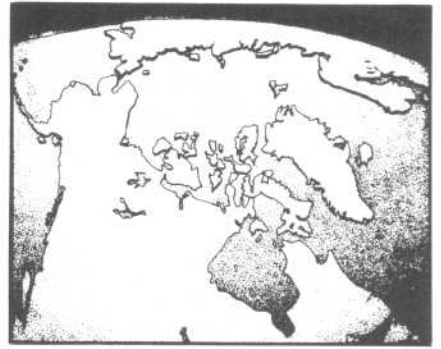


The ARCTIC POLICY REVIEW

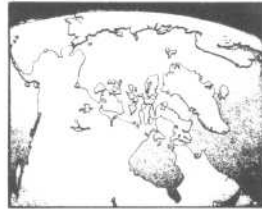


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A Publication of the North Slope Borough, Alaska



COPE, CARC Join to Protest Stokes Point Project Beaufort Sea in Jeopardy

In a February 23, 1983 press release, Peter Green, President of Committee for Original Peoples Entitlement (COPE) in Inuvik, attacked the plans of Gulf Canada to build a harbor at Stokes Point, on the middle of the Yukon-Beaufort coast about 65 miles east of the Yukon-Alaska border. Green said that the proposal represented an unfortunate setback in relations between Gulf and northern aboriginal interests. "I consider this to be a serious breach of trust and propriety on the part of Gulf," he said. "Gulf has obviously made the decision that it is prepared to risk the long-term economic, legal, and political stability of the entire Beaufort Sea region and its corporate relationship with the North, for the sake of some half-baked short term scheme of convenience." COPE's position was supported by the strong opposition of the Canadian Arctic Resources Committee (CARC) to the project.

Last summer, Gulf applied to the Department of Indian Affairs and Northern Development (DIAND) for permission to build a marine terminal

at Stokes Point to support its oil exploration activities in the Beaufort Sea. Gulf argues that it needs a new port facility to accommodate its huge conical drilling unit (CDU) and mobile arctic caisson (MAC) which will arrive in the Beaufort this summer. These vessels must undergo inspection every two years and Gulf maintains that construction of facilities for this purpose must be started now. The proposal makes reference also to the feasibility of a road to be constructed through the North Slope to connect with the Dempster Highway.

The minister of DIAND, the Hon. John Munro, has stated that he considers the question to be outside the scope of the Beaufort Environmental Assessment Review Process (EARP), which calls for public review only of production and transportation stages of development, not exploration. CARC has expressed firm opposition to the permit being granted before the Beaufort EARP hearings, before the implementation of a regional plan for the Beaufort, and before a final land-claims agreement with COPE (now

expected this summer).

Stokes Point is in the middle of the North Slope and lies in the heart of one of the most environmentally sensitive areas on the continent. It is the calving grounds of the Porcupine caribou herd and is important for marine mammals, waterfowl, and shore birds. Both the Berger inquiry and the National Energy Board recommended against building a pipeline through there. The Hon. Hugh Faulkner, former minister of DIAND, identified the North Slope as one of the few areas of Canada where environmental protection must be paramount and withdrew 5000 square miles, including Stokes Point, to establish a national park upon final settlement of the COPE claims. As Peter Green stated, "Settlement of the Inuvialuit land claims will create the economic and policy stability necessary for rational Beaufort Sea oil development."

Should DIAND grant the application—which is likely—Stokes Point will become the most bitter environmental issue of the 1980's. ■

On cover: David Blanket salmon fishing on the Yukon River near Mt. Village, one of the communities concerned about the impact of Bering Sea oil development. Photo: Jim Barker.

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Jim Barker

Alma Keyes testifying 6 October 1981, at the OCS hearing at Emmonak, Alaska.

The Battle for the Bering Sea

Western Alaskans Unite in Opposition to OCS Sales

Amid a flurry of eleventh-hour lawsuits and threats of lawsuits, the Federal OCS Lease Sale 57 for Norton Sound took place as scheduled on March 15, 1983 drawing a total of \$325.3 million in bids, with Exxon eagerly shelling out \$264 million. Coming just one day after OPEC lowered its prices for the first time in its 22-year history, the sale marked a clear victory for Interior Secretary James Watt's controversial accelerated five-year OCS leasing schedule, also under legal attack nationwide.

The losers in this confrontation were the State of Alaska and freshman Governor Bill Sheffield, who crawled out from under the controversy to survey the damage done to his infant administration. His performance was bitterly attacked in the legislature for conflict of interest violations with one state senator calling for an investigation, the press was accusing him of flip-flopping on

support for the sale, and his constituency in Western Alaska, who had delivered him 90% of their votes, was accusing him of betraying his campaign commitment to delay the sale. The controversy surrounding the sale had also dealt a crippling blow to his ambitions for budget reform which was facing hot opposition in the state legislature.

Norton Sound: the Record of Concern

The proposed federal sale of oil and gas rights to some 2.4 million acres of outer continental shelf has a history of strong opposition. In 1976, Gov. Jay Hammond asked Thomas Kleppe, President Gerald Ford's interior secretary, to delay for at least two years the sale then scheduled for 1978. He hoped that would provide for more environment studies.

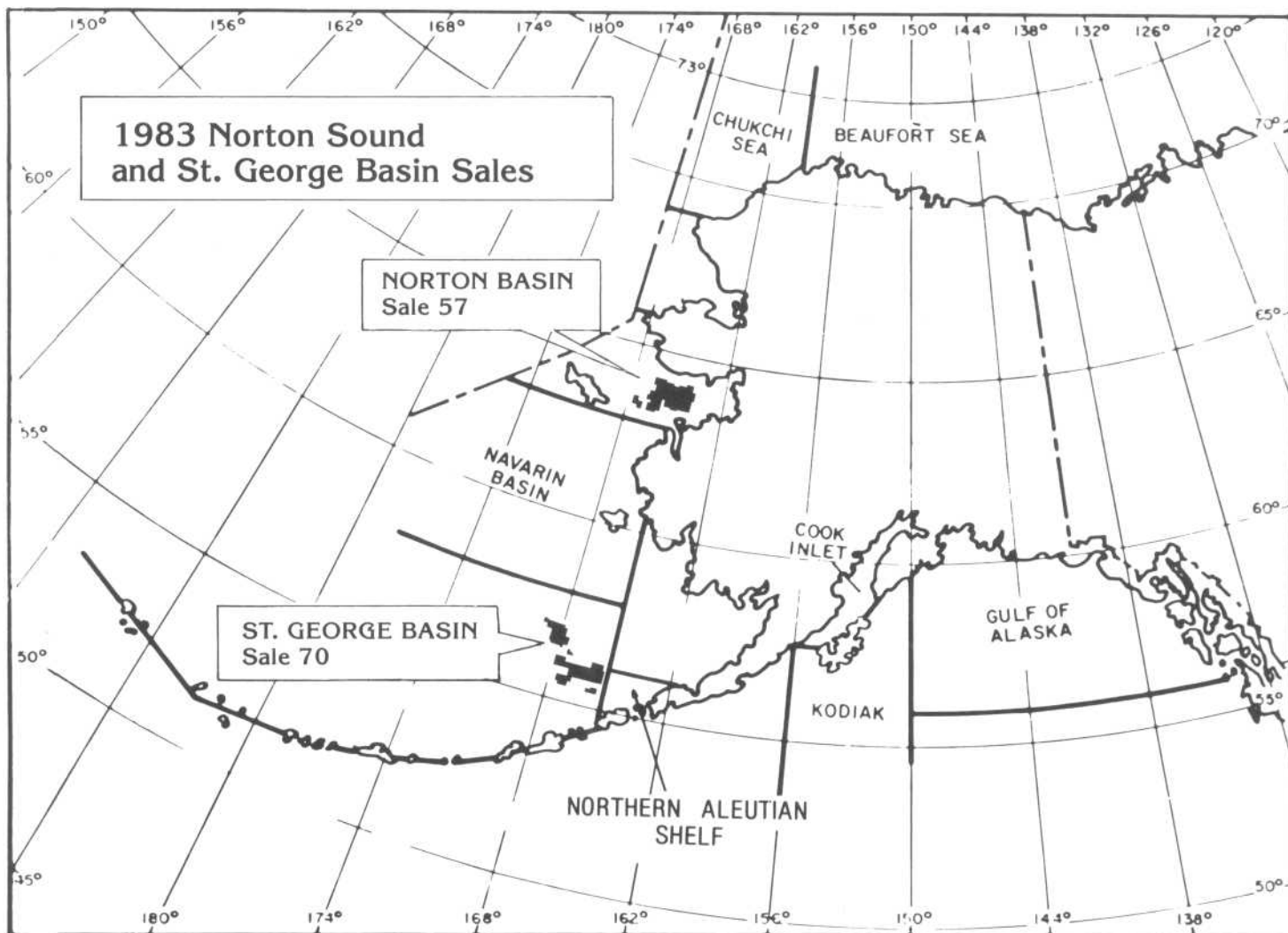
Interior agreed to the request, and in

August 1977 Kleppe's successor under President Carter, Cecil Andrus, rescheduled the sale for December 1981, a move hailed by then-Natural Resources Commissioner Robert LeResche as "responsive to our suggestions."

Later the federal schedule was redrawn and the sale set again for September 1982. Then, in April, 1980, Hammond again asked for another delay, this time to permit meshing with a proposed state sale in the same area. Andrus agreed, and the sale was set for November 1982.

The release of the Draft Environmental Impact Statement (DEIS) for the Norton Sound sale fueled new fears both among Native residents of Western Alaska and the state administration. The document, citing "worst case" situations, said oil spills could occur; walrus, seal, whale, wildfowl, and fish could die, and life for Norton Sound

Continued next page



residents would never be the same.

In response to this, Hammond cancelled the proposed state sale in June 1982. That same month, the state joined California and several Native and environmental groups opposing Secretary Watt's accelerated five-year OCS leasing schedule. The following month, Senator Frank Murkowski jumped into the fray asking for an indefinite delay, "so that the region can be organized in terms of dealing with all of the ramifications of oil development in the area."

A ruling by a federal court in California in November 1982 again postponed the sale to March 15, 1983. The judge said that states must agree with the federal government's determination that petroleum exploration and development plans conform to state coastal zone management plans.

The DEIS Hearings

There had been no doubt about the mandate given to Sheffield by his West-

ern Alaska constituency about the Norton Sound sale. They had several years to study and make up their minds. The message had come loud and clear on October 6, 1981 at Emmonak, Alaska, where villagers offered testimony on the Draft Environmental Impact Statement (DEIS) for the proposed Norton Sound Sale in which they called for a five-year delay in the sale.

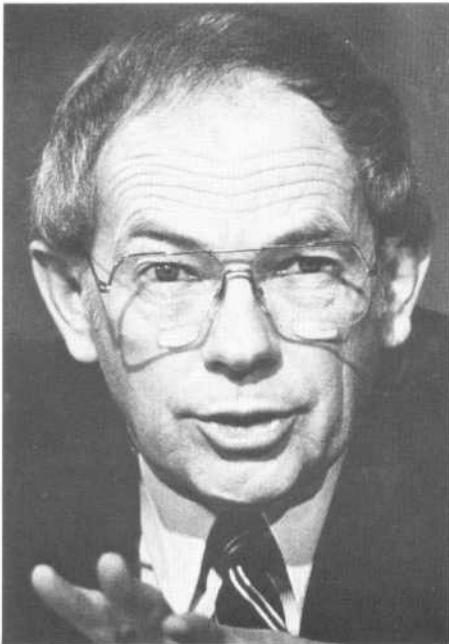
At that meeting, residents were unanimous in their opposition. There are 20 Yup'ik and Inupiat Eskimo coastline villages who harvest the vast majority of their food from the waters of Norton Sound. The geographical isolation of these villages makes the replacement of subsistence foods by pre-packaged foods impossible.

Nearly 30 other Yup'ik and Athabascan Indian villages are located along the Yukon River and its tributary system. The salmon migrating up these rivers from Norton Sound are the cornerstone of the subsistence economy of

these villages. There are another 25 Inupiat coastal villages north of Norton Sound which depend upon the walrus, seals, and whales, all of which migrate seasonally through Norton Sound.

Congress, in recognizing the economic importance of subsistence in this area, in December 1980 passed the Alaska National Interest Lands Conservation Act (ANILCA) which in part established the Yukon Delta National Wildlife Refuge, one of the nation's largest. One of the purposes of this refuge was "to provide . . . the opportunity for continued subsistence uses by local residents."

The Norton Sound DEIS referred to the Yukon River delta as being "one of the most important and productive waterfowl habitats in North America. It claims "over 24 million individuals representing at least 60 species of swans, geese, ducks, and shore birds." Furthermore, "the greatest concentration of geese in North America occurs in (the



Governor Bill Sheffield, left, and Alaska Senator Frank Ferguson: a clash on legislative budget authority.

Yukon delta)." University of Alaska biologist Bud Fey warned that the danger posed by oil development in the area to the wildlife species "is a potential bomb of atomic proportions." Villagers and scientists agreed that Norton Sound's biology and natural forces had not been adequately studied and were poorly understood. They believed that Norton Sound is an area of such high biological productivity and sensitivity that it cannot be compared to other outer continental shelf (OCS) leasing areas.

Several severe geohazards were cited that aggravate the normal risks of oil and gas exploration in Norton Sound. Among those enumerated were moving ice, storm surges, gas-charged sediments in the sea floor, liquefaction of sea sediments, and the presence of thermogenic gas, earthquakes, current scouring, permafrost, superstructure icing, and bed sediment transport. People were convinced that proven oil-spill cleanup technology to match the wide variety of geohazards and weather conditions prevalent in Norton Sound has not yet been developed.

During October 1981, the BLM convened a meeting of scientists to discuss the current status of scientific knowledge about Norton Sound. The participants stated that "the erratic but fairly frequent flooding of the Yukon delta region by storm surges provides a mechanism for tremendous damage." They said that "by such flooding a spill

could cover not merely the shoreline but the entire region." The scientists recommended that a predictive model for storm surges in Norton Sound be developed. This has not yet been done.

The Campaign Promises

By the time the gubernatorial campaign of 1982 was underway, the Norton Sound sale had been highly politicized. Running on a strong pro-subsistence and pro-development platform designed to please nearly everyone, hotel-chain-owner Bill Sheffield hadn't quite figured out how to reconcile these two frequently opposing activities and chose to procrastinate.

Responding to a questionnaire submitted by the Fisherman's Political Action Committee of the Alaska Fishermen's Association (AFA) on May 17, 1982, Sheffield wrote: "I am opposed to any offshore drilling in Bristol Bay and the Bering Sea at this time. There are ample on-shore areas with high potential for oil and gas development which should be explored prior to any development in the rich fisheries of the state."

On July 20, 1982, Sheffield wrote a letter to oil industry lobbyist James Linxwiler stating: "My impression is that OCS development can indeed co-exist with Native cultures and societies. If we must utilize more remote staging areas, to preserve Native cultures and heritages, then so be it. Again, I do not feel that these conflicts are insurmountable. If risk levels can be reduced to

negligible levels, and if this can be adequately communicated to all of us concerned, then I see little reason why OCS Sale 71 and the Western Alaska OCS Sales could not proceed."

Sheffield passed the ball to industry by transforming the issue into an industry public relations problem: "I feel that is incumbent upon the industry to educate we, the lay people, to insure that these devastating spills will never occur."

The Watt-Sheffield Compromise

After his inauguration in December, Sheffield came out publicly against the sale date, asking for a two-year postponement to gather more information. In early January, Sheffield phoned Watt and said that the sale stipulations must also include deletion of certain tracts in the path of the bowhead migration routes, and gave Watt a list of stipulations which had to be included in the notice of sale. Watt countered by saying that he would make every effort to accommodate the conditions required by the state, but made no concessions regarding delaying the sale. Industry officials openly speculated that Watt would try to accommodate the new Governor at the outset of his administration, and expressed hopes for a reconciliation. National environmental groups were less optimistic about the sale, and began preparing a suit. National Resources Defense Council attorney Sara Chase charged that the sale plan was seriously lacking in environ-

Continued next page

mental safeguards and protections for the migration path of the bowhead whale. She saw a suit as likely.

Villagers Protest the Compromise

The weekend of January 15 saw representatives of 73 western Alaska villages gather at Nome to call upon Secretary Watt to delay the sale for at least five years. The meeting, sponsored by the Association of Village Council Presidents (AVCP) and Kawerak Non-Profit Corporation, also passed a resolution requesting Governor Sheffield to sue the federal government under the provisions of the national Coastal Management Act to ensure "lease sale compliance with local desires and needs" should Watt go ahead with the sale.

While most of the village leaders felt that oil exploration in Norton Sound is inevitable, they said there were too many questions left unanswered for exploration to proceed at this point. They were also disappointed in the provisions of the Coastal Zone Management Plan, which—they were told—would protect local habitat and wildlife, and an additional plan which would ensure that local residents would be "fully and meaningfully" involved in Norton Sound oil and gas development plans. "How can democracy work if this is the feeling of 73 villages?" asked AVCP President Martin Ivan. "Are they wrong?"

The participants also discussed oil-spill-cleanup plans at length and remained skeptical. Henry Ivanoff of Unalakleet challenged industry assertions that they could adequately take care of oil spills after seeing a slide show on state-of-the-art cleanup techniques. "Looking at that equipment . . . it's not adequate," he argued. "You can deal only with small spills. If there is a large spill, then we will have problems." Oil-spill consultant Alan A. Allen admitted that the equipment was designed for small spills, but a number of such machines could be rapidly flown in from other places—Prudhoe Bay, Cook Inlet, and Anchorage to aid in the cleanup of a large spill. The villagers responded that such equipment had never been tested in Norton Sound conditions. "You think Eskimos are not educated," one village elder said. "But out there, we are more educated!"

Several villagers talked of ice scouring and ice build-up. One described an island not far from his home which was about 50 feet high. "We have witnessed



Jim Barker

Above: Joe and Martina Phillip of Alakanuk gutting a seal. Below: Paul John, right, and his son Simeon of Toksook Bay pull up a bearded seal during spring hunting.



Jim Barker

the ice covering the island," he said. "The reason why? It is because of the force of the ice, especially with the wind behind it. There is really nothing that can stand in its way. It is very destructive. If there is an oil spill at this time, marine mammals will be killed!"

Lillian Lliabban of Akiak testified, "That lady out there, she's pretty wild when Nature takes over. I hear no answers from the oil companies! Maybe that's because there's no answers." Ivan Martin stressed that the oil was worth more kept in the ground. "It will stay in the same place," he said. "When we need it we can take it out."

There was much discussion on the political strategy needed to stop the sale. "Part of our problem," said Charlie Johnson, President of the Bering Straits Regional Corporation, "is that we have been reacting to what the federal government and the oil companies want to do. Let's go on the offensive, and make them react to what we want to do!" Ralph Anderson, administrative assistant to NSB Mayor Eugene Brower, supported the general consensus that it was necessary for local groups to develop their own social and employment programs to protect themselves from oil development impact.



Cecelia Foxy, right, Regina Andrews, and Joseph Mike testifying against the Bering Sea OCS sales at Emmonak.

The Washington Agreement

On January 25, Sheffield flew to Washington to meet with Watt. After the meeting, they jointly announced that the sale would proceed on schedule, but that the state had secured the requested environmental guarantees. "That was the best deal we could strike," Sheffield reported. "We needed to meet each other half way on this program." Watt, on the other hand, conceded that the new governor "won on all of his points during their meeting." Watt suggested that the wording of the stipulations could be worked out later, and Sheffield, much to his later regret, had complied.

Before the governor could leave town, the new stipulations were leaked to Alaska, where they raised a storm of protest. "In essence, Governor Sheffield let the Native people down," reported Gene Peltola, Vice-President of the Association of Village Council Presidents (AVCP) in Bethel. "The Sheffield-Watt accord is especially surprising in consideration of the faith and trust our people had placed in Governor Sheffield's promise to protect our interests and concerns in Western Alaska. We consider that a state of emergency now exists in Western Alaska which threatens our way of life and food supply. We will

now consider every appropriate action to protect Norton Sound."

The Natives were not the only ones talking litigation. National environmental groups, closely following developments, were also incensed. "I don't know why Watt is so hell-bent on holding this sale at this time," said Eric Smith, the director of Trustees for Alaska, an environmental group which had recently joined Nunam Kitlutsisti in a suit against a testing well which was operating in Norton Sound without permission. Smith added that the technology to work the ice-pack of the Sound has never been demonstrated.

Rep. Tony Vaska (D-Bethel) phoned the governor to ask him why the state had conceded so much and asked why legal remedies were not exhausted before agreeing to the sale. Sheffield, surprised by the sudden opposition to the compromise, responded by saying that the stipulations were not yet published and were still under discussion.

The Western Fund-Raising Trip

Sheffield then left Washington for a fund-raising trip that would take him to Wall Street, Dallas, Houston, and Denver to help him pay off a \$500,000 campaign debt. The trip had been organized by Doug Webb, Sohio's Director

of State Government and Public Affairs. Accompanying Sheffield were two of his new cabinet appointees, Esther Wunnicke, Commissioner of Natural Resources, and Norman Gorsuch, Attorney General.

For much of the trip into oil country, the group flew in a private jet belonging to Ensearch, Inc. of Dallas, a mining conglomerate with operations in Alaska. Also on board was Sohio lobbyist James Linxwiler. Gorsuch, like Linxwiler, had been an employee of Ely, Guess, and Rudd, and had served as a lobbyist for Shell oil before his cabinet appointment.

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"The issue before the question is survival. Survival for the majority civilization who's survival is contingent on energy. And, survival for the coastal Eskimos is contingent on the sea, the land, and its ability to provide for life."

—Theresa Peoples, Stebbins.



Jim Barker

Above: left to right, Phillip Moses of Toksook Bay, Mike Albert of Tununak, and John Kelly of Emmonak at the Norton Sound sale hearing: more than 70 communities united in firm opposition to the sale.

Below: Katherine Utteryuk of Scammon Bay drying salmon at a Black River fish camp.



Jim Barker

He later was to claim that his trip to Texas was necessary to assure a "smooth transition" for Shell's new lobbyist in Juneau. (Another Ely, Guess, and Rudd attorney, Gordon Evans, had been appointed by Sheffield to the state Board of Regents.) Sheffield's campaign

pocketed \$131,940 from this trip which was used to repay a personal loan that Sheffield had paid to the campaign fund.

As he returned to Juneau, Sheffield knew he was in hot water with both the Natives and the legislature over the propriety of his fund-raising and his failure

to stop the sale. He held a news conference on January 31 defending his fund-raising saying, "It was all above-board. I see no conflict."

He also stated that he would not seek to delay the St. George Basin Sale in the Bering Sea if Watt agrees to the conditions aimed at protecting the environment, noting in particular the seal harvest on the Pribilof Islands. While Sheffield had succeeded in getting 11 tracts near the mouth of the Yukon River deleted in the Norton Sound sale, he had not requested the deletion of tracts near the Pribilof and Nunivak Islands as requested by the residents. (Since 1979, when diesel fuel from a grounded ship threatened important waterfowl habitat near St. Paul, local residents had taken keen interest in the environmental conditions of the sale.)

When asked about the governor's campaign letter to the AFA opposing the sale, press secretary Pete Spivey responded that the letter was only in reference to fishing grounds proper to Bristol Bay.

The Lease Sale Notice

On February 7, Sheffield's situation was not eased with the publication of the notice of sale and the stipulations. While the press noted that most of the requested state stipulations had been adopted, the crucial ones were either missing or altered. One condition that was absent would have required that the oil companies operating in Norton Sound set up a oil-spill cleanup response cooperative such as that operating in the Beaufort Sea.

Even more important was the condition that the federal government be required to obtain the concurrence of the state on industry regulation decisions to be made by the Interior Supervisor. Esther Wunnicke had previously announced that Watt had agreed to state concurrence. "We could hardly expect the man to do more," she said. But the new stipulations stated that concurrence extended only as far as exploratory drilling in broken ice and the disposal of oil-contaminated water. Omitted was state power of concurrence on undersea pipeline and offshore loading regulations and the critical issue of federal acceptance of industry oil-spill contingency plans.

Sheffield now admitted that Watt had broken their agreement, and bowing to Native demands, stated that more spe-

cific language related to oil-spill cleanup responsibilities should be written into a new notice of sale for Norton Sound.

The Conflict of Interest Investigation

In the legislature, conflict over the governor's plan to consolidate the budget under his office was getting white-hot. Traditionally, the funding for state capital-improvement expenditures was divided equally between the governor's office, the Senate and the House. Calling this scheme "pork-barrelling," Sheffield had planned to cut state spending by taking charge of it all. The legislators defended the three-way cut claiming that they were more knowledgeable about the needs of their constituents than was the governor's office or its consultants.

Things came to a head on Monday, February 21, when the governor distributed his budget to some 11 members of the legislature. Sure enough, the governor had made distributions to all areas of the state and had appropriated all \$216 million of the bid-ready capital improvement projects. Senator Frank Ferguson (D-Kotzebue) took particular exception to the new budget. \$1.3 million that was targetted to bring five schools in his district was diverted for the resurfacing of an airstrip in Unalakleet, which Ferguson said had been scheduled for relocating anyway.

On Thursday, Ferguson emerged from a heated discussion with Sheffield about these expenditures to address the Senate from the floor demanding a probe of the fund-raising trip, saying it was partly for personal gain and smacked of conflict of interest. "Oil and gas companies and concerns attended and contributed heavily to the governor's campaign debt retirement fund," he said. "The impropriety of this trip is appalling. Here we have the governor of the State of Alaska, elected to uphold the interest of the people who elected him, using his office for personal gain.

"The people in my district were opposed to the oil and gas lease sales. . . . The governor makes a deal with Watt even before he meets with him in Washington. The deal . . . was detrimental to local concerns and advantageous to the oil and gas companies."

Ferguson added that the presence of the attorney general and natural resources commissioners was also inappropriate on such a trip. Also, the state



Interior Secretary James Watt: keeping OCS sales on schedule.

was involved in litigation with some of the petroleum companies with whom the governor and his commissioners had met. House Judiciary Committee Chairman Charlie Bussell (R-Anchorage) later supported Ferguson's request for the investigation.

Sheffield immediately denied the allegations of impropriety and added, "Any attempt to tie the trip to our pending negotiations . . . in the Norton Sound area also carries no substance." He accused Ferguson of raising the issue "to deflect public attention from my efforts to bring some common sense to the funding of capital projects in Alaska."

Ferguson was called into a private meeting with Sheffield the following day in which he was promised that an independent probe of the trip would be made. He was also told to refrain from further publicity about the matter. Ferguson broke his silence on March 7 when the governor announced in a press conference that it was up to Chief Prosecutor Dan Hickey to conduct the probe. Fuming, Ferguson said, "Our agreement was very clear. The governor said he would see that a special prosecutor is named, not that it would be up to Hickey."

At that same press conference, Sheffield relented having attended the fund-raisers so soon after the meeting with

Watt, and he conceded that his trip had the appearance of conflict-of-interest. "The timing left me open to criticism that I made a dark deal," he said.

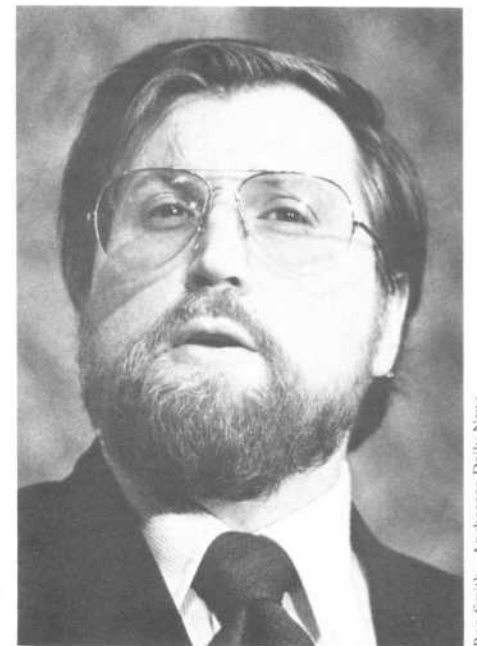
Senator Ferguson is rarely given to such outbursts and is recognized in the legislature as a highly-effective, powerful, and instinctive worker with special qualities as a mediator. He later admitted he simply got angry after weeks of frustration. Characterized by a fellow senator as a man who represents "a vast hinterland in an urban-oriented legislature," Ferguson has to work twice as hard to secure a proportionate share of state wealth for his constituency.

As a result of Ferguson's action, Prosecutor Dan Hickey began the investigation of the controversial fund-raising trip, and the legislature has broken the back of Sheffield's budgetary revisions. "I have something they don't have," Ferguson remarked to the press, "and that's an understanding of the political process." Prosecutor Hickey later issued a statement that initial inquiries turned up no wrong-doing on the governor's part, but suggested that the state ombudsman also look into the affair.

Gambell and Stebbins Sue

On Friday, March 4, eleven days before the sale, with briefs prepared by Alaska Legal Services, the villages of Stebbins and Gambell joined in seeking

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Alaska Attorney General Norman Gorsuch: bad luck in the oil country.



Charles Hanson of Alakanuk salmon fishing on the Yukon.



Anna Komkoff of Kotlik tells of the feelings of her village about the Norton Sound sale at the January meeting in Nome of 73 villages calling upon Watt to delay the sale at least 5 years.

a preliminary injunction against James Watt to postpone the sale. The suit alleged that the federal government violated the terms of the ANILCA and failed to protect or consider subsistence rights under the Act or under the federal government's trust responsibility for Alaska Natives.

According to the papers filed in Nome, "The Bureau of Land Management predicts about three major oil spills during development. At least one of those spills will be catastrophic. In all likelihood, the dangers posed by oil exploration are far larger than this suggests, for Norton Sound is one of the most hostile areas in the world for oil development."

U.S. District Court Judge James Fitzgerald heard oral arguments on the case in Anchorage the following Friday, March 11. At that hearing, attorneys for Interior argued that OCS lands are not subject to requirements of the lands act because OCS lands are not a part of Alaska but a part of the federally-controlled shelf areas.

But Legal Services lawyer argued that if the lands act did not apply to

OCS land off Alaska, neither did the Alaska Native Claims Settlement Act (ANCSA), which would make the Natives free to claim aboriginal rights in the Norton Sound area. (In 1982, Judge Fitzgerald denied offshore aboriginal rights in a suit brought by the Inupiat Community of the Arctic Slope, stating that such offshore areas come under federal jurisdiction.)

The Memorandum of Understanding

Meanwhile, Governor Sheffield was pressing Watt for further concessions on the sale. Working hard on a new compromise between the two governments was Sheffield's Washington liaison John Katz, former state commissioner of DNR under Hammond with a reputation as an effective mediator.

At a press conference on Monday, March 7, Sheffield revealed that he had been "a little upset" when he found out that the sale stipulations did not include the promised concurrence powers for the state. On Wednesday, following another phone conversation

with Watt, Sheffield directed the Department of Law to prepare a suit. Attorney General Gorsuch stated that the suit would probably be filed against federal violations of the Coastal Management Act.

Avoiding a last minute suit by the state, Watt on Thursday, March 10, signed a legally binding memorandum of understanding. The new Norton Sound agreement makes these concessions:

1. Federal and state will jointly review industry demonstration of industry oil-spill cleanup capability before the decision is made to allow drilling and other downhole activities below the threshold level.
2. State concurrence is required on decisions regarding the mode of transportation of crude oil from offshore bases to land, in consistency with the state coastal management program.
3. State concurrence is required in plans for disposal of oil-contaminated waters.
4. State review of oil spill contingency

"We know of no technology that can stop tidal action when the tides overflow the river delta. Storm surges accompany these tides and technology is not yet available to clean up in rough waters."

—Robert Okitkun, Kotlik.

"Back in 1957 or '58, two barges got stuck near the mouth of the Yukon (near Kotlik). Somehow, during the night, one of those barges caught fire. Both barges were carrying many barrels of oil. . . . From the barges the oil drained into the river. The river was full of oil. The oil leaked out and started to spread. And there was that oil spreading and tides coming in and out. Most of that oil remained on the soils and the tundra. From that time there haven't hardly been any birds there that we could see because of the oil. And there is hardly any more vegetation there either."

—Andrew Teeluk, Kotlik.



Bill Hess—Tundra Times

A young mother from Unalakleet testifies at the villagers' meeting in Nome as her daughter mimics her words: "If I do my part as a mother, and I make sure that my daughter learns to cut fish, is the oil industry going to do its part to see that she has fish to cut and seal oil to make?"

plans prior to approval of exploration or production plans. The state is also given the right to require an industry oil spill cleanup response cooperative.

5. At least three non-voting representatives from the state and local communities will be allowed to participate in the activities of the Bering Sea Biological Task Force.

The governor said the agreement satisfied all the state concerns that he thought were settled at the original January 25 meeting. On receiving news of the memorandum, national environmental groups called off their plans to challenge the suit in court. "The state got 90% of the stipulations we requested," said David Benton of Friends of the Earth. "The problem is that the memorandum of understanding is not legally binding on the oil companies as it would have been had the stipulations been included in the notice of sale. It is an unenforceable understanding between two governments."

While pleased with the Norton Sound agreement, Sheffield was disappointed in the publication the same day of the notice of sale for the St. George Basin in which 2.7 million more acres of the Bering Sea are scheduled to be auctioned on April 12. "The conditions we requested for the St. George Basin were submitted to the Interior Department on Feb. 1, but it appears that the Department did not include them in its notice of sale," the governor said in a prepared statement. "We will pursue this issue more closely in the days ahead." The conditions Sheffield sought for the St. George Basin sale were identical to those sought for Norton Sound.

Continued next page



Shirly Thorton of Nome ice fishing in Norton Sound.

AVCP Villages File Second Suit

On Monday, the day before the sale, Judge Fitzgerald denied the preliminary injunction requested by the two villages, who gave immediate notice of appeal to the 9th District Court of Appeals in San Francisco where they asked for an emergency injunction against the sale. Judge Fitzgerald declared that the sale itself would not cause irreparable harm, but the merits of the claims made by the two villages should be decided before the leases are awarded. Later, on April 4, the same court denied the request for summary judgment and dismissed the case the following day.

The afternoon of March 14, a second suit was filed by the AVCP and the tribal governments of 56 Native villages against the sale. The unanimous decision to sue was made at a meeting in Bethel held March 10 and 11. The brief for the second suit claimed that the sale would violate the Indian Self-Determination Act, the American Indian Religious Freedom Act, the Indian Child Welfare Act, federal common law, the first, fifth, and ninth amendments to the U.S. Constitution, in addition to the federal trust responsibilities for Alaska Natives.

The second suit, like the first, revolves around the central issue of

subsistence. "The proposed lease sale," it states, "is the biological supermarket and spiritual cathedral of the Yupik people of Alaska. From time immemorial, the Yupik Eskimos have based their way of life on their ability to fish, hunt, and gather food in and around Norton Sound... Oil or gas contamination of the Basin will have major adverse off- and on-shore consequences for fish, wildlife, and fauna that flourish in and around the Basin."

The following day, one hour before the bids were to be opened at the Sheraton Anchorage, AVCP President Ivan Martin held a press conference at the same hotel. Speaking for the 56 villages in the suit, Martin stated the Native people were "calling on Alaska and the nation to protect our way of life." He said the Native people were "not trying to stop all oil development," but that Natives should be involved in those decisions about exploration and production.

"We feel the industry does not have the technology at this time. The oil is not going to run away," he said. Aside from court action, Ivan indicated that the Native groups would also pursue other plans to gain government acceptance of their views. On April 21, the Bering Straits Native Association announced that it was joining AVCP in the suit.

On April 15, the 9th U.S. Circuit Court of Appeals in San Francisco, in response to the Stebbins-Gambell appeal, blocked the awarding of the leases in the Norton Sound Sale. The court said the government cannot award the leases until the court decides on the emergency motion for a permanent injunction. Oral arguments were heard in San Francisco on April 26, and the decision is pending.

The St. George Basin Sale

On March 23, the governor's press secretary Pete Spivey said the administration was gearing up for another battle over the St. George Basin sale in the Bering Sea. The state may demand the same veto authority over oil-spill contingency plans and offshore loading of oil produced in the area, he said. Also the governor wanted state and local representatives on the federal government's biological task force, a board that advises federal authorities on technical aspects of exploration and development operations.

Bill Hess—Tundra Times

Spivey said that officials of the departments of Law and Natural Resources were conferring with John Katz and his staff in Washington about which course the state is to take this time. Finally, on March 30, 1983, another memorandum of understanding was reached in discussions between Katz and Bill Horn, Interior deputy undersecretary. The agreement allows the state the same rights of concurrence and consultation that were provided in the Norton Sound agreement.

Suit Against St. George Sale Filed, Withdrawn

The latest agreement did not go far enough for several state and national environmental groups. Eric Smith, a spokesperson for Trustees for Alaska, said the federal government's analysis of possible oil spills and the impacts on species in the area was inadequate "We feel that the sale still presents severe dangers to fisheries, marine birds and

mammals, and endangered whales," he said. A few days later, a suit was filed against the St. George Basin sale in the Anchorage federal court by the Aleutian villages of False Pass and Nelson Lagoon along with several local, state, and national environmental groups including the Audubon Society and Friends of the Earth.

The suit claimed that the sale offered inadequate protection guarantees for the wildlife and fish resources. Bristol Bay was said to be the world's largest red salmon fishery, creating \$2.6 billion of sea harvest revenues annually.

On April 7, Sheffield sent a letter requested by Watt stating that federal plans for the sale were consistent with the state's coastal management plan, which weakened the argument of the suit. The next day, after a three-hour meeting with U.S. District Judge James Fitzgerald, the plaintiffs withdrew their suit. In return, federal attorneys promised the judge that Interior will not issue any leases in the sale until

after May 12.

On the day of the sale, April 12, petroleum company officials bid \$427 million on the St. George tracts, with Gulf Oil winning the most—39 tracts for \$185 million. Government and company officials expressed pleasure with the sale, in spite of the fact that only 97 of the 497 tracts were bid on. Although some 1.1 billion barrels of oil and 3.6 trillion cubic feet of gas are estimated to lie under the 300- to 500-foot-deep waters 60 to 180 miles offshore, the amount spent on the sale was but a fraction of the \$2.1 billion Diapir Field Sale held last fall. All parties recognized that it was a high-risk area, even for a high-risk industry.

As one oil executive admitted, the accelerated pace of the OCS leasing program is taxing oil companies to keep pace with the research they are required to support. This might lead to even more conservative bidding in future sales, which would not be good news for the federal government. ■

Inuit Circumpolar Conference

ICC Protests Arctic Military Build-up

News reports about a multi-million-dollar plan to expand the Air Force base in Northern Greenland has prompted Hans-Pavia Rosing, President of Inuit Circumpolar Conference (ICC) to demand "full insight into the activities of the American bases" in the entire Arctic region.

"This is not the first time that we have been taken by surprise in relation to the American Military presence in Greenland," Mr. Rosing said April 20 in a statement issued by his organization's head office in Nuuk, Greenland.

"We can no longer simply dismiss the problem only because defense matters according to the Rule Agreement are under the jurisdiction of the Danish government.

"We must demand full insight into the activities at the American bases, in Greenland as well as elsewhere in the Arctic.

"The Inuit Circumpolar Conference looks with grave concern at the efforts to make the Arctic region a theatre of war in the

event of a major confrontation between the super-powers, let me use this occasion to encourage Inuit in Greenland, Canada and Alaska to debate publicly the use of the Arctic for military purposes.

"Information about the American military presence must be made available to the people who will be the first to feel the effects of war."

At the very first meeting of the ICC in 1977, a resolution was passed demanding that "the arctic shall be used for peaceful and environmentally safe purposes only, and that there shall be prohibited any measure of a military nature such as the establishment of military bases and fortifications, the carrying out of military maneuvers, and the testing of any type of weapon." ■

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The Sodhouse Story

by Johnny Adams, NSB Energy Planner

"Its origin is virtually unknown," says Ernest Kignak, a Barrow Elder, who once lived in this sodhouse when he was a young boy. While inquiring about the sodhouse, I took my draft copy of the sodhouse which I drew several weeks ago from his description. I saw his eyes twinkle and his mind flashing back to his experience in the sodhouse as he lifted his head towards the ceiling.

"This particular sodhouse you drew is the one I dwelled in when I was a very young boy," he added. This sodhouse before construction is leveled by removing the top layer of tundra sod in a selected area. The floor decking in 12 by 14 feet of driftwood 8 to 10 inches in diameter is placed carefully leveled on the ground. The floor is rectangular properly oriented to the prevailing winds. Skylights catch the movement of the sun.

The ridge poles in the corner are first erected. A pair of equal length are shorter than the other pair. The shorter pair are placed at the south corners which are approximately $4\frac{1}{2}$ to 5 feet in length. The longer pair are $5\frac{1}{2}$ to 6 feet long and are placed on the north corners. Then the midridge poles which are approximately 7 feet in length are placed approximately $\frac{2}{3}$ of the width southward to catch the sun's orbit for the skylight.

All material of driftwood or whale bone inside the floor, ceiling and walls is then dressed to smoothness to fit perfectly. The uprights are cut diagonal to the ridge poles in the mid-section. The roofing of driftwood is vertically placed from the mid-ridge beam and is fit to perfection after dressing it smoothly. Then the apertures for skylight and vent are carefully constructed. The shorter pieces of intended length of driftwood for the skylight are then placed horizontally in the middle of south wall. The approximate size is about 2 by 3 feet for the skylight, sometimes bigger or smaller.

The skylight is made of bearded seal or walrus corti, membranes from the

animal's stomach which are sewn together forming a dome-shaped bubble. It is not transparent, but provided much light during the day of sunshine. It is designed to be in the reach of the women who sometimes repair or dampen the skylight.

Whether the storm chamber or tunnel is dug first, Ernest Kignak didn't know. He believes before putting the dry sod around the iglu they must have dug the 6-foot-wide passage approximately 20 to 25 feet long about 5 feet in the ground, running north and south from both entry openings. The small pieces of driftwood or whale bone supports are placed forming a cathedral arch in the storm chamber. Sometimes an emergency guide beam is installed in the middle of the tunnel. This is used by putting your hand on the beam with your head low and actually running in the case of an emergency or when game such as a polar bear is sighted close by.

The dry sod is then placed all around the structure of the walls. When putting sod on the roof, the dryest side is placed on the roof deck or upside down, then the second layer is placed right side up. This dry sod hardly grows vegetation but provides good insulation. The tunnel is also covered with sod after digging for the main entrance which is also surrounded with sod approximately 3 feet high. They also dug the entry for the iglu from underneath and cut a convenient opening on the floor.

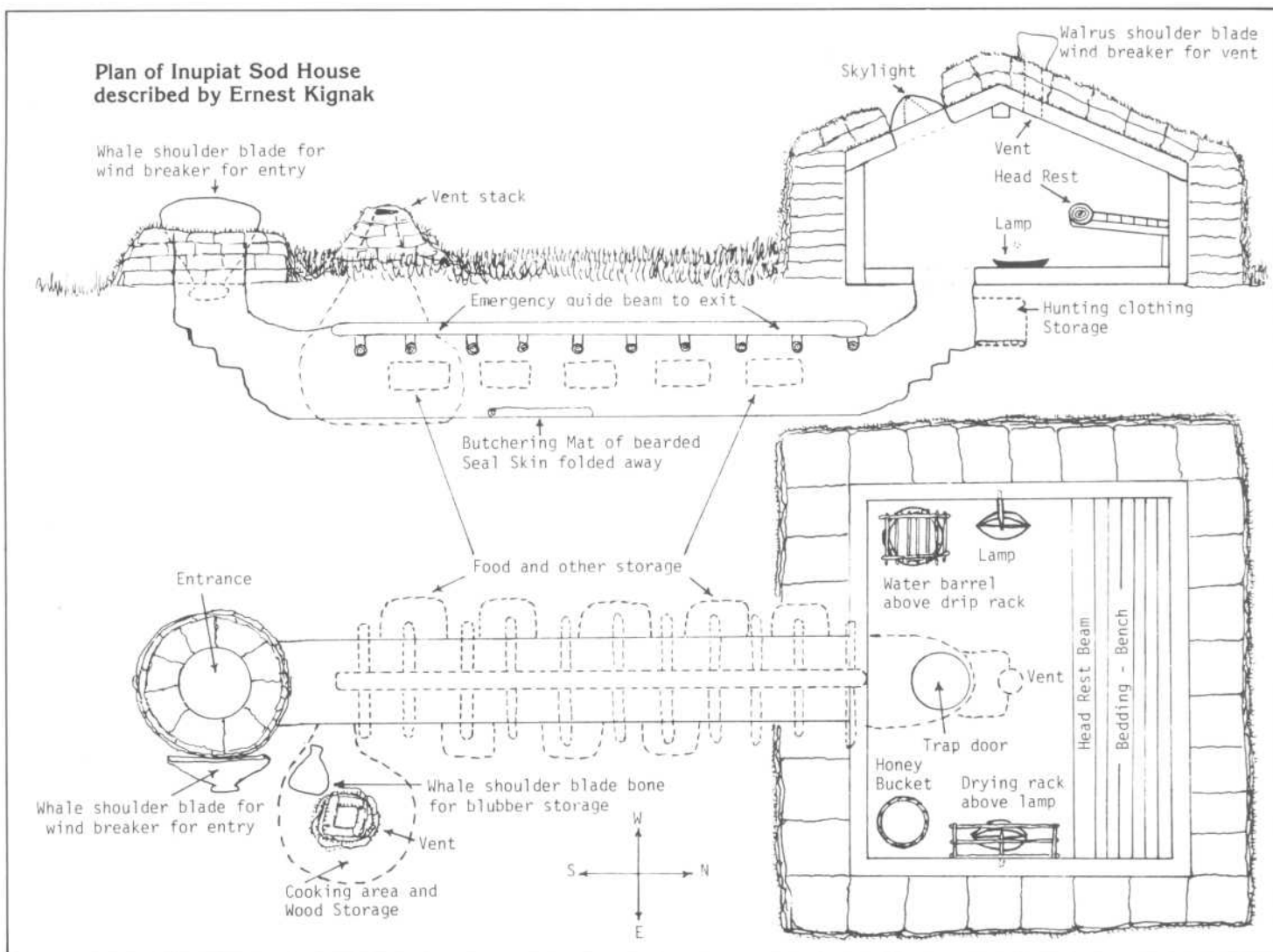
The two lamps are placed opposite of each side to provide light and heating. All you see inside the iglu is the two lamps with sharp pointed sticks just above that drips oil from a piece of blubber into the lamp, a honey bucket on the left and a hanging drip rack for water barrel where you just place a piece of snow or ice which then melts gradually to the water barrel. A hang dry rack is on the left lamp, about four feet above it. It is usually not lit unless to dry mukluks or clothing. The lamps are made of soapstone traded from the Canadian Eskimos where it seems plen-

tiful. The bed rolls of caribou are stored in the tunnel as soon as you get up.

These wooden vessels for water barrel and honey bucket are made of driftwood shaped like shingle strips which are woven tightly with baleen, an old technique that Ernest Kignak can't describe. The shingle shaped thin pieces Ernest Kignak states were probably glued with sap from trees that were traded from southern travelers and most often used for boat building purposes when available. Consequently, it was just as good as a European wooden barrel. Ernest Kignak remembers that it was woven in three different levels, bottom, mid-section and near the top with baleen. ■



Ernest Kignak, Barrow Elder



National Arctic Research and Policy Act

Brower, Adams ask Murkowski to delay S.373 until after July ICC Meeting in Frobisher Bay

Arctic Research and Policy Bill Fails to Provide for Adequate Inuit-Community Consultation

On April 8, 1983 NSB Mayor Eugene Brower asked Alaska's U.S. Senator Frank Murkowski to delay further action on S.373, the Arctic Research and Policy bill, until after the third general assembly of the Inuit Circumpolar Conference in Frobisher Bay, NWT, in July 1983. At the same time, Brower asked State Representative Al Adams (D-Kotzebue) to join him in this request. Adams, who represents the North Slope Borough, is one of three Inuit lawmakers serving in Alaska's legislature, and one of

Alaska's most influential political leaders. Adams has chaired Alaska's powerful House Finance Committee since 1981. On April 18th, Adams wrote to Murkowski:

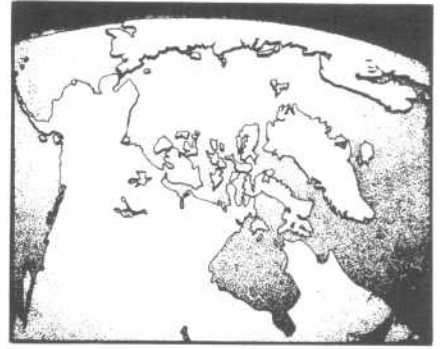
"As you may recall, the North Slope Borough Mayor Eben Hopson first introduced the need for Arctic policy development in his 1976 Congressional campaign. He openly dedicated his entire campaign to the single issue of our national and international need for a coherent Arctic policy. Mayor Hopson recognized the formation of

this policy to be an important national mission in which the Inuit would play a key and central role. He regarded the Inuit to be essential for the success of any national or international Arctic policy, and led the organization of the Inuit Circumpolar Conference (ICC) in 1977.

"The national Arctic policy Mayor Hopson envisioned was one to manage America's great Arctic. He knew Inuit leadership and stewardship would be required. In 1977, Inuit leaders and elders from Greenland, Canada and

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