

Presented by: Mayor Botelho
and Assemblymember Sanford
Introduced: 04/02/2007
Drafted by: J.W. Hartle

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2399

A Resolution Urging a Negotiated Settlement of the Kensington Gold Mine Litigation.

WHEREAS, the Kensington gold mine project, with an annual construction payroll of 20 million dollars, currently employs more than 400 people, many of them Juneau and Southeast Alaska residents; and

WHEREAS, the Southeast Alaska Conservation Council, Sierra Club, and Lynn Canal Conservation brought litigation against the Army Corps of Engineers and the United States Forest Service because of concerns regarding the proposed tailings management at the mine; and

WHEREAS, the Kensington gold mine is vitally important to the economy of Juneau; and

WHEREAS, Coeur Alaska, and the parties bringing the litigation, are acting in good faith, and have previously tried to mediate a mutually acceptable settlement; and

WHEREAS, Berners Bay provides an important environmental and recreational resource for the community of Juneau, and the concerns of the conservation community are substantial and not frivolous; and

WHEREAS, a panel of the United States Court of Appeals for the Ninth Circuit has indicated that it intends to rule that "in issuing its permit to Coeur Alaska for the use of Lower Slate Lake as a disposal site, the Corps [of Engineers] violated the Clean Water Act."

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NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. That the Assembly of the City and Borough of Juneau strongly encourages Coeur Alaska, Inc., Southeast Alaska Conservation Council, the Sierra Club, and Lynn Canal Conservation to return to mediation to achieve a settlement acceptable to all parties to the litigation.

Section 2. That, in encouraging mediation, the Assembly offers the City and Borough's resources to assist the parties in resolving their disputes amicably. These resources include identification of an appropriate mediator or facilitator, and coordination of meeting times and places.

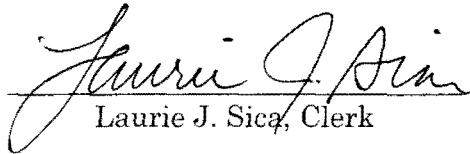
Section 3. That, if requested by the parties, the City and Borough of Juneau will assist the negotiations in any appropriate way.

Section 4. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 2nd day of April, 2007.


Bruce Botelho, Mayor

Attest:


Laurie J. Sica, Clerk