

Proposed by:	Mayor Schaefer
Attorney Review:	04/24/2017
Vote:	5 Aye 0 Nay 0 Absent 1 Vacant

**MUNICIPALITY OF SKAGWAY, ALASKA
RESOLUTION NO. 17-11R**

**A RESOLUTION OF THE MUNICIPALITY OF SKAGWAY, ALASKA, SUPPORTING
CONTAMINATION CLEANUP IN THE ORE TERMINAL BASIN.**

WHEREAS, in 1990, the State of Alaska Department of Environmental Conservation (ADEC) conducted an extensive investigation into the contamination of the Skagway harbor; and

WHEREAS, in 1990, a Compliance Order, agreed to by PARN, alleged that PARN caused or permitted the contamination to occur; and

WHEREAS, PARN has occupied, used, subleased, entered licensee agreements and permittee agreements, pursuant to its lease with the Municipality since 1968; and

WHEREAS, the Municipality has not substantially used or occupied any portion of those leased lands since 1968; and

WHEREAS, the characterization of sediments in the Ore Terminal Basin indicated that the harbor is contaminated with ore concentrates including lead, zinc, copper, and other unknown constituents, evidenced by studies by Robinson-Wilson and Malinkey in 1982, Dobrocky Seatech in 1986, Steffen, Robertson, and Kirsten in 1989, Tetra Tech, Inc. in 1990 and again in 2008, and Anchor QEA in 2015; and

WHEREAS, in 2012, ADEC advised the Municipality that it needed to develop and conduct a cleanup remedy for the contamination in the Ore Terminal Basin; and

WHEREAS, since that time the Municipality of Skagway has requested PARN and the other Responsible Parties conduct the necessary cleanup to mitigate the marine contamination, but PARN and the other Responsible Parties have taken no affirmative marine cleanup action; and

WHEREAS, the contaminated harbor bottom poses financial liability to the Municipality because in order to sustain the community's economic viability and to neutralize the effects of glacial rebound, plate uplift, and sedimentation, the Municipality will need to dredge the harbor for depth to accommodate the cruise vessels that serve the port; and


WHEREAS, the hazardous material in the Ore Terminal Basin continues to threaten potential commerce in the Municipality because the Municipality cannot plan for future development and use of the harbor until the contamination has been remediated; and

WHEREAS, pursuant to existing documents, the Municipality believes it has not caused any of the contamination in the harbor, and expects PARN and any other Potentially Responsible Parties identified by PARN or ADEC to fulfill their legal and moral obligations to conduct the cleanup prior to the expiration of the existing leases in 2023; and

WHEREAS, the Municipality of Skagway encourages remediation of the Ore Terminal Basin as soon as possible, and no later than June 30, 2018;

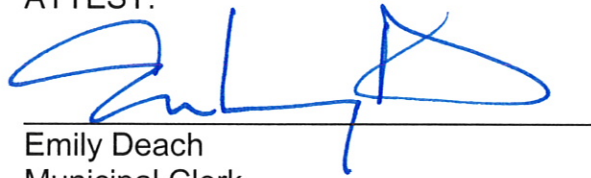
NOW, THEREFORE, BE IT RESOLVED by the Borough Assembly of the Municipality of Skagway that the Skagway Borough Assembly fully supports the cleanup of the contamination in the Ore Terminal Basin, and obtaining ADEC approval of the clean up before March 1, 2023.

PASSED AND APPROVED this 4th day of May, 2017, by the Assembly of the Municipality of Skagway, Alaska.



Mark Schaefer, Mayor

ATTEST:



Emily Deach
Municipal Clerk

(SEAL)

