

NATIVE VILLAGE OF KWIGILLINGOK

Kwigillingok I.R.A. Council
P.O. Box 90
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RESOLUTION 07-563-18

Support for Updating Alaska Habitat Laws to Adequately Protect Salmon Spawning and Rearing Areas

WHEREAS, the *Kwigillingok I.R.A. Council* is committed to act with a unified voice for the conservation and restoration of *Kuskokwim* River salmon fisheries to protect our traditional way of life and well-being, and establish a comprehensive management plan and program based upon indigenous knowledge systems and scientific principles; and

WHEREAS, the *Kwigillingok I.R.A. Council* have demonstrated commitment and sacrifice for the conservation and restoration of *Kuskokwim* River salmon, to provide for healthy and sustainable populations; and

WHEREAS, the *Native Village of Kwigillingok* depend on salmon to sustain their cultural, traditional, spiritual, and economic well-being and way of life; and

WHEREAS, salmon are a critical and irreplaceable food source for *Native Village of Kwigillingok* where traditionally harvested foods account for up to 33% of their caloric intake and up to 60% of the protein consumed in rural Alaska is salmon; and

WHEREAS, the *Kwigillingok I.R.A. Council* seeks to reaffirm its support for habitat protections that would ensure the sustainability of the *Kuskokwim* River salmon and other fish species to provide for healthy populations for generations to come; and

WHEREAS, *Kwigillingok I.R.A. Council* have considerable and valuable local and traditional knowledge on salmon spawning and rearing areas; and

WHEREAS, the *Kwigillingok I.R.A. Council* recognizes that economic and community development are needed in rural Alaska for *Native Village of Kwigillingok* to thrive, but believe development must be balanced with adequate protections that would reduce or mitigate negative and harmful impacts salmon resources; and

WHEREAS, the *Kwigillingok I.R.A. Council* believes that current habitat laws, as written in Title 16, are too vague and open to different interpretation with changing

administrations, creating uncertainty in the permit process and do not adequately and consistently safeguard against harmful impacts to salmon; do not currently allow for a public input process, leading to a lack of transparency; and place the burden of proving salmon use the waterways proposed for development, which can be expensive and often falls to local communities, Tribes, and non-profits; and

WHEREAS, *Native Village of Kwigillingok* have already experienced tremendous hardship from declines in salmon populations due to unknown factors, but are undoubtedly impacted by changes in climate in both the freshwater and marine environments; and

WHEREAS, development projects that do not adequately protect salmon spawning and rearing areas could exacerbate these population declines, impacts from climate change, and/or impede the recovery efforts made possible through the years of sacrifices from ***Kwigillingok I.R.A. Council***; and

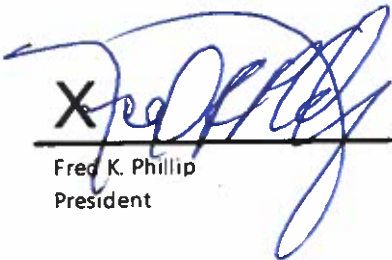
NOW THEREFORE BE IT RESOLVED, the ***Kwigillingok I.R.A. Council*** unanimously supports the Stand for Salmon ballot initiative, which amends the State of Alaska Title 16 habitat laws; and

FURTHER BE IT RESOLVED, the ***Kwigillingok I.R.A. Council*** preferentially supports the ballot initiative over the current house bill (HB 199), as the house bill could change significantly through the legislative committee process before being passed in to law and be influenced by industry lobbyists, while the ballot initiative would give the voters of Alaska a voice; and

FURTHER BE IT RESOLVED, the ***Kwigillingok I.R.A. Council***, in particular, supports the ballot initiative because it would clearly define “the proper protection of fish and game” and clarify important habitat characteristics to support salmon runs, such as water quality, flow levels, and fish passage; would include a public process for commenting on permits so that ***Kwigillingok I.R.A. Council*** can bring local and traditional knowledge to the table; and would assume all waterways are capable of supporting salmon and would place the burden of proving that a waterway does not get used by salmon on the developer, who, generally, has the monetary resources to conduct such studies.

Certification

The Resolution was passed and approved at a duly convened meeting of the Kwigillingok I.R.A. Council at which required voting quorum was present and voted Yes, No, Abstaining. This 10th day of July 2018

X 
Fred K. Phillip
President

X 
Ethel Phillip
Secretary

July 5, 2018

To: Alaska Governor Bill Walker and Lt. Governor Byron Mallot

Cc:

DEC Commissioner Larry Harttig

DNR Commissioner Andy Mack

ADF&G Commissioner Sam Cotton

As you know the Donlin Gold mining project is in its final stages of Federal Permitting with a Final Record of Decision from the US Army Corps of Engineers due later this summer. As you also know, your administrations Department of Environmental Conservation recently issued a wastewater discharge permit for the project that allows Donlin to empty treated wastewater into Crooked Creek ten miles from the Kuskokwim River. To operate, Donlin will need 17,500 gallons of water per minute to separate the tiny flecks of gold from the rock and will do so for the life of the mine. This wastewater discharge permit was issued after three public meetings, only two in our region, and one in Anchorage in which the agency failed to adequately address the people's concerns for protecting our clean water and environment.

Given the potential that a project of this magnitude has to impact our lives and the lives of our children for generations to come, we do not feel that Department of Environmental Conservation conducted appropriate or adequate consultation with the people of the region.

The State of Alaska has a large role to play in both the permitting of this project and the protection of our lands and waters. Ultimately it may be your administration that decides if and how this project goes forward and to what extent the developer is allowed to pollute our natural resources. As residents of the Kuskokwim we are writing to express our concern related to negative impacts from Donlin on food and water upon which or people depend for our health and our customary and traditional way of life.

Donlin would have a footprint of about 25 square miles. The open pit would be over two miles long, one mile wide and nearly 2-thousand feet deep. Also – a 40 million gallon tank farm for diesel fuel would be delivered via a 315 mile pipeline from Cook Inlet. The pipeline would cross streams for anadromous and resident fish species at 77 locations. Waste materials from the mine, called tailings, would be stored in a manmade pond held back by a 450 foot high dam.

We request that any of the State Agencies involved in the permitting of this project and representatives from the Governor's office engage in consultation with our Tribal Governments in the region and address the concerns of residents here before any further state permits are issued.

Sincerely,

The Yukon-Kuskokwim River Alliance on behalf of the undersigned

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RESOLUTION IN THE OPPOSITION OF THE DONLIN GOLD MINING

RESOLUTION NO. 07-565-18

WHEREAS, We, the Federally Recognized Tribe of Native Village of Kwigillingok are the founding aboriginal tribal people on the Kuskokwim River Drainage, and are fully committed to the protection of our cultural heritage, traditional values, subsistence priorities and economic values, environment, and fisheries and;

WHEREAS, We proclaim that our fisheries, animals, birds, and environment are essential to our cultural, nutritional, economical, and spiritual well-being and way of life; we commit to conserve, restore, and provide for our traditional hunting and fishing grounds based on indigenous knowledge systems and scientific principals in perpetuity and;

WHEREAS, We join the tribes of the Yukon-Kuskokwim River Alliance to assert our authority to continue practicing conservation, restoration, and equitable subsistence practices. To this end, we oppose development of the Donlin Gold Mine and;

WHEREAS, Opposition to the Donlin Gold Mine is based on the inevitable destruction of our traditional and cultural heritage practices of subsistence gathering on those lands affected by Donlin Gold Mine. It poses a threat to our environment and fisheries of the Yukon and Kuskokwim River that provide nutritional value to over 56 villages that store-bought food cannot provide. The discharge of toxics into Crooked Creek and the pit lake's required water treatment in perpetuity leaving grounds once rich with life left for dead. That loss will be left in the hands of our children, and our children's children and;

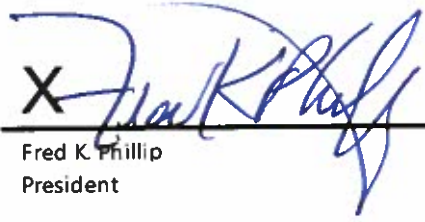
WHEREAS, We cannot support this future destruction, despite promises of environmentally safe protocols and procedures. Until it is proven safe industrial mining and development with guaranteed restoration within 20-30 years of development is possible worldwide our tribe cannot commit to operation of Donlin Gold Mine and;

NOW THEREFORE BE IT RESOLVED, The Kwigillingok I.R.A. Council, the federally recognized tribe of Native Village of Kwigillingok, opposes the development of Donlin Gold Mine, for the risk of losing all that we value through the protection and preservation of our cultural heritage, traditional values, and subsistence way of life. The risk is too great for our tribe to approve the development of Donlin Gold Mine and;

BE IT FURTHER RESOLVED, By the passage of this resolution, Kwigillingok I.R.A. Council, the federally recognized tribe of Native Village of Kwigillingok, supports the Yukon-Kuskokwim River Alliance and Donlin Gold Working Group in efforts to protect and preserve the Yukon Kuskokwim River Drainage Delta.

Certification

The Resolution was passed and approved at a duly convened meeting of the Kwigillingok I.R.A. Council at which required voting quorum was present and voted 4 Yes, 0 No, 0 Abstaining. This 10th day of July 2018

X 

Fred K. Phillip
President

X 

Ethel Phillip
Secretary