



# UNITED FISHERMEN OF ALASKA

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## **A RESOLUTION OF THE UNITED FISHERMEN OF ALASKA IN SUPPORT OF UPHOLDING THE UNITED STATES-CANADA BORDER WATERS TREATY OF 1909**

**WHEREAS**, United Fishermen of Alaska (UFA) is the statewide commercial fishing trade association, representing 35 commercial fishing organizations as well as over 400 individuals participating in fisheries throughout the state and in federal waters off our coast working to promote and protect the common interest of Alaska's commercial fishing industry as a vital component of Alaska's social and economic well-being; and

**WHEREAS**, thirteen of UFA's member organizations represent fishermen who fish for salmon, shrimp, crab and other species in the waters of Southeast Alaska, employing hand troll, power troll, drift net, purse seine, longline, pots, and dive gear to harvest their catch; and

**WHEREAS**, the transboundary Taku, Stikine, and Unuk Rivers are of tremendous economic value to the Alaska-B.C. transboundary region and this region is home to nearly 80,000 people in dozens of coastal communities; and

**WHEREAS**, the clean water and intact habitat of the Alaska-British Columbia (B.C.) transboundary watersheds are historically some of the most productive wild salmon rivers on the entire west coast of North America, with the Taku, Stikine, and Unuk Rivers alone producing 80% of Southeast Alaska's king salmon, and contributing nearly \$50 million in economic activity, \$34 million in direct spending, over 400 jobs, and almost \$20 million in labor income towards Southeast Alaska's annual multi-billion dollar fishing and visitor industries; and

**WHEREAS**, UFA is increasingly concerned with the potential impacts from more than two-dozen inadequately regulated Canadian hard rock mining projects in various stages of abandonment, permitting, development, or operation in the watersheds of Taku, Stikine, and Unuk Rivers in Northwest B.C., most of which are large-scale and open pit, occur in known acid-generating ore bodies, include massive tailings dams that store toxic waste forever require expansive waste rock storage facilities, and the need for perpetual water treatment, roads, and other infrastructure, threatening (both in the short term and on geological timescales) the productivity and ecological health of these watersheds through cumulative impacts, contamination, habitat destruction, and/or possible catastrophic failures; and

**WHEREAS**, following B.C.'s Mount Polley mine disaster in 2014 an expert panel appointed by the B.C. government found that if mining companies continue their business-as-usual operations the province could face an average of two dam failures every ten years; and

**WHEREAS**, B.C.'s environmental assessment process does not set legal requirements or standards for assessing cumulative effects of existing and proposed development, and B.C.'s open-pit Red Chris mine has been operating at the headwaters of the Stikine River since 2015, the entire riparian corridor of the Iskut River, the largest tributary of the Stikine River, which is staked with B.C. mineral claims, B.C.'s Kerr-Sulphurets-Mitchell project (KSM), if built as proposed in both the Unuk and Nass River watersheds, would be the largest open-pit mine in Canada and one of the largest in the world, and more than half of the B.C. portion of the Unuk watershed is staked with mineral claims; and

**WHEREAS**, the Taku, Stikine, and Unuk Rivers are experiencing a decline in wild salmon populations, resulting in the Alaska Department of Fish and Game listing Chinook salmon in the Unuk River as a Stock of Concern in 2018 and -the Taku and Stikine Rivers have met the requirement for Stocks of Concern and will be considered at the 2022 Board of Fish (BOF) cycle in SE; and

**WHEREAS**, the leaching of heavy metals to groundwater and sediment from mining can contaminate freshwater river systems for decades, preventing recovery of fish populations many years after the cessation of mining activity and posing a risk to human health, and B.C.'s Tulsequah Chief mine in the Taku River watershed has been abandoned and leaching acid mine drainage since 1957; and

**WHEREAS**, mine contamination of the Taku, Stikine, and/or Unuk Rivers would likely affect Southeast Alaska commercial fishermen in a number of ways: (1) fishing would be limited near the affected system for a period of time, which would reduce total allowable catch in Southeast Alaska, forcing fishermen to move into districts in which they would not normally fish, thereby increasing effort and reducing fishing opening lengths, (2) shellfish fisheries would also be impacted, particularly on the Stikine flats, but could also affect geoduck and cucumber fisheries near other impacted systems, (3) pollution in the Stikine River would also likely impact halibut fisheries, particularly in Frederick Sound, and (4) long-term pollution could affect fisheries in the Gulf of Alaska and even the Bering Sea, and Southeast Alaska fishermen participating in those fisheries; and

**WHEREAS**, the Alaska-British Columbia Memorandum of Understanding and associated Statement of Cooperation on Protection of Transboundary Waters signed by the State of Alaska and the Province of B.C. in 2015 are important, but cannot provide binding, enforceable protections for the residents, rivers, and watersheds of the Alaska-B.C. transboundary region; and

**WHEREAS**, the Boundary Waters Treaty of 1909 was signed to prevent and resolve disputes over the use of shared waters between the United States (U.S.) and Canada, declaring in Article IV that, "it is further agreed that the waters herein defined as boundary waters and waters flowing across the boundary shall not be polluted on either side to the injury of health or property on the other;" and

**WHEREAS**, the government of British Columbia does not require that substantial and appropriate financial assurances, impact assessments and long-term monitoring plans are established and funded prior to the issuance of permits for mining projects within these productive transboundary watersheds; Financial assurances must include provisions to compensate fully the State of Alaska and its fishing industry in the face of catastrophic and cumulative impacts; and

**WHEREAS**, the State of Alaska has previously requested B.C. to require that companies operating mines within transboundary watersheds post a full reclamation bond prior to permitting, as the State of Alaska requires; and

**WHEREAS**, consistent with letters submitted by UFA previously, UFA strongly urges the United States and Canadian governments to utilize any and all powers under the Boundary Waters Treaty to develop binding and enforceable protections, including long term water quality monitoring, to ensure that Alaska and British Columbia interests and ways of life are not harmed by upstream Canadian development in the shared transboundary watersheds of Southeast Alaska and Northwest British Columbia.

**THEREFORE, BE IT RESOLVED that the United Fishermen of Alaska calls on President Biden and the United States government and Prime Minister Trudeau and the Canadian government to expeditiously:**

- 1. Utilize their authority under the United States-Canada Boundary Waters Treaty of 1909 to prevent and resolve disputes over the use of shared waters; and**
- 2. Convene with local communities and stakeholders to develop the aforementioned binding international agreement on watershed protections. This agreement will ensure mining companies and shareholders are liable for cleaning up their waste and compensating impacted communities for all damages, and enforce requirements for mining best practices, including a permanent ban on the perpetual storage of contaminated water and wet tailings behind earthen dams along these irreplaceable Alaska-B.C. transboundary salmon rivers.**

**Passed and approved by the United Fishermen of Alaska on October 27, 2021**