



**Native Village of Point Hope  
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June 26, 2007

Mr. Michael Payne  
Chief, Permits, Conservation and Education Division, Protected Resources, National  
Marine Fisheries Service  
1315 East-West Highway, Silver Spring, MD 20910-3225

E-Mail: [pr1.alaskaeis@noaa.gov](mailto:pr1.alaskaeis@noaa.gov) .

RE: Comments on the Chukchi and Beaufort Sea Programmatic Draft EIS

Dear Mr. Payne:

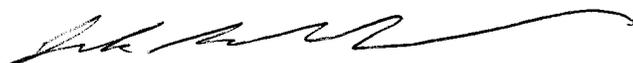
To protect our subsistence resources, the Native Village of Point Hope (NVPH), a federally recognized sovereign tribe, expresses its opposition to all leasing of the outer continental shelf in the Chukchi and Beaufort Seas as well as any seismic activity and any other activity that relates to oil, gas and exploration and development. On February 23<sup>rd</sup>, 2005 the Native Village of Point Hope passed Resolution 05-06 to “Strongly Oppose the Development of Oil and Gas in the 1002 area of the ANWR and Offshore Waters of the Arctic Ocean, Chukchi Sea, and Beaufort Sea”. As you may know we have been cooperating with the federal government when there was an establishment of a Bowhead whaling quota (discretionary), which caused a reduction in our whaling harvest forcing us to rely on gathering more fish and marine mammals to make up the reduction of our nutritional needs. Now we are faced with a very strong possibility of another reduction of our subsistence resources.

We feel the Five-Year Plan poses an unacceptable risk to the Arctic Ocean and that the Native communities of Alaska’s North Slope are being subjected to an inequitable share of the environmental risks. With increased leasing in the Beaufort and Chukchi Seas come more seismic surveys, which have significant and potential harm to marine life, including fish and endangered whales. By allowing future seismic surveys to continue in the Chukchi and Beaufort seas can and have severely impacted fish, marine life and the Native Villages north and south of us. Last year when seismic surveys started the walrus

scattered straight to Russia bypassing Point Hope all together preventing us from harvesting any walrus last fall. There have been reports by some of our community members of seeing dead fish and other marine life on the beaches here shortly after and during the seismic surveys last fall, which was stated during the public hearing that was held on April 23, 2007 (see attached). The displacement and possible irreparable harm though declines in the availability and viability of prey species, such as fish and food our whales depend on our harvest of fish and marine mammals will be reduced dramatically causing undue hardship for us. The Incidental Harassment authorizations that were issued last year should not have been made for the reasons stated above along with the ongoing litigation concerning how they were approved. We request that the Office of the Inspector General do a complete investigation on the MMS and its cooperating agencies for enforcement purposes along with correcting the inadequacies of these agencies.

As marine science and the courts have increasingly recognized, intense underwater sound can have a range of delirious effects on marine mammals and other marine life. See, e.g., National Parks and Conservation Association v. Babbitt, 241 F.3d 722 (9<sup>th</sup> Cir. 2001); NRDC v. 279 F. Supp. 2<sup>nd</sup> 1129 (N.D. Cal. 2003). We feel the same about offshore oil and gas activities also have dramatic effects on our marine life. The Native Village of Point Hope has zero tolerance on any oil and gas activities that will threaten our renewable resources. Oil and gas activities offshore pose an imminent threat to our continued existence.

The consultations that have taken place in Point Hope have been one sided in regards to answering questions about possible impacts. We were told by the oil companies that they only deal with the Alaska Eskimo Whaling Commission (AEWC) per direction given from the Minerals Management Service. We feel consultation MUST be done with the tribal governments and not with a non-profit organization. We believe AEWC was only formed to raise funds for the whaling crews. There were no answers given in regards to what impacts that have accrued from seismic activities around the arctic or any where in the oceans. We were only able to rely on information stated in a letter written by the Natural Resource Defense Council sent to NMFS on May 10<sup>th</sup> 2006. Since then there has been other comments submitted by Red Oil, Earth Justice, Center for Biological Diversity, and others for which we agree with the issues and arguments contained in their comments. That information seemed fairly reliable along with the little information found on the internet. It is pretty clear that the seismic surveys impacts far exceeds incidental take of animals and fish. Incidentally, there are "fingerling" fish from the Bristol Bay area that come to the Arctic Ocean to mature before returning to the Bering Sea to be harvested by subsistence and commercial users. There is also no proven way to clean-up and remove oil from ice covered ocean water. When there is an oil spill the impact will be absolutely tremendous which will irreparable for many generations to come. We therefore object to any oil and gas activities referred to in our resolution 06-05 "A resolution to strongly oppose the development of oil and gas in the 1002 area of the ANWR and off shore waters of the Arctic Ocean, Chukchi Sea, and Beaufort Sea".

Respectfully yours,  
  
Jack Schaefer Vice President