

PUBLIC HEARING
FOR
DRAFT ENVIRONMENTAL IMPACT STATEMENT
MINERALS MANAGEMENT SERVICE
PROPOSED ARCTIC MULTI-SALE

Barrow, Alaska

Taken February 6, 2009
Commencing at 7:28 p.m.

Volume I - Pages 1 - 87, inclusive

Taken at
Inupiat Heritage Center
Barrow, Alaska

Reported by:
Mary A. Vavrik, RMR

- 1 A-P-P-E-A-R-A-N-C-E-S
- 2 Jeffery Loman
- 3 Deputy Regional Director
- 4 U.S. Department of the Interior
- 5 Minerals Management Service
- 6 Keith Q. Gordon
- 7 Biologist/NEPA Team Coordinator
- 8 U.S. Department of the Interior
- 9 Minerals Management Service
- 10 James J. Kendall
- 11 Chief, Environmental Division
- 12 Chief Scientist
- 13 U.S. Department of the Interior
- 14 Minerals Management Service
- 15 Albert R. Barros
- 16 Community Liaison
- 17 U.S. Department of the Interior
- 18 Minerals Management Service
- 19 Arnold Brower, Jr.
- 20 Inupiaq interpreter

21 Taken by: Mary A. Vavrik, RMR

22
23 BE IT KNOWN that the aforementioned proceedings were
24 taken at the time and place duly noted on the title
25 page, before Mary A. Vavrik, Registered Merit
Reporter and Notary Public within and for the State
of Alaska.

1 P-R-O-C-E-E-D-I-N-G-S

2 MR. LOMAN: Okay. We are going to
3 get started. My name is Jeffery Loman. I'm with
4 the Minerals Management Service. We would like to
5 start with a blessing. And I think we have somebody
6 that's going to do that for us.

7 (Prayer offered by Arnold Brower, Jr.)

8 MR. LOMAN: Thank you very much. We
9 have a camera in the room, and somebody wants to
10 film the proceedings. And I want to ask everybody
11 in the room to let me know now if you object to it.
12 If no one objects, we will allow the filming.

13 MR. RICHARD GLENN: I've got to go
14 comb my hair, part it the other way, huh?

15 UNIDENTIFIED SPEAKER: Put your hood
16 on.

17 MR. LOMAN: You look good, actually.
18 Away we go.

19 There is a sheet that some -- somebody
20 passed out. Doesn't make any difference who. I
21 just want to let you know, they passed it out at one
22 of our previous meetings, and one of the people got
23 ahold of it and thought that it was something that
24 the Minerals Management Service produced. We did
25 not. And we don't necessarily support all of the

1 assertions on the sheet, but it's there for your
2 information, and it's a free country, so you are
3 welcome to do what you will with it.

4 Next on the list here I'd like to introduce
5 our team.

6 (Interpreted.)

7 MR. LOMAN: Thank you. I am Jeffery
8 Loman. I'm the Deputy Regional Director from MMS
9 Alaska. I've worked at MMS for a year and a half.
10 Before that I was the Chief of Natural Resources
11 with the Bureau of Indian Affairs. Before that I
12 worked in the hazardous waste operations department
13 for the Navy Public Works Center in San Diego, and I
14 ran hazardous waste facilities. I did spill
15 response for the military in Southern California,
16 which is one of the world's largest military
17 industrial complexes in the world. So they made
18 lots of messes and we cleaned them up. That's how I
19 got into the environmental business.

20 Before that I was in the Navy on active
21 duty where I worked as a Navy aquanaut for ten years
22 and explosive ordnance disposal mobile unit diver
23 for ten years. I've got about 34 years now of
24 government service, about half of that in the
25 environmental field. I just want to let you know.

1 I'm not here tonight to talk anybody into
2 anything. I'm certainly not in here tonight to
3 debate with anybody, even though there always are
4 some people -- and I understand it -- that disagree
5 with what the government's proposing, and I'm a
6 person and they like to -- they like to take me to
7 task. I won't debate you. I'll try to answer
8 straight up questions. If I can't answer them,
9 somebody on my team will try. If we can't, we will
10 take your contact information and get back to you.

11 But the important part of this evening is
12 to listen to your testimony on a draft environmental
13 impact statement for the Arctic multi-sale, four
14 proposed sales to take place under MMS's five-year
15 plan for 2007 through 2012; two sales that are
16 proposed in the Beaufort Sea, two sales that are
17 proposed to take place in the Chukchi Sea.

18 Before I get into a little more explanation
19 and then into your testimony tonight, I'd like to
20 introduce our team, beginning with Keith.

21 MR. GORDON: My name is Keith Gordon.
22 I'm the National Environmental Policy Act
23 coordinator for the Arctic multi-sale draft
24 environmental impact statement.

25 MR. KENDALL: Good evening. My name

1 is Jim Kendall. I'm from Herndon, Virginia. That's
2 where MMS's headquarters office is. I'm the Chief
3 of the Environmental Division that oversees
4 assessment that does NEPA, as well as the science,
5 and therefore I also have the title of chief
6 scientist.

7 And just to remind you, there are three
8 pots of coffee in the little kitchen there.

9 MR. LOMAN: And cookies and fruit on
10 the table. Albert.

11 MR. ALBERT BARROS: I'm Albert
12 Barros, the community liaison for Minerals
13 Management Service for the Alaska Region. And we do
14 have an interpreter available, Mr. Arnold Brower,
15 Jr. Do we need to have the -- continue to have
16 translation, or should we wait and -- does
17 anybody -- what are the wishes of the audience? Do
18 we need continued translation? Okay. Then we
19 shall. Okay.

20 MR. GEORGE OLEMAUN: Just a quick
21 question. Five-year plan, is that from 2010, 2015
22 or -- I was looking at -- here you got lease sale
23 2010 to 2012.

24 MR. LOMAN: What are you looking at,
25 sir? It's really frustrating for me, these

1 five-year plans. We had a five-year plan 2007 to
2 2012, and the proposed Arctic multi-sale, the four
3 sales that we did this draft EIS for, were covered
4 under that plan. When President Bush lifted a
5 moratorium in the Lower 48 on the East Coast, some
6 areas in the Gulf and the West Coast late in the
7 year of 2008, MMS was required to develop a draft
8 new five-year plan that would run, if it was
9 approved, from 2010 to 2015.

10 Now, what would that mean for the Arctic?
11 That would mean an additional sale beyond the ones
12 we are going to talk about that were analyzed in
13 this EIS tonight, one in the Beaufort and one in the
14 Chukchi.

15 That draft proposed plan is now under
16 review by a new Administration. President Bush has
17 gone out of office. President Obama has just taken
18 over. He hasn't even been in office a month yet.
19 His Administration is reviewing that plan. Whether
20 or not they will move forward with it, we don't
21 know. We will take your comments about the proposal
22 if you would like to give them. It's safe to say
23 whatever you have to say about the four sales that
24 are proposed under this draft EIS apply to any
25 additional sales.

1 I have been trying to convince our
2 management, including the representatives with the
3 new Administration, that this process with multiple
4 five-year plans is confusing. When people are
5 confused, my experience is they get scared and they
6 get angry. When people are scared and angry, they
7 say no to everything. So it's important, and we
8 will try as hard as we can to get the new
9 Administration to keep it simple. And I think it
10 makes sense, especially for the -- for the Arctic or
11 for all of Alaska. So I apologize for the
12 confusion.

13 I think the problem is when you work in
14 this business every day, you understand it,
15 especially the folks that have worked in it for 30
16 years. Everyone can't -- can't absorb these
17 processes the way people who work with them every
18 day do. So I think it's confusing, and I was trying
19 to explain it to Andy Mack, and Andy is a smart guy,
20 and I was explaining and going slow because I wanted
21 to get it right. And he had a hard time figuring it
22 out. And I apologize for that.

23 (Interpreted.)

24 MR. LOMAN: Thank you. The -- in the
25 fall of 2007 we came up to Barrow and to the other

1 villages along the coast in the North Slope Borough,
2 and we held scoping meetings for this proposed
3 Arctic multi-sale and government-to-government
4 consultation meetings, and we took a lot of what we
5 heard during the scoping meetings and used that to
6 develop the range of alternatives that the law
7 requires us to do.

8 The draft Arctic multi-sale EIS has
9 alternative No. 1, which is the no action
10 alternative. And under that alternative, if it's
11 selected, we wouldn't hold any sales at all, or
12 these proposed sales would not be held.

13 Alternative No. 2 is the proposed action.
14 And the proposed action calls for holding sales in
15 all of what is identified as the Beaufort Sea in the
16 red line here [indicating] planning area and the
17 Chukchi Sea planning area.

18 As you may know, we held a sale in the
19 Chukchi Sea in February of last year, sale 193, and
20 that resulted in about 464, I believe, leases were
21 issued for a total of 2.7 billion dollars with the
22 majority of that -- of those leases being awarded to
23 Shell Oil.

24 (Interpreted.)

25 MR. LOMAN: As a result of sale 193,

1 the Coastal Impact Assistance Program funding for
2 the State of Alaska was increased from about four to
3 four-and-a-half million dollars to about 30 to 35
4 million dollars. The North Slope Borough has
5 submitted projects, and we expect to be working with
6 the State of Alaska and the North Slope Borough and
7 other local governments on implementing the
8 provisions of that Coastal Impact Assistance
9 Program, which was part of the 2005 Energy Policy
10 Act. It is a program designed to mitigate impacts
11 to the coast and the coastal communities from
12 offshore oil and gas activities.

13 (Interpreted.)

14 MR. LOMAN: In addition to the no
15 action alternative and the proposed action
16 alternative, there are a number of other
17 alternatives. And these other alternatives are
18 various deferrals. They were also analyzed in this
19 draft environmental impact statement, and they
20 include eastern Beaufort deferral, Cross Island
21 deferral, Barrow deferral area, several deferrals,
22 Hanna Shoals deferral in the Chukchi Sea, Ledyard
23 Bay.

24 Of course, in the Chukchi Sea there is a
25 25-mile deferral where there will be no leasing at

1 all in the area 25 miles off the coast of the
2 Chukchi Sea. And the reason for these deferrals,
3 primary reason for them is to avoid conflicts with
4 subsistence whaling and other subsistence activities
5 and other sensitive resources that exist in those
6 areas.

7 That's the reasonable range of alternatives
8 in the draft. Tonight we would be happy to hear
9 what you have to say about those alternatives, the
10 analysis that was put into the draft EIS, or
11 anything else that you have to say about it.

12 Are there any questions that I can answer
13 before we get started on your testimony regarding
14 the EIS?

15 (Interpreted.)

16 THE INTERPRETER: I was alluding that
17 I thought this was the shelf sales earlier, but the
18 shelf sales are somewhere around here [indicating].

19 MR. LOMAN: Yes.

20 (Interpreted.)

21 MR. LOMAN: Thanks. Any questions?

22 MS. DOREEN LAMPE: Could you explain
23 the deferrals in terms of whether they are permanent
24 or not?

25 MR. LOMAN: The deferrals are

1 applicable to this -- these proposed sales only.
2 It's entirely possible that, for example, this
3 deferral, the Cross Island deferral, they may not
4 issue them or make that area available for leases
5 under these four sales, but in the future, they
6 could. It's not a permanent protection. Only takes
7 those areas off -- off the availability for these
8 four sales.

9 (Interpreted.)

10 MR. LOMAN: Any other questions?

11 MR. GEORGE OLEMAUN: Those
12 deferrals -- these are deferrals. I understand
13 that, but you can't have one and the other. Has to
14 be one of the five deferrals that you are referring
15 to or --

16 MR. LOMAN: No. It's conceivable
17 that the decision could be made to include all or
18 any one of the deferrals.

19 (Interpreted.)

20 MR. LOMAN: No decision has been made
21 to go forward with one or all four of these leases.
22 These are proposed only. There is a new President,
23 a new Secretary of Interior, a new Administration,
24 and they will make the decision. Our job -- and we
25 are working with you here tonight -- is to inform

1 those decisionmakers the best we can. The purpose
2 of the environmental impact statement ultimately is
3 to inform the decisionmaker. And those deferrals
4 don't have to be the only deferrals.

5 If you, for example, say one or more areas
6 isn't large enough or there should be additional
7 deferrals, those are all substantive, applicable,
8 and appropriate things to assert. And we have a
9 responsibility to respond to everything you say
10 tonight. That's why we have the reporter so we can
11 get it right, and we have to respond to what you
12 have to say in writing in the final EIS so the
13 decisionmaker can see what the questions and
14 concerns are, can see what the agency's response is
15 and then make their decision accordingly.

16 (Interpreted.)

17 MR. LOMAN: Thank you.

18 MR. GEORGE EDWARDSSEN: I have a
19 question on your deferrals there. When I look at
20 all of them across the whole North Slope, looks like
21 there are about a good 100 miles for all of them.
22 And when you do a baseline -- a baseline study has
23 not been done when you can go and say I won't touch
24 this spot and over here I won't touch that spot.

25 You have to see how the deferrals interact

1 with each other if you are going to have yourself a
2 baseline. When you have deferrals far apart like
3 that in spots here and there, there is no baseline.
4 You need a baseline. You need to know why and how
5 one deferral is connected to the other because our
6 animals we live on and depend on migrate, and they
7 know these deferral areas, and those are probably
8 their feeding grounds. And if you are going to have
9 a baseline, you have to be able to connect all of
10 it. And if you can't do that, you do not have a
11 baseline.

12 MR. LOMAN: I think we have moved
13 into the testimony portion of this proceeding, so --

14 MR. GEORGE EDWARDSSEN: No, I'm just
15 making a comment on your baselines -- I mean, on
16 your deferrals, and you can't call them baselines.

17 MR. LOMAN: That's a good segue in.
18 We only need your name. We think we are accurate to
19 say you are all from Barrow. If you would like us
20 to mail you something, either give your address for
21 the record or write it down on our sign-in sheet.
22 Mayor Itta, did you have a --

23 MR. EDWARD ITTA: I was just going to
24 ask you what the process was. When can we
25 officially start the testimony toward the scoping

1 meeting?

2 MR. LOMAN: We are going to start
3 now, thanks to George.

4 MR. EDWARD ITTA: Is it going to be
5 in any particular order or --

6 MR. LOMAN: I would like to propose
7 that we start with the Elders, Elders or whaling
8 captains. That's up to you to decide, rather
9 than go up and down the -- up and down the rows. It
10 worked in Nuiqsut. We started with the Elders
11 and --

12 MR. CHARLES HOPSON: Can I go up to
13 the podium?

14 MR. LOMAN: You can go anywhere you
15 would like, sir, wherever you are comfortable. We
16 just need you to give us your name for the reporter
17 and it's -- the -- sir, the lady, our reporter, over
18 here, if you face her, she's the one who has to
19 record it.

20 (Interpreted.)

21 MR. CHARLES HOPSON: Good
22 evening. My name is Charles Hopson. I'm the Deputy
23 Commissioner from Barrow to the Alaska Eskimo
24 Whaling Commission and am testifying today on behalf
25 of AEWK and our whaling captains.

1 I will speak on four important points.
2 First, we don't need another lease sale. We need a
3 moratorium on leasing until we can get a better
4 handle on the impact from all the leases that are
5 out there now. Second, we need real support from
6 MMS on mitigating the impact of the offshore
7 activities out there, instead of word games that are
8 supposed to make it sound like there are no real
9 impacts.

10 Third, MMS needs to follow federal law
11 instead of trying to rewrite it when it comes to the
12 levels of impacts we have to deal with from all the
13 gas and oil activity that keep -- that you keep
14 permitting. And finally, we don't see the actual
15 cumulative impact analysis in the draft EIS, even
16 though we have been asking for one for years. Even
17 the National Research Council said that you need to
18 put one together.

19 The level of activity MMS is permitting up
20 here is overwhelming us. You have too much activity
21 going on as it is. You could see during the past
22 three years that AEWC had to convince the companies
23 to pull back on some of their plans because there
24 was too much activity. If all of this activity goes
25 on at once the way the companies want it to, we

1 wouldn't be able to do our hunting. And that's for
2 the existing leases.

3 AEWG is opposed to any further leasing at
4 this point. It is already too much. And the AEWG
5 is opposed to any activities on leasing unless the
6 companies are following our CAA.

7 From your DEIS, it looks like you have no
8 realistic plans for mitigating the impacts we are
9 experiencing. You use the words "adaptive
10 management," but does that mean to -- what does that
11 mean to a hunter out in the water when the whales
12 have already been deflected or spooked? We have
13 already dealt with those situations. That's why we
14 have the CAA.

15 I see that you haven't even been talking
16 about the CAA in your new EIS, draft EIS. I guess
17 this is MMS's response to what the Ninth Circuit
18 Court said about the CAA in their opinion about
19 Shell's drilling permits. They said the CAA was
20 too -- can't read that -- to provide adequate
21 mitigation because it is voluntary.

22 So your response to this is to drop all
23 this together? Why not require it? Then it
24 wouldn't be too speculative. The CAA works. We
25 have spent many years working out these mitigation

1 measures, and they protect our hunting. They also
2 let the offshore -- they also let the offshore
3 operators work. The CAA has worked for more than 20
4 years for our hunters and the companies that came up
5 here. In fact, it worked just fine until Shell came
6 up with their attitude that everything had to be
7 done only their way.

8 The CAA worked just fine while BP was
9 building Northstar. The CAA worked just fine when
10 Encana drilled at McCovey. The CAA has worked just
11 fine for the developments at Oooguruk and
12 Nikaitchuq. The CAA seems to be working just fine
13 for development at Liberty. Our federal government
14 seems pretty comfortable with our management of our
15 bowhead subsistence hunting under the NOAA-AEWC
16 cooperative agreement.

17 And like I said, up until Shell showed up,
18 our federal government was comfortable relying on
19 our CAA to manage offshore development impacts. And
20 now, of course, Shell -- Conoco has decided they
21 want to follow in Shell's footsteps after years of
22 working with our hunters.

23 So the problem we have isn't the CAA.
24 Maybe the problem is the attitudes of certain
25 companies.

1 Our federal government looks on us on our
2 whale management. You should back us on managing
3 offshore impacts. That's called sticking with what
4 works. But now you want to do something called
5 adaptive management. Well, adaptive management is
6 how we started out with these oil companies, so what
7 does it mean?

8 I'll tell you what that means. It means a
9 whaling crew facing even greater risk to their lives
10 from traveling too far offshore and trying to hunt
11 skittish whales. It means a village looking at a
12 year of less food than they need to feed their
13 families. That's what -- that's what that means.

14 So who is benefiting from that kind of
15 adaptive management? Not us, not our hunters, not
16 our families. Your adaptive management is just a
17 fancy phrase for getting the oil companies out there
18 to do whatever they want without any consequences to
19 them. The only consequences are to us.

20 I would also like to know what happened
21 with our deferral areas. We requested that for
22 2007-2012 five-year plan you establish the deferral
23 areas we first identified for you in November 2001
24 as exclusions from the new planned program area. I
25 can't even find a discussion of this in your draft

1 EIS.

2 One of the most important planning tools
3 that you have, MMS, is the exclusion of areas around
4 the villages from leasing under your five-year plan.
5 We showed you back in November 2001 the areas that
6 we needed protected from industrial activities.
7 Nuiqsut identified 94 blocks, including the deferral
8 of Cross Island. Kaktovik identified 173 blocks.
9 Barrow identified 588 blocks that should have been
10 deferred from the lease sale 186 and subsequent
11 sales.

12 The deferral areas identified by the
13 communities are the areas that must be left free
14 from industrial noise during the fall bowhead
15 migration and subsistence hunt if the communities
16 are to have an opportunity for safe and successful
17 hunts to meet their subsistence needs for bowhead
18 whales.

19 You need to make those deferral areas part
20 of the future leasing plan, the full areas, not just
21 part you or your -- not just part that you and your
22 oil companies want.

23 We looked at the draft EIS for your
24 ridiculous significant thresholds that said we could
25 go for years without a major food shortage and not

1 experience significant impact, but now it looks like
2 you just want to replace federal law with your own
3 judgment about what kind of impacts we should have
4 to deal with. I'm pretty sure federal law says that
5 these oil companies, oil and gas companies, can't
6 have any unmitigable adverse impacts to subsistence
7 hunting. But MMS seems to think that anything from
8 minor to major unmitigable adverse impacts are okay.
9 That looks like trying to -- that looks like you are
10 trying to rewrite the federal law to me. Maybe the
11 Ninth Circuit Court would like to review that one.

12 For the five-year plan, MMS, we have asked
13 you to coordinate development activities with BLM
14 and the State of Alaska and to work with us to
15 manage the cumulative impacts for all of the -- for
16 all of the onshore and offshore activities at the
17 same time. Where is this in your draft EIS? Are
18 you going to do any more than just talk about all
19 the development that is happening? How do all these
20 impacts fit together? Where is your plan of working
21 with the AEWC and North Slope Borough to answer
22 these impacts?

23 In 2003 the National Research Council
24 called and said that the mitigation of cumulative
25 impacts must rest on a coordinated and comprehensive

1 research plan that incorporates traditional
2 knowledge and independent peer review. Without this
3 coordination, MMS is violating its legal
4 responsibility for analyzing and addressing the
5 cumulative environmental impacts caused by its
6 offshore leases and permits. Not only that, but the
7 Department of Interior's only internal regulation
8 requires MMS and BLM to integrate any analysis of
9 the environmental impact from the North Slope oil
10 and gas development.

11 You are required to do this, MMS, and you
12 need to make this integrated analysis public, and
13 you need to work with the AEWC and North Slope
14 Borough to come up with a way to manage the impact
15 to our marine, coastal, and human environments. The
16 impacts are here. We now have a 40- to 50-kilometer
17 area around Prudhoe Bay that has been abandoned by
18 seals and where no bowheads are seen. Do you -- we
19 want to know why this is there and how you are going
20 to keep this -- keep this same kind of impact from
21 happening around offshore production sites.

22 We live here. We depend on our subsistence
23 resources being available to us. You cannot ignore
24 these facts. Your leasing has gone far enough for
25 now. It is too much for us and it is too much for

1 you. You can't even figure out how to identify all
2 the impacts from the leases you have out there. It
3 is time to stop. It is time for everyone to step
4 back and look at how much work out -- how the work
5 out there is affecting our garden and our future.
6 If you won't stop, maybe it's time to stop talking
7 to you and start taking other actions. We sued you
8 two years ago and won. Let that be a warning. And
9 remember this, MMS: Hunger knows no law. Thank
10 you.

11 MR. LOMAN: Thank you very much, sir.

12 (Interpreted.)

13 MR. LOMAN: Thank you very much.

14 MR. EDWARD ITTA: Good evening.

15 Mayor Edward Itta, North Slope Borough. Good
16 evening. (Speaking in Inupiat.) Thank you for this
17 opportunity to comment on the scoping portion of the
18 draft EIS, the Arctic multi-sale draft EIS public
19 hearing.

20 Firstly, this draft EIS is huge and
21 structured differently than any other documents that
22 we have reviewed before. This is an extremely
23 large, complex document, the first of its kind for
24 our region, covering two planning areas, four lease
25 sales, and with a very different structure than we

1 have seen in prior EISes.

2 A longer comment period is appropriate. We
3 appreciate that MMS granted us an extension of our
4 request, but the extension was only for three
5 weeks -- two weeks when we had originally asked for
6 30 days as a minimum. Then a month would have been
7 appropriate to allow for a comprehensive review of
8 the document and allow adequate consultation with
9 both the Chukchi Sea and Beaufort Sea communities
10 and other stakeholders.

11 Long time stipulations have been eliminated
12 and protections have been lost. This draft EIS
13 proposes a very different impact mitigation system
14 than the incrementally expanded and improved package
15 of stipulations and other measures that we have all
16 worked on through previous sales over a period of
17 decades. This is decades.

18 The argument is made by MMS that the very
19 few stipulations remaining with a number of
20 explanatory notice -- notices to lessees and purely
21 advisory information to lessees, taken together with
22 existing statutes and regulations, provide
23 environmental, wildlife, subsistence, and other
24 critical protections as broad and effective as the
25 protections offered by the previous measures. We

1 strongly disagree. It is clear to us that
2 provisions [sic] have been lost.

3 Therefore, there must be a clear and
4 complete comparison from the old style to the new
5 style of mitigation measures. Comparison of the
6 former mitigation measures and the proposed measures
7 is extremely difficult, as the former measures and
8 existing statutes and regulations are, for the most
9 part, simply referenced in the DEIS and not
10 presented in their entirety.

11 Our ongoing review of the draft EIS by our
12 staff has already revealed clear losses in
13 protections. MMS must fully and comprehensively
14 compare the relative effectiveness, strengths,
15 weaknesses, and coverage of the old and the proposed
16 measures in a side-by-side manner before -- before
17 informed decisions can be made about how to proceed.

18 We continue to maintain that there are huge
19 data gaps, baseline data gaps for Arctic waters.
20 MMS likes to talk about all the money that has been
21 spent on scientific research in our waters. And I
22 don't necessarily disagree. That may be true, but
23 the fact remains that there are still huge gaps
24 because the area is so big, and essential baseline
25 information on the Arctic marine ecosystem needs to

1 be gathered.

2 No one can speak with confidence about the
3 current status and the foreseeable fate of key
4 resources, including polar bears, walrus, ice seals,
5 fish, waterfowl and whales and species all the way
6 down the food chain. Given the pace and unknown
7 effects of climate change, to present any
8 description of our environment with certainty is
9 deceptive and misleading.

10 The unpredictable effects of climate change
11 are a wild card that prevents any reliable
12 prediction of industrial impacts. The unpredictable
13 effects of climate change complicate any analysis of
14 the potential effects of oil and gas exploration,
15 development and production. The Arctic ecosystem is
16 already stressed and showing the effects of climate
17 change more dramatically than any other region. I
18 think we have all heard that. Industrial impacts
19 will add to that stress and to an extent that can
20 not be reliably predicted. Every Arctic warming
21 model released in recent years, and even those that
22 have been criticized as being too radical, have been
23 shown now to have underestimated the pace and the
24 extent of changes we are seeing today. Published
25 data before too long are already obsolete.

1 Leasing in Arctic OCS waters should be
2 halted. Wise people keep their money out of the
3 stock market when it fluctuates wildly and in a
4 predominantly downward direction. We recognize the
5 risk is too great. But MMS is willing to roll the
6 dice on our future and the future health of the
7 Arctic marine ecosystem by continuing to lease in
8 our unpredictably changing waters.

9 Proposed deferral areas are inadequate, as
10 Charles Hopson for AEWC alluded to a while ago.
11 This is not a new issue. It is extremely
12 frustrating to have to revisit this issue again and
13 again and again. If MMS continues with leasing over
14 our objections, deferrals must be defined based on
15 the areas critical to subsistence success and not on
16 the relative economic loss of putting areas off
17 limits to industry.

18 MMS seems incapable of understanding or
19 using the concept that we have used for so many
20 years called areas of influence. These are areas in
21 which industrial activity has the potential to
22 deflect migrating whales and other resources beyond
23 the safe reach of subsistence users. Deferral areas
24 must be defined by areas critical to the resources
25 themselves and by the areas of influence critical to

1 the success of subsistence harvests.

2 Oil spills. The oil spill analysis is
3 incomplete and identifies unacceptable risk. A
4 predicted 26 percent risk of one or more large
5 platforms and pipeline spills as a result of
6 production from the Beaufort lease sales 209 and 217
7 as stated is unacceptable. A predicted 40 percent
8 risk of one or more large platform and pipeline
9 spills as a result of production from Chukchi lease
10 sales 212 and 221 are unacceptable.

11 In addition, there are no cumulative oil
12 spill risk analysis combining both the Beaufort Sea
13 and the Chukchi Sea, those risks, along with risks
14 associated with existing leases, including lease
15 sale 193 that Mr. Loman alluded to a little
16 earlier.

17 There is an inadequate analysis of the
18 potential effects of marine discharges. This is
19 also an issue that is a very big one with our
20 whalers. MMS predicts that there would be 51,300
21 tons of drilling waste -- and that's muds and
22 cuttings -- dumped into the ocean from the
23 exploratory drilling phase alone, and MMS does not
24 require or analyze the relative advantages or
25 disadvantages of mandating zero discharge of

1 drilling waste and has not sufficiently analyzed
2 potential ecosystem and human health impacts from
3 these pollutants.

4 Human health impact analysis. Human health
5 impact analysis must be treated appropriately and
6 result in reasonable mitigation measures. I restate
7 that again. Result in reasonable mitigation
8 measures. There is no question that the Borough
9 communities rely directly upon the living resources
10 of Arctic waters for our physical and cultural
11 well-being. Because this connection is so strong
12 and so critical to us as a people, the North Slope
13 Borough prepared a human health impact analysis,
14 HIA, for the draft EIS under a cooperative agreement
15 with the Minerals Management Service. Given that
16 importance, the analysis should not be relegated way
17 off in the back as an appendix, but should be
18 integrated into the document like any other resource
19 analysis as mandated by NEPA.

20 MMS committed in the current five-year
21 leasing program to add new mitigation measures
22 dealing with human health concerns and we have
23 submitted proposed measures, but MMS has not
24 responded yet to those proposals. These issues must
25 be resolved in the final EIS.

1 Lastly, the planning for an interim 2010
2 through 2015 OCS leasing program, in our opinion,
3 should be canceled. The planning process initiated
4 by the Bush Administration last summer was
5 unjustified and the proposal that has resulted is
6 ill-conceived. Officials with the current Obama
7 Administration have indicated that the future of OCS
8 leasing must be considered as a part of a broad,
9 long-term national energy policy. We agree.

10 We don't forget up here that our Borough
11 depends heavily upon the revenues derived from oil
12 and gas. We don't ignore that reality. And yet we
13 say this is the time to step back and take a
14 responsible look at where OCS leasing fits into the
15 bigger picture.

16 I don't think that this is the time to plow
17 forward, as so many of our people in Alaska have
18 stated, to go plow forward and go with the drill,
19 baby, drill without more thought put into this whole
20 matter.

21 I thank you for this time.

22 MR. LOMAN: Thank you, Mayor Itta.

23 (Interpreted.)

24 MR. LOMAN: Thank you very much.

25 MR. GEORGE OLEMAUN: Good evening.

1 George Olemaun, for the record. And I guess I'm
2 representing the Native Village of Barrow. I'm the
3 vice president. What I have here is just some past
4 statements from 30, 40 years ago that I'm going to
5 repeat here. That's about how long we have been
6 testifying. This first one is by -- most of these
7 are from our Native Village files. This first one
8 is just excerpts, just part of it, by Albert Hopson,
9 Sr. explaining how we are tied to the land and sea.

10 My people, the Eskimos, would like to have
11 me tell how the Arctic Slope was occupied by the
12 Eskimos. On the Arctic coast there were permanent
13 villages that have been occupied South of Barrow,
14 such as Point Hope, Icy Cape, Wainwright, and Point
15 Barrow and from Barrow to the east. The hair seals
16 seemed to be the lifesaver of the Eskimo people, the
17 reason being, the oil from it contained the
18 necessary vitamins to keep them from getting scurvy.
19 As a result, the mountain people had to have it with
20 the meats and fish to keep them strong.

21 From Point Barrow towards the south the
22 currents flowing north kept the ice pack moving and
23 caused it to make leads for good seal hunting.
24 Other sea animals were as good as the seal, but were
25 only available at certain times of the year. But

1 the seal is available at all times when there is
2 water. And that's what sustained our people for
3 years, centuries.

4 The people of the coast did not depend
5 entirely on the inland man for furs and sinews, and
6 the inland people were also quite independent. But
7 there was a communication system that was used to
8 trade their merchandise and to keep each other
9 supplied with their goods. The inland people were
10 the ones on the move at all times, depending mainly
11 on the location of the caribou and fish. At times
12 the caribou moved away and caused the people to
13 follow them, so when they were not available, many
14 starved and there were times they would have to
15 leave newly born infants and old people on the way.
16 The old people would request a little shelter and
17 bid their sons and grandchildren goodbye and died to
18 save them. That's how life was.

19 Now research has found through digging our
20 old villages that Barrow was inhabited 1,600 years
21 ago and a nearby village called Birnik was inhabited
22 1,900 years ago. At Walapac, 12 miles south from
23 Barrow where Will Rodgers Monument now stands, they
24 found evidence from the old village to prove it was
25 inhabited during the Punic age 5,000 years ago. Our

1 forefathers tell of traveling far and wide among
2 settlements, how they fought Indians, suffered many
3 massacres, but were able to keep the land. Many now
4 living say the oil derricks on the Arctic Slope
5 stand where their grandfathers fought and starved to
6 keep their land. This also is ongoing.

7 Even now our hunters are hunting and
8 trapping around the vicinity of the oil derricks.
9 Many go along the Colville River hunting for
10 wolverines and wolf. Now you make laws whereby I
11 must have something to show that I own my house and
12 the ground it stands on, but only the surface. If
13 there should be oil under my house, you would sell
14 it to someone else because you act like you do not
15 believe I was born and raised there, or maybe I
16 should pay you for being born there. Many of our
17 older people feel this way. Again, this was over 30
18 years ago.

19 And this is one from Eben Hopson, the son
20 of Albert Hopson. This was a speech before the
21 Alaska Federation of Natives, and it goes on to
22 state the land, but also ties it to the sea.

23 When we organized the North Slope Borough
24 as rural Alaska's only regional home-rule
25 government, we assumed the responsibility for

1 regulating oil and gas development within our Arctic
2 Slope Region. We have been actively involved in the
3 planning leading to the exploration and development
4 of Naval Petroleum Reserve No. 4, but we have been
5 left out of any planning or policy development
6 relating to offshore development in the Beaufort
7 Sea. We were very concerned about being ignored by
8 the federal OCS program as they scheduled lease
9 sales for the Beaufort and Chukchi Sea, off our
10 western coast south of Point Hope, for the North
11 Slope Borough has the responsibility to protect the
12 longest municipal coastline in the world. Our
13 government must be concerned with the environmental
14 protection of our coastline, as well as the waters
15 off our coasts upon which we depend for our food
16 chain. Again, this was in 1976.

17 Finally this is the one I -- even before I
18 read these, this is some that I have written down
19 when I went to work for Mayor Itta, my other hat.

20 Arctic survival with traditional knowledge.
21 The traditional knowledge that has been taught and
22 existed is the core that shows the outside forces
23 that the Inupiaq culture has prevailed and that we
24 have co-existed for the well-being of our people.
25 The need to work together with the affected villages

1 within the North Slope is beneficial for the Inupiaq
2 and prominent and prevalent to the existence of the
3 Inupiaq culture now and into the future.

4 The partnership that has existed for
5 thousands of years for the well-being of the
6 inhabitants of the North Slope (wildlife, humans,
7 waterfowl, plants) must now be the force that will
8 prevail over the encroachment in the name of
9 progress. I'm getting dry.

10 The North Slope has and always will be the
11 nesting and breeding grounds both on and offshore
12 for the inhabitants. The sources and sustenance of
13 the inhabitants have not changed since time
14 immemorial, and the cycle must not be broken if this
15 is to continue. The Inupiaq culture is the
16 caretaker of the Northern Circumpolar Region for
17 thousands of years and must continue if the Arctic
18 is to survive.

19 The need of the developed countries is seen
20 and felt by the Inupiaq culture for the last 200 to
21 300 years. The Inupiaq welcomed the newcomers to
22 our land as we have always welcomed others.

23 With the discovery of oil and to supply the
24 need for the resources, the exploration, the
25 development and implementations of the oil industry

1 was established. The establishment of the oil
2 industry was also the beginning of the North Slope
3 Borough, ASRC, and the lands claims settlement.

4 Although the financial needs of the people
5 of the North Slope are met -- although financial
6 needs of the people of the North Slope are met, the
7 effects of the outside forces have not benefited the
8 Inupiaq. The time for the Inupiaq of the North
9 Slope to decide the path for the existence of our
10 culture has arrived.

11 We must decide if we want to co-exist with
12 the oil industry or live up to the tradition of our
13 culture. We must make a stand to deny the
14 exploration and the development of our garden, the
15 Arctic Ocean.

16 MR. LOMAN: Thank you very much.

17 (Interpreted. --

18 MR. LOMAN: Thank you.

19 MS. DOREEN LAMPE: Good evening.

20 My name is Doreen Lampe, for the record. I just
21 recently got elected as the President for our
22 Inupiat Community of the Arctic Slope, and I have a
23 few comments here.

24 The Inupiat have opposed offshore drilling
25 all my life. I remember they used to have these

1 meetings in the old Barrow High School gym, and they
2 would be packed and people would be really mad and
3 upset and irate after these meetings. We still
4 oppose offshore drilling to this day. There is no
5 proven mechanism to clean up an oil spill.

6 Recently I attended a United States/Canada
7 oil research forum in Anchorage, and they showed a
8 video clipping of a whale that was tagged and a boat
9 that was doing seismic work, and they must have had
10 their frequency on full blast because right away
11 that whale turned away. And this is just seismic
12 work. This is not a permanent exploration drilling
13 rig out there.

14 They also showed a video of trying to clean
15 up an oil spill in the Arctic. They went to Canada
16 and deliberately spilled oil on the ice. And their
17 conclusion was they couldn't clean it during winter
18 during their experiment, so their recommendation was
19 to wait till springtime comes and come and clean it
20 up. But did they? No. There is no proven
21 technology to clean up an oil spill.

22 Exxon Valdez, they had a good life. They
23 were living off their fishing. Are you there for
24 them now? The populations have declined in poor
25 fishing communities. Where is their impact aid?

1 They had to wait for a 20-year court settlement.
2 That's how you treat us, we people of Alaska, allow
3 them to develop oil and allow them to hide behind
4 the courts and get away with destroying our
5 environment?

6 They talk about benefits. For who? Do we
7 get them? I don't think so. We pay the highest
8 fuel costs in the nation. Where is our refineries?
9 I remember testifying when I was young that I'd like
10 to see a refinery built on the North Slope so we can
11 have cheaper gas. Where is it?

12 Jobs at Prudhoe Bay, there is less than 20
13 percent Native hire. There supposedly was a big AFN
14 agreement with Alyeska to have 20 percent Native
15 hire. They have never even come close to reaching
16 that mark.

17 These impact funds, they are channeled to
18 State governments who don't even come here and
19 testify at these public hearings. They discriminate
20 to tribal local governments who have taken the time
21 to comment at many of these public hearings over 30
22 years. One of them quoted an Elder that's passed
23 down now. And we are still providing testimony
24 opposing offshore drilling.

25 Hunters today do not get any impact funds.

1 They are the first to be blamed by Fish & Wildlife
2 Service for any decrease in a species population.
3 They are put in jail or fined for minor impacts to
4 any species or population. We are held to the
5 highest stringent laws, and yet oil companies have
6 the right to come and develop and destroy the
7 environment with one blow. And who goes to jail?
8 No one. Just the captain maybe. For what, one
9 year?

10 Yet you allow the oil industry to use the
11 courts to hide from their responsibilities, allow
12 delay tactics to clean up oil spills. There is no
13 follow-up or accountability to enforce agreement by
14 the federal government. None. Do we see you guys
15 in the news going to those impacted communities that
16 had that oil spill? Nope.

17 The hunters cannot sell their whale. There
18 is really strict import and export laws between
19 Arctic nations. There is hefty fines. The federal
20 government promotes economic depression by not
21 allowing hunters to sell polar bear organs or
22 certain Arctic animals. You promote economic
23 depression. You promote cancer-causing chemicals to
24 enter into our food chain, which leads to
25 depression.

1 There was an e-mail that came from Senator
2 Lisa Murkowski's office, Changing Arctic Challenges.
3 They haven't changed their policy in the Arctic for
4 over 15 years, and now they're concerned for the
5 fabled Northwest Passage which would become a
6 regular shipping route. More access to the Arctic
7 Ocean would require enhanced environmental
8 protection. Where is our protection right now? We
9 had to fight for a quota after the federal
10 government nearly depleted the bowhead whale
11 population with their commercial whaling industry.
12 We are paying the price for that today.

13 There is no balance. The CAA that Charlie
14 Hopson talked about, that was a Conflict Avoidance
15 Agreement that the Inupiat people came up with, a
16 model to be used to ensure our way of life is not
17 severely impacted by oil companies so we can have
18 access to our fish and game in those areas.

19 Lisa Murkowski mentioned that you must not
20 forget about Alaska's first people and that you
21 must -- the United States must engage in
22 multilateral discussions to establish strong
23 international agreements to manage activities in the
24 Arctic. Did we get anybody to come to the ICC,
25 Inupiat Circumpolar Conference, to talk about your

1 guys' big lease sales in the U.S. waters and the
2 Canadian waters? No. But we are having our own
3 discussions among our own Inupiat people.

4 If the United States is going to be a
5 leader in this vital region, it's time to step up to
6 the plate. We have said these things for over 30
7 years. I hope somebody has got some ears on
8 nowadays because people are tired of coming. Look
9 at the population. There is very few.

10 MR. LOMAN: Thank you very much,
11 President Lampe.

12 (Interpreted.)

13 MR. LOMAN: Thank you.

14 MR. GEORGE EDWARDSSEN: Hi. My name
15 is George Edwardsen. I've lived here in Barrow all
16 my life. And let me start off with -- well, I'm the
17 vice president for ICAS. And I heard the way he
18 explained himself, so I guess I'll do the same.

19 I went to college, studied geology. When I
20 got done, I also took mining and petroleum another
21 two years. In the year 2000 I went into Canada to
22 check -- to check out a gas field operating school.
23 In 1968, '69, I was a platform operator in the Cook
24 Inlet. Toward the end of the year, my signature set
25 the price on the tankers I was filling. So I

1 understand the oil industry and how it works. I
2 worked for them from the inside, went to their
3 schools to study them.

4 And when you looked at the United States
5 flag when it first came in the early 1880s -- in
6 1883 a census was taken from Herschel Island to
7 Unalakleet. And in that census there was over
8 340,000 of us. By 1950 another census was taken,
9 and there was less than 1,200 of us. The U.S., when
10 its flag first came, this is what happened to us in
11 67 years. And that didn't kill us off. We were
12 still in existence. There was a little over 1,000
13 of us left.

14 They said -- when we listened to the old
15 stories, they said when you started from Herschel
16 Island and you looked to the west, you could always
17 see the smoke of the next house from the house you
18 are at all the way continuous till you get to
19 Unalakleet. That's, you know, a larger shoreline
20 than the Lower 48 has.

21 And then we start seeing, you know, the
22 kind of trouble that was going to occur, so we put
23 all our Elders together. We used the North Slope
24 Borough. I was one of the six people that set the
25 agenda for everybody 60 years and older from

1 Herschel Island to Unalakleet, and we put them in
2 one house and we told them we have been busy with
3 Western Man's school and education. We have not
4 learned our culture, so you have to teach us now.
5 You are going to leave us, so we need you to teach
6 us. And those people that were at the conference,
7 I'm willing to bet almost all of them are gone now.
8 But we have what they taught us.

9 And the first thing -- before I leave that
10 1883, the information I got came from a U.S.
11 Government book called Eskimo Administration by
12 Diamond Jenness. The United States wanted to
13 know -- wanted to give an assessment of how we fared
14 through the invasion of Western Man into the Arctic.
15 We all know what the commercial whaling did, took
16 our food from us. That didn't work either. We
17 survived that one, too.

18 And what the Elders conference told us -- I
19 explained to them I was a geologist and I, you know,
20 study rocks. I go find minerals, you know, and then
21 produce them, take them out, clean them up and
22 leave. That's my college education.

23 And they said, okay. We understand what
24 you do. There is only -- we are not going to like
25 it when you tear up the land. We will let you do

1 it, but we have only one rule for you, and that rule
2 is do not touch the ocean. And the reason why they
3 say do not touch the ocean is where fresh water
4 touches the saltwater, that is where our food chain
5 begins in the Arctic Ocean. We studied marine
6 biology. You all know that. This is what the
7 Elders, who couldn't even speak English, most of
8 them, this is what they knew. And that's a rule
9 they gave us.

10 And today now when you look at it, we --
11 you know, the world is starting -- trying to panic
12 over global warming. We know over 40 percent of the
13 ice in the Arctic Ocean is gone. That's understood.
14 I mean, we are not going to argue that. You have
15 satellites that show us that.

16 And when you look at the Arctic Ocean
17 without the cover of the ice, which it had for over
18 thousands of years, all of a sudden that ocean is
19 starting to warm up. That ecosystem, that food
20 chain, the community that feeds us is in what you
21 and I would call cultural shock. It has all of a
22 sudden been hit by heat. And we all know what
23 happens to us when we get hit by heat. Our bodies
24 don't like to perform normally. Now, look at a body
25 that has been cold for 7-, 8-, 9,000 years. What's

1 going on?

2 And I -- I heard, you know, comments about,
3 you know, needing -- needing the oil, and they can
4 clean it up. The comments they have made for --
5 they can clean it up, we have been listening to
6 that -- I stood up in 1977 to say no, and the way we
7 have said it to you, it has not changed. We have
8 used every English word we can think of trying to
9 convince you it was a no. But do you listen? Not a
10 single word.

11 And then once we get you to understand,
12 your faces are going to change. Somebody else will
13 come in your place and start all over again. And as
14 a whole people when we have been saying no, those
15 people now, we have buried all of them. Just in
16 this community here alone, the last funeral I went
17 to, the preacher in the Presbyterian church said, I
18 have been here a year and a half, and I have had 167
19 funerals just in this town from one church.

20 And when you look at the cause of death,
21 you will see a lot of suicide. And if you want to
22 know why there is suicide, let me tell you
23 something. These Elders taught us, you know, how we
24 lived, who we were, and how proud we are supposed to
25 be. Taught us how to hunt. And then when these

1 children of ours get big enough to go do that, what
2 do they run into? State law that says no, federal
3 law that says no, oil development that have
4 destroyed the land. This is the reason for suicide
5 amongst our young kids, something that should have
6 never happened. We can't stop it. All we can do is
7 try to teach them how to be proud of who they are.

8 And we sure don't get any impact funds,
9 like my president said. Ever since Prudhoe Bay
10 started, the original Inupiat Community of the
11 Arctic Slope that started in 1971 have been saying
12 no, and we have not changed what we said. And now
13 we are 38 years later, and for some reason you can't
14 understand what that word means. All we are trying
15 to do is protect ourselves.

16 I can't live here without the fat from the
17 animals. My body cannot produce that fat the
18 animals give me. And the only way I can stay in the
19 real cold is to borrow that from the animals that
20 can produce it. I can't. But if I take it from the
21 seals, if I take it from the whales, my body can
22 stand the cold when I need to do stuff in it.

23 And you talk about, you know, when you look
24 at Exxon Valdez, the United States made all kinds of
25 promises, all kinds of regulations how they are

1 going to do things safely. And what does the oil
2 industry do? They used the maritime law on you and
3 just threw all your environmental regulations out
4 the door, every one of them. It's 20 years later,
5 and you heard from Doreen, you know, how the
6 communities have fared.

7 Now, the Elders up here warned us about
8 what happens to our food chain when they get -- it
9 gets destroyed, and we look at -- you know, that
10 sound down there, and the herring hasn't come back
11 yet. And what is the herring? The basic food for
12 most of the animals that are there. You destroy
13 that kind of fish up here, my seals are gone, my
14 walrus is gone. And if you destroy the lower part
15 of the food chains, well, America, you will have
16 finally achieved your goal, to destroy the Arctic
17 whale. You tried it in the early 1800s by
18 overharvesting it. Now you are going to pollute it.

19 And the United States made all kinds of
20 promises to the world. The migratory bird treaty
21 that -- you know, the Marine Mammal Protection Act,
22 the Endangered Species Act, and the U.S. even had
23 the gall to sign international treaties saying they
24 are going to follow those.

25 And with this kind of lease sale you are

1 having right here, I mean, where is the commitment
2 to the world? Where is the commitment to our
3 environment? It sure is not there. And it's okay
4 for the federal government and the oil industry to
5 break laws. Now for almost a year Point Hope has
6 been fighting with first U.S. Fish & Wildlife,
7 Alaska Fish & Game, now the state troopers over 130
8 caribou that have been killed, and even up to today
9 they can't even find five dead ones that were out
10 there. I mean, those are phony charges by the
11 State. And where is the federal government and
12 their commitment to protect us? Nowhere in sight.

13 And I see all the areas you have marked off
14 as, you know, areas you are not going to touch. You
15 can spend billions studying the ocean, and if you
16 put those visors on so you can't look around and you
17 can look real close, you are not going to understand
18 the ocean. You have to know how it's connected.
19 You have to know how one area is connected to the
20 other area. That's called a baseline, in case the
21 federal government has not learned that yet. And
22 looking at it today, you sure haven't. That's a
23 baseline the international treaties say you are
24 supposed to do.

25 Look at Prudhoe Bay. The industry have

1 destroyed the fisheries there. But do you fine them
2 for that? Heck, no. You compliment them for
3 finding oil out there. It's okay. You can dump
4 that. As long as I got my money coming, it's okay.

5 And then when you look at receiving funds
6 from the resource, Inupiat community and all the
7 Native villages have never received a penny from all
8 the renewable and nonrenewable resources that have
9 been extracted from the Arctic. We have not
10 received a penny. They passed ANCSA and then told
11 the world, oh, we will have first choice over the
12 land in the Arctic. And then after we choose, the
13 State of Alaska can pick. We couldn't even touch
14 Prudhoe Bay because the State already had chosen it.
15 I mean, just violating, you know, the Land Claims
16 Act right from the beginning.

17 And the new President we have that just got
18 in, he promised to pass a Law of the High Seas, and
19 I hope he does that before I die because then for
20 the first time in my life I'll be able to stand up
21 and look at the world and say, hey, the ocean -- the
22 Arctic belongs to me because that's what the Law of
23 the High Seas says. And it hasn't happened yet.

24 And when oil is found -- in exploration you
25 guys do beautiful. You protect everything you can.

1 You can only touch one little spot. And then when
2 you find producible oil, you throw all the rules
3 away you agreed to follow and then just go crazy
4 taking it out. Never mind the ecosystem, never mind
5 the environment. That's how it -- that's what
6 happened at Prudhoe Bay.

7 Look at Nuiqsut. Couple years ago they
8 were finally able to catch caribou around their town
9 because -- three years ago because there was seismic
10 being done around Teshekpuk Lake, and what they did
11 was take that herd around Teshekpuk that used to
12 come here to Barrow to feed us, they chased it all
13 the way over to Nuiqsut. And that winter we caught
14 nothing here. We had -- our hunters had to go above
15 Atqasuk, above Wainwright to find caribou for
16 themselves. You are talking traveling from 60 to
17 100 miles just to find something to feed your
18 family. Did we get any assistance from anybody?
19 Heck, no. And the federal government couldn't lease
20 it fast enough.

21 And right here in Barrow, going on two
22 years now the federal government had been trying
23 very hard to arrest people claiming we are driving
24 the Stellar's eider and the Spectacled eider to
25 extinction. Do they look at where those birds live

1 in Prudhoe Bay and NPRA? Nope. The industry never
2 gets a fine. Only those people living right here in
3 this community, and then they look and count 20
4 birds and say, oh, that's all there is.

5 I mean, what kind of nonsense do we have to
6 put up with? We are educated. We have gone to your
7 schools. We can even speak your language just as
8 good as you. I mean, what gives?

9 MR. LOMAN: Thank you very much.

10 (Interpreted.)

11 MR. LOMAN: Thank you very much.

12 MR. PRICE LEAVITT: Good evening.

13 My name is Price Leavitt. I'm the Executive
14 Director for ICAS. And I -- and I'm making comments
15 on behalf of ICAS, and I have four areas of concerns
16 that I want to present and some personal accounts
17 that I will make that I -- when I talked to my
18 father -- he's 79. So I'm going to close with his
19 comments.

20 MMS -- No. 1, MMS should not continue to
21 lease more and more areas in the Arctic. MMS should
22 enact a moratorium on lease sales until it can
23 demonstrate it has adequate baseline data. An
24 example is updated data on use of Chukchi Sea by
25 bowhead for summer migration; traditional knowledge

1 on environment and subsistence needs; proven oil
2 spill cleanup technology for Arctic waters with
3 broken ice conditions; mitigation measures that are
4 proven to prevent impacts to subsistence, including
5 those which address impacts on bowheads resulting
6 from oil spills or noise from seismic testing,
7 drilling, and boat and air transport.

8 No. 2, the failure to reflect interests of
9 local communities. The proposed lease sale unfairly
10 burdens ICAS, its members, and other Native
11 villages. MMS seems to care more about oil company
12 profits and allowing the country to continue to use
13 energy wastefully than it cares about the needs of
14 the local community. Americans have never been
15 asked to make sacrifices over energy, not even to
16 turn down their thermostats a single degree. But
17 MMS asks us over and over again to make sacrifices
18 for oil development that puts our ability to provide
19 for our families through subsistence hunting and
20 whaling at risk.

21 This lease sale, like prior leasing, does
22 not address our community's concerns. When will MMS
23 manage the resources in a way that is supported by
24 the people that live here? When will MMS give the
25 same consideration to the interests of the local

1 community as it gives to the oil companies?

2 MMS should set an example of a company like
3 Shell to provide a financial assurance mechanism to
4 the communities of the North Slope to guarantee
5 relocation of subsistence hunters to alternate
6 hunting sites, expenses in acquisition of
7 subsistence or alternate food supplies, counseling,
8 health care services, and cultural assistance for
9 affected individuals if a large scale oil spill
10 occurred in the Arctic Ocean.

11 No. 3, in public hearings, MMS is trying to
12 cover too much in these meetings. At first the
13 agency announced that the meetings were only to
14 discuss the new lease sales, but it then added
15 discussions of the draft five-year plan at the last
16 minute. This was confusing and it didn't allow
17 participants enough time to address the plan. MMS
18 should hold a separate round of consultation
19 meetings to discuss the proposed five-year plan in
20 the near future.

21 MMS does not give enough weight to the
22 current -- to the concerns of ICAS and the Native
23 villages. ICAS meets with the federal government on
24 a government-to-government basis, but MMS's
25 decisions never reflect the Native village concerns.

1 MMS needs -- needs to meet with ICAS in each of the
2 Native villages on a government-to-government basis
3 to explain why it is not adhering to the will of the
4 Native governments.

5 We need a new process for sharing our
6 traditional knowledge. The format of the
7 government-to-government meetings does not allow us
8 to present the detailed traditional knowledge of the
9 environment and subsistence activities that -- that
10 the MMS needs to make good decisions.

11 In addition to these meetings, MMS should
12 also conduct systematic interviews with North Slope
13 communities to get updated information on
14 traditional knowledge of subsistence activities and
15 the impact of climate change on them. MMS should
16 work with the community to design the process and
17 identify a mutually agreed upon contractor to
18 conduct the interviews.

19 MMS should incorporate traditional
20 knowledge into NEPA's analysis and consideration of
21 alternatives.

22 The fourth one on subsistence,
23 environmental justice, and human health. The
24 proposed alternative does not protect subsistence
25 activities -- I mean, subsistence interests, and the

1 draft EIS does not evaluate any alternatives that
2 would -- that would do so either. If MMS decides to
3 move forward with these lease sales, the agency must
4 consider alternatives with larger nearshore deferral
5 areas for subsistence activities.

6 MMS has proposed almost unlimited oil and
7 gas development throughout nearshore parts of the
8 planning areas where bowhead whales migrate and
9 subsistence whaling occurs. It did not consider
10 reasonable deferral areas in the draft environmental
11 impact statement, and it eliminated important
12 deferral alternatives from further consideration.
13 The only alternatives that offer a substantial
14 deferral area is the deep water deferral where MMS
15 does not believe there are economically viable oil
16 and gas fields anyway.

17 None of the alternatives for the Beaufort
18 leases, for example, consider more than one percent
19 deferral area in the north -- in the nearshore areas
20 or more than five percent decrease in oil production
21 potential.

22 At the same time, the proposed sale, with
23 no deferral areas, exposes 100 percent of
24 subsistence whaling activities to risk from oil
25 spills or altered migration patterns due to noise.

1 The proposed lease sale jeopardizes an
2 important part of our traditional diet and puts
3 subsistence whalers' lives at risk. If there were
4 an oil spill, it could taint Native foods and
5 compromise nutrition. An oil spill could also
6 contaminate and degrade bowhead whale habitat, so
7 the whales would migrate further from here and
8 outside of the safe range for subsistence whaling to
9 occur. The noise from seismic testing, exploration,
10 and production drilling and shipping could also
11 force bowhead whales to migrate further offshore,
12 making travel to hunting grounds more dangerous.

13 MMS should base its decisions on science
14 and not politics. Over the past eight years, both
15 the Fish & Wildlife Service and Minerals Management
16 Service have allowed politics to interfere in
17 decisions that should be based on sound science,
18 including listing decisions under the Endangered
19 Species Act and approval of oil and gas activities
20 in the outer continental shelf. MMS must recommit
21 to basing its decisions on the sound recommendations
22 of the scientific community and not the financial
23 interests of oil companies and industry.

24 If MMS allows the sale to go through, it
25 should add zero discharge lease stipulations for

1 exploration and production drilling. Traditional
2 knowledge tells us that marine mammals are very
3 sensitive to discharge. The oil companies have the
4 technology to avoid discharges and should use it.

5 To close out my comments, I'm going to
6 quote what my father had -- you know, when I talked
7 with him recently. He was born when the dog teams
8 were used only as a means of transportation and
9 bartering animals pelts with western goods was
10 common.

11 One of his comments is if an oil mishap did
12 occur, the traditional way of hunting walrus,
13 bearded seal, and polar bears would be gone forever.
14 I am a believer of traditional beliefs that whales
15 deliberately give themselves up to a whaling crew.
16 They know this when they begin their journey from
17 their breeding grounds and do not give up until they
18 are successfully struck. It is the same with the
19 Orca whales that are known to protect hunters from
20 walruses and can know individuals who deliberately
21 shoot at them out of selfishness or carelessness.
22 All animals great and small are treated with
23 respect, and I do not want this ritual to be lost by
24 some oil mishap or the industrial activities in our
25 ocean.

1 I do not understand the monetary gain
2 prompted by the large scale lease sales that will
3 directly affect the economy of the continental
4 United States as the federal government and oil
5 companies claim, but I know for a fact it affects my
6 ability to purchase gas to go out on the ice. There
7 is no chance to make mistakes or gamble on my
8 subsistence livelihood with no proven oil spill
9 demonstrations up to date, and I forbid close
10 proximity oil drilling in our oceans.

11 I have been involved in demonstration oil
12 spill field trips in barges with oil companies in
13 2005, and to this day I have not seen a safe and
14 effective method found if oil spills occurred in the
15 ocean with ice present. I know ice absorbs the oil,
16 and phytoplanktons that stay with the ice can be
17 endangered, which is the food source for the whales
18 and smaller marine mammals.

19 Thank you.

20 MR. LOMAN: Thank you very much.

21 (Interpreted.)

22 MR. LOMAN: Thank you. I didn't
23 mention it earlier, but if there is anybody that
24 would like to present any testimony in Inupiaq and
25 then they would present to our interpreter, and then

1 our interpreter would translate in English for our
2 reporter.

3 (Interpreted.)

4 MS. ROBERTA LEAVITT: For the record,
5 my name is Roberta Leavitt. I want to first say
6 thank you MMS for being here, for being a go-between
7 between the oil industries and the Inupiat people.
8 Our voices need to be heard just like -- just like
9 the oil industry's. And it's real hard for you
10 guys, and I commend you for sitting through this
11 many times over and over again. But we as a
12 community, as a people, will not stop saying what we
13 have in our hearts, what we were brought up to say,
14 which is our tradition.

15 Doreen mentioned earlier that we filled a
16 whole gymnasium once upon a time ago to go through
17 and say all this once, to say, no, that we don't
18 want this to happen in our backyard. I did not find
19 out about this meeting until 4:00 today. Where is
20 the advertisements for the community to be involved?

21 I thank the -- the ones that have already
22 got up who have big hats, who have the contacts with
23 MMS. I'm just a community member. I don't hold a
24 hat, but I do hold a hat with my husband because my
25 husband is a whaling captain. I read some of the

1 material that he brings home from the whaling
2 captains' meetings, so I know about some of the
3 meetings.

4 But as a community member, we have over
5 4,000 -- what's our population here? And you only
6 have 14 people to testify against the exploration in
7 our garden? That's not fair. You are not getting
8 the full ramifications of what -- what's going to
9 happen if you have a spill.

10 But you will hear it right away when you do
11 have a spill. Everybody is going to be angry. You
12 don't give enough notice. There is no publication.
13 There is no notices at all. If it weren't for an
14 e-mail that I got at work today, I would not have
15 known about this.

16 Earlier you were saying that you had fall
17 2007 scoping meetings. That scoping meeting
18 happened in the heart of our whaling, our fall
19 whaling activities. They had just caught two
20 whales. And as a captain and a captain's wife, you
21 don't want to be worried about political things.
22 This is a real political thing when you think about
23 it, traditionally, when you are brought up through
24 the tradition.

25 My husband wasn't going to come to this

1 kind of meeting during that time of year. And it's
2 so many times that the meetings happen during the
3 busiest time of the year for a whaling captain or a
4 whaling family. I was supposed to be splitting my
5 sinew for my threads for my boat that I'm sewing in
6 two weeks. So that takes me a full day away from my
7 splitting. And that -- that's a lot.

8 The -- you need to take into consideration
9 the timing of the meetings that you have. You need
10 to advertise more so that you have a better turnout.
11 Some of the oil industries, I'll tell you I have
12 heard, oh, they -- yeah, there was voices heard, but
13 14 people out of 4,000? That's not very much. And
14 why is that? Because we don't have the -- the
15 publications. We don't have the -- what do you call
16 it? The -- where you -- where you get
17 advertisements out saying -- we used to have posters
18 all over town saying that you are having a big
19 meeting, and that's how you got the gym full; I
20 mean, the whole gymnasium. I remember those
21 meetings in the multipurpose room in the high school
22 gyms. The whole bleachers were full of people
23 bringing down -- even though they were the same
24 words over and over again, it was still our word. I
25 say that there is not enough advertisements to hear

1 the complete word.

2 I thank all the big people with the big
3 hats because they get to read the EIS statements.
4 They get to read that 400-page book. People like
5 me, I can't. Yeah, you have it available on the
6 Internet, but have you tried pulling that up on a --
7 on a rinky-dink modem? I'm sorry. You guys may
8 have -- you guys may have the capability of plugging
9 into a wireless network, but not everybody has that,
10 especially the traditional, real traditional people
11 who don't watch TV, who don't even know how to turn
12 on a computer. We have people like that still here.
13 And it's not fair that -- that they don't even get
14 to voice their words because they don't know about
15 this meeting.

16 I kind of had a question about the
17 alternate deferrals, too, that were being mentioned
18 in this. Some of these -- you say that you have a
19 25-mile limit for the hunters. I have personally
20 been in a boat hunting with my boys, with my
21 husband, and we had to go 58 miles just to catch a
22 seal for the skins on our boat. And it takes how
23 many -- it doesn't take just a few skins. It
24 depends on the size of your frame. And sometimes we
25 don't even -- we come home with no seals at all.

1 And sometimes it's way more than the 25 miles that
2 you are looking at right here as an alternate
3 proposal. That part I -- I don't agree upon as
4 the -- as -- as an alternate situation. It's not
5 even -- it's not even half of what I have been
6 personally just to bring home a seal for my family.

7 In the past five years, six years now
8 maybe, I average two sick -- two sick animals from
9 the ocean, and I have had them tested, and they have
10 come back with malignant cancer. How does this seal
11 get malignant cancer? You say that there is talk
12 that there is going to be drilling fluids, cuttings,
13 sludge that's going to be discharged in the ocean.
14 It's already being done, and I have had evidence
15 that I've gotten malignant cancer growing in the
16 seals that are being caught. Has there been a study
17 of any of -- of why that's happening? They don't
18 smoke. I'm sorry but, you know, how does a seal in
19 the ocean come up with cancer? That I don't know.
20 You know, it has to be from what it's eating, the
21 food chain.

22 You say the food chain is -- you know, like
23 the whale has the plankton. That's part of what the
24 whale eats. Seismic activity, according to marine
25 mammal observers, it affects the plankton. It has

1 been seen and shown that it affects it. Now, when
2 that affects that, the plankton is affected, now,
3 there goes the food for the -- for the whale, so the
4 whale has to go out to a further distance or a
5 different area so that it can eat its food.

6 The seals, the bearded seals, I've seen --
7 I've seen plankton in the bearded seals' stomachs
8 when I cut them up. Is it getting cancer from that?
9 You never know. And I know that it's not something
10 natural because cancer is not natural. It's
11 something that's being put into the ocean that they
12 are eating, and we're eventually eating it, too.
13 How many of our Natives have died of cancer? It may
14 not be all radiation stuff but, you know, who knows.

15 But I do know I have had tested -- and the
16 poor North Slope Borough, I asked them to test it
17 because it was so different. You can very
18 noticeably tell when an animal is sick. I had an
19 eight-foot bearded seal that had absolutely,
20 absolutely no meat on -- on its rear end. When I
21 asked why -- if I could come over and check, they
22 told me that I put that animal out of its misery.
23 So it's not just us that it's going to be affecting.
24 And it's already happening because of the already
25 given -- the ones that have already been given

1 opportunity to do seismic work. That has affected
2 some of the animals and their feeding grounds and
3 what they are going to do.

4 Another thing is the polar bears. You know
5 they are becoming endangered and they rely on the
6 ice that is slowly melting away, or fastly. And
7 then when you have an oil spill and it goes on that
8 ice that's left and it's not very much, what is that
9 polar bear going to be able to go up on? Is that
10 going to contaminate that polar bear and endanger it
11 more? That's not fair for -- they have no voice.
12 We have to be their voices for them. They can't --
13 they can't come in here. You will be afraid of
14 them. You may be afraid of us after we get a spill
15 in our garden because we are going to be the
16 angriest kind of people. And it's going to be even
17 worse than what you see here.

18 I can remember shouting matches with --
19 with the -- the people that were sitting at the
20 table and the people that were in the audience. I
21 remember that when I was growing up. It's been
22 something that we have been saying for years and
23 years and years.

24 Your ice conditions have pockets under
25 them. When you have that oil spill, the oil is

1 going to be hidden in a pocket and it's going to --
2 you are going to think that it's all cleaned up, but
3 it won't be. And then that's where some of the
4 seals get their food from, those pockets right
5 underneath. They go up and get a breath of air if
6 they need it, running away from a polar bear. What
7 are you going to do? How are you going to know that
8 there is a pocket of oil right there where it's
9 going to come up and breathe?

10 You have fish that go all along the coast.
11 A salmon comes back to where it's born. It goes out
12 to the ocean and comes back to where it's born. Are
13 you going to contaminate the land -- the stuff that,
14 you know, that come into the land? Because that
15 fish has to go through that -- that route. You
16 know, they have the route that's built into their
17 brain when they are born, and then they come back to
18 that same place regardless of a spill or not.

19 It's too dangerous to have those kind of
20 contaminations. And I still say that your -- I
21 don't know where you are getting these 25 miles, 200
22 miles, 400 miles. Our whales come from one end to
23 the other. When Savoonga and Gambell get their
24 whales, we know already how many more weeks it's
25 going to take to come up to Barrow. What affects us

1 here in Barrow, it affects the whales in Point Hope.
2 Point Hope whales, if you have a spill in Chukchi,
3 that is going to affect us here in Barrow as well as
4 in Barter Island because that's the migration route.
5 There is no way for it to stop it coming from this
6 way because it's built into the whale's brain where
7 their breeding grounds are. And this is our -- the
8 route for the breeding grounds.

9 There is -- there is too much danger in
10 losing our whales if there is a spill. There is no
11 real way to clean up a spill in the ice conditions.
12 The oil industry can argue that, well, there is --
13 the ice has been receding so much so it's not much
14 of a danger. We had a dangerous ice condition over
15 1,000 years ago where it came up on the shore all of
16 a sudden without notice, and there was a family
17 lost. What happens with that rig when that -- you
18 know, you never know the ice conditions, and you
19 cannot judge the conditions with only one year's
20 study because the conditions this year are not going
21 to be the same as next year. The conditions this
22 year are not the same as last year. There is no way
23 that you can base your studies on only one year
24 of -- of looking at this stuff because it's never
25 the same.

1 When we were on the ice, the ice broke off
2 and within 15 minutes, the lead was this far
3 [indicating] open, within 15 minutes. Is there a
4 study of the currents, the currents that are out
5 here now? Is there a way to judge which way the oil
6 is going to go? How fast is the current in that
7 area compared to that area in Point Hope? It's way
8 different than up here because we have the two
9 meeting, the two meeting seas. And that current is
10 way different. I've seen ice traveling this way and
11 this way at the same time. You have different
12 pockets of currents. There is no way to know which
13 one is going to take the oil which way. There is no
14 studies on the currents at all.

15 We had a workshop with NOAA and FWS on ice
16 conditions, and there are no current -- there is no
17 way to judge which way the currents are going. They
18 are just now starting it over there at Cross Island,
19 and that's just a little patch. What's going to
20 happen if -- you know, you don't know the winds or
21 the currents and how strong they are. In one day
22 when we broke -- when that ice broke off, our gear,
23 our whaling gear was found 42 miles in one day.
24 That was on a -- I mean, it wasn't even a windy day
25 or anything. And it was the current that took the

1 ice. It was a real nice day out and the ice broke
2 off because of the current. So you got to take
3 those kind of things into consideration, too.

4 With my work as a health board member, too,
5 we were told -- we were given a study regarding the
6 traditional foods compared to the White Man foods.
7 Our Native food is much more nutritious than what we
8 buy at the store. The preservatives in the food are
9 way different than what we get off of the land.
10 When you think about the -- there was all these
11 movies about the Neksilik people. All those movies,
12 when you look at it, they are wearing no gloves and
13 it's real cold outside. That's part of eating the
14 oil from the seals, from the Native foods. It
15 brings warmth to our bodies. It brings energy,
16 strength. That is more nutritious than a candy bar,
17 and it lasts a whole lot longer. And that's what we
18 are taught.

19 Those are just kind of some of my -- my --
20 I don't have a drawn-out speech like everybody else
21 because I didn't know about this, but I'm just
22 speaking from my knowledge of the land, being a
23 community member here pretty much my whole life. I
24 was born here. I was raised all over Alaska. But I
25 prefer here because this is -- this is where I grew

1 up, and my husband is now a whaling captain, and I
2 have that -- I know the knowledge of the hunting
3 areas that we go.

4 And I still -- I still say you need
5 advertising. You need more studies. Think about
6 the people who eat here instead of the people who
7 want to drill here. They don't live here. They
8 come and go. But we stay. And we are still saying
9 no.

10 MR. LOMAN: Thank you very much.

11 (Interpreted.)

12 MR. LOMAN: Thank you very much.

13 MR. RICHARD GLENN: Good evening.

14 My name is Richard Glenn. I live here in Barrow.
15 I'm a Vice President of Lands and Natural Resources
16 for Arctic Slope Regional Corporation. First of
17 all -- (speaking in Inupiat.) I'm thanking Arnold
18 in public here for translating. He has a gift. So
19 much better at it than I could ever hope to be. I
20 think it takes a special skill, and I wanted to
21 recognize him for it.

22 I'm here speaking on behalf of ASRC, and we
23 are a profit-making private Native regional
24 corporation that owns and manages about five million
25 acres of land on Alaska's North Slope, and we

1 represent some of the interests, but not all of the
2 interests, of our 10,000 shareholders. And
3 everyone, I think, who spoke this evening has been
4 one of our shareholders.

5 I have some written testimony. I'm going
6 to give it to you. I've given it to you. I'm not
7 going to read it. The night is too long. And this
8 will be in the record even if I don't read it,
9 right?

10 MR. LOMAN: Yes.

11 MR. RICHARD GLENN: So I just wanted
12 to summarize a few points. And the first one is
13 this reminds me of the same fear of development that
14 happened before we developed our onshore resources
15 at Prudhoe Bay. (Speaking in Inupiat.)

16 So if you want to take a break, Arnold, I
17 will try.

18 But the tone, the tenor of discussion, what
19 our people's concerns were then before the
20 development of onshore oil and gas is the same like
21 we see it now. What's going to happen to our
22 environment? What's going to happen to our food?
23 What's going to happen to our subsistence lifestyle?
24 And I will differ from my Uncle George Edwardsen to
25 say that in general the story onshore has been good.

1 An Elder here said the fish haven't died,
2 the caribou have increased in number. In places
3 we've been displaced from our subsistence gathering
4 sites, but we've tolerated it in large part. Some
5 places we are not tolerating it. But we've
6 tolerated it in large part because our land is big
7 and we live to go hunt somewhere else. At times
8 even our own communities have displaced ourselves
9 from our own subsistence areas. Our towns are
10 growing. So this is not something that only the
11 industry has faced.

12 The speech that we give about offshore oil
13 and gas development, the Inupiat people in general
14 suffer more of the negative effects and they don't
15 derive any of the positive effects of offshore oil
16 and gas, so why should we even think about
17 supporting offshore oil and gas exploration and
18 development?

19 If you ask me, I think that drilling can be
20 done safely offshore. I know drilling. I know the
21 safety mechanisms that are built in. And the
22 farther offshore it is, the less likely it is to
23 impact our subsistence. That's drilling and this is
24 some -- one point that George touched on that I do
25 agree with. The question is what are you going to

1 do if you find something and develop it. Now I'm
2 not so sure about the safety of development that far
3 offshore. And I think, like many North Slope
4 residents, I need to be educated in modern
5 state-of-the-art offshore oil and gas technology.
6 We are not fluent in that language. It's not clear
7 to us.

8 And if you have come nearshore in the
9 federal waters, I think it's probably more in --
10 more safe for development, but it probably has more
11 impact on our subsistence. So if you go in the
12 Beaufort Sea, relatively nearshore federal waters
13 have more of a chance to impact our subsistence. So
14 it's up to us as a people to decide how much of this
15 kind of impact we can tolerate; just like it's up to
16 us as a people to decide how much impact we have
17 tolerated onshore.

18 The reason why the tension gets so much
19 higher when we talk about offshore is because the
20 stakes seem to be higher. If you spill a cup of oil
21 on a frozen gravel pad, it's one thing; but if you
22 spill it in the water column, it's a totally
23 different thing. If you -- if you put 100 decibels
24 of sound into the air, it's one thing; if you put
25 100 decibels of sound into the water, it's something

1 totally different. So it's like the stakes have
2 become higher. And not to mention you throw in a
3 moving sea ice environment.

4 So it's no wonder why the tension is higher
5 for offshore development than it is for onshore. We
6 don't understand the effects of development. We
7 understand the environment. So we think there is
8 more danger related to offshore oil and gas.

9 If you listen to most of the concerns about
10 offshore, they center on noise and oil spill. And
11 like many of us speakers tonight, we deserve clear,
12 scientific, proven studies related to mitigation and
13 to the effects of noise and oil spills, regardless
14 of how low the chances are in our ocean.

15 So if you set aside the environmental
16 questions because they are -- because they have been
17 answered and talked to by many of our people here
18 tonight, we are -- we are aboriginal
19 environmentalists. We care about the environment.
20 If you set that aside and ask yourself why should
21 this imbalance occur, why should the people who live
22 here suffer the negative potential consequences and
23 yet not appreciate any of the positive ones --

24 Onshore, the positive ones are easy. We
25 have a tax base. We have some jobs. We have some

1 revenue. Offshore, we don't have any revenue. We
2 have little provable tax base, and jobs are jobs.
3 Are jobs enough? Are jobs in the offshore oil
4 industry enough to bring us into alignment? We
5 should instead look at what it takes to bring --
6 if -- if exploration leasing is going to continue,
7 we should look at what it takes to make alignment
8 happen.

9 And here is where we advocate for, if
10 leasing is going to take place, share the lease
11 revenues with the impacted communities. If
12 development is going to take place, industry should
13 share ownership options with the impacted
14 communities. If development is going to take place,
15 corporations are going to make money. Commit
16 themselves to our communities by establishing things
17 like a foundation that's dedicated to the use of the
18 community.

19 With this kind of multi-pronged approach,
20 you can develop more alignment between our community
21 members and the federal government and between our
22 community members and the oil industry, and you will
23 remove this imbalance that exists, this imbalance
24 that's guaranteed to create animosity and hard
25 feelings between the residents and the explorers and

1 the development. If we have greater alignment, we
2 will develop a more favorable atmosphere. If we
3 have greater alignment, we can seek to put in place
4 all these mitigating steps for offshore development
5 and increase the participation of our people and our
6 ownership in the issues that are so important to us.

7 Thank you.

8 MR. LOMAN: Thank you very much.

9 (Interpreted.)

10 MR. LOMAN: Thank you.

11 MS. ETA-STARR EDWARDSSEN: I have a
12 question about your mitigation funds. You said that
13 the beginning balance of it before the 400 -- the
14 2.7 billion dollar lease sale for the 193 leases was
15 4- to 4.5 million dollars, and at the end of the
16 lease sale, the funds grew to 30 to 30.5 million
17 dollars. And how is that amount calculated for the
18 increase?

19 MR. LOMAN: Part of the revenue comes
20 from lease sales, and so when they held lease sale
21 193 in the Chukchi and took in 2.7 billion dollars,
22 that changed the formula -- the law has a formula.
23 And in that formula, part of those funds come from
24 lease sales. And when 193 took place, it increased
25 the share for Alaska because it's an Alaska lease

1 sale from -- between four and -- four and
2 four-and-a-half million to 30 million and 35
3 million. The exact amount changes depending on some
4 other things, but it's between 30 and 35 million
5 dollars now as a result of 193.

6 MS. ETA-STARR EDWARDSSEN: And so
7 these funds are for what? For this area,
8 specifically for this area?

9 MR. LOMAN: They are for Alaska's --

10 MS. ETA-STARR EDWARDSSEN: For the
11 whole state?

12 MR. LOMAN: It goes to the whole
13 state, but the North Slope Borough is a local
14 government that is participating. They have
15 submitted projects to the State. Those --

16 MS. ETA-STARR EDWARDSSEN: You know
17 how much the North Slope Borough got? Because
18 that's less than one percent of your lease sales to
19 the State.

20 MR. KENDALL: There may be a slight
21 misconception. That's the CIAP program?

22 MR. LOMAN: Yes.

23 MR. KENDALL: The Energy Policy Act
24 set aside one billion dollars to be divided up among
25 the states that have offshore production: Alabama,

1 Mississippi, Louisiana, Texas, California, and
2 Alaska. So that one billion dollars gets divided up
3 to those states over the next four years; 250
4 million dollars a year. And the amount that goes to
5 each of those states is dependent upon such as the
6 lease sale. So when Alaska had this huge lease
7 sale, that -- part of that money basically got
8 shifted from one state to your state.

9 MR. LOMAN: Yeah, California, theirs
10 went down, ours went up, for example. They weren't
11 happy about that.

12 MR. ARNOLD BROWER, JR.: I just
13 have to ask and make this comment on your behalf.
14 The amount of the lease sale money that you have
15 received --

16 MR. LOMAN: The United States, not
17 me.

18 MR. ARNOLD BROWER, JR.: That's
19 right. I sure hate for that money to be a buyout
20 for those Costco executives --

21 MR. LOMAN: Well --

22 MR. ARNOLD BROWER, JR.: -- and we
23 get nothing.

24 MR. LOMAN: You know, it goes to the
25 Treasury, so --

1 MR. ARNOLD BROWER, JR.: Yeah, I know
2 where the Treasury is. It's right over there by the
3 Congress to say we need to give these general
4 executives a bailout of 700 billion.

5 MS. ETA-STARR EDWARDSSEN: Money for
6 the mitigation, what will that cover?

7 MR. LOMAN: There are a number of
8 projects that were submitted by the State of Alaska,
9 by the North Slope Borough, by other local entities.
10 And the short answer is it's mitigation to coastal
11 impacts, erosion, for example, but other things.
12 It's -- it's a wide variety of things, all the way
13 from salmon restoration to erosion impacts. And it
14 gets even more complicated because sometimes erosion
15 is caused by humans and boating and recreation
16 activities. So they do certain things to offset
17 those activities for other activities. And it goes
18 on and on.

19 MS. ETA-STARR EDWARDSSEN: I think the
20 calculations to generate the funds for Alaska is
21 negligent. It should be at least 20 percent, and we
22 got less than one percent.

23 MR. LOMAN: We will get that in the
24 record. Not enough.

25 MR. ARNOLD BROWER, JR.: You need to

1 make those comments. I know you guys don't have
2 that regulatory or that power to take that kind of
3 information and say we should change it, but I'm
4 asking or telling her or informing her that that
5 kind of comment needs to be heard by our senators
6 and the Department of Interior.

7 MS. ETA-STARR EDWARDSSEN: That's all
8 I have. I just wanted to know --

9 MR. LOMAN: Thank you. Appreciate
10 it.

11 MS. ETA-STARR EDWARDSSEN: -- find out
12 how your financial calculations were calculated.

13 MS. JENNIFER ROUSE: My name is
14 Jennifer Rouse, and I live here in Barrow with my
15 husband and two children. And I just have a quick
16 comment to add to all of these very important
17 comments going on public record. MMS has an
18 obligation to know and inform me what my -- what
19 kind of air my children are breathing and what they
20 are proposing to do to our air before it continues
21 to turn the offshore areas of this community into an
22 industrial area. That's it.

23 MR. LOMAN: Thank you.

24 (Interpreted.)

25 MR. LOMAN: Thank you.

1 MR. CRAIG GEORGE: Good evening.
2 My name is Craig George. I'm a wildlife biologist
3 with the North Slope Borough Department of Wildlife
4 Management, but I want to speak as a private citizen
5 tonight. Our department will send formal comments
6 later.

7 I think I'll just make a couple points
8 about doing the best science possible, suggest that
9 peer-reviewed science -- we have had a very good
10 record in our department with -- or a good
11 experience using universities for doing scientific
12 research, and I think they tend to be a little more
13 objective, perhaps, than some of the consulting
14 groups.

15 Just a couple things. There is an
16 omission. We have collected a number of Narwhal
17 sightings over the last 20 years, I think eight or
18 so in these waters, that should be included in the
19 analysis. And I will send you those. I would hope
20 that the recent fisheries work off just northeast of
21 Barrow would be included in the analysis. There is
22 at least two new species added to the Beaufort,
23 significant ones, Pacific cod and walleyed pollock.

24 And the -- the bowhead tagging work that
25 you have actually funded, if at all possible, use as

1 much of that as you can. One thing that's indicated
2 is that -- and this is -- I'm part of the study
3 that's done the tagging, part of the group. Anyway,
4 this area northeast of Barrow is clearly one of the
5 more important bowhead feeding areas, and certainly
6 if you use residence time as an indicator, at least
7 one of the tagged whales spent a month here, which
8 actually we didn't see further east in some of the
9 research that was actually funded by MMS.

10 So this is really emerging as one of the --
11 one of the most important feeding areas in the
12 Beaufort. And it looks like it's -- advected krill
13 come up the coast and kind of eddy out here and
14 become available for the animals. And I think
15 actually in our latest report to MMS, a lot of that
16 is outlined in the -- it's called the bowhead
17 feeding study, BOWFEST, so I'd urge you to look at
18 that.

19 Consider the largest possible deferral for
20 this area for a lot of reasons. It's an important
21 hunting area and important feeding area, that you
22 should make that as large as possible. And I would
23 urge you to use creative solutions. You heard some
24 from Richard I thought were interesting, but think
25 outside the box.

1 There may be -- I was thinking of a tiered
2 approach where you would have different protection
3 levels and, you know, not just binary complete
4 protection or not, but you might have total
5 exclusion, near total, you know, sequential. Like
6 around some of the hunting areas and stuff, you may
7 exclude all activity here and then maybe have
8 limited activity within a larger area to stop
9 animals from deflecting.

10 dB limits, maybe have a -- have a level,
11 received level dB, you can have like they have for
12 North Atlantic right whales, buoys out in the -- in
13 the waters that can detect animals and they can
14 detect dB levels, and when they are exceeded maybe
15 back off on a particular project.

16 Do the science first. I should have said
17 that. We should characterize the area as well as
18 possible before leasing, particularly the Chukchi.
19 There has been less work done out there.

20 I guess those are the main points. So like
21 I said, you will be receiving comments from the
22 department, but I think we are -- you know, we have
23 got a new Administration, and I think let's -- we
24 have been saying the same comments and I've heard
25 the people here make almost exactly the same

1 comments for 30 years. So I think it's time to use
2 more creative ideas and figure out how we can come
3 to some sort of practical approach to -- to this
4 question.

5 And I don't know what the answer is going
6 to be, but it seems like the approaches that we have
7 taken to date have not been terribly effective, with
8 some exceptions, but I think they should be
9 improved.

10 So thank you.

11 MR. LOMAN: Thank you very much,
12 Craig.

13 (Interpreted.)

14 MR. LOMAN: Thank you. Seems like by
15 the time we get to the point where I say thank you,
16 almost everybody is gone. But thank you very much
17 for coming. Thank you. Appreciate it. And our job
18 is to inform the decisionmaker, and when they ask
19 what your position is, we are not afraid to tell
20 them.

21 MS. ROBERTA LEAVITT: You told me I
22 had -- it's not enough. I still say -- this is for
23 the record. I still say that this is not even
24 enough of our voices to even hear the full comments.
25 This is just a handful of concerned citizens who do

1 know about the meeting, who have heard about it, and
2 there is other activities going on right now that
3 have stopped quite a few people from coming in.

4 I know it's very difficult to try and set a
5 time because of ongoing activities. And without you
6 knowing what kind of activities are going on in the
7 community at the time of the meetings, it's real
8 hard to get people to come together, but just know
9 that this is only a few of our comments. I'm sure a
10 lot more people would bring out their comments if
11 there was better advertising of the meeting.

12 MR. LOMAN: Thank you. Thank you
13 very much. This concludes this hearing.

14 (Proceedings adjourned at 10:30 p.m.)

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REPORTER'S CERTIFICATE

I, MARY A. VAVRIK, RMR, Notary Public in
and for the State of Alaska do hereby certify:

That the foregoing proceedings were taken
before me at the time and place herein set forth;
that the proceedings were reported stenographically
by me and later transcribed under my direction by
computer transcription; that the foregoing is a true
record of the proceedings taken at that time; and
that I am not a party to nor have I any interest in
the outcome of the action herein contained.

IN WITNESS WHEREOF, I have hereunto
subscribed my hand and affixed my seal this _____
day of _____ 2009.

MARY A. VAVRIK,
Registered Merit Reporter
Notary Public for Alaska

My Commission Expires: November 5, 2012

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