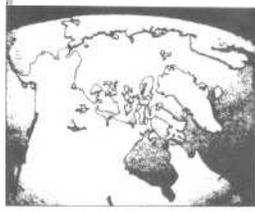


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APR Comment: The Alaska Anti-Subsistence Initiative

In our public acts, we declare who we are and what we stand for as a people. The upcoming November vote on the Alaska Anti-Subsistence Initiative will be such a declaration for all Alaskans.

The Anti-Subsistence Initiative will repeal Alaska's Subsistence Priority law which requires that traditional and customary subsistence use of fish and wildlife will be given management priority in times of scarcity. To us, the existing law seems to express a fair balance of the special needs of rural Alaskans and state constitutional provisions which require that all Alaskans have equal access to natural resources.

Even if we forego arguments relying on aboriginal title, the survival of Alaska Native cultures, or the special relationship that exists between Alaskan Natives and the federal government, a strong argument can still be made in support of the subsistence priority based simply on economics.

Rural Alaskans are able to survive by hunting and fishing. We have here in the Arctic a hunting culture, not an agricultural one. People have to live on what the earth and the sea provide them in their own environment.

The anti-subsistence initiative assumes that we have the same relationship to the fish and wildlife as do hunters and fishermen living in Anchorage, Juneau, Seattle, or Minneapolis. No, we regard our fish and wildlife the way a farmer would regard his crops. Subsistence is our agriculture. Even in the most modernized villages like Barrow 75 percent of the people still rely on wild foods just to get by.

The subsistence priority law protects subsistence users just as property laws protect the rights of farmers. There is no discrimination here, but rather recognition of different economic needs separating the urban hunters and fishermen from the rural ones.

The North Slope Borough has gone to some lengths to protect subsistence in the Arctic. In opposition to this initiative, it has mailed brochures to all the registered voters in the state.

The passage of the Anti-Subsistence Initiative will endanger human survival in the Arctic. It will also tell the world something about the human values that we as a people stand for. ■

On the cover: Belinda Burnell at the dedication of the Will Rogers and Wiley Post monument, August 15, 1982.

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The Will Rogers-Wiley Post Monument



NSB Mayor Eugene Brower welcoming the Oklahomans to Barrow: eloquent tribute to two American heroes.

Barrow Festivities Celebrate Will Rogers and Wiley Post

The wet weather didn't seem to dampen the spirit of the crowd of some 200 Alaskans and Oklahomans who gathered in front of the Barrow airport on August 15, 1982. The occasion was the dedication of a new monument commemorating the fatal 1935 airplane crash of American humorist Will Rogers and pioneer world pilot Wiley Post at a site about 15 miles south of Barrow.

Post and Rogers were on a flight to Siberia when the accident occurred. They had left Harding Field in Fairbanks and were to stop over at Barrow. Some 15 miles south of Barrow they landed at an Inupiat camp alongside a river to ask directions. After giving directions, eyewitnesses watched the plane take off to an altitude of 50 feet, stall, and then plunge nose-down into the water. One of the hunters, Clare Okpeaha, ran the 15 miles to Barrow for help. News of the tragedy stunned the world.

The new monument honoring the two was placed across the street from the air-

port, officially known as the Wiley Post/Will Rogers Memorial Field since 1967. The monument was the project of the Will Rogers Lions Club of Claremore, Oklahoma, where Rogers was born, and the Lions Club of Barrow. It was also designated as the top project of the State of Oklahoma's Diamond Jubilee, celebrating the 75th year of Oklahoma Statehood. The Oklahoma Legislature gave 521,000 towards the project. The monument itself was transported in a Oklahoma Air National Guard Hercules to Barrow the day before the ceremony.

While the crowd ate "Eskimo donuts" and drank coffee (provided by the local women's baseball team), the Elmendorf Air Force band played and dignitaries from both states paid eloquent tribute to the two American heroes. U.S. Senator Frank Murkowski was on hand to read greetings from the President, and Will Rogers' son, Jimmy Rogers, reflected his father's easy brand of humor. "If I were in Oklahoma," he

said, "I would say, 'Welcome to Mudville!' At least in coming to Barrow, I have discovered what must be the three-wheeler capital of the world!" ■



Jimmy Rogers in Barrow being interviewed by Anchorage reporter David Saleski: reflecting his father's easy humor.

Land Management: The Pipeline Corridor



Some 170 miles of the Haul Road (now also called the Dalton Highway) lie within the North Slope Borough.

Managing the Haul Road: NSB Officials Conduct Inspection Tours

The ecological impact of the Trans-Alaska Oil Pipeline Haul Road has worried North Slope Borough Residents since it was built. As a result, the NSB has zoned the Haul Road within its borders for industrial use only. In 1978 the State of Alaska assumed ownership of the Haul Road, now named the Dalton Highway. Last year, the road was opened to public use from Fairbanks to the state checkpoint at Dietrich, just south of the Borough border. NSB officials point to their success in keeping their portion of the Haul Road closed to public use as an example of their development of Arctic policy.

But this particular policy is under constant attack by those who believe that all Alaskans have an inalienable right to drive on any public road in the state, especially where roads are scarce. It has been difficult for others to understand why the NSB has so unbendingly resisted opening the full length of the Haul Road to the public.

To understand this policy, it is important to understand first of all what is the environmental impact of industrial use

of the Haul Road upon subsistence game habitat in the Haul Road corridor.

Each year, the North Slope Borough Chief Environmental Protection Officer, Lester Suvlu, conducts an inspection tour of the Haul Road from Deadhorse near Prudhoe Bay to the North Slope Borough's southern border, a distance of 182 miles. This year, Suvlu was joined by NSB planner Tom Barnes; NSB Revenue Officer, Jane Igtanloc Goldbach; NSB consultant Jon Buchholdt, and Alyeska Pipeline Service Corporation Field Executive, Jack Lambert—who has escorted Suvlu's inspection tours in the past.

Suvlu and his NSB associates left the Borough Deadhorse Solid Waste Disposal camp July 27, 1982, at about 10:00 a.m. in a large Chevrolet 4-wheel drive crew cab. Even before he left, the windshield had been badly chipped by flying rocks from traffic on the Prudhoe Bay oil field's vast network of gravel roads. By the time the truck was to return the next day, it was to get much worse, as stones from the wheels of oncoming trucks pelted the windshield like a

shower of meteorites.

As they set out the weather was partly cloudy, and the tundra lay mottled in shades of light, while the sun beamed through the clouds way off in the west.

Suvlu planned to drive directly through to their destination at Chandalar Camp, just south of Atigun Pass, 15 miles north of the NSB southern border. "I like to take people who have never driven the haul road to see for themselves why we don't want this open for public use," Suvlu explained to his guests as they set out. He also said they would not be stopping every time they spotted caribou as there would be so many of them near the road.

He explained that it was the height of the mosquito season, and hundreds of caribou lined the road to avoid mosquitoes, standing on the road until warned by the dust in the distance of approaching traffic. (The function of the road as a mosquito barrier raises new questions for road and caribou management, as the attraction for caribou could pose dangers both to caribou and drivers.) Suvlu and his party felt as if



Smoking wreckage at Atigun Pass: NSB safety concerns close the road to the public.

they were driving across an Arctic wildlife park as they spotted hundreds of caribou, swans, and three grizzlies on their trip.

Arriving at Chandalar Camp about 3:30 p.m., Suvlu checked his party in at the Alyeska facility before proceeding further south to the State Department of Transportation's checkpoint at Dietrich, 28 miles south of the NSB border. Suvlu stopped at the border to photograph the location he chose for installation of an NSB sign marking the border before returning to Chandalar to team up with Jack Lambert, who had driven up from Fairbanks.

The men and women who built both the pipeline and the Haul Road over Atigun Pass lived at Atigun Camp, north of the pass, and at Chandalar Camp, just south of the pass. Alyeska had recently reopened Chandalar Camp to accommodate summer construction and repair crews. About 150 persons were in camp.

Chandalar, built to accommodate 350 persons, is a collection of prebuilt ATCO units, mobile-home-like modules linked together to create an expensively maintained indoor environment, including wings of double-bunked rooms, kitchen/dining areas, and entertainment/day room areas. After five years since the completion of the pipeline, Chandalar and Alyeska's other con-

struction camps are still in place but badly deteriorated.

The temporary pipeline construction camps were supposed to be torn down upon completion of the line, but were allowed to remain for possible use in the construction of the proposed natural gas pipeline, which has been indefinitely postponed because of lack of financing.

Jack Lambert, who was to escort Suvlu's party back up the road in an all-day inspection trip the next day, talked about Alyeska's plans to either scrap or sell these camps now that the decision had been made not to build the pipeline.

Highway Safety Hazards

One of the most important reasons why NSB wants the Dalton Highway closed to public use is that of public safety. Built for the industrial use of professional truck drivers who steer about 70 18-wheelers up the road daily, the road is clearly not safe for public use. As if to underscore this fact, a tractor-trailer carrying another tractor back to Fairbanks was demolished in an accident just over Atigun Summit shortly after Suvlu's party had checked into the Chandalar facility. Suvlu was told that such incidents are common. The driver was seriously hurt. When Suvlu inspected the wreck the next morning, it was still smoking.



An 18-wheeler on the Haul Road: some 70 trips a day from Fairbanks to Prudhoe Bay.

Protecting Wildlife Habitat

But, public safety aside, the most important reasons for keeping the road closed to the public use became clear when the party arrived at the continental divide at the summit of Atigun Pass. There, as they gazed northward into Atigun valley, the early morning sun revealed the breathtaking beauty of this gateway to the arctic plains of the North Slope. The pipeline corridor through this valley is bounded on the east by the Arctic National Wildlife Refuge, and on the west by the Gates of the Arctic National Park and Preserve.

It was clear that casual and recreational use of this area could quickly destroy one of America's most extraordinary wildlife habitats, and eliminate one of its most beautiful wilderness areas. For the same reasons that drivers are no longer permitted to drive freely in Mt. McKinley National Park, they must not be allowed to drive the Dalton Highway. As with Mt. McKinley Park, the public has access to the inspiring beauty of Atigun canyon and the rolling hills of tundra beyond from tour buses, which are permitted under the Borough's industrial-use-only policy.

The 1980 pipeline leak at Atigun Pass is the subject of a court suit brought against Alyeska's reporting the spill and

Continued on next page

handling of the clean-up. The state contends that some 200,000-300,000 gallons were spilled into the Atigun River when frost heaves cracked the buried pipeline, and that Alyeska was negligent in containing the spilled oil.

Suvlu and his party stopped at all of the old pipeline construction camps: Atigun, Galbraith, Toolik, Slope Mountain, Happy Valley, and Franklin Bluffs. Galbraith Camp is approached by a five-mile access road which passes the well equipped Galbraith airport, now operated by the Dept. of Transportation. Suvlu stopped at the airport to wait for Lambert, who was following in his truck. A helicopter had been taking off when he approached, but the airport was deserted. The small terminal building was equipped with comfortable upholstered sofas and heated by an electric furnace. The garages for the rotary snowtruck and fire engine, the generator shed, the airport field, and the approach lights makes Galbraith airport one of Alaska's most elegant unmanned bush airports.

Galbraith Lake is the site of Galbraith Camp, one of Alyeska's largest, and still warehousing a multi-million-dollar investment of heavy equipment parts and other supplies Alyeska wants to sell together with the old construction-labor camp. At Galbraith Camp, Suvlu's party discovered a small herd of caribou had taken up residence on the large gravel pad for mosquito avoidance. The caribou trotted around the deserted camp with the clapping of their hooves echoing throughout.

This same situation was also found at Toolik Camp, which the caribou shared with researchers from the University of Alaska, who had set up camp on the airstrip near Toolik Lake. Taking some time out, Suvlu and his party fished for grayling and ate the lunches packed for them at Chandalar.

The U of A Toolik Lake research camp was opened in 1978, the year the pipeline was completed, and has been used to mount biological and bio-chemical investigations of the tundra and the lakes. The NSB Planning and Zoning Commission granted the University a permanent land-use permit for the Toolik Lake research station, which is now just a motley collection of relocatable structures arranged along the camp's old airstrip. The University has also asked Alyeska for a portion of the old Toolik Camp to use as a "permanent"

research station, and Lambert speculated that the company would probably agree.

Leaving Toolik, Suvlu asked Lambert to admit the party to the pipeline pad itself to inspect progress in the recovery of the tundra from the oil spill near Pump Station #3, where checkvalve #23 had burst, spilling an estimated 80,000-100,000 gallons of crude oil on New Year's Day, 1981. (An improperly threaded drain valve had blown off. The spill was detected by Alyeska pipeline official Wayne Wyler when he smelled oil while driving down the Haul Road at night. As he turned his truck towards the pipeline, the headlights revealed a fountain of crude spewing 100 feet into the air.) The damaged area was fairly small, and appeared to be struggling back, but it was clear the area would be ruined as habitat for several more years. But other than this site, Suvlu and his group saw no evidence of oil pollution along the road. It appeared that all the spilled oil had been removed from the construction camps.

Pushing on through the sunny afternoon, the Haul Road traffic thickened, and soon one could see the dust of trucks in the distance both ahead and behind. Even more than the day before, the road was lined with hundreds of caribou, alone or in small groups, patiently waiting for traffic to thin so they could seek refuge on the road pad from the scourge of mosquitoes.

The day before, approaching Atigun Pass, NSB planner Tom Barnes reported that he had spotted a lone grizzly foraging several hundred feet from the Haul Road. Now, just north of Pump Station #2, Suvlu and his party flushed a grizzly sow and her two cubs and were able to photograph them just 100 feet from the road.

Jack Lambert explained that the animals don't fear the road because the truckers don't stop. He agreed that tourists would stop, and the game would quickly disappear.

They were headed for the Franklin Bluffs Camp, which Lambert thought was in the best condition and felt sure that the NSB should purchase the facility for use at its new Kaparuk Service Base west of Prudhoe Bay. He explained that false expectations for its use had again delayed dismantling the camp. While the Franklin Bluffs Camp, one of Alyeska's largest, was in somewhat better shape than others, party members

questioned its future economic use.

The camps were constructed by ATCO, a mobile-home and construction-camp manufacturing firm in Canada. Since they were built, ATCO units have become more comfortable and spacious. Old ATCO units have little to offer to anyone besides marginal operators, and Prudhoe Bay oil fields have very few marginal operators.

With the exception of the continued presence of the decaying construction camps, Suvlu and his companions ended their tour by commenting how clean Alyeska's pipeline operation has been. The NSB team were also impressed with the improved condition of the Haul Road. The State Dept. of Transportation had opened its large Slope Mountain Maintenance Facility, and some 70 miles of the road had been sealcoated this summer. Even so, Suvlu suffered one blowout on the trip, a common occurrence on the road, where the only sign of trash seen was an occasional blown tire carcass.

Suvlu and his party arrived back at the NSB Deadhorse Camp at about 6:30 p.m., after a hard 10-hour drive, dusty and tired but exhilarated by the beauty and bounty of the land they had seen.

The Planning Commission Tour

Another inspection tour of the Haul Road by NSB officials was conducted by members of the Planning Commission September 2-4, 1982. On the 1st, the Commission gathered at the NSB camp at Deadhorse for a Haul Road workshop conducted by Tom Barnes of the NSB Planning Department and Earl Finkler, former NSB planner who was one of the architects of the borough's Haul Road Comprehensive Plan. It was Finkler's long-felt concern for the cultural and natural values of the pipeline corridor that led him to contribute to the field trip. Finkler is now with Construction Systems Management in Anchorage.

On the tour with Barnes were Melba Collette, Planning Department secretary; Earl Finkler, Anchorage planning consultant; and the following Commissioners: Mary Edwardsen of Barrow, Amos Agnassaga of Pt. Lay, Bernard Nash of Point Hope, Charles Kagak of Wainwright, and Zacharias Hugo and Benjamin Hopson of Anaktuvuk Pass. The purpose of the tour was to familiar-



Morning view northward from Atigun Pass: the continental gateway to the arctic plains.

ize members of the Commission with the sites and locations that had been designated and approved either by themselves or by previous commissioners.

This group found a number of problems on the road. The state closes down its checkpoint facility at Dietrich on September 1, allowing the public on the road to proceed into the Borough after that time. "It appears that there are some enforcement problems," Earl Finkler remarked later in an interview. "We found four caribou remains at the old Western Geophysical camp near Galbraith Lake. There was also a guide's truck that had been broken into by a bear right at the Galbraith Lake airport. A guide and a hunter, claiming to be bow hunting, were found at a material site north of there. There are at least some questions to be raised about the state's monitoring of access to that area."

Spill Violations at Slope Mountain

The worst violations were found at Material Site #119-4, about five miles south of Pump Station #3, about 300 yards to the east of the Department of Transportation's Slope Mountain Maintenance Camp, which is authorized by the Borough's Haul Road Comprehensive Plan as one of three permanent maintenance camps in its jurisdiction. (The two other permanent maintenance

camps are at Chandalar and Pump Station #3.) Between the Slope Mountain Camp and the Sagavanirktok River is Material Site #119-4, now occupied by the temporary service camp of Green Construction, which had been resurfacing the road that summer.

When the Commissioners arrived at this site and began looking around, they found a number of oil spills all over the pad, each ranging from a few quarts to several barrels. A number of violations were also noted in the fuel storage pits, which are required by law to be lined with an impervious liner (usually Herculite is used, a heavy rubberized canvas). More than one pit was seen in which the liners were torn or seriously inadequate. Some barrels of motor oil were found out of the pits, with oil dripping from the spigots onto the ground.

They also observed that there was no central maintenance area for equipment, and a number of trucks and other equipment being worked on were scattered all over the 20-acre site. Oil from the crankcases of these vehicles was seen spilling directly on the workpad. As Tom Barnes remarked later, "At almost every place that had a truck, there was oil or grease or some other oil-waste product on the ground underneath or by the truck."

Barnes wrote down these violations and gave them to the acting camp man-



Lester Swlu and Jane Igtanloc-Goldbach examine tundra recovery from a spill at check valve #23.

ager for that holiday weekend with a warning that the permit for the camp could be revoked if the violations were not corrected. With assurances that the clean-up would be done, the group continued on their tour.

On September 9th, Ray Dronenburg, heading up the Borough's Environmental Protection Office at Deadhorse, drove down to see if the work had been done. At that point, Barnes notified the Department of Transportation, Green Construction, and the Bureau of Land Management (which had also issued a permit for the site), concerning the problem. As a consequence, on the weekend of September 11, officials from Green Construction and Department of Transportation drove up the highway and inspected the camp. On the spot, the DOT gave Green Construction a work order to clean up the camp and comply with the regulations. "As far as I know," Barnes related later, "the work has been done."

This incident heightens the responsibility of local government in the work of protecting wildlife habitat. It has strengthened the resolve of the people of the North Slope Borough, that having made reasonable agreements concerning the use of the Haul Road within its jurisdiction, to make sure those agreements are strictly enforced. ■

The Utkiavik Archaeology Project



Bluff site of the excavation of the entombed family: evidence of ice override 70 feet away from the shore.

Historic Find at Barrow

Entombed 18th-century Household Brings Treasury of Cultural Data

by

**Albert A. Dekin, Jr., Director,
Utkiavik Archaeology Project**

Concern for Inupiat heritage has long been a powerful force in shaping the path of North Slope development. Recently, this concern has provided the impetus for an intensive investigation of



Albert A. Dekin, Jr.

the archaeological and historical resources underlying in the present City of Barrow, in advance of the construction of natural gas distribution lines and the Barrow Utilities System. In 1981, funds provided by the Bureau of Indian Affairs through the National Park Service were used to support archaeological, historical and ethnographic studies by the State University of New York at Binghamton, under the direction of Dr. Albert A. Dekin, Jr., Chairman of their Department of Anthropology. This research team was selected after a nationwide competitive search in early 1981. Upon completion of the 1981 study, they were selected by the North Slope Borough, operating through Frank Moolin and Associates, to undertake a second year of investigations, this time in advance of utilities construction. They continued a three-prong strategy of research involving archaeological testing and investigations, study of the ethno-

graphic and historic records, and interviews with knowledgeable Elders in the community. Dr. Edwin S. Hall, Jr., Chairman of the Department of Anthropology at the State University of New York at Brockport, directed the ethnohistoric research and compiled the documentation of existing knowledge of the history of the Barrow area. Dr. Raymond R. Newell, of the Rijksuniversiteit at Groningen (The Netherlands) directed the ethnological studies and ethnoarchaeological studies, in coordination with Dr. Claudia Chang (of Sweet Briar College) who studied present summer subsistence in the Barrow area.

These studies recovered information and artifacts reflecting Inupiat culture in the early nineteenth century. This period is prior to the major changes which resulted from the whaling period. The data from excavations of house mounds of the Utkiavik site revealed patterns of behavior little different from those de-



Utkiavik Archaeology Project worker Kevin Smith at the Barrow Karigi site: 100,000 artifacts enriching understanding of ancient Inupiat culture.

scribed by early ethnographers in the 1880's. Particular attention was paid to the land-use patterns outside of the houses on the site. A number of specialized activity-areas were determined archaeologically and then named by the Elders. More than five house mounds were excavated in 1981 and an additional five mounds in 1982.

These excavations revealed details of house construction and of the patterns of artifact deposition around the houses.

Artifacts included the entire range of historically-known specimens, all excellently preserved by the frozen ground. Notable artifacts include manufacturing tools, hunting and fishing equipment, sewing and cooking utensils and nearly the complete range of clothing and ornaments. Many of these artifacts required conservation treatment so that they would not deteriorate once they had dried out, some treatment being applied in the field and the majority back in our



Project artifacts being preserved and prepared for study inside the project field lab: hopefully destined for the NSB museum.



Ceremonial mask found in the entombed house: saved for the appreciation of the community and the world.

Binghamton laboratories.

In 1982, we excavated a portion of the mound which was reported to contain the last remaining Karigi in the Barrow area. The remains of this structure were found (containing artifacts such as ceremonial masks and slat armor), but more recent houses had been constructed on the mound and their tunnels had cut into the earlier Karigi on at least two sides.

During the 1982 summer, unauthorized persons digging on the edge of the site by the sea, seeking artifacts to collect or sell to tourists, uncovered a frozen body. Once the archaeologists were told of this find, they contacted the authorities and assisted in the removal of the body to the morgue. It was, at that time, considered an isolated find, since there were no other associated artifacts. However, several weeks later other persons digging deeper in the same area uncovered the remains of a house containing skeletons. Again the archaeologists were called in and, following discussions with Barrow Elders and municipal officials, they began to remove the remains. It was soon apparent that this find was not an isolated one, but rather was the remains of a household which had come to a tragic end. The ruins of the house indicated that it had collapsed abruptly, entombing the occupants as they slept. Initial interpretations were that it was crushed by sea-ice.

Following consultation among a number of municipal officials, public health and safety officers and the North Slope Borough, an intensive effort was made

Continued on next page



Archaeology Project workers Greg Reinhardt, left, and Beth Turcy at the site of the entombed house. Visible are the floorboards and remnants of the broken walls. Reinhardt is scraping frozen earth away from the wallboards while Turcy carefully records the location of each artifact. Below Reinhardt can be seen a partially excavated skin which partially covers the entrance opening in the floor.

to remove the remains in a proper archaeological fashion, in order to determine just how these individuals had come to be there. As the house was excavated, it became apparent that two very unusual finds were being made. First, the house contained artifacts in the very location where they had last been used, as a result of the suddenness of the tragedy. Second, the house was found to contain a second body, preserved by the frozen ground conditions. It was thought that these remains presented a remarkable opportunity to learn of the way of life of these early nineteenth century people (thought to be of at least this age, since no artifacts of western manufacture were found in association with the remains) and of the physical health of the people and of the environment at that time.

Almost immediately following discussions dealing with these finds and their proper care, preparations were made to recover bodies for autopsy and scientific study and to excavate the interior of the house. Archaeologists worked round the clock to remove the materials before they had thawed, so that contamination from modern materials did not occur. Recovery of the remains of five individuals was conducted in a careful and respectful manner, with due regard to

the wishes of the Elders and the desire to learn as much as possible of the way in which these ancestors had lived and died.

Arrangements were made by Frank Moolin and Associates for the analysis of the frozen bodies through the Washington-Alaska-Montana-Idaho (WAMI) Medical Education Program at the University of Alaska, Fairbanks, under the direction of Dr. Wayne Myers. With assistance provided by Dr. John Lobdell of Anchorage the bodies were flown to Fairbanks and autopsies were performed in mid-August. The cause of death, as determined by Dr. Michael Zimmerman, of the Hahneman Medical College in Philadelphia, was the result of being crushed by the collapsing house. Numerous samples of bone and other tissues were obtained from these bodies and are being analyzed by many scientists, including the Center for Disease Control in Atlanta, Georgia. Scientists hope to establish base-line information on the prevalence of certain chemicals in Arctic populations prior to the industrial revolution, including heavy metals such as mercury and lead, complex compounds such as DDT and possibly microorganisms and parasites. These finds represent a rare and unusual opportunity to study these materials directly from human tissues—we hope that they will

reveal much information useful to our understanding of the changes in the Arctic environment and the health of human populations since that time.

Following these studies, the bodies will be returned to Barrow for a proper burial. The artifacts obtained in these investigations will be studied in Binghamton, New York, and then returned to Alaska where it is hoped that they will form the nucleus of a museum in the North Slope Borough to demonstrate the rich and successful Inupiat heritage. The artifacts number more than 100,000 and are a rich source of understanding of the way of life now known only through memory, ethnography and archaeology.

Since only the main room of the collapsed house had been excavated, the kitchen and tunnel may contain similarly spectacular artifacts. Efforts are being made at the present time to support a limited excavation of these areas in hope that the finds will support a reconstruction of an intact and functioning house for the planned North Slope Borough Museum. We hope that this will prove a fitting memorial to the Inupiat heritage and to those whose tragic death has contributed so much to our knowledge and appreciation of the past.

These remarkable finds could only have been obtained as a result of the enlightened appreciation of their social and scientific significance by all persons concerned with them. The archaeologists in particular are proud of the trust extended by the Elders in their belief that we would treat these remains with proper care and respect and that we would learn as much as possible from them. We also appreciate the trust of the Barrow community that their artifacts and information will be properly studied and returned safely to Barrow where they may be appreciated by future generations and by the world.

The North Slope Borough, the Utpeagvik Inupiat Corporation and the City of Barrow, through their various agencies and officials have contributed a great deal in support of these investigations, as have the Bureau of Indian Affairs and the National Park Service. We look forward to the day when we have learned what we can from these finds and they may be returned to Barrow where they may present testimony to the vigor and richness of Inupiat heritage and to the concern which we have for preserving it. ■

Arctic National Wildlife Refuge



U.S. Fish & Wildlife Service

The midnight sun at Blackfish Lake in the Arctic National Wildlife Refuge: the most bitterly contested battle of the Alaska Lands Act is carried to the courts.

Kaktovik, TFA Win Suit against Secretary Watt **Villages Propose International Porcupine Caribou Commission**

On November 2, 1981, the United States District Court in Anchorage ruled that Interior Secretary James Watt acted unlawfully when he transferred "lead agency responsibilities" for management of the Arctic National Wildlife Refuge (ANWR) from the U.S. Fish and Wildlife Service (USFWS) to the U.S. Geological Survey (USGS). The Court's ruling came in response to a lawsuit filed May 1, 1981 by Trustees for Alaska (TFA) and the village of Kaktovik, located just offshore from the Arctic National Wildlife Refuge. Residents of Kaktovik depend heavily on the wildlife of the Refuge, particularly caribou, for subsistence hunting. Also joining the lawsuit were the Alaska Center for the Environment, the Fairbanks Environmental Center, and two individuals: Robert A. Childers and David Benton. The court held Watt's action "a clear

error of judgement and beyond his statutory authority."

On December 4, 1981, the same court issued a final judgement ruling, leaving intact its decision ordering Watt to return "full responsibility" to the U.S. Fish and Wildlife Service for managing oil exploration in the Arctic National Wildlife Refuge under the Alaska National Interest Lands Conservation Act (ANILCA), otherwise known as the "D-2" bill or the Alaska Lands Act. The court ordered other remedies, including a review by USFWS of all work products in the Wildlife Range mandated by Sec. 10.02 of ANILCA which had taken place during the 8 months of unlawful administration by U.S.G.S. This review has been completed and submitted to the plaintiffs for comment.

On January 6, the same court rejected a request by Secretary Watt to va-

cate and amend the judgment. On February 26, acting a third time on the case, the court denied the Secretary's request to stay the effects of the judgement pending an appeal to the U.S. Court of Appeals.

On April 8, 1982, the U.S. Court of Appeals for the Ninth Circuit in San Francisco denied the appeal by Watt to stay the effect of the court's ruling pending an appeal by the U.S. Attorney, marking the third unsuccessful attack on the District Court decision. In denying the appeal, the court ordered the current appeal proceedings expedited.

Finally, on August 19, 1982, the same court, sitting in Anchorage heard oral arguments regarding the case. The government brought up new arguments challenging the standing of the plaintiffs, arguing that they have not suffered

Continued on next page

personal injury resulting from the transfer of jurisdiction. (In cases in which the government is brought to court, the plaintiffs must prove standing by showing that real injury was done for the court to have jurisdiction.) The government also argued that the case was premature, saying that injury could not have been inflicted since the regulations are not yet formulated for the exploration.

The case for the plaintiffs, argued by Robert Mintz, stated that the case was not against the regulations but against the action of transferral which was contrary to the law. Several other cases were cited on which the courts had acted, in spite of the weaker standing of the plaintiffs. Real injury was inflicted in this case by the violation of the law in which Congress put U.S. Fish and Wildlife Service in charge of the National Wildlife Refuge System precisely to protect the interests of parties such as the plaintiffs.

A decision by the court could come in several weeks or several months.

ANWR and Congress

The plaintiffs in the court case held that the transfer of authority to USGS clearly violated the 1976 Amendment to the National Wildlife Refuge System Administration Act which stated that

the Secretary of Interior would administer the wildlife refuge system through the U.S. Fish and Wildlife Service.

The Secretary's action also violated the understanding of Congress concerning ANWR management as addressed in Sec. 1002 of ANILCA. The plaintiffs pointed out that "the refuge supports one of North America's greatest aggregations of free-roaming caribou, the Porcupine Caribou Herd, numbering 100,000 creatures," and that the herd uses the coastal plain of the Refuge as a calving ground. It is this same coastal plain on which seismic exploration and eventual drilling for oil may take place under the terms of ANILCA, passed in December of 1980. "But," the plaintiffs argued, "Congress insisted that such exploration be conducted in a manner which will assure the maximum protection of surface resource and wildlife values."

ANILCA provides for a study of the fish, wildlife, and other resources of ANWR coastal plain, and for exploratory activities for gas and oil. The securing of this provision was one of the hardest-fought battles of the Alaska lands (d2) debate, and implementation of the resulting compromise is among the most crucial and urgent issues to emerge from the passage of the law. Both Arctic Village and Kaktovik along with national conservation

groups took an active role in opposing any industrial activity in ANWR during the Congressional deliberations preceding passage. The compromise achieved designated most of the refuge as wilderness, but exempted the coastal plain, the area most heavily used by the caribou in summer, making it available for oil and gas exploration.

Under ANILCA, Secretary of Interior was to produce (1) the "Baseline Study" on ANWR wildlife and their habitats and the potential impacts of industrial exploration on both wildlife and local residents; (2) the "Guidelines" — regulations governing exploratory activities on the coastal plain, and (3) the "Exploration Plans" describing proposed exploratory activities, equipment, and impacts. The plaintiffs contend that USFWS was to be the lead agency conducting these studies.

On March 12, 1981, Secretary Watt transferred the responsibility for these actions from the Fish and Wildlife Service to the U.S. Geological Survey. By sidestepping the agency whose primary function is the conservation of fish and wildlife and transferring "lead agency responsibilities" to the agency responsible for mineral development, the plaintiffs contended that Watt "has clearly indicated his willingness to ignore the intent of Congress that oil exploration in the Refuge comply with high standards of environmental protection."

The transfer of regulatory jurisdiction to U.S.G.S. by Watt was felt to be a setting aside this important compromise and a clear violation of the law. It was also seen by many as a clear signal from the Reagan administration that development was to have priority over environmental concerns.

ANWR Under USGS

The new priority was evident in the manner in which U.S.G.S. gave notice of EIS scoping hearings to be held in five Alaska communities in August, 1981, including Arctic Village and Kaktovik. The schedules of the meetings were published in mid-July in the Federal Register and the villages were not otherwise notified. It was only quick action by Trustees for Alaska in obtaining a \$1500 grant from the World Wildlife Fund - U.S. that the villages were able to receive assistance in preparing for the hearings.



U.S. Fish & Wildlife Service

Camp on the Sheensik River in the ANWR foothills: the subject of development vs. environmental priorities.

Jonathon Solomon, chairman of the Gwitchen Caribou Committee, was able to travel to the two villages and meet with leaders prior to the scheduled meetings. The Rural Alaska Community Action Program (RuralCAP) and Tanana Chiefs Conference (TCC) were also apprised of the issues and their participation was encouraged. The project leader, Robert Childers, conferred with Jim Kowalsky of TCC, who accompanied Childers and Solomon to the hearings in Arctic Village.

The Village Hearings

The hearing in Arctic Village took place August 17. Some 30 persons attended, of whom about 15 spoke, many in Gwitchen, their Native language. Jim Kowalsky commented on behalf of TCC. Jonathon Solomon's statement made four points:

1. Maximum protection must be given the calving grounds of the Porcupine caribou herd.
2. The Gwitchen Caribou Committee should be contracted for certain monitoring activities.
3. Canadian subsistence users of the Porcupine herd should be consulted.
4. The villagers supported Kaktovik's suit regarding the lead-agency authority transfer.

Paul Williams commented on the large number of Natives in Alaska and Canada dependent on the Porcupine herd, and the need for its protection. He also expressed the widely-felt frustration felt by the people, who for several years had made great efforts in village meetings, testimony at Congressional and administrative hearings and other forums, to protect subsistence resources, but receiving little response.

Many people described their use of caribou, how it is used and bartered, and what it means to the people there in a cultural context. They spoke also of the detrimental effects of development and roads on caribou population elsewhere in Alaska. Gideon James, Village Council Chief for Arctic Village, also noted that while the state's income grew rapidly as a result of Prudhoe Bay, the people of Arctic Village received little if any benefit. He predicted the same for ANWR, while Native people would shoulder all the risk.



U.S. Fish & Wildlife Service

Looking up the Marsh Fork of the Canning River in the ANWR: supporting America's greatest aggregation of caribou.

The Kaktovik Hearing

Robert Mintz, then Director of TFA, arrived in Kaktovik to confer with village leaders two days before the hearing on August 19. He found that virtually no one knew the purpose of the meeting or even, with few exceptions, when it was going to take place. Secondly, he found that most people were very sceptical about any impact their testimony would make in light of their past experience with the juggernaut of oil development.

A number of specific concerns emerged in these preliminary meetings. One was the potential damage to fish from seismic work: Kaktovik people do a considerable amount of fishing on the Refuge during the winter and know that the fish are limited to a few critical over-wintering holes. Another point raised was the presence of significant numbers of caribou during the winter, despite the general migration of the Porcupine herd elsewhere. This fact was confirmed by an Alaska Fish and Game biologist who speculates that these over-wintering caribou are from the Central Arctic herd and may be displaced by current oil activities in the Prudhoe Bay area.

The scoping meeting was fairly well attended. Kaktovik Vice-Mayor Mark Syms made a number of points including the problem of surface damage from tracked vehicles, the need for the

seismic regulations to be as specific as possible, the importance of prohibiting duplicative seismic work, and the lack of enforcement. Other speakers mentioned direct interference with hunting from oil operations, vulnerability of fish, past experience with winter Cat trains damaging the tundra, the need to involve Native experts in guiding and monitoring exploration activities, and the presence of ground squirrels, ptarmigan, and other wildlife in the winter.

One interesting fact which emerged during the meeting was that state-authorized offshore seismic work near the Refuge was going on during the summer inside the barrier islands. This was news even to Gerald Garner, the U.S. Fish and Wildlife representative at the meeting, who pointed out that the federal government claims the area inside the barrier islands as part of the Refuge. Later, after protest by officials of the North Slope Borough, the state terminated these tests.

Towards International Management of the Porcupine Herd

The attempt by Secretary Watt to weaken the environmental protections for the Porcupine caribou herd has pointed up the need for cooperative management of this important international resource.

The discovery of oil and gas in Prudhoe Bay in 1968 sparked an increased

Continued on next page



U.S. Fish & Wildlife Service

South of ANWR's Lost Lake: international cooperative management still a question mark.

interest by Canadians in the wildlife and habitat of the Canadian Western Arctic. The Arctic International Wildlife Range Society was formed in 1971. In 1972, a resolution was passed urging Canada and the U.S. to establish an international range to protect the Porcupine caribou herd. This motion was supported by the Mackenzie Valley Pipeline Inquiry conducted by Justice Thomas Berger, who advocated the establishment of a national wilderness park in the area north of the Porcupine River, which would adjoin the Arctic National Wildlife Range in Alaska. In 1978, the Honorable Hugh Faulkner withdrew 9.6 million acres in the northern Yukon from development as an interim measure. These lands encompassed all the lands north of the Porcupine and Bell Rivers and included the remaining one-third of the critical Porcupine herd calving area.

The creation of this Canadian reservation, along with the protections afforded in ANWR, was cited by ADF&G as a reason for its opposition to the proposed international Porcupine caribou treaty. It was felt that a convention was no longer needed. Recently, there has been considerable progress in Canada towards a cooperative Native-governmental caribou authority, made as the Canadian government inches its way towards the settlement of Native land claims.

The Old Crow Resolution

On October 27, 1981, representatives of the areas and villages utilizing the Porcupine herd in both countries met in Old Crow, Yukon Territory, and unanimously resolved to establish an International Porcupine Caribou Commission, somewhat on the order of the Alaska Eskimo Whaling and Walrus Commissions. Voting on the resolution were representatives of COPE, Council of Yukon Indians, Ft. McPherson Band Council, Old Crow Band Council, Aklavik, Gwitcha Gwitchen, Ginkye, TCC, Kaktovik, Arctic Village and Venetie, and the Ft. Yukon Native Association.

The State of Alaska — Yukon Memorandum of Understanding

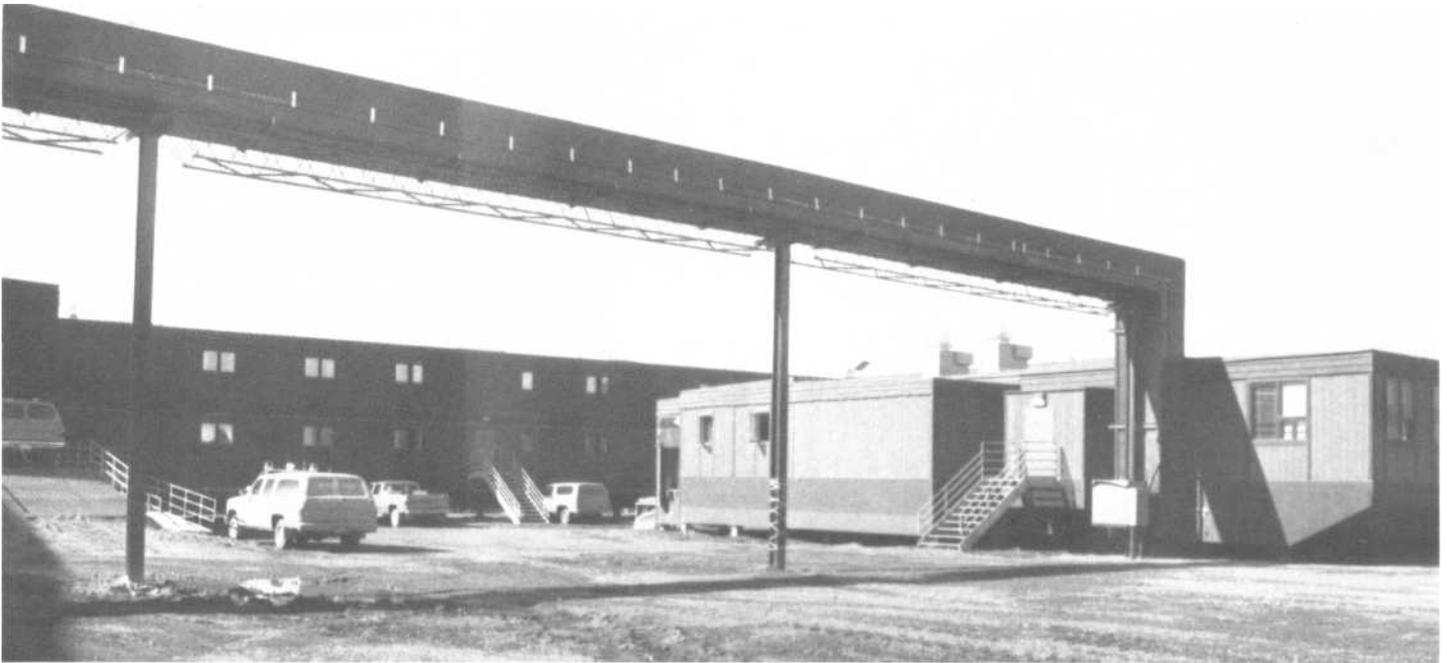
Meanwhile, the Alaska Department of Fish and Game (ADF&G) has drawn up a Memorandum of Understanding between ADF&G and the Yukon Department Renewable Resources (YDRR) on Cooperative Management of the Porcupine Caribou Herd. Native groups have noted this development with interest, especially in the face of Alaska's previous opposition to the now-dead Porcupine caribou treaty and the treaty restrictions on management of Native subsistence stocks by both federal and provincial governments in Canada except where endangered species are involved. In the past, ADF&G has regarded these restrictions a "very thorny" problem in the management of the Porcupine herd. While the agreement formalizes programs of caribou study already going on, the document, once signed, is expected to give added weight to YDRR caribou management claims.

The Memorandum of Agreement as presently drafted excludes Native groups entirely from the management process. Without an agreement that is satisfactory to all parties including the wildlife users, the ability of ADF&G and YDRR to manage an international migratory resource will remain in question.

In many ways, the frustration of northern residents in such developments was summarized by John Titus, who stated at the hearing in Arctic Village, "We have just played with subsistence issue. I don't know about the politics of subsistence — I am tired of it. Subsistence is the food for my kids, my tribe, my race. " ■

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Service Area #10



NSB's new Service Area #10 facilities: a \$5.4 million investment in industrial skills, cleanliness, and cooperation.

July Ceremonies Open NSB Prudhoe Bay Facilities

North Slope Borough Mayor Eugene Brower dedicated, the Borough's new \$5.4 million Prudhoe Camp and office building, July 28, 1982.

Mayor Brower opened the new facility with a speech to focus public attention on the Borough's environmental services provided to the Prudhoe Bay and Kuparuk oil field operators, through its Service Area #10 (SA #10).

Launched in 1977, Service Area #10 is the Borough's oil field environmental health and protection unit administered by the Department of Public Works. The facility represents the growing cooperation between Prudhoe Bay operators and the North Slope Borough. This cooperation has paid off in healthy work camps, and the protection of caribou habitat from trash and solid waste degradation.

As an operating unit of the North Slope Borough, Service Area #10 follows a strict local hire policy. The new SA #10 Camp provides many jobs to village residents of both the Borough and other rural areas.

The new facility includes extensive training facilities to be devoted to oil field industrial training through which employees can develop skills to enhance

their oil field employment opportunities.

"SA #10 has become a good gateway for our people to be employed at Prudhoe Bay with the oil field support service industry," according to Ralph Andersen, Special Assistant to Mayor Brower.

The Borough's new \$5.4 million plant addition expands its Prudhoe Bay camp

to 68 beds and 23 offices, enlarged kitchens and dining rooms, fire protection, and a public safety wing for Borough and state police officers.

The expanded Borough camp will also house Prudhoe Bay service offices for the Borough's tax assessor, the Environmental Protection Office and the Planning Department. ■



NSB Mayor Eugene Brower cutting the ribbon at the opening ceremonies: a gateway for local people into oil field support service industry.



Arctic Submarine Tankers

To the Editor:

In the August issue we read with interest of the Arctic Policy Bill and the hearings in Washington. We have been part of the Arctic policy development issue for many years. We prepared the Maritime Administration's Arctic Marine Transportation Program Plan in 1980.

We have just completed a sole source study of the Fuel Cell Propelled Submarine Tanker System under a Department of Energy contract.

We have been for the last 10 years, and remain, the experts on the subject of arctic submarine tankers. With all due respect to General Dynamics and the article on page 15 of the August issue of APR, GD was out of the field from 1970 to 1981 and has just dropped out of it again in August 1982. One version of their LNG submarine tanker concept would have been nuclear propelled. We have now shown the fuel-cell propelled methanol-carrying submarine tanker to be much superior in economic terms. GD's Jim Murphy agreed with us, but as we said, they are out of the field again now, for reasons that have nothing to do with the submarine tanker concept.

We would be delighted to meet with you and show you more about why the fuel-cell propelled submarine tanker approach is the best system for the Arctic Ocean. We are in contact periodically with the NSB Washington, D.C. liaison office, with the ASRC and with the UIC, so it would be appropriate to now close the loop with the APR. Enclosed is a copy of the painting of the fuel-cell propelled submarine tanker for your office.

William H. Kumm
President, Arctic Enterprises, Inc.
Annapolis, Maryland

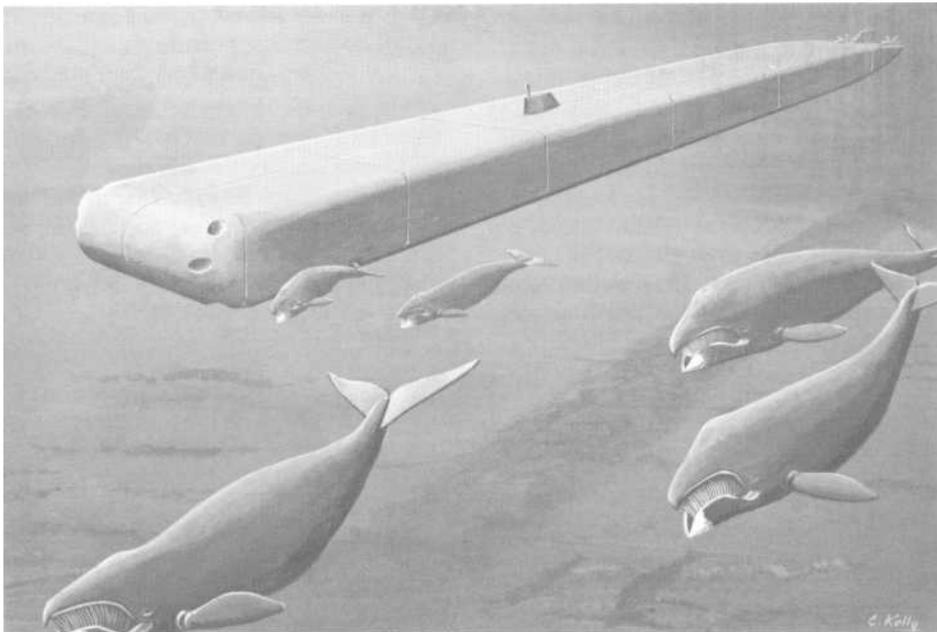


Elijah Kakinya



Ernest Kignak

Mistaken identity: APR editors offer apologies to these village elders. Ernest Kignak of Barrow, who appeared on the cover of our last issue, was mistakenly identified as Elijah Kakinya of Anaktuvuk Pass.



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