

Alaska State Legislature

Senator Dennis Egan
Representative Dan Ortiz
Representative Louise Stutes
Representative Justin Parish
Representative Geran Tarr
Representative Jonathan Kreiss-Tomkins



State Capitol
Juneau, Alaska
99801

The Honorable Bill Walker
Governor
State Capitol
Juneau, AK 99801

CC: Lieutenant Governor Byron Mallott
The Honorable Lisa Murkowski
The Honorable Dan Sullivan
The Honorable Don Young

Dear Governor Walker,

June 21, 2017

In your State of the State address, you said "I thank the British Columbia government for recognizing the responsibility to clean up the old Tulsequah Chief mine. Water doesn't recognize political borders. I am committed to protecting our waters and the rich resources they support."

Since then, legislators have expressed their agreement and support to protect Alaskan waters affected by Canadian mines. In a letter on January 31, five Alaskan legislators urged your administration to take active and necessary steps to hold the British Columbia (B.C.) government accountable to its many verbal commitments to clean up the abandoned Tulsequah Chief Mine (TCM) site. In a response on February 8, Lt. Governor Mallott stated his reliance on the Statement of Cooperation (SOC), saying, "During two recent meetings of the SOC Bilateral Workgroup, we were reassured of B.C.'s efforts to identify and address any outstanding legacy concerns relating to the Tulsequah Chief mine."

We are concerned because B.C. has given such verbal "assurances" for more than 20 years, yet very little has been done to end the acid runoff entering the Taku River at the TCM site. B.C. Minister of Energy and Mines Bill Bennett – who witnessed the pollution firsthand and recognized B.C.'s potential need to assume responsibility – is now retired, leaving the fate of previous agreement uncertain.

Furthermore, we have recently received news that there may be a new buyer for the TCM. It is strikingly apparent that B.C. is and has been awaiting a new mine buyer to avoid financial obligations for cleanup. Additionally, it is our understanding that B.C. did not communicate this impending transaction with the State of Alaska through the SOC or any other process.

The issues at TCM highlight the limits of the SOC: this non-binding agreement alone cannot protect Alaskan interests from the impacts of upstream Canadian mining activity, whether proposed, permitted, or operating. Our residents cannot and should not rely solely on the SOC to defend Alaskans and the \$1 billion fishing and tourism industries in Southeast Alaska. There is too much at stake.

We urge you to join with the nearly individual 10,000 Alaskans, numerous commercial and sport fishing groups, tourism businesses, Tribes, mayors, legislators, and our congressional delegation to make an explicit, written request of the U.S. federal government to develop and secure binding, enforceable measures to defend threatened U.S. interests in the Alaska-B.C. transboundary situation. We ask you to do this by August 4, 2017, in honor of the third anniversary of B.C.'s Mount Polley mine disaster.

Alaska must do all it can to ensure our iconic and renewable resources are not harmed by poorly regulated Canadian mines, including requesting appropriate federal engagement and international jurisdictions.

Respectfully,

Handwritten signatures of the six legislators mentioned in the text above.
Sen. Dennis Egan Rep. Dan Ortiz Rep. Louise Stutes Rep. Justin Parish Rep. Geran Tarr Rep. Kreiss-Tomkins