents the villages of this area in the Yukon-Kuskokwim Delta of southwestern Alaska; and

WHEREAS in recent years, village fishermen have been able to harvest salmon from the Kuskokwim and Yukon rivers migrating pass the island depending upon wind direction to supplement the marine mammal and herring subsistence diet of our villages; and

WHEREAS the expansion of the placer mining industry on both the Yukon and Kuskokwim Rivers, the lack of monitoring and enforcement of water quality standards by State and Federal agencies, and the concern by villages located on both rivers that their salmon fisheries will be threatened by these activities;

NOW THEREFORE BE IT RESOLVED BY THE UNITED VILLAGES OF NELSON ISLAND AND VICINITY that the Governor and area legislators take steps to make placer miners obey the same environmental laws that commercial fishermen and subsistence harvesters must follow to conserve all resources; and

BE IT FURTHER RESOLVED that the Governor and area legislators take steps to secure funds to allow State resource agencies to monitor and when necessary enforce State water quality laws if violated by placer miners to protect clean streams and our salmon resources.

MOTIONED AND PASSED THIS 26th DAY OF AUGUST, 1984

Michael Albert
CHAIRMAN

THE LOWER YUKON FISH AND GAME
ADVISORY COMMITTEE

RESOLUTION
#84-08-01

- WHEREAS, The Lower Yukon Fish and Game Advisory Committee represents the fisheries and wildlife interests of the 15 villages of the Lower Yukon area; and
- WHEREAS, The placer mining taking place in the upriver areas of the Yukon River between the Koyukon and the Porcupine has no monitoring or enforcement to protect the streams so important to successful reproduction of salmon; and
- WHEREAS, The fishermen of the Lower Yukon River believe that they should have equal rights as the placer miners, and have their economy protected by the State of Alaska through its equal enforcement of clean water quality laws to prevent spoilage of these spawning rivers by placer mining pollution; and
- WHEREAS, The fishermen are regulated, monitored, and enforced by the State of Alaska, to conserve the resource, yet nothing is done by the State of Alaska, to regulate, monitor, or enforce placer mining;

NOW, THEREFORE, BE IT

- RESOLVED: By the Lower Yukon Fish and Game Advisory Committee that the Governor of the State of Alaska, and the legislators from this area be asked to regulate, monitor, and when necessary enforce clean water quality laws in the placer mining industry; and

BE IT FURTHER

- RESOLVED: That the Governor and the area legislators should seek funds to allow State resource agencies such as Alaska Department of Fish and Game and Alaska Department of Environmental Conservation to monitor the placer mining operations and if pollution occurs, cease the operation before the pollution kills off the salmon fisheries that the area fishermen depend on for their only cash livelihood.

MOTIONED AND PASSED THIS 8-18-84 DAY OF AUGUST, 1984.

/s/ Johnny Thompson
Johnny Thompson, Chairman

Yukon Flats Fish & Game Advisory Committee

Enforce Water Quality Laws and Regulations

- WHEREAS:** Communities represented by the Yukon Flats Fish and Game Advisory Committee depend upon the harvest of fish and game as the main part of their economy;
- WHEREAS:** fish and wildlife habitat in the areas of these communities is being damaged by mud and turbidity illegally discharged into streams in these areas;
- WHEREAS:** the harvest of fish and furbearers has been damaged by the discharges of mud and silt;
- WHEREAS:** productivity of fish is harmed by turbidity and by silt deposited on the bottoms of streams;
- WHEREAS:** the State of Alaska and the U.S. Environmental Protection Agency have not taken prompt and sufficient action to enforce state and federal laws and regulations designed to protect the water quality of Interior Alaska anadromous fish streams;
- BE IT RESOLVED,** that the Yukon Flats Fish and Game Advisory Committee hereby requests that the State of Alaska Department of Fish and Game, the Alaska Department of Environmental Conservation and the U.S. Environmental Agency immediately take steps to enforce applicable laws and regulations designed to protect water quality in Interior Alaska's streams; and
- BE IT FURTHER RESOLVED,** that the Yukon Flats Fish and Game Advisory Committee hereby also requests that the aforementioned agencies begin the task of cleaning up Birch and Beaver Creeks and all other streams in this region damaged by mining impacts.

Chairman

NAKNEK - KVICHAK
FISH AND GAME ADVISORY COMMITTEE RESOLUTION
ENFORCE STATE WATER QUALITY STANDARDS

84-2

Whereas, the Naknek - Kvichak Fish and Game Advisory Committee represents hundreds of commercial and subsistence fishermen in the lower Bristol Bay region; and

Whereas, the annual harvest and continued strength of salmon runs is vital to the the economy and livelihood of these fishermen; and

Whereas, placer mining on the rivers and tributaries of salmon spawning streams often illegally discharges mud and silt into these waterways, killing fish and destroying their habitat; and

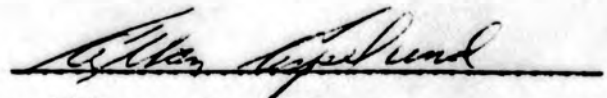
Whereas, the State of Alaska and the U.S. Environmental Protection Agency is allowing this illegal destruction of salmon habitat by inadequately monitoring and enforcing the State Water Quality Standards and federal requirements for clean water:

Be it therefore resolved, that the Naknek - Kvichak Fish and Game Advisory Committee urges the Alaska Department of Environmental Conservation and the U.S. EPA to take all necessary steps to protect the salmon resources of the State by monitoring and enforcing the State Water Quality Standards, and that the Governor and Legislature see that such enforcement is adequately funded; and

Be it further resolved, that the Governor and area legislators create a State policy that clearly gives renewable resources priority over nonrenewable resources and ensures the protection of our salmon stocks.

Oct. 29-84

Date



Alvin Aspeland, Chairman, Naknek - Kvichak
Fish and Game Advisory Committee

LOWER KUSKOKWIM
FISH AND GAME
ADVISORY COMMITTEE

RESOLUTION
#84-08-01

WHEREAS, THE LOWER KUSKOKWIM Fish and Game Advisory Committee represents the fisheries and wildlife interests of the 13 villages of the Lower Kuskokwim area; and

WHEREAS, The placer mining taking place in the areas of the upper Tuluksak River of the Kuskokwim has no monitoring or enforcement to protect the streams so important to successful reproduction of salmon; and

WHEREAS, The fishermen of the Lower Kuskokwim villages believe that they should have equal rights as the placer miners, and have their economy protected by the State of Alaska through its equal enforcement of clean water quality laws to prevent spoilage of these spawning rivers by placer mining pollution; and

WHEREAS, The fishermen are regulated, monitored, and enforced by the State of Alaska, to conserve the resource, yet nothing is done by the State of Alaska, to regulate, monitor, or enforce placer mining;

NOW, THEREFORE, BE IT

RESOLVED: By the Lower Kuskokwim Fish and Game Advisory Committee that the Governor of the State of Alaska, and the legislators from this area be asked to regulate, monitor, and when necessary enforce clean water quality laws in the placer mining industry; and

BE IT FURTHER

RESOLVED: That the Governor and the area legislators should seek funds to allow State resource agencies such as Alaska Department of Fish and Game and Alaska Department of Environmental Conservation to monitor the placer mining operations and if pollution occurs, cease the operation before the pollution kills off the salmon fisheries that the area fishermen depend on for their only cash livelihood.

MOTIONED AND PASSED THIS 24 DAY OF AUGUST, 1984.

/s/ Chuck Chaliak
Chuck Chaliak, Chairman

LOWER KUSKOKWIM
FISH AND GAME
ADVISORY COMMITTEE

RESOLUTION
#84-08-01

WHEREAS, THE LOWER KUSKOKWIM Fish and Game Advisory Committee represents the fisheries and wildlife interests of the 13 villages of the Lower Kuskokwim area; and

WHEREAS, The placer mining taking place in the areas of the upper Tuluksak River of the Kuskokwim has no monitoring or enforcement to protect the streams so important to successful reproduction of salmon; and

WHEREAS, The fishermen of the Lower Kuskokwim village believe that they should have equal rights as the placer miners, and have their economy protected by the State of Alaska through its equal enforcement of clean water quality laws to prevent spoilage of these spawning rivers by placer mining pollution; and

WHEREAS, The fishermen are regulated, monitored, and enforced by the State of Alaska to conserve the resource, yet nothing is done by the State of Alaska, to regulate, monitor, or enforce placer mining;

NOW, THEREFORE, BE IT

RESOLVED: By the Lower Kuskokwim Fish and Game Advisory Committee that the Governor of the State of Alaska, and the legislators from this area be asked to regulate, monitor, and with necessary enforce clean water quality laws in the placer mining industry; and

BE IT FURTHER

RESOLVED: That the Governor and the area legislators should seek laws to allow state resource agencies such as Alaska Department of Fish and Game and Alaska Department of Environmental Conservation to monitor the placer mining operations and if pollution occurs, cease the operation before the pollution kills off the salmon fisheries that the area fishermen depend on for their only cash livelihood.

MOTIONED AND PASSED THIS 24 DAY OF AUGUST, 1984.

/s/ Chuck Chaliak
Chuck Chaliak, Chairman

THE CENTRAL BERING SEA FISH AND GAME
ADVISORY COMMITTEE

RESOLUTION
#84-09-01

WHEREAS, The Central Bering Sea Fish and Game Advisory Committee represents the fisheries and wildlife interests of the 13 villages of the Lower Kuskokwim area; and

WHEREAS, The placer mining taking place in the upriver areas of the Yukon River between Koyukon and the Porcupine, and in the upper Tuluksak River of the Kuskokwim has no monitoring or enforcement to protect the streams so important to successful reproduction of salmon; and

WHEREAS, The fishermen of the Lower Kuskokwim villages believe that they should have equal rights as the placer miners, and have their streams protected by the State of Alaska through its water quality laws to prevent pollution of these spawning rivers by placer mining pollution; and

WHEREAS, The fishermen are regulated, monitored, and enforced by the State of Alaska, but no such action is taken by the State of Alaska to regulate, monitor, or enforce placer mining;

AND, THEREFORE, BE IT

RESOLVED: By the Central Bering Sea Fish and Game Advisory Committee that the Governor of the State of Alaska, and the legislators from this area be asked to regulate, monitor, and when necessary enforce clean water quality laws in the placer mining industry; and

BE IT FURTHER

RESOLVED: That the Governor and the area legislators should seek funds to allow State resource agencies such as Alaska Department of Fish and Game and Alaska Department of Environmental Conservation to monitor the placer mining operations and if pollution occurs, cease the operation before the pollution kills off the salmon fisheries that the area fishermen depend on for their only cash livelihood.

MOTIONED AND PASSED THIS 21 DAY OF AUGUST, 1984.

Jack U. Williams
Jack U. Williams, Chairman

Resolution 84-
Clean Up Interior Placer Streams

WHEREAS, many clearwater tributary streams of the Yukon River of Interior Alaska support runs of spawning salmon, and

WHEREAS, such streams produce the salmon which are harvested for subsistence and commercial use by downstream residents of the Yukon River drainage; and

WHEREAS, the production of salmon makes up a major element in the economy of downstream communities on the Yukon River; and

WHEREAS, placer mining activity currently is discharging high levels of sediment and turbidity into Interior streams, often greatly in excess of state water quality standards and in excess of federal requirements for clean water; and

WHEREAS, sediment and turbidity in these streams damage fisheries habitat and hamper the production of fish; and

WHEREAS, the State of Alaska and the U.S. Environmental Protection Agency permits the illegal pollution of otherwise clearwater streams through inefficient, inappropriate enforcement of regulations and laws designed to protect water quality; and

WHEREAS, over time, the destruction of fisheries habitat in one stream after another will directly adversely affect the economy of downstream communities,

BE IT HEREBY RESOLVED that the Middle Yukon Fish and Game Advisory Committee (otherwise known as the Galena Fish and Game Advisory Committee) demands that the State of Alaska and the U.S. Environmental Protection Agency properly and totally meet their legal commitments and requirements to promptly enforce water quality laws and regulations in Interior Alaska placer mining streams, and

BE IT FURTHER RESOLVED that the State of Alaska and the federal government take all necessary actions to clean up and to restore streams presently damaged by illegal discharges of sediment and turbidity and that they take all appropriate action to prevent future damage to these watersheds.

James D. McIntire 11/20
Chairman Date

RESOLUTION OF KOKECHIK CORPORATION

RESOLUTION # 84-37-02

WHEREAS THE KOKECHIK CORPORATION represents the commercial herring and subsistence fishermen of the three villages of Hooper Bay, Chevak, and Scammon Bay, and

WHEREAS salmon are important to the limited entry permit holders in several of our villages and to all of our villagers for subsistence, and

WHEREAS State biologist believe without verification that migrating salmon taken by our villages are Yukon stock, and where

WHEREAS the expansion of placer mining activity in the Yukon River's tributaries, and the lack of monitoring and enforcement by state and Federal resource agencies to protect water quality necessary for salmon reproduction;

NOW THEREFORE BE IT RESOLVED BY THE KOKECHIK CORPORATION that the State of Alaska and the Federal EPA takes all necessary steps to enforce water quality laws through monitoring placer mining operations, and if necessary enforce these regulations to get miner compliance; and

BE IT FURTHER RESOLVED that the Governor and area legislators secure adequate funding for DEC and ADFG to carry out the monitoring and enforcement of stream water quality to protect successful salmon reproduction.

MOTIONED AND PASSED THIS 27th DAY OF AUGUST, 1984

Joseph V. Banzil
CHAIRMAN

1984

BERING SEA FISHERMEN'S ASSOCIATION
RESOLUTION NUMBER 5

WHEREAS the Bering Sea Fishermen's Association represents over 1600 commercial salmon and herring fishermen in western Alaska and,

WHEREAS the rapid expansion of the placer mining industry in interior and western Alaska has resulted in a loss of fish populations, spawning and rearing habitat and the deterioration of water quality necessary for continued fish production and,

WHEREAS the Alaska Legislature has shown a reluctance to fund resource agency attempts to regulate, control, monitor and enforce the placer mining industry's activities and,

NOW THEREFORE BE IT RESOLVED that the Bering Sea Fishermen's Association request the Alaska Legislature to appropriate the funds necessary to regulate, control, monitor and enforce placer mining activities and,

BE IT FURTHER RESOLVED that the Association request the Alaska Legislature to adopt legislation that will strengthen current water quality standards to ensure the long-term and continuing production of viable fish populations.

Motion Passed this 31 day of August 1984 in Anchorage, Alaska



HENRY IVANOFF
PRESIDENT - BERING SEA FISHERMEN'S ASSOCIATION

