

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2013-29

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL SUPPORTING THE REVISED ENVIRONMENTAL PROTECTION AGENCY BRISTOL BAY WATERSHED ASSESSMENT, AND SUPPORTING THE EPA TO IMMEDIATELY TAKE FURTHER ACTIONS TO PROTECT BRISTOL BAY

WHEREAS, the City of Dillingham is a first class City serving its residents of the community of Dillingham; and

WHEREAS, the City is acting as the duly elected governing body for the community of Dillingham and has the authority to establish relationships and enter into contracts; and

WHEREAS, the City, tribes, village corporations, sportsmen, and commercial fishermen have made every attempt to work with the State of Alaska regarding our concerns with large scale development that impact salmon in Bristol Bay; and

WHEREAS, the City passed resolutions opposing the development of the proposed Pebble Mine; and

WHEREAS, the City supports the efforts of the tribes in our region to stop the development of the proposed Pebble Mine; and

WHEREAS, the City recognizes that the federal government is committed to operate within a government-to-government relationship with federally recognized American Indian and Alaska Native tribes; and

WHEREAS, a Presidential Memorandum directs each executive department and agency, to the greatest extent practicable and to the extent permitted by law, to consult with tribal governments prior to taking actions that have substantial direct effects on federally recognized tribal governments; and

WHEREAS, the City supports the tribes formal petition to the Environmental Protection Agency to use their authority under the Clean Water Act to protect the waters for Bristol Bay from placing any dredge or fill into wetlands and water; and

WHEREAS, other cities, village corporations, tribes, sportsmen, and commercial fishermen have requested that the Environmental Protection Agency (EPA) come in and protect Bristol Bay waters from large scale mining development; and

WHEREAS, in response to this request, EPA initiated the collection of science about the Bristol Bay Fishery; and

WHEREAS, the first draft of the Bristol Bay Watershed Assessment was released in May 2012 with EPA holding public hearings around Bristol Bay and solicited comments; and

WHEREAS, the Bristol Bay Watershed Assessment was further reviewed by a panel of scientists as part of the Peer Review Process; and

WHEREAS, EPA responded to the Peer Reviewed Report and revised the Bristol Bay Watershed Assessment to include science data as part of a comprehensive risk assessment that underscores that large scale mining, would "at a minimum cause the loss of spawning and rearing habitat for multiple salmonids" (ES-i) and even with no incidents of catastrophic failure, large scale mining would – block streams with roads and development, reduce water flow in the region, directly eliminate up to 4800 acres of wetlands, and directly eliminate up to 90 miles of streams, and dewater an additional 33 miles of stream that are important habitat for multiple fish and wildlife species; and

WHEREAS, EPA once again is soliciting comments on the revised draft Bristol Bay Watershed Assessment; and

WHEREAS, EPA has the authority under section 404(c) of the Clean Water Act to prohibit the specification (including the withdrawal of specification) of any defined area as a disposal site, and is authorized to deny or restrict the use of any defined area for specification (including the withdrawal of specification) as a disposal site, whenever it determines, after notice and opportunity for public hearings, that the discharge of such materials into such area will have an unacceptable adverse effect on municipal water supplies, shellfish beds and fishery areas (including spawning and breeding areas), wildlife, or recreational areas;

NOW, THEREFORE, BE IT RESOLVED that the City of Dillingham supports the findings of the revised EPA Bristol Bay Watershed Assessment, and for the EPA to finalize the revised Bristol Bay Watershed Assessment in 2013;

BE IT FURTHER RESOLVED that the City of Dillingham, once EPA has finalized the Bristol Bay Assessment in 2013, supports the EPA to immediately use its authority under section 404(c) of the Clean Water Act to prohibit large scale mining activities in the Bristol Bay region that will have an unacceptable adverse impact in Bristol Bay's fisheries and wildlife as shown in the revised Bristol Bay Watershed Assessment.

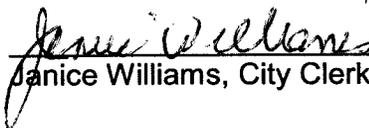
PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on May 23, 2013.

SEAL:




Alice Ruby, Mayor

ATTEST:


Janice Williams, City Clerk