

Presented by: The Manager
Introduced: 04/06/2009
Drafted by: Special Committee
on H.R. 1310

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2469(b)

A Resolution Opposing H.R. 1310, the "Clean Water Protection Act," A Bill That Would Amend the Federal Water Pollution Control Act to Clarify That Fill Material Cannot Be Comprised of Waste.

WHEREAS, the Assembly of the City and Borough has learned of the introduction of H.R. 1310 in the Congress of the United States; and

WHEREAS, H.R. 1310 strongly contradicts the Obama administration's concern for economic recovery and employment of Americans, specifically that of Native Americans and Alaska Natives; and

WHEREAS, the Kensington Gold Mine is nearly fully constructed and is one of the most "shovel-ready" projects in the United States; and

WHEREAS, H.R. 1310 would amend the Federal Water Pollution Control Act to define fill material; and

WHEREAS, on January 12, 2009, the Supreme Court of the United States heard oral arguments regarding the Kensington Gold Mine tailings disposal and fill material definition issues and is on the verge of announcing its decision; and

WHEREAS, the definition of fill material as proposed in H.R. 1310 would override a favorable decision of the Supreme Court of the United States in favor of the Coeur Alaska Kensington Gold Mine as currently permitted by the United States Environmental Protection Agency and the Army Corps of Engineers; and

WHEREAS, the City and Borough of Juneau is confident that all of the federal, state and local agencies have properly permitted the Kensington Gold Mine; and

WHEREAS, H.R. 1310 will block a local project by overturning 35 years of well-established nationwide procedures used by the Army Corps of Engineers and the Environmental Protection Agency; and

WHEREAS, the Kensington Gold Mine is of vital economic importance both to Juneau and to Southeast Alaska and the Kensington enjoys the support of a great majority of the people in Juneau; and

WHEREAS, H.R. 1310 has the strong potential to negatively affect local construction projects and municipal landfills across the nation by its change to the placement of fill materials on local wetlands; and

WHEREAS, the Kensington Gold Mine is located in the City and Borough of Juneau and the proponents and sponsors of H.R. 1310 have not consulted with the City and Borough of Juneau to determine what effects H.R. 1310 may have on economic development within the City and Borough of Juneau, the State of Alaska, and other states; and

WHEREAS, the City and Borough of Juneau has filed two Amicus Briefs in support of the Kensington Gold Mine to express both its confidence in the environmental responsibility of the mine and the importance of the mine to the economic and employment needs of the City and Borough; and

WHEREAS, the Kensington Gold Mine has and will continue to recruit, train, and employ Alaska Natives and other unemployed American citizens through a voluntary affirmative action program in cooperation with the Central Council of Tlingit and Haida Indian Tribes of Alaska, a Federally Recognized Tribe, other Alaska Native organizations, local labor organizations, and the University of Alaska; and

WHEREAS, Alaska Native unemployment is approximately 62% in the Southeast Alaska Region among adults in a tribe of 26,000 tribal members.

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

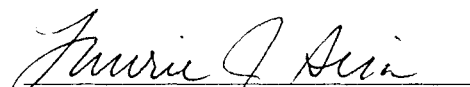
Section 1. The City and Borough of Juneau most vigorously opposes the enactment of H.R. 1310 and urges all members of the Congress of the United States to oppose this legislation.

Section 2. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 6th day of April, 2009.


Bruce Botelho, Mayor

Attest:


Laurie J. Sica, Clerk