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**Alaska Native and Conservation Groups Sue Bureau of Land Management
for Shortsighted Approval of Mineral Exploration**

*Groups say agency must consider impacts of potential development before
allowing project to advance beyond point of no return.*

Anchorage — An Alaska Native Tribal Government and three conservation groups are suing the U.S. Bureau of Land Management (BLM) for failing to consider the future impacts of mine development before approving an exploration plan for a hardrock mine project in the Chilkat River watershed in Southeast Alaska.

The Chilkat River — “Jilkaat Heeni” in the Tlingit language, meaning “storage container for salmon” — runs from its headwaters in the Coast Mountains of British Columbia, Canada, into the sea near Haines, Alaska. The watershed, which includes the Klehini River, provides spawning grounds for all five species of Pacific salmon, as well as anadromous eulachon and trout. The surrounding steep mountainsides, forests, and river valleys are inhabited by mountain goats, wolverines, wolves, black and brown bears, and moose. It is a spectacularly beautiful, amazingly special and unique place in this world.

Where the Chilkat and Klehini Rivers meet the Tsirku River near Klukwan, alluvial deposits under the riverbeds release warm water and keep the confluence open into late autumn when other waterbodies have frozen. Here, within an area set aside as the Alaska Chilkat Bald Eagle Preserve, thousands of bald eagles gather to feast on the last runs of coho and chum salmon — a globally unique phenomenon.

The watershed was settled millennia ago and is the traditional territory of the Chilkat Tlingit people. Today, the watershed remains central, economically and culturally, to the Chilkat Indian Village of Klukwan, a federally recognized tribe. Traditional harvests, particularly of wild salmon and eulachon, are the lifeblood of the Village.

Wild stocks of salmon returning to the Chilkat watershed are harvested by commercial, recreational and subsistence fishermen. The Chilkat watershed is central to the livelihoods and culture of people who live, fish, and hunt there, or otherwise depend on and enjoy the region’s pristine waters, rich wildlife, and immense natural beauty.

Today, mining threatens the watershed. A Canadian company, Constantine Metal Resources Ltd., with financing from a Japanese company, Dowa Metals & Mining Co. Ltd., is conducting exploration drilling above Glacier Creek, a tributary of the Klehini River, to determine whether there is a commercially

valuable copper-zinc-gold-silver deposit in the mountainside. If exploration leads to such a discovery, the next step would be full-scale mine development to extract metals-bearing rock, a process that has the well-documented and all-too-frequent consequence of releasing toxic heavy-metals pollution and acidic water into the surrounding environment. If developed, the mine would threaten the downstream environment, including the Alaska Chilkat Bald Eagle Preserve and Klukwan, with mine-waste pollution that could devastate fish populations and all who depend upon them.

BLM has oversight responsibility for Constantine Metals' project, but has failed in that role. Under the United States' bedrock environmental laws, BLM must consider the impacts of its incremental decisions advancing the mining project. In the past year and a half, BLM has twice approved Constantine Metals' exploration activities, both times refusing to consider the impacts of potential mine development and its potentially devastating consequences for the watershed, even as the company continues to invest more money in the project. BLM's promise to look at development impacts later is insufficient; if the company were to discover a valuable deposit to mine, BLM's power under the law to protect the public's land at that point would be compromised.

Faced with these illegal actions and impending threats, the Chilkat Indian Village of Klukwan, Southeast Alaska Conservation Council, Lynn Canal Conservation, and Rivers Without Borders filed a complaint in the United States District Court for the District of Alaska asking a federal judge to invalidate BLM's approvals of the project and order the agency to comply with legal requirements to consider all of the project's impacts, including from potential development. The groups are represented by the Alaska office of the nonprofit environmental law firm Earthjustice.

The following are statements from the groups:

"The Chilkat Tlingits did not merely subsist, but thrived because of the abundance of salmon that migrate home to this watershed. Over the past several years our Tribe has been having government-to-government discussions with BLM regarding the permitting process for mining in the Chilkat Watershed," said **Kimberley Strong, Tribal President of the Chilkat Indian Village of Klukwan**. "We have strongly objected to BLM's permitting process as it does not take into account the environmental risks from a fully operating hardrock mine. Hardrock mining is a threat to our Chilkat wild stock salmon and the sustainability of our community. All five species of wild Pacific Salmon, as well as Steelhead, and Dolly Varden inhabit the watershed. It continues to feed our people as it has for thousands of years."

"The incremental permitting of big potential mines like the Palmer Project presents a real threat to downstream communities like Klukwan and Haines, and to the salmon and clean water upon which all Southeast Alaskan communities rely," said **Meredith Trainor, Executive Director of the Southeast Alaska Conservation Council**. "We are now at a key point in the approval process where BLM still has the authority to influence and shape the outcome. But by permitting this project piecemeal, BLM is effectively ignoring their responsibility to conduct a thorough assessment. Considering only a small area and a short timeframe leaves the public agency blind to any consideration of how downstream communities will be impacted and does not provide communities with an opportunity to raise concerns about what full mineral exploitation will mean to their people and their future."

"Lynn Canal Conservation is dedicated to protecting the ecological integrity of the upper Lynn Canal, the Chilkat Valley, and the Alaska Chilkat Bald Eagle Preserve, located just a few miles downstream of the Palmer Project," said **Eric Holle, President of Lynn Canal Conservation**. "By letting an industrial-scale project proceed with limited consideration of impacts, from exploration toward full mine development,

BLM is putting wild stocks of salmon, the keystone species of the region, at risk. This decision threatens the biological fabric that our members rely on.”

“The Chilkat watershed has outstanding ecological, cultural and economic values that need to be safeguarded,” said **Will Patric of Rivers Without Borders**. “With so much at stake, activities that may lead to mining in the headwaters demand rigorous, comprehensive and objective analyses. Unfortunately, that’s not what we’re seeing from the BLM.”

“BLM is committing itself to a path while willfully ignorant of the destination,” said **Kenta Tsuda, an attorney at Earthjustice**. “We’re asking the court to make the agency take off the blindfold and evaluate the impacts of its decisions before it’s too late.”