

**Beaufort Sea Oil and Gas Lease
Sale 144**

Public Hearings

Nuiqsut

1995

1 DEPARTMENT OF THE INTERIOR
2 MINERALS MANAGEMENT SERVICE
3 949 East 36th Avenue
4 Anchorage, Alaska 99503

5
6
7 OFFICIAL TRANSCRIPT

8 PUBLIC HEARING

9 **BEAUFORT SEA SALE 144 DRAFT EIS**

10
11
12
13 City Hall
14 Nuiqsut, Alaska

15 Monday, November 6, 1995
16 7:30 o'clock p.m.

17
18 **MINERALS MANAGEMENT SERVICE PANEL MEMBERS**

19 Mr. Bob Brock, Regional Supervisor for Leasing and Environment
20 Mr. Rance Wall, Regional Supervisor for Resource Evaluation
21 Mr. Jeff Walker, Special Assistant to the Regional Director

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PUBLIC TESTIMONY

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1 NUIQSUT, ALASKA - MONDAY, NOVEMBER 6, 1995

2
3 (On record at 7:30 p.m.)

4 MR. BROCK: Is there anybody here that does not
5 understand English? Do we need a translator for anybody here?

6 UNIDENTIFIED MALE SPEAKER: No, I don't think so.

7 MR. BROCK: Okay good. I hope that means that
8 everybody understands English. My name is Bob Brock, and I
9 don't like all this formality setting, but since this is your
10 public hearing, we want to be sure and get this recorded, so we
11 don't really have much option in this.

12 I'm the Regional Supervisor for Leasing and
13 Environment in the Outer Continental Shelf Office in Anchorage,
14 Alaska. With me on the panel are Rance Wall, our new Regional
15 Supervisor for Resource Evaluation, and Jeff Walker, who is the
16 Special Assistant to the Regional Director. This is our second
17 public hearing, and one more will be held tomorrow night in
18 Kaktovik and another one Wednesday night in Barrow. We have
19 completed one public hearing down in Anchorage in October the
20 26th.

21 The purpose of this hearing is to receive your views
22 and comments and suggestions on our Draft Environmental Impact
23 Statement. And this is the Draft Environmental Impact
24 Statement. There's plenty of copies back there; if you would
25 like to take one home, feel free to do so. The Draft

1 Environmental Impact Statement covers about 9-1/2 million
2 acres, as you can see, over on that -- the map hanging on the
3 wall there.

4 (Laughter)

5 That's all right; you can sit in front of the map.
6 The area in red and green is the area that's being considered.
7 It's strictly offshore; there is no on-shore area involved here
8 at all. We are three miles off shore and further. The State's
9 jurisdiction goes out for the first three miles. So we're with
10 the federal government, and we go three miles and further.

11 The Minerals Management Service has the
12 responsibility to fulfill mandates set out in the Outer
13 Continental Shelf Lands Act and the Oil Pollution Act. Oil and
14 gas activities on the Outer Continental Shelf must comply with
15 the National Environmental Policy Act, Clean Air Act, Clean
16 Water Act, Occupational Health and Safety Act, Coastal Zone
17 Management Act, and many, many other acts, as well as all of
18 the operating regulations that are designed to make offshore
19 operations safe and clean.

20 The Environmental Impact Statement took nearly three
21 years to prepare. You have been a part of this process from
22 the start, through your earlier comments, as well as your
23 participation in the recent workshop that we held up here about
24 a month ago on this Environmental Impact Statement. We have
25 now come back to ask you what you think or what are your

1 further suggestions on this Environmental Impact Statement.

2 We have a recorder here with us tonight, Rich Carl,
3 sitting over here on the side. Through -- and you can obtain
4 copies of this transcript through Executary Court Reporting
5 Services. The main purpose, and the only purpose, of this
6 Environmental Impact -- or this hearing is to improve the
7 quality of the Environmental Impact Statement before it's put
8 in final form.

9 Speakers won't be questioned unless it's necessary by
10 one of the panel members to clarify a point. We're interested
11 in your views of this Impact Statement and this sale. The
12 comment period for this document closes November 20th, 1995.
13 Until that time, we will accept written comments and statements
14 from anyone who would prefer to make a written comment rather
15 than an oral one. Or you can do both. By making an oral
16 comment tonight does not preclude you from making a written
17 comment later on.

18 Those written comments should be sent to our address:
19 Minerals Management Service, at 949 East 36th Avenue, Room 308,
20 Anchorage, Alaska 99508. Remember, the comment period closes
21 November 20th.

22 Now, I ask everybody -- I hope everybody has signed
23 in back there for our records. I'd like to keep a record of
24 who is here. I did not bring up a copy with me up here, so
25 I'm -- instead of reading off who signed up to testify and who

1 didn't, I'm just going to start by asking who would like to
2 testify, and if you'd come up and sit there in the -- at the
3 end of the table so that we be sure to get everything you say
4 on the -- in the official record, I would appreciate that.

5 So with that, I'd like to ask who'd like to be first?

6 (No audible response)

7 MR. BROCK: I'll go get the sheet and read off the
8 names (laugh). Okay. You can't leave, Frank (laugh).

9 (Off record)

10 (On record)

11 MR. BROCK: You know, I'm terrible at pronouncing
12 some of these names. So if you'll -- Isaac? Isaiah?

13 MR. NUKAPIGAK: Isaac.

14 MR. BROCK: Isaac.

15 COURT REPORTER: Sitting on the couch.

16 MR. BROCK: Oh.

17 COURT REPORTER: Come up.

18 MR. BROCK: Okay. I didn't.....

19 (Pause - Side comments)

20 **PUBLIC TESTIMONY OF MR. ISAAC NUKAPIGAK**

21 Good evening. My name's -- for the record, my name's
22 Isaac Nukapigak. I'm the.....

23 MR. BROCK: Would you spell your last name please,
24 sir, so we can be sure to get it right?

25 MR. NUKAPIGAK: N-u-k-a-p-i-g-a-k.

1 BY MR. ISAAC NUKAPIGAK (Resuming):

2 I'm the long-time resident of this community of
3 Nuiqsut. I'm also a subsistence hunter that -- that rely on
4 the -- the resource that we have that is being provided out in
5 the Beaufort Sea.

6 The main question I had -- concern I had pertaining
7 to the Lease Sale 144 that's going to be affecting our
8 livelihood, if any source of -- if this -- like I say, if this
9 goes through on the lease sale, I mean, you guys are going to
10 hurt our livelihood. I mean us Inupiat over -- us here that
11 live here that depends on our resources for our daily diet.
12 That is very strongly within the culture of our celebration
13 that we have during when there's a successful fall whale hunt
14 that's been landed.

15 Conc- -- the main concern I had, I do believe there's
16 enough oils that is still needs to be looked in -- inland
17 before any activity take place out in the Beaufort Sea. I
18 mean, you guys are dealing with our livelihood, our garden of
19 eden where our Native people rely on.

20 I do believe there is enough oil somewhere that
21 hasn't been explored yet up in the inland. I mean, you still
22 have other areas that the oil interests you haven't dig into
23 yet. I do believe that the Mineral Management Service should
24 consider of delaying due to the fact that the oil industries
25 don't have any type of technology yet to do any clean-up if an

1 oil spill occur, especially with the condition that we have out
2 in the Beaufort Sea where there's bristol (sic) ice ridges.

3 That is something that the -- you guys need to
4 consider; there needs to be further research done. Knowing for
5 the fact that there isn't any of technology yet to do any type
6 of oil spill clean-up in our environment. 'Cause if any -- if
7 the lease sale goes through and they did find oil, and if an
8 accident occurs, I mean, you guys are going to be -- you guys
9 are going to hurt our livelihood, our people that depend on the
10 resources for our diet.

11 I do believe that something that the -- that needs to
12 be considered strongly that will -- that's going to affect our
13 people, this is something that needs to be considered. And
14 we're -- I'm not just only looking at today or tomorrow. I'm
15 talking about my kids' future, too, and their kids' future.

16 I'm not against oil and gas. I know the nation needs
17 it, and our people needs it for to live on, that the Borough
18 have provided through taxation. But I do believe that you guys
19 should consider of delaying and do more research whether if
20 they have the technology to do any clean-up if a disaster
21 occurs. As you all know, that day will happen; it just
22 happened in Valdez.

23 I really hate to see it happen here, in my garden
24 here, where I depend for my food, my daily diet that I used.
25 Something that you guys should consider that needs to be done,

1 you guys need to look further, do more research whether if
2 there is a technology for any -- any type of clean-up. It's
3 just all I have to say. Thank you.

4 MR. BROCK: Thank you very much.

5 UNIDENTIFIED MALE SPEAKER: Thank you, Isaac.

6 MR. BROCK: Thomas Napageak.

7 (Pause)

8 MR. BROCK: Did you want to testify, Thomas?

9 MR. NAPAGEAK: Yes, I'm waiting.

10 MR. BROCK: You want to wait?

11 MR. NAPAGEAK: Yeah.

12 MR. BROCK: Okay. Joseph A-k-p-i-k.

13 **PUBLIC TESTIMONY BY MR. JOSEPH AKPIK**

14 Good evening, gentlemen. My name is Joseph K. Akpik.
15 I reside here on the North Slope, from Barrow to Nuiqsut and
16 Kak- -- Nuiqsut and Atqasak. And I feel the same way, too,
17 that I would back up Isaac Nukapigak comments on -- on our
18 subsistence and lifestyle within our region up here.

19 And I can see on your -- on your maps here, on the
20 Sale 144, where they affect this whole Arctic Slope. And that
21 would calling on cisco fish that we eat here in Kaktovik, and
22 that would affect the migration of the whale. And I can see
23 the boundaries of this proposed Sale 144, that that would
24 pretty much affect this -- all our people here.

25 And like Mr. Isaac Nukapigak stated, that there is

1 on-shore oil deposits that -- that -- that can be discovered
2 instead of an offshore exploration like this. Because I,
3 myself, or this ice movement is -- oh, what you call that? It
4 depends on the season that it's -- you cannot predict of how
5 this ice movement would move if and when there's any platforms
6 or exploration or anything, or drilling, that would take place
7 because we cannot -- you cannot control that ice movement.

8 So this is one of the reasons why I would object to
9 this proposed Sale 144. And there's this whole environment on
10 this offshore that I'm really much up against. Like I will
11 state again, that there is possible on this Colville Delta,
12 there's ANWR on-shore that can be considered. And so that's
13 all I have for now. Thank you.

14 MR. BROCK: Thank you.

15 MR. WALKER: Thank you, Joseph.

16 MR. BROCK: Abe? S-i-m-m-o-n-b-r (sic)?

17 MR. SIMMONDS: Simmonds. S-i-m-m-o-n-d-s.

18 MR. BROCK: Oh, "b-s," (sic) Simmonds. Okay.

19 (Pause)

20 MR. BROCK: Did he leave?

21 (Pause - Inaudible comments)

22 (Off record)

23 (On record)

24 **PUBLIC TESTIMONY BY MR. THOMAS NAPAGEAK**

25 Yes, sir. I'd like to make a couple a comments here.

1 As I was just scoping through your book.....

2 MR. BROCK: He's Thomas Napageak.

3 BY MR. NAPAGEAK (Resuming):

4 My name is Thomas Napageak. N-a-p-a-g-e-a-k,
5 Commissioner of Nuiqsut Alaska Eskimo Whaling Commission. The
6 other hat that I wear is President of the Native Village of
7 Nuiqsut.

8 I noticed that on page I-11, I-11 or whatever you
9 want to call that, there is a paragraph there that indicates
10 Nuiqsut deferral alternative. Let me read this:

11 "During the Kaktovik scoping meeting, Mr.
12 Delbert Rexford, a whaling captain, suggested
13 that the deferral of an area of Colville Delta
14 in order to protect subsistence activities
15 related to the bowhead whale. This deferral
16 alternative was not analyzed because of three
17 principle considerations:

18 "Many of the blocks within the region
19 already had been leased by the State of Alaska
20 and the USDY.

21 "Two, the primary area for bowhead whaling
22 activities, both for Kaktovik and Nuiqsut, lies
23 east of Colville Delta region in the vicinity of
24 Cross Island."

25 Cross Island is the home of Nuiqsut whalers. We've

1 got a camp there; all our camp facilities are there. We even
2 have a winch to pull up the whales. That has been our whaling
3 station since '70 -- '75 -- (speaking in Inupiat) -- since
4 1975.

5 "Three, the deferral option was not raised
6 by residents or elders of Nuiqsut."

7 I disagree with that because under AEWC, the nine
8 whaling communities work together. And if one whaling captain
9 indicated that it should be deferred, it should be deferred
10 because it -- he's -- he is one of the whaling captains of the
11 nine whaling communities. I don't necessarily think that -- I
12 don't necessarily believe that it should be really a resident,
13 although it should be, but, you know, the nine whaling
14 communities work together.

15 And I was going through some of the studies prepared
16 by some people some years ago -- matter of fact, this one was
17 dated April 1, 1990 -- where Minerals Management sponsored a
18 meeting in Anchorage which was very productive, in my part, up
19 to date. The species that were -- that I'm going to be talking
20 about of bowhead whales. I'm a whaling captain, have always
21 been, and will always be.

22 A bowhead whale is still an endangered species under
23 Federal Register. We still have to live under the quota system
24 imposed by federal government. Now we're talking about Lease
25 Sale 144, which is the home of the bowhead whale and other

1 endangered species. To name a few, polar bears. Under the
2 federal regulations, the taking of polar bears is not very
3 important to us now because we can't do nothing with the hide.
4 The hide, as valuable as it is, goes to waste when we kill a
5 polar bear. Because of federal regulations, we cannot sell.

6 Spectacled eiders that come here every now -- every
7 summer for a short period of time are also endangered species
8 which utilize the Beaufort Sea for their survival. And like
9 the other two, should an oil spill occur, these endangered
10 species that we -- that the federal government protects so much
11 that they hurt the Inupiat people for trying to make a living
12 with them, will be slaughtered by the federal government
13 lease -- leases and dollars that they receive.

14 The testimony that I'd like to give to you is our
15 words that were given to -- that are written to this book, was
16 by Dr. W. John Richardson. I guess you've heard about him.
17 It's about noise that disturbs the migration of the bowhead
18 whale. I briefly went over this, and I'm not too sure how far
19 back it is, but you did talk about the bowhead whale and the
20 disturbance, but you were talking only about a few miles,
21 whereas a studying person indicates that sound in water will
22 travel many, many kilometers away. Let me read this:

23 "Sound is transmitted very efficiently
24 through water. Underwater noise created by
25 ships and other human activities often can be

1 detected many kilometers away, far beyond the
2 distance where human activities would be
3 detectable by any other senses."

4 See what I mean? Something that we can hear, the
5 whales will hear many miles away. That's why we have always
6 been -- have never landed whales here in our community due to
7 activities when (indiscernible) was underway. Because of
8 seismic though traffic (sic), helicopters overflights, these
9 were the cause of the whales migrating further north out to the
10 ocean, 20 miles further north than their usual migration route.

11 "The long distance which -- the long
12 distance over which calls and other natural
13 underwater sounds can be detected are doubtless
14 a major reason why many marine mammals,
15 including bowhead whales, use calls to
16 communicate. They probably also listen to
17 natural sounds to obtain information about their
18 environment."

19 I don't doubt that. I believe that. 'Cause if the
20 sound hurts the first whale, the leading whale in the
21 migration, he will report to his fellow whales, and they will
22 not be seen in their normal migration route.

23 "They probably also listen to natural
24 sounds to obtain information about their
25 environment. Relevant natural sounds might

1 include serve (sic) noise indicating the
2 presence of shoreline or shore, ice noise, and
3 sounds from killer whales."

4 And on and on it goes. It tells us that sound is
5 very harmful to the migration of the bowhead whale. And
6 looking at the map where you plan to sell, that's specifically
7 where the migration route of bowhead whales are.

8 And like Isaac indicated, there are NPRA, which is
9 owned by the federal government, ANWR, which the President have
10 authority with the stroke of a pen to open up. Why don't we go
11 after these first before we go out into the ocean? And talk to
12 the rich corporations to give us top bucks for our NPRA land.
13 Thank you.

14 MR. BROCK: What report is that that you were
15 referring.....

16 MR. NAPAGEAK: Fifth Conference on Biology of Bowhead
17 Whales.

18 MR. BROCK: Okay. Thank you.

19 (Pause - Side comments)

20 MR. BROCK: Thank you. Abe Simmonds? Did he come
21 back? Oh, there he is.

22 **PUBLIC TESTIMONY OF MR. ABE SIMMONDS**

23 My name is Abe Simmonds. I'm not going to try to
24 explain anything on this proposed Sale 144, but I'm just going
25 to say that I'm strictly opposed to it. And that's all I have.

1 MR. WALKER: Thank you, Abe.

2 MR. BROCK: Thank you.

3 (Pause)

4 Mr. NUKAPIGAK: I'm going to volunteer.....

5 MR. BROCK: Okay. We got -- we're going on a roll
6 now (laugh).

7 **PUBLIC TESTIMONY OF MR. JOE NUKAPIGAK**

8 My name is Joe Nukapigak. Last name same as Isaac's,
9 who first testified. I'm a resident of Nuiqsut, and I'm also
10 the President of my village cooperation, which is Kupuko (ph)
11 Corporation. And I want to testify in front of you in regards
12 to this proposed Oil and Gas Lease Sale 144.

13 As anybody that I -- I firmly, strongly oppose this
14 offshore -- this proposed offshore lease. As we always fear
15 about these offshore drillings, that I believe that there's no
16 technology yet by the oil industry that will convince me to
17 support this. But I have seen -- I have known that there's no
18 technology as of -- that I know of.

19 (Pause)

20 Maybe they -- there's a drilling rig out there that
21 can handle a north sea type in north Atlantic versus where the
22 ice floes are. Sea-ice-free environment, sure, we recognize
23 that 'cause of the north sea development. Whereas here in the
24 Arctic, nine months out of the year that we have sea ice, even
25 the current is so forceful, sometimes the icebergs can peak as

1 high as 200 feet. Some cases where it depends on what ice
2 current that you are at geographically. Barrow arch is one
3 that I know of, having grown up there, that has a very strong
4 current. Chukchi Sea is one.

5 Because when it's what we call it, Chukchi Sea,
6 Beaufort Sea is still Arctic Ocean, and Arctic Ocean that
7 provide what we depend on, the sea mammals that we depend on,
8 the fish, wildlifes. As we have seen development over to the
9 east inland, which is Prudhoe Bay, which is considered one of
10 the first giant oil fields, we've seen it how that place has
11 been developed. Twenty years that we have seen development
12 over to the east, inland.

13 At first, I was skeptical about the development
14 scenario, but being observant in the oil and gas exploration in
15 the land, it is -- it can be compatible. But how compatible
16 that is remains to be seen offshore. The reason when I say
17 "compatible," how compatible is the sea ice versus the -- where
18 the drilling rig might be? Will it be able to withstand so
19 many thousand per square inch? That, we don't know. If all
20 the oil company or oil industry can convince me that there's a
21 drilling rig out there, let me see it.

22 (Indiscernible) no matter what village that you may
23 be at, we people depend on the sea animals. When we're hurting
24 for -- sometimes we have a crash in some other animals that we
25 depend on, like fish that sometimes that we don't know what

1 caused it. Is it from drilling mud? We don't know. These are
2 the things that should be monitored from time to time if it's
3 going to -- if there's going to be a responsible -- if there's
4 an oil find out in the ocean.

5 Sometimes our testimonies are just being -- they're
6 dissipate once we testify. And once the development's started,
7 then, where are the mitigation measures that we requested?
8 Mitigation stipulations sometimes are right in the bookshelves.
9 Some comments can't be -- you know, they sometimes -- sometimes
10 I feel that my comments are taken for granted, just to be
11 pushed aside and hear the livelihood that's going to affect me.
12 It's greatly affected.

13 Your proposed lease sale is a pretty large area. As
14 there was some gentlemen that were earlier testify, right now,
15 where we're sitting at, we're sitting in the bounty of NPRA,
16 which is a jurisdiction of federal government through the
17 Congress of -- through the act of Congress. National Petroleum
18 Reserve. Why is it called National Petroleum Reserve? Tell
19 me.

20 MR. BROCK: An act set it up that way, a law that
21 Congress passed.

22 BY MR. NUKAPIGAK (Resuming):

23 Then why can't that be made available for
24 explorations and whatnot, as some of the gentlemen were
25 suggesting? Or even, you know, like what Thomas said, with the

1 stroke of a pen, ANWR can be opened.

2 We've seen development, and we've seen our -- some of
3 our -- well, we have seen some negative impacts. But it takes
4 time to resolve some of these negative impacts. And here in
5 the -- the potential oil spill that I see that -- and some of
6 the analyses that I see here on the 1,000 barrels, the minimum,
7 that there might be an oil spill. If you all (indiscernible),
8 is the -- well, then, what is it that we're -- what is the high
9 side? If the high side is 1,000 barrels, then is that a low
10 side or the high side to -- within what the analysis suggested?

11 (Pause)

12 These are the concerns that we -- my people have
13 always been concerned about. A responsible development is
14 no -- not the -- now, the land and the sea are very fragile,
15 the ecosystem that we co-exist with, the animals.

16 Even the employment, even if there's a separation, I
17 suggest that we provide the employment. Now, I -- it would go
18 against my principle. I would rather be a subsistence hunter
19 than work for an oil company, especially when sometimes
20 unemployment (sic) pays so high in the village. Sure, we know
21 that. But slowly that -- but most -- but majority of our
22 people are subsistence hunters. We rely mostly on what we
23 catch here, what the land provides, what the ocean provides.

24 Time and time again, you know, that -- time and time
25 again, we have said no to offshore lease sales, and still

1 they -- they still end up leasing OCS. I don't know, up to
2 this day, other than what's on the State waters, that some of
3 these potential marginal fields that might be developed. That
4 is remain to be seen how that will convince me to start
5 supporting offshore drilling. That is for -- might be further
6 out than what federal government jurisdiction is, 200 miles.

7 Why don't you go further out in order to drill? And
8 I'm convinced that drilling rig be able to withhold whether
9 make -- whether Mother Nature can to. These are the concerns
10 that I bring before you. How compatible are we? So that ends
11 my testimony now.

12 MR. BROCK: Thank you.

13 (Pause)

14 MR. BROCK: Now, that's all the people we had sign up
15 that wanted to, but I would like.....

16 MR. NUKAPIGAK: Excuse me.

17 MR. BROCK: Yes.

18 MR. NUKAPIGAK: I noticed that one of our whaling
19 captains that doesn't fully understand English is here, so I'd
20 like to elaborate a little bit about.....

21 MR. BROCK: You bet.

22 MR. NUKAPIGAK:what's going on here.

23 (Pause - Mr. Nukapigak speaking in Inupiat)

24 MR. BROCK: Thank you very much.

25 MR. LAMPE: My name's Leonard Lampe, for the record.

1 MR. BROCK: How do you spell your last name?

2 MR. LAMPE: Lampe, L-a-m-p-e.

3 PUBLIC TESTIMONY OF MR. LEONARD LAMPE

4 I'm -- I'd like to testify I, too, am against this
5 Lease Sale 144. You've heard a lot of gentlemen before me talk
6 to you. I just want to remind you, you've heard a President of
7 200-plus shareholders speak out, and you also heard a President
8 of a tribal council that represents over 400 members as well.
9 So I just want to put that for the record. And these gentlemen
10 aren't speaking for themselves; they're also speaking for their
11 entities, for our shareholders and our tribal members.

12 I've been on an offshore rig before, and I've been on
13 a -- it's a village oil response team formed by Arco for our
14 village. We were on an offshore drill rig; we were going to
15 have a practice, a drill, if there was a spill occurrence
16 there, of how we would manage the spill, how we would manage
17 the spill from going all over. And during our drill, you have
18 stages of the ice: dangerous, very dangerous, and so forth.
19 And during our drill, our drill was canceled due because the
20 ice was dangerous. But it was the same -- it looked the same
21 as when we got there, when it was stable when we got there.

22 But I want to know how the oil companies --
23 there's -- they can tell you there's no way, if they can't
24 allow any men to go off the rig itself onto the ice during
25 those stages, if there is a spill, no one can do anything about

1 it. No one will do anything about it. If a spill occurs, no
2 one's going to clean that spill during that dangerous stage.
3 And they were very strict, even just for a drill. Even if a
4 spill were to occur, nobody would be allowed to get off that
5 rig and go on the ice and try to prevent the spill from going
6 any farther.

7 Also, and I disagree with some of your wordings in
8 your Environmental Impact Statement here. You say that Nuiqsut
9 depends most of its mammal seasons off the lease sale area. It
10 depends on all; all of the mammals come from Lease Sale 144,
11 not most of the sea mammals. It's all of the an- -- all of the
12 sea mammals are on Lease Sale 144 for Nuiqsut.

13 MR. WALL: Yeah, what page is that on?

14 MR. LAMPE: It's on the Nuiqsut -- the introduction
15 of Nuiqsut.

16 MR. WALL: I thought maybe you (indiscernible), but
17 that's.....

18 MR. LAMPE: I-11.

19 MR. WALL: Okay.

20 MR. BROCK: I-11? Oh.

21 BY MR. LAMPE (Resuming):

22 And also, you know, if there was a spill occurrence,
23 no one would be able to clean up the -- the oil companies don't
24 know how to spill an occurrence (sic) if that does ever happen.
25 I mean, this was three years ago; nothing that I know has

1 changed in the -- especially the waters of our -- our waters
2 are very different, very different conditions, compared to -- I
3 mean, it was a disaster in Valdez, and that was, you know -- to
4 us, that's calm water, until when it started blowing that --
5 that evening.

6 But, you know, that was nothing compared to what we
7 have up here in the north. You have no ice conditions over
8 there, besides the wind. Over here you have water, current,
9 ice, slush. You name it, you got it up here. And you can't
10 even control the wind down in Valdez. How are you going to
11 control all four of these up here? There's no way.

12 So I'm very against offshore. There's a lot of
13 options open right now. There's ANWR. Prudhoe Bay has proven
14 itself to us about being reasonable drilling on shore. So has
15 Kuparuk. There's other areas in this areas that can be
16 developed. I urge you to look at those areas. You've got to
17 prove to yourself, to us, that it can be handled in a manner.

18 And with Valdez spill, with the offshore spill over
19 there, that proved to us you are not capable. No oil company
20 is capable of taking care of that spill. And with something
21 like that up here, it's going to happen, with you knowing that
22 you're not capable of doing this, of cleaning up. You know,
23 you're going to have some -- a lot of answers to -- a lot of
24 answering to a lot of people.

25 There's one thing in losing money, but there's

1 another thing in losing cultural -- culture. If you take away
2 the culture of the North Slope, that's going to be the end of
3 us. We're just going to be just like everyone else in the
4 Lower 48, a lost people who's looking for a history, who's
5 looking for their rights. Thanks.

6 MR. BROCK: Thank you. Frank.

7 (Pause)

8 **PUBLIC TESTIMONY OF MR. FRANK LONG**

9 Hello. My name is Frank Long. It's spelled L-o-n-g,
10 and it's one of the shortest names that you can put on paper.

11 I've heard a lot of comments from my fellow residents
12 of this community. And I heard what you read earlier about
13 Clean Water Act, Air Pollution Act, and all those. Aren't we
14 the people that's supposed to be protected by them? Or is the
15 government? The federal government in all its entity and all
16 the departments are the only ones protected by them because, at
17 this point in time, there is air pollution by the industry that
18 forms and shifts every which way the wind turns. It's a yellow
19 smog that you can see this time of the year till spring is
20 getting over to Barrow.

21 What are you going to do with the Clean Water Act?
22 Would you go out three miles and beyond? I believe don't we
23 have a right for the (indiscernible)? Aren't we the people
24 that's supposed to utilize this stuff instead of the industry?
25 We're supposed to be protected by our government, not pushed

1 aside.

2 In most of your statement, in this book, is
3 ridiculous. If I was to go to store and buy this book, I
4 wouldn't buy it. But it's a handout written by some dude that
5 sits behind a desk and never seen ice, current, water, nor wind
6 and rain. All these lines show different currents as far as
7 you go. The further you go, the stronger it gets. Ice packs
8 not only form on shore; it's already out there. It's out there
9 year around, 365 days a year. And during the fall when we're
10 out on ice, heavy ice conditions, there are four leads that
11 open up. And when the industry is heavy in their activity, we
12 have to go all the way out to the fourth lead in order to meet
13 our harvests of quota.

14 There's not only the federal government that tries to
15 stop us from whaling, but there are other governments,
16 international governments, that try to put a stop to us, who I
17 think that don't have no say over our livelihood. I don't
18 think the International Whaling Commission should have any say,
19 or per se, of how many whales we should harvest. I don't think
20 the federal government should jeopardize us by quota in our
21 system.

22 I'm thinking of this right now as whales versus
23 buffalo. Buffalo was slaughtered. We all know that, and we've
24 heard of it, we've read it, we've seen it. And now Lease Sale
25 144 is going to do the same thing to the whale. You're going

1 to slaughter them. The commercial whalers in the early 1900s
2 so say they left only a thousand whale, but the Eskimo proved
3 them wrong. Who can number an animal? Was there a hundred
4 buffalos after they were all slaughtered?

5 Like they said, oil spill is a very dangerous issue.
6 Even in three inches or two inches of ice, it will not be
7 cleaned up. What happens to the sediment? It goes to the
8 bottom. All the fish, all the feeding for the whales, all the
9 feeding for all marine mammals will be slaughtered. There are
10 micro-feeds out there for every specie of animal: seal, polar
11 bear, whales, beluga, walrus, and it goes all the way to the
12 bottom of the ocean. Once there's an oil spill, I think we'll
13 have the biggest disaster in history.

14 It kind of hurts me to think this way, but like
15 everybody else, I'm not against oil and the development of oil.
16 But I'd like to see a lot more improvement before it goes
17 beyond three miles. There are studies that have been made that
18 they can only go seven miles. There are productions that are
19 proposed at this point in time to produce under the ocean. And
20 I don't know if pipeline will withstand, like one of the guys
21 indicated, 200 feet of iceberg if it should scrape deeper than
22 50 meters. That's a lot of scraping down below.

23 When ice moves, it has so much force that nobody can
24 stop it, not even an ice breaker. There'll be damage not only
25 to the mammals of the sea, the fish, the birds, everything that

1 goes on the ocean, but it will also damage the industry
2 heavily, not only by dollars, by equipment and maybe by their
3 life. If they go ahead and want to do what they think they can
4 do, I will have no feeling of bitterness why such thing happens
5 if they go on a losing streak. It's bad enough to see a boat
6 swamp; it's bad enough to know and have a fellow whaling
7 captain lose a life just over a little rough water. How much
8 more damage shall we go through?

9 I've been a whaling captain for seven years in this
10 community, but I've participated in whaling since early 1950.
11 And that's a good number of years. I know these guys that's
12 behind me have participated nearly 50 years in active whaling.
13 Regardless of how we whale, if the government takes our
14 equipment, we have our own method. We don't really need
15 (indiscernible) to harvest a whale.

16 I think this is substitute to satisfy what we can do
17 for the government or what the government can do for us. We
18 try to live by rules and regulations, but one day, rules and
19 regulations won't do any good. And everybody knows it, and
20 it's happening today. Like the assassination of the Prime
21 Minister of Egypt. Thank you very much.

22 MR. BROCK: Thank you, Frank. I'm going to put this
23 sheet back there because I'd like ev- -- I'm -- we're not
24 through. I'm just going to set this sheet back here so that
25 people can sign in that have not signed in yet. I don't want

1 to -- 'cause I don't want anybody to get out without at least
2 letting us know you're here. So if those that have not signed
3 in would be sure and sign in before you leave, I would really
4 appreciate it.

5 Okay. Thomas, did you.....

6 MR. NUKAPIGAK: Yeah, I've got a question. I noticed
7 that we have some representatives from industry, so I'd like to
8 ask them a question.....

9 MR. BROCK: Okay.

10 MR. NUKAPIGAK:understanding to what's here.

11 MR. BROCK: Can I just wait a second on that, just
12 for one quick minute?

13 Is there anybody else that would like to testify in
14 the crowd?

15 (No audible response)

16 MR. BROCK: Thomas, can we have this fellow testify
17 first, and then we'll go to -- we won't leave you.

18 MR. NUKAPIGAK: Okay.

19 **PUBLIC TESTIMONY OF MR. PATSY TUKLE**

20 My name is Patsy Tukle. I can't speak English for --
21 I get school for -- it's only for talking Eskimo language
22 (laugh). (Speaking in Inupiat.)

23 MR. BROCK: Thomas, will you be able to help us on
24 this?

25 (Pause - Side comments)

1 (Mr. Patsy Tukle testifying in Inupiat,
2 with Mr. Thomas Nukapigak translating into English)

3 BY MR. TUKLE, THROUGH MR. NUKAPIGAK:

4 His name is Patsy Tukle. He's never gone to school.
5 He was born and raised in this area. Parents who lived here,
6 and that's one of the reasons that he never go to school,
7 because there was no school here at the time.

8 MR. BROCK: How do you spell that last name?

9 MR. NUKAPIGAK: T-u-k-l-e.

10 MR. BROCK: Go ahead.

11 BY MR. TUKLE, THROUGH MR. NUKAPIGAK (Resuming):

12 Some years ago, there were a lot of people here, but
13 most of them went to Barrow. The parents took their kids to
14 Barrow for education purposes. But his family was one of the
15 last ones that departed from here, and he was already old
16 enough to start hunting, so he never attended. I mean,
17 although he went there, he never go to school.

18 When he was growing up, there was a lot of Natives,
19 but there was always one white man, and he always see this one
20 white man. He had (indiscernible). And summertime, he would
21 see two others coming in from Barter Island side. He regrets
22 that he never went to school; he wishes he had gone to school,
23 but his livelihood is subsistence all his life. He's a hunter;
24 he's a whaling captain and survives on those.

25 There was no more aliens, white guys, when this guy

1 had a heart attack, died in Colville. There were nothing but
2 real people -- Eskimos (laugh). And he remember Bud Helmrich
3 (ph) coming down to Colville in a kayak, he and his wife. Now,
4 that's a total of four white men that he's seen in his grown-up
5 years.

6 He -- it's hurt him. He doesn't like to see white
7 man come around because, realizing that he has lived here --
8 born here, raised here, never even went to school, and he hates
9 white man when they come with a big book like this and tries to
10 tell Inupiat what's going on. It hurts him, and he doesn't
11 like that kind of visitors coming in.

12 Knowing that Inupiat doesn't have a written law, he
13 hates you guys when you're coming with big books, tell us what
14 to do. Even against the will of the people who talk, you still
15 go ahead and do it anyway against the will of the Inupiat
16 people. You guys just like to see us hurt. Just want to see
17 us hurt all the time.

18 And being a whaling captain, he like -- he would like
19 to see you guys work along with the whalers at times, not
20 against them all the time, but work with them if you possibly
21 can. And he's been evaluating himself with you guys coming in
22 having public meetings. You let us talk; you take our words
23 back to you, and it just doesn't seem to show in your books
24 that we had spoken. And he wonders where -- who he's been
25 talking to. In other words, you just rile us up and just leave

1 us behind.

2 Cross Island is our whaling town, so remember that.
3 Work along with us if you possibly can. Thank you.

4 MR. BROCK: Thank you. Okay. We'll go off the
5 record here for a little bit and have a discussion on anything
6 you want to talk about. So go ahead.

7 COURT REPORTER: You want to go off record?

8 MR. BROCK: Yeah, off record.

9 (Off record)

10 (On record)

11 MR. BROCK: Sir.

12 MR. AKPIK: Are we on record?

13 MR. BROCK: Yes.

14 COURT REPORTER: On record.

15 MR. BROCK: On record.

16 MR. AKPIK: Thank you.

17 **PUBLIC TESTIMONY OF JOSEPH AKPIK**

18 Thank you, Mr. Brock. On this Summary of Effects on
19 Social/Cultural Resources on page IV-4, on the beginning?

20 COURT REPORTER: State your name again.

21 MR. AKPIK: Oh. Joseph Akpik.

22 COURT REPORTER: Thank you, Joseph.

23 BY MR. AKPIK (Resuming):

24 Resident of the North Slope. I have these -- they
25 tell me it's summary. I believe it's on page IV, Summary on

1 Effects on Social/Cultural Resources. There's -- I think that
2 this summary should be modified to where -- or if it all
3 matters, I would feel comfortable if you would strike out
4 Nuiqsut or Kaktovik because it's -- there would be a time where
5 the City of Nuiqsut or a corporation would file a suit against
6 the federal government if there ever was a big disaster.

7 I'm just speaking on behalf of us Inupiat, what the
8 outcome would be if that disaster should come, because it's
9 stated here that how can you prove that,

10 "Overall, however, disruption of social/cultural
11 system is expected for a period of one year
12 without intensity to displace existing
13 institutions."

14 There again, it's just -- it's a pretty broad statement, a
15 pretty broad summary on there.

16 And then there again, to back up Thomas Nukapigak's
17 part of the section of where he rests,

18 "The effects on subsistence harvest patterns in
19 Nuiqsut and Kaktovik are expected to render one
20 or more important subsistence resources
21 unavailable...."

22 Now, that tells me that -- how can you prove that? This is my
23 question.

24 "...for a period of not exceeding one year."

25 Here's one good example, I will say, because I used to work in

1 Endicott Island. Now, that affects our fishing lifestyle here,
2 with so-called cisco.

3 Now, I've seen them when they are extracting and
4 dumping baroid bar (ph), caustic soda. That's the most
5 deadliest toxin that can be mixed in with the drilling mud.
6 And I've seen them mix that Macobar (ph) gel, and then you're
7 mixing it with hydrocarbon, which is oil, then you got 20
8 different various toxic chemicals that you add onto your
9 drilling mud. And I've seen them dump all of that drilling mud
10 over the causeway right onto the path of the cisco fish. I
11 don't know if anybody's aware of what effect it would have, but
12 I'm sure there is somewhere along the line on our bottomfish
13 here in the Beaufort Sea.

14 And there's another good example, too, that there's a
15 hydrocarbon fallout that is going on that Frank Long has
16 mentioned. I've seen it; it's just like smog out there. The
17 cold weather sets in from the air, and it keeps that
18 hydrocarbon fumes coming out, and it falls out to the tundra
19 and the waterways. Now, these are some of the research that
20 never has been done, and it's affecting our caribou, and it's
21 affecting our fish.

22 These are some of the small portion of these
23 chemicals that are being -- that will be being dumped out that
24 your office can regulate that. There should be monitoring of
25 how much chemicals are being dumped out in case there -- if it

1 goes through on this offshore exploration, there are the
2 effects that will come within our environment. But anyway,
3 there it goes again on part of the summary.

4 Overall, my feeling would be to strike out that whole
5 paragraph on the summary on Effects on Social/Cultural
6 Resources that covers Nuiqsut and Kaktovik. And it goes on
7 here,

8 "Effects on the bowhead would be periodic and
9 have no apparent long effects on subsistence
10 harvests."

11 That doesn't tell us, and it's -- you cannot predict that.

12 "However, Nuiqsut and Kaktovik are small,
13 relatively homogenous communities that would not
14 absorb the presence of the tonics (sic) that
15 come to the communities like Barrow, and they
16 could experience an increase in social problems
17 and possible social problems due to the
18 construction of roads from the villages to the
19 development sites. However...."

20 -I mean, it goes on:

21 "Overall, however, disruptions of social/
22 cultural system is expected for a period of one
23 year."

24 (Laugh) That I don't believe.

25 Now, if -- can somebody clarify that to us, what it

1 actually means?

2 MR. BROCK: You're saying you disagree that it's
3 going to cause a disruption, or you're just agreeing that it's
4 not going to -- that it's going to cause.....

5 MR. AKPIK: No.

6 MR. BROCK:a disruption for not more than a
7 year?

8 MR. AKPIK: No, I don't believe all of that. No, I
9 don't. But there's -- how can you prove that "However" clause?

10 MR. BROCK: Oh. Okay.

11 BY MR. AKPIK (Resuming):

12 "Overall, however, disruption of social/cultural
13 system is expected for a period of one year
14 without intensity to displace or disrupt our
15 existing society."

16 Now, if somebody can clarify that and explain it to us so --
17 'cause this summary is -- it bothers me.

18 (Pause)

19 MR. BROCK: I'll get you a clarification on it.

20 I.....

21 MR. AKPIK: Well, in front of our people here.

22 MR. BROCK: Well, I didn't write that section, so I
23 can't explain exactly what the author meant on that. But I
24 believe that he wa- -- that the author was saying that it would
25 not disrupt for more than a year without an existing --

1 without -- to displace the existing situation. I can get you a
2 clarification, but I -- since I didn't write that, I can't
3 explain the full intents of what the author of that section
4 meant right here. I'd be glad to get you a summary -- or an
5 explanation of it.

6 MR. LONG: Do you mean to say that.....

7 MR. AKPIK: Yeah, it means even after one year,
8 everything would be all right.

9 MR. LONG: The author of this book is Minerals
10 Management Service, Alaska OCS Region. You work for the
11 department, and you're telling us you don't know what it means?

12 MR. BROCK: I'm telling you I don't -- I'm not going
13 to -- I can't interpret exactly what the author of that section
14 meant by that right -- no. I can't. I -- but I can get you an
15 explanation of it.

16 (Pause)

17 MR. LONG: By the time we get the information, it'll
18 all be sold.

19 MR. BROCK: I'll get it for you next week.

20 (Pause)

21 MR. AKPIK: But anyway, that just for the -- for your
22 information that I have discovered within my own personal thing
23 on -- relating to this extracting this toxic chemicals from the
24 drilling mud that has been dumped onto our Beaufort Sea. Thank
25 you very much.

1 MR. BROCK: Thank you.

2 (Pause)

3 MR. BROCK: Do we have anybody else that would like
4 to testify?

5 (Pause - Whispered consultation)

6 MR. NUKAPIGAK: I got a question. How many more
7 hearings do you have on this report?

8 MR. BROCK: We have a hearing tomorrow in Kaktovik
9 and a hearing on.....

10 MR. NUKAPIGAK: I mean for this winter. Are you
11 planning to come back before the final?

12 MR. BROCK: No, sir. We won't hold another public
13 hearing on the -- on this document. No, sir. Here.

14 (Pause - Whispered consultation)

15 MR. BROCK: I'd like to thank all of you for coming
16 tonight. I really appreciate it. And your concerns will be --
17 we will get those forwarded, and they will be in the final
18 document. So we very much appreciate it. With that, the
19 hearing is closed.

20 COURT REPORTER: Off record.

21

22 (Whereupon, the proceedings in the above-entitled
23 matter were concluded at 9:22 o'clock p.m.)

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C E R T I F I C A T I O N

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)
_____)

I, CINDY S. CARL, do hereby certify:

(1) That the foregoing pages contain a full, true, and correct transcript of proceedings in the above-entitled matter, transcribed by me, or at my direction and supervision, to the best of my knowledge and ability.

(2) That I have been certified for transcript services by the United States Courts.

(3) That I was certified for transcript services by the Alaska Court System prior to January 1, 1993.

SIGNED AND CERTIFIED:

BY: Cindy S. Carl
Cindy S. Carl
Certified Court Reporter

DATE: 12/6/95

