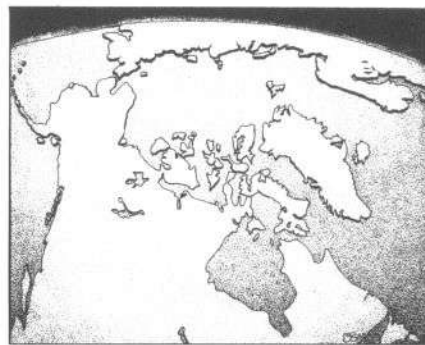
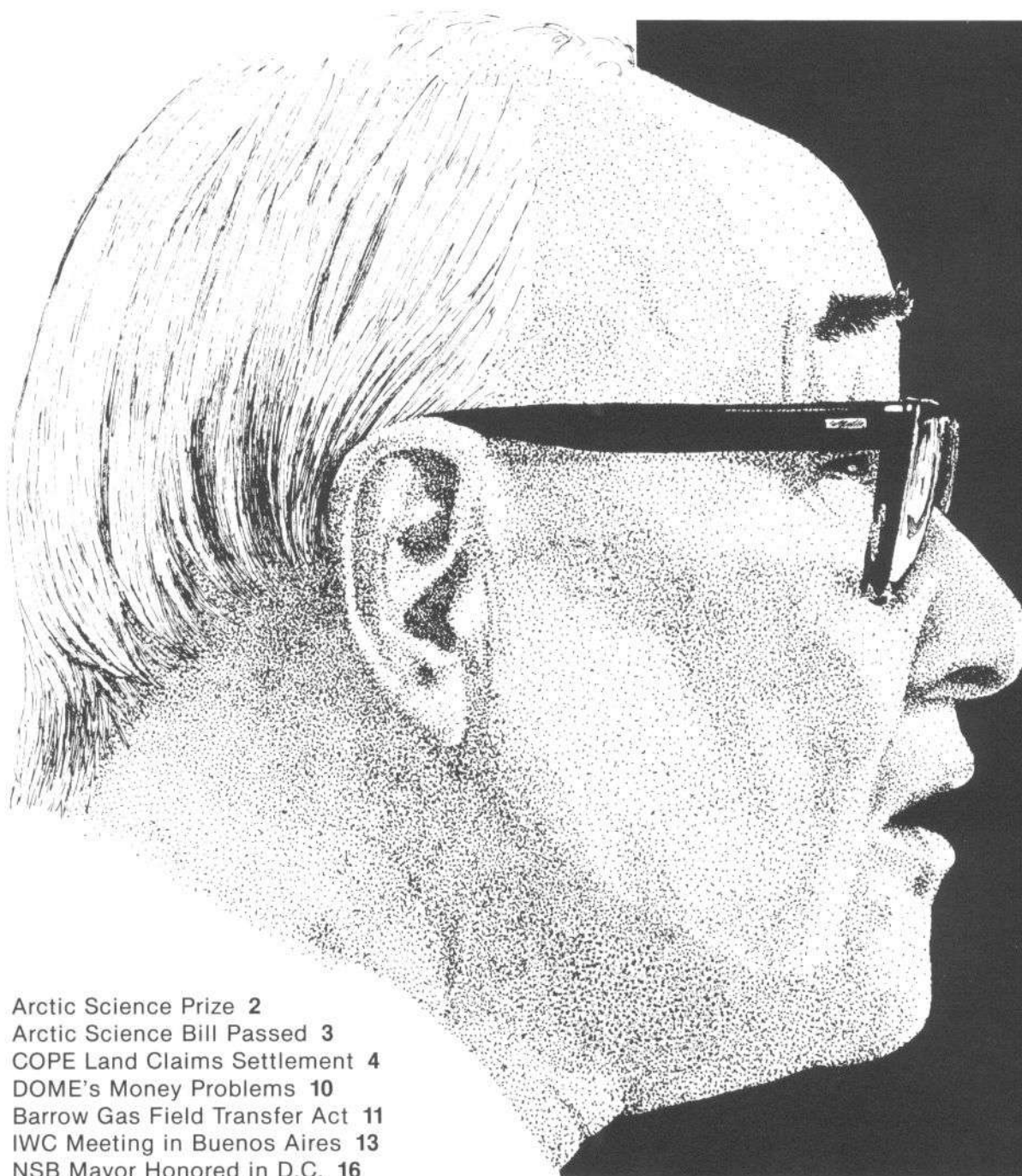


The ARCTIC POLICY REVIEW



July-August 1984, Vol. 3, Issue 1



Arctic Science Prize 2
Arctic Science Bill Passed 3
COPE Land Claims Settlement 4
DOME's Money Problems 10
Barrow Gas Field Transfer Act 11
IWC Meeting in Buenos Aires 13
NSB Mayor Honored in D.C. 16

A Publication of the North Slope Borough, Alaska

Robert Rausch Selected for Arctic Science Prize Borough Honors Animal Biologist

North Slope Mayor Eugene Brower announced on 2 July 1984 that the Borough-sponsored Arctic Science Prize is to be awarded to Robert L. Rausch, D.V.M., Ph.D. at the September meeting of the Borough Assembly in Barrow. The award will include a check for \$10,000.

Brower announced that the first recipient of the Prize was identified through a rigorous review process conducted by a review committee of eleven members consisting of scientists and research managers representing academia, government, and industry. The unanimous decision was reached at the final review-process meeting at Barrow on 21-23 June 1984.

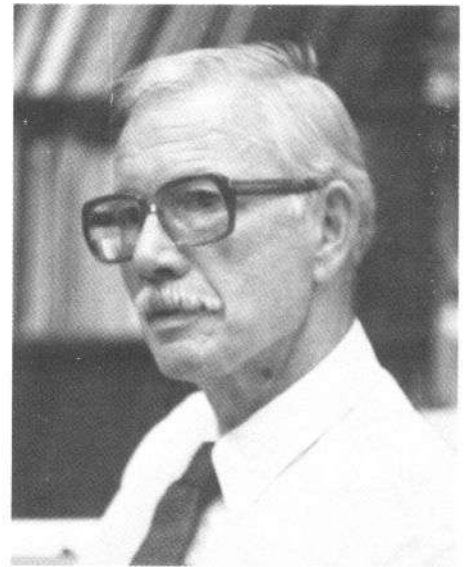
Dr. Rausch's background includes a D.V.M. degree from Ohio State University and a Ph.D. from the University of Wisconsin. He began his career in the North in 1949 as a parasitologist in the Arctic Health Research Center in Fairbanks. Working there until the institution closed in 1974, he rose to the rank of Chief of the Infectious Disease Section. Since 1978, he has been at the University of Washington where he currently holds five appointments including Professor of Animal Medicine at the medical school.

Recognized as a major figure in arctic animal biology with a broad range of competence in both the field and the laboratory, Rausch has authored or co-authored over 200 publications since 1946.

His major research effort has been with the biology of parasites of mammals of northern Alaska and comparable areas of the Soviet Union.

His pioneering contributions to this field have focused upon systematics, distribution, host-parasite relationships, and public health significance. Of particular relevance are his contributions to the understanding of parasitic diseases (particularly trichinosis and alveolar hydatid disease) affecting Alaska Eskimos and native peoples of eastern Siberia. Many of his other publications have dealt with mammalian cytogenetics, distribution of arctic mammals, and mammalian toxicology.

Others have also recognized the excellence of his work. He holds the rank of Fellow in five scientific organizations and was recently elected president of the American Society of Parasitologists. Because of his careful work in the field as well as the laboratory, his long-time relationships with Alaskan arctic residents including service on the North Slope Borough's Science Advisory Committee, Mayor Brower called him "a scientist's scientist." Dr. Rausch will present a formal lecture summarizing his arctic research at a banquet during the Borough-sponsored Third Conference on the Biology of the Bowhead Whale to be held in Anchorage on 21-23 January 1985.



Robert Rausch, D.M.V., Ph.D.: a distinguished career of science in the Arctic.

The Arctic Science Prize was established by the North Slope Borough Assembly on 1 March 1983 to serve as recognition of the recipient's contribution, to further stimulate excellence in arctic science, and to focus attention on the Arctic and its unique problems. The award will be given every two years to honor scientists who have made a significant contribution to the understanding of natural processes in the Arctic. ■

On cover: Inupiat elder Thomas Brower, President of the Inuit Circumpolar Elder's Conference.

The ARCTIC POLICY REVIEW



Published by the North Slope Borough,
P.O. Box 69, Barrow, Alaska 99723
Editorial and Circulation offices are located in
the Calais Center, 3201 "C" Street, Suite 602
Anchorage, Alaska 99503. Phone: (907) 561-5144

The North Slope Borough was incorporated as a first-class borough 1 July 1972. A Home Rule Charter was adopted by the Borough on 30 April 1974. The North Slope Borough is the regional local government of northern Alaska, with mandatory powers of taxation, assessment, education, planning, and zoning. Within its boundaries are eight Inupiat Eskimo communities (pop. 4,693), seven military installations (pop. 193), and the Prudhoe Bay Resource Development District (pop. 7,843), 88,281 square miles of land and nearly 800 miles of arctic coastline, constituting 15 percent of the State and the largest municipality in the U.S.

Reagan Signs Arctic Science Bill into Law

Alaskans Hail Federal Action on Arctic Concerns

Late in the afternoon of 31 July 1984 while vacationing on his ranch at Santa Barbara, President Reagan signed into law the Arctic Research and Policy Act of 1984, designed to bring more federal attention to the problems of the Arctic. The bill had been passed by the Senate on 21 June, and the President's action came as a surprise even to the bill's chief sponsor, Alaska Senator Frank Murkowski, because of previous opposition from some members of Reagan's staff.

In a prepared statement Senator Murkowski said, "After Alaska's 20-year effort to obtain a federal arctic policy which was begun by (former Alaska) Senator Bob Bartlett, we have finally achieved the attention we need to better understand the region and to help ensure the safe and responsible development of its natural resources." NSB Mayor Brower had high praise for Senator Murkowski, who had worked for two years on the bill. "It marks a successful effort of the borough in its long campaign to establish a policy for the Arctic that was started in 1976 by our late Mayor Eben Hopson," he said. "And I want to publicly acknowledge the leadership of Senator Frank Murkowski and Congressman Don Young for sponsoring the arctic policy bill and thank Senator Ted Stevens for his support in enacting America's first arctic policy legislation.

"I am told that there was some delay in President Reagan's signing the bill

because of his personal philosophy against legislation establishing regional policies. But in the end, he decided to make arctic policy an exception. The challenge now facing us is to convince him that research is just the starting point for developing a broad national arctic policy."

NSB Describes Research Needs

The NSB began promoting federal development of a national arctic policy in 1975 when Union Oil began exploring offshore tracts leased by the state in the early Prudhoe Bay lease sales. After Senator Murkowski announced his intention to sponsor an Arctic Research and Policy Bill, Mayor Brower wrote in support of the bill citing the gaps in arctic research:

Much of the (arctic oil and gas) exploration and development involved ... will be undertaken in remote and fragile areas in which totally untested new technologies will have to be employed. The consequences of those technologies are not yet known. The borough would like to see scientific research efforts catch up to and overtake these development plans so oil spills, noise, arctic tanker movement, impacts on marine mammals, and many others — can be foreseen, addressed, and resolved before irreparable harm is done to our land, our water, and our subsistence resources.

At the borough's request, Senator Murkowski amended the bill to include firm environmental protection language. Murkowski and Young were also instrumental in giving indigenous people of the Arctic representation on the Arctic Research Commission.

The Senate originally passed the arctic policy bill in June of 1983. Following hearings before the House Committee on Science and Technology, the House passed a different version attaching an unrelated matter to the act, Title II, called the National Critical Materials Act of

1984, which creates an office for handling strategic mineral resources. The Reagan administration and key senators objected to this title and refused to move on the bill.

House and Senate staffers spent weeks negotiating the compromise, which won quick and unanimous passage by the Senate. In the compromise bill, the newly-created strategic-minerals coordination office is merely advisory.

Provisions of the Act

The Arctic Research and Policy Act is designed to correct the disparity in which more federal resources are expended on research in the Antarctic than in the Arctic. It was also written to help coordinate arctic research which is now carried out by more than a dozen federal and state agencies and private industry.

It is in the last paragraph of the Act that we find the critical definition of the term "Arctic": "all U.S. and foreign territory north of the Arctic Circle and all U.S. territory north and west of the boundary formed by the Porcupine, Yukon, and Kuskokwim Rivers; all contiguous seas, including the Arctic Ocean and the Beaufort, Bering, and Chukchi Seas; and the Aleutian Chain." This broad definition of the Arctic extends benefits of the Act into the ice-free waters of the North Pacific and will widely affect the deployment of funds and strategic facilities authorized by the act.

Related to this broad definition of the Arctic is absence of any reference to the rehabilitation of the now-defunct Naval Arctic Research Laboratory at Pt. Barrow. Instead, Congress seeks recommendations for improving "logistical planning and support for Arctic research as may be appropriate and in accordance with the findings and purposes of this title."

The purposes of the act are:

1. to establish national policy, priorities, and goals and to provide a Federal program plan for basic and applied scientific research with respect to the Arctic, including natural resources and materi-

Continued next page



Left to right, Senator Ted Stevens, ICC President Hans-Pavia Rosing, and Senator Frank Murkowski at 1982 D.C. hearings on the Arctic Science Bill.

c. Art Stein 1982

Arctic Research and Policy Act

Findings and Purposes

Sec. 102. (a) The Congress finds and declares that—

(1) the Arctic, onshore and offshore, contains vital energy resources that can reduce the Nation's dependence on foreign oil and improve the national balance of payments;

(2) as the Nation's only common border with the Soviet Union, the Arctic is critical to the national defense;

(3) the renewable resources of the Arctic, specifically fish and other seafood, represent one of the Nation's greatest commercial assets;

(4) arctic conditions directly affect global weather patterns and must be understood in order to promote better agricultural management throughout the United States;

(5) industrial pollution not originating in the arctic region collects in the polar air mass, has the potential to disrupt global weather patterns, and must be controlled through international cooperation and consultation;

(6) the Arctic is a natural laboratory for research into human health and adaptation, physical and psychological, to climates of extreme cold and isolation and may provide information crucial for future defense needs;

(7) atmospheric conditions peculiar to

the Arctic make the Arctic a unique testing ground for research into high-latitude communications, which is likely to be crucial for future defense needs;

(8) arctic marine technology is critical to cost-effective recovery and transportation of energy resources and to the national defense;

(9) the United States has important security, economic, and environmental interests in developing and maintaining a fleet of icebreaking vessels capable of operating effectively in the heavy ice regions of the Arctic;

(10) most Arctic-rim countries, particularly the Soviet Union, possess arctic technologies far more advanced than those currently available in the United States;

(11) federal arctic research is fragmented and uncoordinated at the present time, leading to the neglect of certain areas of research and to unnecessary duplication of effort in other areas of research;

(12) improved logistical coordination and support for arctic research and better dissemination of research data and information is necessary to increase the efficiency and utility of national arctic research efforts;

(13) a comprehensive national policy

and program plan to organize and fund currently neglected scientific research with respect to the Arctic is necessary to fulfill national objectives in arctic research;

(14) the federal government, in cooperation with state and local governments, should focus its efforts on the collection and characterization of basic data related to the biological, materials, geophysical, social and behavioral phenomena in the Arctic;

(15) research into the long-range health, environmental, and social effects of development in the Arctic is necessary to mitigate the adverse consequences of that development to the land and its residents;

(16) arctic research expands knowledge of the Arctic, which can enhance the lives of arctic residents, increase opportunities for international cooperation among Arctic-rim countries, and facilitate the formulation of national policy for the Arctic; and

(17) the Alaskan Arctic provides an essential habitat for marine mammals, migratory waterfowl, and other forms of wildlife which are important to the Nation and which are essential to arctic residents.

als, physical, biological and health sciences, and social and behavioral sciences;

2. to establish an Arctic Research Commission to promote arctic research and to recommend arctic research policy;

3. to designate the National Science Foundation as the lead agency responsible for implementing arctic research policy; and

4. to establish an Interagency Arctic Research Policy Committee to develop research policy, to assist in inter-agency coordination, and the review and comment upon federal research programs in the Arctic.

The Interagency Arctic Research Policy Committee, working directly

under the National Science Foundation, will be directly responsible for the development of a comprehensive arctic research policy, for coordinating cooperation between federal, state, local, and foreign governments in arctic research, and for aiding the Office of Science and Technology in preparing a "single, integrated, coherent, and multiagency budget request for arctic research." The Interagency Committee will be composed of representatives from each of these federal agencies or offices:

1. National Science Foundation,
2. Department of Commerce,
3. Department of Defense,
4. Department of Energy,
5. Department of the Interior,
6. Department of State,
7. Department of Transportation,
8. Department of Health and

Human Services,

9. National Aeronautics and Space Administration,
10. Environmental Protection Agency, and
11. any other agency or office deemed appropriate.

The Act mandates a comprehensive five-year arctic research plan, which is to assess national needs and problems in the Arctic, to list in detail all federal arctic research programs, and to recommend program changes. The Office of Management and Budget (OMB) is required to consider all federal-agency requests for arctic research as one integrated, coherent, and multiagency request. OMB is also to facilitate the development of icebreakers needed for arctic research. ■

COPE Wins Massive Land Settlement

Historic Signing in Tuktoyaktuk

Letters from the Canadian government have been sent to land-lease holders in the Inuvialuit settlement region notifying them that their landlord is now the Inuvialuit Land Administration (ILA), not the federal government. The ILA was formed under the settlement to administer the 39,000 square miles the land granted to COPE.

This is the first and most important stage in the implementation of the Committee for Original Peoples' Entitlement (COPE) land claim passed by Parliament on 29 June 1984. Although the act is yet to be signed into law by Canadian Governor General Jean Sauve, the Department of Indian and Northern Affairs (DIAND) is already giving COPE powers over the land, which makes COPE the largest private landholder in Canada, and one of the largest in the world. The massive settlement has been compared to the British North American Act, which served as Canada's Constitution until the 1981 patriation.

As COPE helps set up forty new Inuvialuit organizations established by the Agreement, COPE itself as the land claims organization is being phased out. Within a year, COPE will cease to exist completely.

COPE Celebrates Historic Signing

On 5 June 1984, the passage of the settlement act was celebrated in northern style. In a ceremony before over 400 invited guests, Indian and Northern Affairs Minister John Munro and Committee for Original People's Entitlement (COPE) President Peter Green signed the final agreement on the Western Arctic claim, which had been 17 years in the making.

Mr. Munro told the gathering, "This is a proud day for Canada and for the Inuvialuit, whose culture and society enrich us all." Referring to the labors of chief COPE negotiator Bob Delury, Munro stated, "You have done a superb job," and went on to say that he himself was deeply honored to have had a part in achieving the settlement.

Peter Green said, "I am fortunate to be

the spokesman for the collective effort of all the Inuvialuit and the people who have worked with us to achieve this signed final agreement. The Inuvialuit of the McKenzie delta and the Western Beaufort Sea are proud that our efforts to conclude our land claim successfully have been received so well by the people of Canada."

Inuvialuit drum dancers opened the ceremony at Tuktoyaktuk's beautiful and new Kitty Hall. The Inuvialuit are the first native group north of 60 degrees to reach final agreement on a comprehensive claim. The mood was one of excitement and happiness as one official after another stepped up to the platform to sign the agreement which was fifteen years in the making. Loud applause greeted the speeches and the signing, and many eyes were filled with tears. After the ceremony, COPE hosted a luncheon of char and roast caribou, while the dancing and celebration lasted all night.

Nellie Cournoyea, one of COPE's co-founders along with Sam Raddi, is now Minister of Renewable Resources and Information for the Government of the Northwest Territories (GNWT). She surprised and delighted those present by turning up in a white dress, one of the few times in which she has been seen in a dress

at all. "I promised the negotiators a long time ago that I would wear a dress to the signing," she told the gathering with a laugh. "I learned a long time ago that you can't really boss people around unless you wear pants and are a little sweaty."

Agreement Terms

Under the agreement some 2,800 Inuvialuit beneficiaries will receive \$45 million (Canadian) in 1977 dollars, in a series of payments to be made annually until 1997 (estimated total: \$152 million). Within three months the federal government will also provide an economic enhancement fund of \$10 million designed to help the Inuvialuit participate fully in the economy of the Western Arctic. To help the Inuvialuit to solve the problems which accompany social transition, a Social Development Fund of \$7.7 million will also be established when the settlement legislation is enacted to help the Inuvialuit find their own solutions to community problems including those of health, language, traditional lifestyles, and the elderly.

As another element in the settlement, the beneficiaries will receive title to over 35,000 square miles of land within the

Continued next page



DIAND Minister John Munro, left, shakes hands with COPE President Peter Green at the signing of the Final Agreement, June 1984, as Master of Ceremonies Les Carpenter of Sachs Harbor looks on.

168,000 square miles they traditionally used and occupied. They will own both surface and subsurface rights to almost 5,000 square miles. On the remaining Inuvialuit settlement land, they will own subsurface rights to sand, rock, and gravel but not oil, gas, or minerals. Approximately 633 square miles of the land in Cape Bathurst will be held as a protected, non-development area.

The agreement grants the Inuvialuit certain preferential and exclusive rights to harvest wildlife in the settlement region, including marine mammals and fish in the adjacent waters. Other provisions will assist in incorporating the Inuvialuit into wildlife management. The North Slope of the Yukon will fall under a special management regime established by the agreement, including the establishment of a National Park in the area from the Babbage River west and a Territorial Park on Herschel Island.

Responsibility for receiving and managing the Inuvialuit settlement compensation and benefits will rest in a group of corporations owned and controlled by the beneficiaries. Six non-profit Inuvialuit community corporations will be established, each one to be controlled by the beneficiaries in the community it represents.

Together, they will control the Inuvialuit Regional Corporation (IRC), which initially will receive the settlement lands and financial compensation. The IRC will transfer these benefits to the Inuvialuit Land Corporation, the Inuvialuit Development Corporation, and the Inuvialuit Investment Corporation. An Inuvialuit Trust will own 100% of the

the non-voting preferred shares in the land, development, and investments corporations on behalf of the IRC and eligible beneficiaries, while the IRC will hold 100% of the common shares. The trust will keep records of the beneficiaries — based on the membership lists provided by the Community Corporations. The Trust will give trust certificate to each person designated as Inuvialuit by blood, adoption, or other entitlement at the age of 18 for lifetime only. Through the Inuvialuit Trust, distributions to individuals can be made at the option of the IRC. These provisions thereby meet two Inuvialuit priorities: control of resources by community groups and equality of benefits for all qualified Inuvialuit, no matter where they live.

The Final Agreement disturbs none of the citizenship rights of the Inuvialuit or the protections enjoyed by other Canadian indigenous groups. The rights designated in the Agreement are protected by the Constitution as the Aboriginal rights of the Inuvialuit.

COPE History

COPE's roots are found in a Canadian Government policy announced in 1973 to settle native land claims — a policy that arose in large part from Judge Thomas Berger's work on a legal case involving the British Columbia Nishga tribe, which established the land property rights of Canada's indigenous peoples. The policy further stated that natives had the right to maintain their way of life and take an active and significant part in the development of their lands.

In 1976, the *Nunavut* proposal was presented, calling for a political division for all the Inuit of the Northwest Territories and the Yukon. To support their claim, the Inuvialuit of the Western Arctic participated in a study that they had traditionally used and occupied an area of 168,000 square miles in the Yukon and the N.W.T. That use and occupancy was documented by Canada and the Inuit Tapirisat of Canada in *The Inuit Land Use and Occupancy Study*.

In the summer of 1976, it looked as if the Mackenzie Valley Pipeline would soon go ahead. Alaskans had warned the Inuvialuit that unless land claims were settled before the pipeline was finished, it would be very hard to control development.

In the fall of that year, the Inuit of the Central and Eastern Arctic wanted more time to study the *Nunavut* proposal and withdrew it. COPE began its own separate regional land claim with a proposal called the *Inuvialuit Nunangat*, which was presented to the government in 1977. That proposal started negotiations which led to the signing of an Agreement in Principle in Sachs Harbor in 1978 by then COPE president Sam Raddi and then DIAND minister Hugh Faulkner. A federal election and Joe Clark's 1979 Conservative government intervened for nine months as government failed even to appoint negotiators. Stalling and posturing on both sides of the bargaining table further delayed serious negotiations for another year. The Final Agreement was approved by the Cabinet in March 1984 and approved in May by vote of the com-

Continued on page 8



Left, COPE negotiator Renie Arey signs the Final Agreement as Mona Felix serves as witness. Right, Nellie Cournoyea cheers the signing and gets a hug from Dennis Patterson.

The COPE Claim in Summary

Land: Inuvialuit will receive 11,000 square kilometres of land around the six Beaufort-Delta communities and 2,000 square kilometres on Cape Bathurst (see map). They will have full surface and subsurface rights to this 7-1(A) land. This is essentially the same as negotiated in 1977.

Inuvialuit will also receive surface title to 78,000 square kilometres of class 7-1(B) land in the Mackenzie Delta and Beaufort area. This excludes rights to oil, gas and mineral rights but includes rights to sand and gravel deposits. The original '77 agreement gave the Inuvialuit 83,000 square kilometres.

Money and Compensation: Inuvialuit will receive \$45 million in 1977 dollars which will go to a Inuvialuit corporation set up to manage the land and money. This \$45 million will be worth \$152 million by the time the last payment to Inuvialuit is made in 1997. The \$152 million includes accumulated interest and payments will be made annually beginning after Parliament passes the final agreement into law. The \$45 million is the same figure which had been agreed upon in 1977. COPE will have to repay the advances on land claims negotiations from the first payments.

The payments will not be taxed, but the various Inuvialuit corporations doing business or investing with the land claims money will have to pay tax.

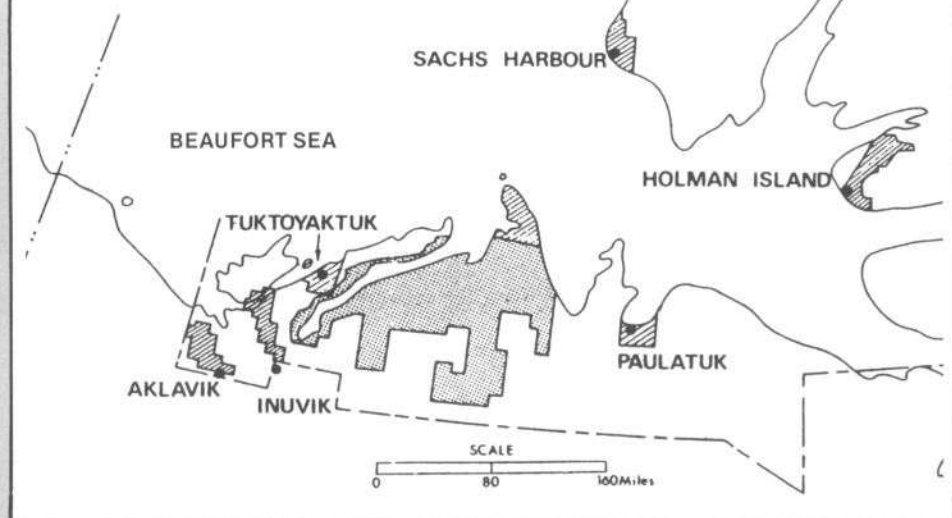
Social Development Fund: The Inuvialuit will receive \$7.5 million for a special fund which will help the elderly, resolve social and health problems, improve housing, education, and maintain the Inuvialuit culture. Payments of a half million dollars a year will be made to this fund beginning when the final agreement becomes law.

This was an element of the 1977 agreement and remains unchanged.

Economic Fund: The Inuvialuit will get \$10 million to assist and develop

INUVIALUIT LANDS SELECTED PURSUANT TO 7(1)(a), & 7(1)(b)(i)

-  7(1)(a)
-  7(1)(b)(i) — HUSKY LAKES



Inuvialuit-based industries and businesses. This is a new provision which didn't exist in the 1977 agreement. This was put in because the ten percent preference clause for Inuvialuit businesses was withdrawn after protest from the Canadian business community.

The agreement also contains measures to give government priority to purchases of products and services from the Inuvialuit.

Yukon North Slope: A national park will be established on Yukon's North Slope west of the Babbage River. Herschel Island will become a territorial park. The North Slope east of the Babbage will be subject to a land use planning process that has Inuvialuit involvement. But controlled development would be permitted here.

Development will be permitted at Pauline Cove on Herschel Island and at Stokes Point in the proposed National Park but under strict terms and conditions.

Wildlife Management: Inuvialuit will have exclusive harvesting rights to their own land and preferential rights to other land within the settlement region. They will also retain exclusive harvesting rights to all game in the North Slope park and on Herschel Island. They will have preferential rights for wildlife harvesting on Yukon's North Slope between the park and the N.W.T. boundary subject to conservation measures. Other Native people who have trap lines in these areas will not be affected by the settlement.

The Inuvialuit will also participate in overall game management in the Western Arctic region through a variety of boards and councils.

Land Use Planning: The federal-territorial land-use planning regime for the N.W.T. will be extended to the COPE settlement region. But, the Inuvialuit will comprise one-half of the board members who will coordinate land use planning for the Delta-Beaufort region.

COPE settlement landmarks: top, then COPE President Sam Raddi (standing behind desk) at the presentation of Inuvialuit Nunangat proposal in Ottawa, 1977.

Middle, left to right, negotiator Andy Carpenter, Sam Raddi, chief negotiator Bob Delury, and interpreter Rosie Albert at the signing of the Agreement in Principle at Sachs Harbor, October 1978.

Bottom, Peter Green (now COPE President) and negotiator Nellie Cournoyea (now Member of the Legislative Assembly for Nunakput) at the signing of the Agreement in Principle in 1978.



Continued from page 6

munities of the settlement region (Aklavik, Paulatuk, Inuvik, Tuktoyaktuk, Sachs Harbor, and Holman Island).

Agreement Details: Land Ownership

In the earliest days of the negotiations, fieldworkers went from house to house in each community asking people what they wanted to see in a settlement. From this it became clear that the Inuvialuit agreed on three things: they wanted the land protected; they wanted the wildlife protected; and they wanted more control over the decisions affecting their lives and their children's lives.

Land ownership, hunting, fishing, and trapping rights, and control of their own business affairs were seen as central to a settlement. Finally, financial compensation was asked for lands and resources within their settlement lands which they will not own themselves.

Under the Final Agreement, there are two kinds of lands which will be owned by the Inuvialuit, named after the sections of the Agreement where they are discussed: 7-1(A) lands and 7-1(B) lands.

The 7-1(A) lands total 5,000 square miles and include all surface and subsurface mineral rights. In the remaining 30,000 square miles, 7-1(B) Lands, the Inuvialuit have title to surface rights and the subsurface rights to everything except oil, gas, and minerals, which are retained by the government. Although the Inuvialuit will own the land under rivers and lakes, Canada retains ownership and management of the waters in the Settlement Region.

The land within the Region not owned by the Inuvialuit are retained by the government. The Inuvialuit lands were chosen not because of proven oil or gas reserves, but because of their importance for hunting, trapping, fishing, and other traditional reasons. Improvements on the lands and profits made from it will be subject to tax. None of the lands may be sold except to other Inuvialuit or to the government.

Development Provisions — Participation Agreements

Individuals can use and cross Inuvialuit lands for casual recreation without permission unless problems arise. Commercial users must negotiate arrangements with the Inuvialuit before entering these lands. Inuvialuit participation in development on their own lands is guaranteed with a provision for Participation Agreements to be negotiated between the Inuvialuit and developer-applicants. Negotiations will cover such things as contracts, business shares, education, job training and preference, service contracts,



Photos: Inuvialuit

environment restoration, and compensation to hunters, trappers, and other harvesters for losses suffered as the result of development activities

The compensation provisions require that the developer must first repair the damage and restore the wildlife to the original condition. Secondly, if the damage done to wildlife cannot be restored and the Inuvialuit cannot get the wildlife they depend on, the developer is required to provide suitable substitutes as compensation. This could include, for

example, transporting hunters to more distant areas where wildlife is available or offering cash substitutes for wildlife. In default of compensation by the developer, the Federal Government is required to compensate.

On Crown Lands within the Settlement Region — not covered by Participation Agreements — development programs must first be cleared by a Screening Committee. Upon approval by the Committee, the program is then submitted to a public review process. The Review Committee can then decide about whether or not to proceed with the program and about what conditions are to be imposed upon it. The Review Committee can also recommend terms and conditions pertaining to the wildlife compensation provisions of the Agreement.

Half of the representatives on the Screening and Review Committees will be Inuvialuit.

The Inuvialuit will also form half of the membership of two groups which will coordinate land-use planning in the Settlement Region.

The Yukon North Slope

The whole Yukon North Slope has been given special protections.

Wildlife, habitat, and traditional native use will be the main purpose for the area. West of the Babbage River, a National Park will be established in which no development will be permitted.

Herschel Island will become a park administered by the Yukon Government. Controlled development will be allowed east of the Babbage River, but it will have to go through the Land Use Planning and Conservation Planning processes. Development at Pauline Cove and Stokes Point will be allowed if strict conditions are met.

Inuvialuit Harvesting Rights

Two kinds of harvesting rights set out in the Final Agreement.

Exclusive harvesting rights allow only Inuvialuit or those permitted by the Inuvialuit to harvest an area. *Preferential* rights give the Inuvialuit first opportunity to harvest an area, and the first take of species needed for food and clothing.

The Inuvialuit will have exclusive rights to harvest all game on their own lands, in the National Park, in the Territorial Park, and on nearby islands. They also have exclusive rights to harvest black bear, grizzlies, polar bear, musk ox, and all

other fur-bearers on Crown lands west of the Babbage River, with preferential rights to other subsistence species. On Crown Lands east of the Babbage River, they will have exclusive rights to polar bear and preferential rights to other species. Generally, they have preferential throughout the Region right to harvest all other species of wildlife except migratory non-game birds. The Inuvialuit have preferential rights to fish and marine mammals. If the market for seal skins returns, they will have preferential rights for commercial purposes.

A major provision of the agreement allows the Inuvialuit to trade, barter, and sell game and game products among themselves, a provision which is considered a major guarantee of the Agreement.

They also are guaranteed the rights to move game products back and forth between the Yukon and the NWT and to establish whatever camps are necessary for harvesting wildlife.

Participation in wildlife management is given to the Inuvialuit Game Council made up of representatives of the 6 community Hunters and Trappers Committees. Provision is also made for Inuvialuit participation in other fish and wildlife bodies established for research, management, and consultation.

Development Corporation Under Way

The \$10 million in development funds will be delivered by the government next spring to the Inuvialuit Development Corporation (IDC) which had been started in 1978 as a result of the Agreement in Principle for the purpose of stimulating Inuvialuit economic development. At that time, the IDC was granted a \$10 million advance. During this period, and until the provisions of the Final Agreement are implemented, the Inuvialuit are the shareholders of IDC, and COPE has held the shares in trust. Presently, each of the six communities are represented on the IDC Board of Directors, which is chaired by Randal Pokiak, an Inuvialuit from Tuktoyaktuk.

The IDC has involved itself in businesses which help to preserve traditional ways such as Country Foods, Arctic Guiding and Tourism, and other native-owned businesses. It also has invested in companies that provide vital services such as transportation, food, and hunters and trappers supplies. It currently has plans to engage in oil-and-gas-field support services and to develop manage-

ment training programs.

Inuvialuit leaders feel that the 5-year lead time for the IDC has enabled it to hit the ground running, with recognition established within the Canadian business community. "By the time the claims are finalized, we hope to be moving at a real good pace," said Randal Pokiak in a recent interview in the COPE monthly newspaper, *Inuvialuit*. Talking about the uses to which the new grant will be used, Pokiak said that much will be spent on the development of renewable resources. "We find that government grants are too slow for what we are trying to do," he said. "We need to be able to get going without going through all that red tape." Other funds will be put into management training and development. Pokiak added, "Some of the money will be used to set up offices in different communities with a communications center so business can be done on a regular basis using teleconferencing. We saw this working in Alaska." As to how the IDC will respond to the unpredictable future of the Western Arctic oil and gas resources, Pokiak stated that they intend "to have a hand" in that, but at the same time are looking at investments outside the NWT and possibly even internationally.

Some of the funds will be spent on joint ventures as a means of helping local businesses to get started. "We will be taking advantage of any grants, loans, or other programs to assist people to start up business," Pokiak said, by helping individuals apply for such grants and loans.

"We're still interested in doing business with Alaska. With the oil and gas activity in both areas, if we could tap into it, it would help us bring our overhead costs down. While in Alaska recently, we have talked about two things — supplying Prudhoe Bay with fuel, and with groceries — and we're looking at costs right now. But we're not only looking at the oil companies but other communities, for example Barter Island, even Barrow. If it looks good we may be able to form some kind of agreement!"

COPE Negotiator Bob Delury

No one knows better than COPE negotiator Robert Delury that the work of the settlement has only begun. Involved with COPE since its inception, Delury has a longevity rarely seen in a negotiator. A trained biologist, Delury went to work for the Inuit Tapirisat of Canada in 1973 to monitor development in the region. He

Continued next page

helped ITC formulate guidelines for environmental and development controls.

When COPE decided to go its own way in 1976 because of the rapid pace of development in its region, Delury was in charge of COPE's negotiation process.

Using a team of negotiators from each village, Delury hammered out the Agreement In Principle in two years. The draft final agreement was signed on 21 December of last year by Delury and federal negotiator Simon Reisman.

Because of the secrecy surrounding the final stages of the negotiations, Delury came under frequent criticism and political attack from inside and outside the Inuvialuit community. After the federal Cabinet had approved the Agreement on 28 March 1984, a protest group called the Inuvialuit Action Group called for a six-month delay in the village voting procedure. This request was flatly turned down by Delury and COPE president Peter Green. COPE campaigned for a high voter turnout at the poll and won. During the week-long poll in May, 77 percent of the eligible voters turned out, with 81 percent in favor of the settlement, giving COPE a strong mandate to proceed with the settlement.

Delury then moved to Ottawa where he worked furiously preparing the legal wording of the land claim for legislation before Parliament adjourned. His labors were rewarded when the law was passed handily the day before adjournment, 29 March.

A Working Settlement

Delury had set out to maximize Inuvialuit control and opportunity in their own land. "There is no concept of erecting barriers to people or investment in the region," he said in an interview in December when the draft Agreement was initialized.

"The Inuvialuit do not want to be isolationists. The stronger the Inuvialuit are, the more opportunities there will be for everyone.

The chief benefit of the claim is expected to be the same as in the case of the Alaska Native Claims Settlement Act: it will open up the Western Arctic for development. The barrier set up by Judge Berger in his Mackenzie Valley report of 1977 ("No development before native land claims are settled") is down.

"This is a working settlement, not a welfare handout," said Delury. "We don't expect the settlement to be perfect. It's as close to perfect as we can make it. It will provide the tool for Inuvialuit to take an active role in this region. The settlement will be judged on the people who use the tools, not the tool itself." After eight years of negotiating, Delury will return to his family and thriving scientific company in British Columbia, but he still will be involved with the implementation of the Inuvialuit Final Agreement.

During the week of 7 August 1984, Larry Osgood, the Coordinator of the Inuvialuktun Language Project, was attending the North Slope Borough's



COPE chief negotiator Bob Delury holding the Final Agreement in Tuktoyaktuk, March 1984: a superb job.

Elders' Conference in Barrow, Alaska. While there, he was invited by Judge Berger to address the Alaska Native Review Commission (ANRC) which was holding hearings in Barrow the same week. As villagers across the North Slope listened to the Osgood's account of the COPE settlement — broadcast live from the school library — no one listened more carefully than ANRC Chairman Berger, sitting to his right. Afterwards, he thanked Osgood for his presentation and said, "Sometimes we have to come to Alaska to find out what's going on in Canada."

Sources for this article were the *Nunatsiaq News*, *News/North*, and the COPE publication *Inuvialuit*.

Further details of the agreement can be found in a booklet entitled: *The Western Arctic Claim: A Guide to the Inuvialuit Final Agreement*, which is available from Indian and Northern Affairs Canada, Ottawa, Ontario K1A 0H4, Canada. ■

Dome Struggles to Reduce Losses Make or Break Year

On 1 August 1984, Dome Petroleum Ltd. signed an accord with its lenders to restructure about \$5.2 billion (Canadian) of its \$6.2 billion of debt. Taking almost two years to negotiate, the 650-page agreement is the largest corporate debt rescheduling on record and requires the troubled Calgary, Alberta, oil and gas company to raise \$350 million of equity by 5 October.

The debt rescheduling involved restructuring 41 loans with 54 lenders, 15 of whom had made several loans to Dome. Under the plan, Dome will pay its debt more evenly over 12 years. Dome has been struggling under a massive debt load for two years, following an aggressive acqui-

sition spree, largely supportive of its Beaufort Sea development plans. The debt restructuring involves divestiture of some of these assets, including 10 million shares of its 31 million shares in Dome Mines.

Meanwhile, Dome and its subsidiary, CanMar, are drastically scaling down their Beaufort Sea projects, cutting down northern operations from 1500 employees just two years ago to 900. Company spokespersons have said that unless substantial amounts of oil are discovered in the Beaufort this summer, Dome will likely break its five-year exploration agreement with the Canadian government and pull out a major portion of its

drilling fleet.

Dome's year-round drilling caisson, the SSDC, has not been employed so far this season, and Dome is beginning to take supplies off the converted tanker sitting in McKinley Bay. If work is not found for it this summer, it will be mothballed, possibly for a long time until someone else wants it. The company's fuel supply tanker, the Skauuvan, will leave the Beaufort and return to Japan this summer. Its air fleet, including a Boeing 737, has been drastically reduced.

The company's four drillships were moved out of the harbor and began drilling in early July. Five delineation wells are being drilled around proven oil reserves. If the attempt to find commercial quantities of oil is unsuccessful, the company will be devoting its energy to selling off equipment instead of drilling with it. ■

President Signs Barrow Gas Field Act

Brower Welcomes Energy Independence to North Slope

On 17 July 1984, Mayor Eugene Brower was informed that his negotiations with the Department of the Interior to transfer the Barrow Gas Fields to the North Slope Borough reached a successful conclusion by President Reagan's signing the Barrow Gas Fields Transfer Act of 1984. Regarded by Mayor Brower as one of the most important accomplishments of his administration, the President's signature ended two years of intense negotiations. Elated with the President's signing, Mayor Brower welcomed the transfer as a landmark event for the borough.

"We are now in a position," he stated, "to demonstrate how local people can best manage their own energy resources. This act enables us to provide for our own energy needs well into the next century." The agreement and legislative package Mayor Brower negotiated with DOI transfers ownership of the South and East Barrow Gas Fields, the Walakpa gas-discovery site, access and easements to develop sources of natural gas that might be discovered in NPR-A, and other assets to the borough. In addition, the borough will receive \$30 million to operate and maintain the gas fields and develop energy resources to provide low-cost energy for Barrow and other North Slope communities. Mayor Brower also assisted in obtaining provisions for lands to be transferred to the Arctic Slope Regional Corporation (ASRC) and for the Ukeagvik Inupiat Corporation (UIC), the Barrow village corporation, to receive sand and gravel rights in the areas transferred to the borough.

A Twenty-year Struggle

More than 30 years ago, natural gas was discovered in the Barrow vicinity by the U.S. Navy as part of its exploration program in the Naval Petroleum Reserve No. 4 (Pet-4). A gas transmission line was installed between the South Barrow Gas Field and the Naval Arctic Research Laboratory (NARL) in 1949 for heat and electrical generation. Ten years later, led by the late NSB Mayor Eben Hopson, the

City of Barrow successfully petitioned the federal government to allow Barrow residents to purchase natural gas at reasonable rates from the Navy. But it was not until 1965 that a gas distribution system was in place and maintained by Barrow Utilities Inc. and the Bureau of Indian Affairs installed a gas-fired electrical generator for BUI to operate.

Several years after the borough was formed in 1972, Mayor Hopson faced stiff opposition from the U.S. Senate Armed Services Committee and members of Alaska's congressional delegation while he lobbied Congress to transfer Pet-4 from the Navy to the more sympathetic Department of Interior. His efforts paid off with the National Petroleum Reserves Production Act of 1976.

This law renamed Pet-4 as the National Petroleum Reserve — Alaska (NPR-A), moved it under DOI with provisions requiring DOI to continue to supply natural gas to Barrow at reasonable rates, establishing a rate structure yet unmatched elsewhere. Today, this gas is still the lowest priced gas found anywhere in the United States.

Plans to close NARL, coupled with federal budget cuts for Arctic research, prompted President Jimmy Carter's administration to attempt to transfer responsibility of the gas fields — in a substandard and deteriorated condition — to the NSB. Again, through vigorous lobbying efforts, the borough was able to forestall any premature action. Reagan's election, the appointment of James Watt as Secretary of the Interior, and further budget constraints added more impetus to DOI's efforts to rid itself of this responsibility. The gas fields became a target for disposal by any reasonable means.

The Transfer Negotiations

In February of 1982, one of the coldest winter months on the North Slope, Deputy Undersecretary Bill Horn voiced DOI's challenge against continuing its responsibility to provide natural gas to Barrow

under the NPR-A act in a letter to Mayor Brower. Formerly on Senator Ted Stevens' staff, Horn raised a number of complaints about DOI continuing to provide gas to Barrow for home heating and to generate electricity. He specifically complained that the artificially low rates charged to Barrow consumers were insufficient to cover the production costs and threatened to have them raised. But he did recognize that it would be consistent with DOI's policy to transfer the fields to a local entity. The transfer negotiations had begun.

In August of 1982, Mayor Brower created a task force with representatives from ASRC and UIC to oversee the Barrow Energy Study he had authorized. The study identified the community energy needs for the next 20 years and suggested available and potential energy sources to meet the demand (See APR, Dec. 1983).

By September of 1982, Mayor Brower had already assembled his transfer package.

In November 1982, Mayor Brower met with Secretary Watt in Washington, D.C. to discuss the general terms for the transfer.

At this meeting, Watt was too impatient to hear anything about the borough's energy plans or the suggested

Continued next page



BUECI building in Barrow: energy supplies into the next century.

transfer schedule. Rather, his statements made it clear that DOI would choose to ignore the congressional mandate to develop new fields when the current fields ran dry. In reference to the NPR-A act, Secretary Watt said, "If words could burn, you wouldn't need natural gas. You would be warm forever." But Mayor Brower flatly stated that the borough would not assume responsibility for the fields unless given adequate compensation and resources to meet the borough's future energy needs.

But as the negotiations intensified, DOI resorted to desperate tactics to pressure Mayor Brower to quickly end the negotiations and accept responsibility for the gas fields before an adequate energy plan could be developed and without revenues to operate and maintain the fields.

In January of 1983, Mayor Brower's staff in Washington were informed by a source within the U.S. Geological Survey — the DOI agency directly responsible for the gas fields — of an internal memorandum that indicated there might be less gas in the fields than Horn was leading the borough to believe. Apparently, this memorandum was being suppressed. Upon hearing of this, Mayor Brower wrote Secretary Watt requesting a copy of this memorandum and informed him that the negotiations would not proceed until DOI conducted deliverability tests on the wells in the gas fields. These tests, a normal step in developing any gas field, were never before done in the Barrow fields. The DOI had refused to fund these tests, citing insufficient funds and claiming they were not necessary. But the memorandum made them imperative if negotiations were to continue. Horn retaliated.

In February of 1983, he sent a telegram informing Mayor Brower of DOI's intent to raise the consumer price of natural gas from its current price of \$.32 to \$2.65, as calculated under the Natural Gas Production Act, rather than the rate structure provided under the NPR-A act. Many Barrow residents would be unable to afford to heat their homes at such a price. Horn also threatened this price increase would go into effect immediately unless the borough assumed responsibility for the fields. More disturbing was his threat to severely cut the production-level by claiming that the NPR-A act said the gas was to be used only for home heating and not for electrical generation.

This would have required Barrow Utilities and Electric Cooperative, Inc.

(BUECI) to generate power with expensive diesel oil, and Barrow consumers would face substantially higher electricity bills. Borough officials believe that Horn then convinced Senator Stevens' staff to send a telegram warning Mayor Brower about the rise in consumer rates, and urging him to quickly conclude the transfer negotiations. However, soon after the telegram was received, Senator Stevens called Mayor Brower to personally apologize and said the telegram was sent without his prior knowledge or approval.

The negotiations were quickly back on track soon after DOI authorized the deliverability tests that were done last summer.

Although they showed that the fields have more gas than anticipated, the tests also confirmed that the productivity of the fields would decline very sharply and will be dry by 1991.

Finally, on September 22, 1983 Mayor Brower and Secretary Watt signed an agreement for the gas fields transfer. The agreement and legislative package included the following major elements:

- Revenue-producing opportunities.
- Energy-producing resources.
- Funding for development of energy resources.
- Land-transfer compensation.

Revenue-Producing Opportunities

The revenue-producing provisions included, first of all, a \$30 million cash transfer directly negotiated by Mayor Brower. Because the only strings attached are that its use must be directly related to energy or energy production, the investment of these funds will earn a minimum of \$3 million a year in interest. This interest, plus the small revenues from the sale of gas to BUECI, will allow the borough to maintain current consumer rates. The act also provides that federal agencies operating in Barrow pay the going rates for gas rather than the wholesale price.

The NSB also received the former DEW Line site at Cape Simpson as a potential industry service-base site from which revenues could be earned to add to the energy fund for future energy projects. The borough will also select a second site of 320 acres within the next 10 years for similar revenue generation.

Finally, the Act granted the borough subsurface rights to potential oil and gas producing lands and rights to sand and gravel resources, of which the potential

revenues are tagged for energy development.

Energy-producing Resources

The Act transferred to the NSB the South and East Barrow Gas Fields, including all the improvements thereon, equipment, supplies, tools and other property located at the fields or at NARL. Also conveyed was the Walakpa gas-discovery site, which may contain 250 billion cubic feet of natural gas. These combined resources will be able to supply Barrow and other North Slope communities with natural gas well into the next century.

The Act conveyed to the borough any natural gas discovered in the potential oil-producing lands conveyed by the Act to ASRC south of the Walakpa gas-discovery site. Optimizing the borough's ability to meet the energy needs of all the communities, the Act also gives the borough access to natural gas for local consumption wherever else it is produced throughout the NPR-A, no matter by whom it is developed.

Energy-producing Resources

A critical element in developing North Slope energy resources is the time factor. The development of new energy sources must be accomplished as soon as possible since the decline in the existing fields is steeper than previously anticipated. Once the decision is made to produce a new field, for example, the development and switch-over to the new source must be completed rapidly.

To facilitate prompt development of fields and transmission lines, the Secretary of Interior is authorized to provide the necessary rights of way. The Act also provides for rapid deployment of sand and gravel resources necessary for such activities and authorizes the USGS to provide technical assistance as required.

Title-Transfer Provisions

Recognizing that the transfer to the NSB of hydrocarbon rights under UIC lands extinguished ASRC's rights under these lands as provided in Sec. 1431 (o) of the Alaska Native Claims Settlement Act, the NSB aided ASRC in obtaining selection rights to other potential resource lands. The borough also won sand and gravel rights for UIC in the Walakpa and Barrow Gas Fields. ■

Inupiat Whalers Defend Subsistence Whaling in Buenos Aires Commercial Whaling Moratorium Places New Focus on Bowhead Hunt

Again this year, Inupiat whalers were required to send representatives to foreign countries to defend their unique subsistence whaling rights at annual meetings of the International Whaling Commission (IWC). In June, they conferred with the IWC Scientific Committee in Eastbourne, England, and later attended sessions of the IWC Technical Committee and general IWC assembly in Buenos Aires, Argentina.

In spite of their attempts to raise the 1985 Inupiat subsistence quota above the 16 that was established last year, no action was taken. And because of the moratorium on commercial whaling that will last until 1990, the whalers left the meeting in Buenos Aires knowing that the bowhead hunt will come under increasing scrutiny during the intervening years.

This year, Alaska's delegation to the IWC Scientific Committee meeting was composed of NSB Senior Scientist Thomas Albert, Ray Dronenburg, Gordon Broadhead and Daigen Ko. Mayor Eugene Brower was accompanied to Argentina by Whaling Captains John Oktollik, Chairman of the Alaska Eskimo Whaling Commission (AEWC), of Point Hope, and Burton Rexford, representing the Barrow Whaling Captains' Association, along with Barrow City Manager Marie Adams (formerly AEWC Executive Director), and Eben Hopson Jr., who was designated as an official IWC Observer by the World Council of Indigenous People (WCIP). AEWC legal advisors Lynn Sutcliffe and Deborah Gottheil joined the delegation in Buenos Aires.

The 1984 Bowhead Census

Because the federal government sharply cut its investment in bowhead-whale research programs after the U.S. Court of Appeals approved the 1979 oil and gas lease sale in the Beaufort Sea, the borough and the State of Alaska have jointly financed a substantial research program aimed at determining the number of whales that pass Barrow during their spring migration. The census



Inupiat representatives with Soviet supporters of subsistence whaling, left to right, AEWC Chairman John Oktollik, USSR IWC Commissioner Dr. I. V. Nikinorov, USSR delegation lead scientist Dr. M. Ivashin, NSB Mayor Brower, Burton Rexford of the Barrow Whaling Captains' Association, an unidentified Soviet official, and Eben Hopson Jr. representing the WCIP.

data collected is then used by the AEWC in its negotiations with the IWC. This research, led by Dr. Albert, has gradually refined the bowhead census technique to the extent that the IWC has accepted a whale population estimate to be at least 3,900.

At the Scientific Committee meeting, Dr. Albert and his colleagues were able to present only preliminary information about the 1984 census project, because it was still underway in the Arctic. Although the results of the 1984 field season are still being evaluated, the visual census effort was very disappointing.

Severe environmental conditions which closed the open-water leads near the visual-counting station resulted in fewer than 500 whales actually spotted. However, this disappointment was at least partially offset by very encouraging preliminary results of the acoustical localization aspect of the census program.

Using an array of three hydrophones near the census station, acoustical scientists were able to localize whales by their sounds as they passed. An initial examination of the preliminary data reveals at least 6,000 whale sounds were detected by the hydrophones when the leads were closed and no whales were seen.

The IWC Scientific Committee was so impressed with this preliminary data that it accepted the concept that whales can

pass the census station when the leads are closed and no whales are spotted. This encouraging acoustical data, along with the entire annual whale census program, are to be examined in detail at the borough's Third Conference on the Biology of the Bowhead Whale scheduled for January 21-23 in Anchorage.

New Tracking Techniques

The Scientific Committee also noted the borough-sponsored research being conducted by Dr. Erich Follman of the University of Alaska. This research is designed to help reduce the incidence of struck-but-lost whales. Radio transmitters are mounted onto whale floats to help locate lost whales. This program was well received by Kaktovik whalers during the 1983 fall hunt and will continue again this year.

In his report to Mayor Brower, Dr. Albert explained, "If this technique works well and continues to be accepted by the whalers it could be expanded for use in other areas in the spring using an underwater pinger? This pinger — an underwater signal transmitter — would be needed in the spring since a lost whale would likely be under the shore-fast ice and a radio transmitter would not work. However, some whalers would probably object to using a pinger because the signal could scare off other whales and interfere

Continued next page



Whale conservationist groups gathered on the Plaza San Martin in Buenos Aires across the street from the Plaza Hotel, which hosted the IWC conference: next time, the focus will be on the bowhead.

with the hunt. A frequency that whales are unlikely to hear would need to be used. This technique would enable the Inupiat whalers to address the struck-and-lost issue which may be raised again at the IWC meeting next year.

Industrial Noise Disturbance

The Scientific Committee expressed increased concern about the effects of off-shore industrial noises on the bowhead.

This topic was addressed in a paper presented by Sohio biologist Mark Fraker, who maintains that most industrial noise does not bother the bowhead.

This view was countered by borough scientists and members of the Committee, who referred to statements made by Barrow whalers that during the past several years the bowhead fall migration route seemed to move farther off-shore from Pt. Barrow than before. At the same time, the whalers have seen and/or heard an increasing number of seismic vessels in the Beaufort Sea. Since the effect of industrial noise on the bowhead is unclear, the Scientific Committee was pleased to hear that this issue will also be considered at the bowhead conference in January.

Although the Scientific Committee meeting went fairly well for the Inupiat whalers, the borough's delegation left feeling apprehensive about next year's meeting when the subsistence whaling issue may be the only major topic of discussion.

1982 Subsistence Regulations

By the time Dr. Albert and the delegation returned from Eastbourne, Mayor Brower had already left for Buenos Aires to attend a week-long meeting of the IWC Technical Committee's Standing Subcommittee on Aboriginal/Subsistence

Whaling. This Standing Subcommittee, which met prior to the IWC Commissioners meeting, was organized in 1982 to diffuse the bowhead whaling controversy that marked IWC meetings since the 1977 meeting in Tokyo. The purpose of the Subcommittee is to review subsistence harvest requirements and to make recommendations the IWC can use to balance subsistence whaling requirements with recommendations made by the Scientific Committee. In 1982, at the recommendation of the Subcommittee, the IWC Commissioners adopted the following new regulations to assure future aboriginal/subsistence quotas:

Section 13. (a) (1): For stocks at or above the maximum sustainable yield (MSY) level, aboriginal subsistence catches shall be permitted so long as the total removals do not exceed 90 percent of the MSY.

Section 13. (a) (2): For stocks below the MSY level but above a certain minimum level, aboriginal subsistence catches shall be permitted so long as they are set at levels which will allow whale stocks to move to the MSY level.

Section 13. (a) (3): The above provisions will be kept under review, based upon the best scientific advice, and by 1990 at the latest the Commission will undertake a comprehensive assessment of the effects of these provisions on whale stocks and consider modification.

Mayor Brower was most impressed with the paper presented to the Scientific Committee by V.D. Sapronov of the Soviet Union describing Native subsistence utilization of grey whales at Siberia's Chukchi Peninsula. The paper explained that the Soviets annually harvest 170 grey whales for Native subsistence use with a commercial-type

whaling vessel operated by their Ministry of Fisheries.

IWC Commissioners Meeting

Following the week-long Subcommittee meeting, IWC Chairman Eduardo Iglesias of Argentina opened the 36th IWC Commissioners meeting on Monday, June 25th — the first ever held in South America. At a press conference the next evening, he acknowledged the sensitivity of the subsistence whaling issue and described his recent visit to Barrow and the subsistence whaling camps.

After the IWC met in July 1977 in Canberra, Australia, and adopted a subsistence bowhead quota of 0, a special IWC meeting was held in December 1977 in Tokyo, where the zero subsistence whaling quota was reconsidered and amended to provide for the unacceptably low quota of just 18 strikes. This began the Inupiat whalers long political struggle to gain support from other IWC member nations sensitive to aboriginal subsistence whaling rights. Last year, these nations were able to block any action on a series of low-quota motions made in the plenary session. The IWC Commissioners had to meet privately to work out a compromise of 43 strikes, 27 of which could be made in 1984, and the remaining 16 strikes in 1985. Some expressed the possibility that the results of the Borough's 1984 Spring whale census might justify an increase of the remaining 1985 allocation.

It was as clear to Dr. Albert in Eastbourne as it was to Mayor Brower in Buenos Aires that the moratorium had loomed so large that many of those against all whaling no longer felt the need to be cooperative with the Inupiat Whalers. The United States voted to cut Soviet, Japanese and Norwegian Minke

Continued next page



AEWC Chairman John Oktollik of Pt. Hope, left, and Barrow whaling captain Burton Rexford, right, confer with AEWc counsel Lynn Sutcliff.

whale quotas and voted against establishing a new quota for Japanese North Pacific sperm whaling. And nothing was added to the 1985 bowhead quota. The Inupiat whalers and their advisors intently followed the week's acrimonious debate that culminated in perhaps the last commercial whaling quota decision the IWC will make. The IWC slashed the Japanese and Soviet Southern Minke quotas by 50 percent. By the end of August, the commercial whaling nations had filed formal objection to these quota decisions, and many observers expect commercial whaling nations to object to the IWC's indefinite moratorium, and thus nullify its effect. Some expressed fear that the IWC might not survive the moratorium, with commercial whaling nations withdrawing their membership. But it is clear that this moratorium will cause the IWC to focus its attention on Inupiat subsistence whaling until 1990, when the IWC will recon-

sider the moratorium based upon the recommendations of its Scientific Committee. In any case, the Inupiat whalers are faced with the need to adapt their strategy to the new politics of the commercial moratorium. While there are those who worry that the Inupiat whalers might not be able to maintain their political support for acceptable bowhead quotas in the absence of commercial whaling quota negotiations; and while others worry that the IWC will simply fall apart under the political strains of the moratorium, the Inupiat whalers' strategy is to presume that previous IWC support was based not so much on quota bartering as on a principled concern with their Native whaling rights. This good faith must now be reinforced by research able to remove any fear that bowhead stocks are being depleted.

The Commercial Moratorium Debate

During past IWC meetings, Alan McNow, the American public relations executive who represents Japanese commercial whalers, bitterly protested anti-harvest conservationists winning support against whaling from small island nations. This year McNow recruited Mervyn Dymally, a member California's congressional delegation in the U.S. House of Representatives, to amplify his complaints.

In a written statement presented to the IWC plenary, Dymally questioned the wisdom of the indefinite commercial whaling moratorium and threatened congressional response to any U.S. foreign trade sanctions against Japan or the Soviet Union if they refuse to honor it. At a luncheon Dymally hosted for the Japanese and Soviet IWC Commissioners, U.S. Commissioner John Byrne,

Administrator of the National Oceanic and Atmospheric Administration (NOAA), noted that broad differences of opinion regarding commercial whaling exist in the United States. To many it was clear that the differences expressed did not reflect any potential changes in U.S. policy toward commercial whaling as much as it reflected the stress caused by the imposed moratorium.

Chairman Iglesias had ended his three-year term during which he had diplomatically dealt with the subsistence whaling issue, engineered the commercial whaling moratorium and had generally kept the peace. Elections normally would have been held for a replacement. Perhaps as a result of the strain caused by the impending moratorium as well as the high esteem in which he is held by his fellow Commissioners, they voted to suspend elections, and retain Iglesias for another year.

Whalers Bank on Research

Although the borough's 1984 visual bowhead-census effort was hampered by unusual ice conditions, many believe that a detailed evaluation of the 1984 census data along with a successful field season next spring using the promising acoustical-localization techniques will result in a more precise estimate of the number of bowheads.

During the commercial whaling moratorium, Inupiat whalers will be under more exacting IWC scrutiny, but they are confident that a good science program each spring will confirm their own observation that the bowhead population is healthy and growing and that a subsistence harvest managed by the AEWc will continue to help meet their nutritional and cultural requirements. ■

SEND TO: THE ARCTIC POLICY REVIEW

North Slope Borough

3201 "C" Street, #602, Anchorage, AK 99503

Name _____

Company or Institution _____

Street Address _____

City _____ State _____ Zip _____

**FOR
CHANGE OF
ADDRESS,
Please include
mailing label on
reverse side**

SUBSCRIPTION AND CHANGE OF ADDRESS FORM

Americans for Indian Opportunity



Left-to-right, Los Angeles Mayor Tom Bradley, D.C. Mayor Marion S. Barry Jr., AIO Director Ladonna Harris, and NSB Mayor Eugene Brower at the AIO awards presentations: sharing the honor.

Mayor Brower Honored in D.C. Ceremonies

On 21 August 1984, NSB Mayor Eugene Brower received an Outstanding Achievement Award from the Americans for Indian Opportunity (AIO). AIO was founded by long-time Indian activist Ladonna Harris to pursue both political and economic equality for Native Americans.

The Annual presentation ceremony was held at the Washington, D.C. home of Stewart Mott, across the street from the Hart Senate Office Building. D.C. was blessed with cool weather for the outdoor garden event. Also honored by AIO were Los Angeles Mayor Thomas Bradley, Alaska Native

leader Willie Hensley, and Emil Notti, Alaska Commissioner of Community and Regional Affairs.

D.C. Mayor Barry gave the welcoming address, praising the efforts of Ladonna Harris in supporting a wide range of Native American issues, "opening the door to the White House" for many of them.

The audience gave special attention to Mayor Brower as he stepped up to receive the "Outstanding Achievement Award." He had travelled the farthest to attend the awards ceremony, and first addressed the audience in Inupiaq, his native tongue. "Quyanaq," he said,

"I am personally grateful to receive this award, but the honor you extend is not only to me. Tonight you are honoring my people.

"My people are Inupiat, and we're the Native Americans of the Arctic. Our number is more than 100,000 and our homes are under four different flags.

"For thousands of years we have lived in the harshest environment in the world. And we learned to survive by sharing our fires, our food, and our shelters. Sharing is our way, and my people in Alaska, Canada, Greenland, and Siberia share the honor you are giving me tonight."

Mayor Brower had been nominated for the award by Anthony Ebena of Governor Sheffield's Office and the board of directors of AIO.



Sorry About That!

The photo of EPO officer Ben Nageak, above, was mis-identified as Ron Nalikak on page 15 of the March-May Issue of APR.

NORTH SLOPE BOROUGH
ANCHORAGE LIAISON OFFICE
3201 "C" STREET NO. 602
ANCHORAGE, ALASKA 99503

BULK RATE
U.S. POSTAGE
PAID

PERMIT NO. 143
ANCHORAGE
ALASKA

U.S. Postmaster:
Address Correction Requested