

1 UNITED STATES DEPARTMENT OF THE INTERIOR
2 MINERALS MANAGEMENT SERVICE
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5
6 OFFICIAL TRANSCRIPT - PUBLIC HEARING

7
8 DRAFT ENVIRONMENTAL IMPACT STATEMENT - SALE 158
9 GULF OF ALASKA, YAKUTAT PLANNING AREA

10
11 Minerals Management Service
12 949 East 36th Avenue
13 Fourth Floor Conference Room
14 Anchorage, Alaska 99503

15 Tuesday, February 20, 1996
16 12:00 o'clock noon
17

18 MINERALS MANAGEMENT SERVICE PANEL MEMBERS

19 Ms. Judy Gottlieb, Regional Director of the Alaska
20 Outer Continental Shelf Region

21 Mr. Rance Wall, Regional Supervisor for Resource
22 Evaluation

23 Mr. Ray Emerson, Chief, Environmental Assessment Section
24

25 Proceedings recorded by electronic sound recording. Transcript
produced by transcription service.

2
3 (Tape No. 1 of 1)

4 (On record at 12:15 p.m.)

5 MS. GOTTLIEB: different from what we've
6 experienced in the past, but Jim, since you've brought your
7 class here, I'm sure we can salvage this a little bit and maybe
8 provide a little bit of instruction or history as to what the
9 program has done in the past, what we hope to achieve in the
10 future here. Your class, as I understand it, looks at
11 environmental assessments, environmental impact statements.

12 The purpose of today's hearing was to take public
13 testimony on the Draft Environmental Impact Statement that
14 people here in the office, in the Environmental Assessment
15 Section, as well as other parts of the office produced, having
16 to do with the Gulf of Alaska offshore area. We have maps in
17 the back of the room, and you probably have copies of the EIS
18 already.

19 If you'd like, what I could do is just read real
20 quickly the opening statement that I would have read at the
21 public hearing, which will be read tomorrow in Yakutat and the
22 following evening over in Cordova, where I'm sure we will have
23 testifiers.

24 This program's been in existence since the mid '70s,
25 so I guess maybe there's the lesson, that after 20 years, folks

1 in Anchorage aren't quite as interested or concerned or worried
2 or -- another viewpoint might be that they've given up in
3 trying to influence some of the decisions and didn't feel it
4 was good to, or worth their time to, turn out and testify here
5 today. However, any written comments, any verbal testimony we
6 do receive in the other communities, we will take into account
7 when we produce the Final Environmental Impact Statement.

8 So if you have questions or if you want to say what
9 you maybe expected to see or hear today, we'll be glad to spend
10 some time with you and try to explain how we write these
11 documents, how we respond to the questions, and the purpose of
12 these documents. And maybe we can learn a little bit about why
13 you're taking the course and what you're looking for in terms
14 of information and guidance too.

15 Anybody have any questions, first off, on the program
16 itself or the purpose of today?

17 (No audible response)

18 MS. GOTTLIEB: Okay. Well, I'll just run through
19 what we would have done.

20 MR. EMERSON: I've got an environmentalist opinion.

21 MS. GOTTLIEB: Labels. Let's.....

22 MR. EMERSON: The greens. Those are the stuff that
23 industry got.

24 MS. GOTTLIEB: That's right. That's right.

25 (Pause - Side comment)

1 MR. EMERSON: (Inaudible.) I don't know if that got
2 on there.

3 MS. GOTTLIEB: Okay. Well we'll do a pretend opening
4 statement.

5 My name is Judy Gottlieb, and I am -- while this
6 formal setting isn't always the best, we do feel this is your
7 public hearing. We want to make sure we get it recorded, and
8 so this is the best setup that we have.

9 I hope you've had a chance to look over the draft
10 Environmental Impact Statement. But if you have not and would
11 like to ask some questions, we'll take some time to informally
12 answer those questions after the hearing.

13 I'm the Regional Director here, and with me on the
14 panel are Rance Wall, our Regional Supervisor for Resource
15 Evaluation, and Ray Emerson, who's Chief of the Environmental
16 Assessment Section.

17 This is the first public hearing. There will be one
18 tomorrow in Yakutat and the next one in Cordova on Thursday
19 night. The purpose of this hearing is to receive your views,
20 comments, and suggestions on our Draft Environmental Impact
21 Statement for the Gulf of Alaska, Yakutat Planning Area. There
22 are plenty of copies of the EIS, and if you'd like to take one,
23 please feel free to do so.

24 This EIS covers 137 million acres? -- that can't be
25 right -- what is it? -- 13 million acres, as you can see over

1 on the map hanging on the wall. The other map shows proposed
2 alternatives, transportation routes, and previously drilled
3 wells in the Gulf of Alaska area. The lease sale -- the areas
4 for lease are strictly offshore, that is, starting three miles
5 from the coastline and going seaward from there. The first
6 three miles is State jurisdiction, and MMS is part of the
7 federal government, Department of Interior.

8 We have responsibility to fulfill mandates set on
9 Outer Continental Shelf Lands Act and Oil Pollution Act of
10 1990. Oil and gas activities on the Outer Continental Shelf
11 must comply with the National Environmental Policy Act, Clean
12 Air Act, Clean Water Act, Occupational Health and Safety Act,
13 Coastal Zone Management, and many, many others, as well as
14 operating regulations that are designed to make offshore
15 operations safe and clean.

16 The Environmental Impact Statement took nearly three
17 years to prepare, and the public has been part of this process
18 from the very start, through earlier scoping comments and many
19 dialogue and public meetings that we've had in Yakutat and
20 Cordova. We're now asking what you think about the Draft
21 Environmental Impact Statement.

22 We have a recorder with us here today, Vee, sitting
23 over there, and copies can be obtained of the transcript from
24 her.

25 Speakers would not be questioned unless it's

1 necessary to clarify a viewpoint. Comment period for this
2 document ends April 26. And so until that time, we accept
3 written comments rather than oral ones, or you can do both.

4 Again, we ask if everybody can sign in so we have a
5 good record of who has been here, and we would then ask people
6 to come up, one by one, to testify. The person would state
7 their name and give their testimony. Testimony usually lasts,
8 oh, anywhere from 3 to 5 minutes to occasionally 20, 30, maybe
9 even 40 minutes, which gets a little awkward sometimes in
10 having to try to get people to end their testimony so other
11 people can step forward.

12 Some hearings, I've had as many as 300 people present
13 with maybe about 100 testifiers. Most are usually two- to
14 three-hour range, 20, 30 people testifying. Oftentime there
15 are a lot of questions, so we will, as I said, shut down the
16 hearing and then discuss informally this program, possible
17 actions, other questions people have about what's going on.

18 We do encourage the written comments, and what we do
19 is reproduce each of the written comments in the Final
20 Environmental Impact Statement, as well as summary of the
21 comments from the public hearings, and answer each of those
22 issues or incorporate the comments into our analyses.

23 The range of people and organizations who usually
24 testify, in the old days, it started off with a representative
25 of the Governor's Office. That hasn't happened in a long time.

1 Oil industry; support industry groups; environmental groups;
2 community; local, state government entities; village, tribal,
3 Native corporation representatives. General public oftentimes
4 have a lot of grass roots efforts, and that brings out a large
5 group of the public as well. Fishing organizations, of course,
6 have been very keenly interested in this program as well,
7 especially Cordova and Kodiak, Homer area.

8 So are there any questions you might have, and can
9 also introduce some of the staff that we have here today.

10 (No audible response)

11 MS. GOTTLIEB: We're not on the public record are we?

12 COURT REPORTER: (Indicating - affirmative.)

13 MS. GOTTLIEB: Okay. Well, we can go off, please.

14 Thanks.

15 (Off record at 12:20 p.m.)

16 (On record at 1:00 p.m.)

17 MS. GOTTLIEB: This is Judy Gottlieb, and it's 1:00
18 o'clock, and the hearing is officially closed.

19
20 (Whereupon, the proceedings in the above-entitled
21 matter were adjourned at 1:00 p.m.)
22
23
24
25

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

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

I, **CINDY S. CARL**, do hereby certify:

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

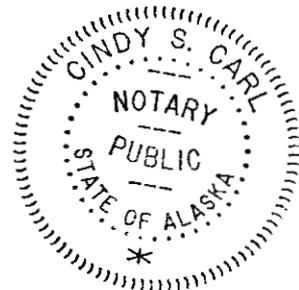
(2) That I have been certified for transcript services by the United States Courts.

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

SIGNED AND CERTIFIED:

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

DATE: 3/18/96



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8 DRAFT ENVIRONMENTAL IMPACT STATEMENT - SALE 158
9 GULF OF ALASKA, YAKUTAT PLANNING AREA
10

11
12
13 Yakutat, Alaska
14 Wednesday, February 21, 1996
15 7:00 o'clock p.m.
16
17

18 MINERALS MANAGEMENT SERVICE PANEL MEMBERS

19 Mr. Bob Brock, Supervisor for Leasing and Environment of
the Alaska Outer Continental Shelf Region

20 Mr. Rance Wall, Regional Supervisor for Resource
21 Evaluation

22 Mr. Ray Emerson, Chief, Environmental Assessment Section
23
24

25 Proceedings recorded by electronic sound recording. Transcript
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1 YAKUTAT, ALASKA - WEDNESDAY, FEBRUARY 21, 1996

2
3 (Tape No. 1 of 1)

4 (On record at 7:25 p.m.)

5 MR. BROCK: My name is Bob Brock, and I don't like
6 this formal setting, but since this is your public hearing, we
7 want to be sure and get this recorded, so we don't really have
8 an option on this. I hope you've had a chance to look over the
9 EIS, but if you have not and want to ask questions, we can do
10 that informally after.

11 I'm the Regional Supervisor for Leasing and
12 Environment in the Outer Continental Shelf Office in Anchorage,
13 Alaska. With me on the panel are Rance Wall, our Regional
14 Supervisor for Resource Evaluation, and Ray Emerson, who is the
15 Chief, Environmental Assessment Section.

16 This is our second public hearing. The first was
17 held in Anchorage yesterday, and one will be held tomorrow
18 night in Cordova. The purpose of this hearing is to receive
19 your views and comments and suggestions on our Draft
20 Environmental Impact Statement for the Sale 158, Gulf of
21 Alaska/Yakutat Planning Area.

22 There are plenty of copies back there; if you would
23 like to take one home, feel free to do so. The Draft
24 Environmental Impact Statement covers 5,000,000 acres, 977
25 blocks, as you can see over on the map hanging on the wall.

1 Other maps show proposed alternatives, transportation routes,
2 and previously drilled wells in the Gulf of Alaska.

3 The areas for lease are strictly offshore; there is
4 no onshore area involved here at all. We are three miles
5 offshore and further. The State's jurisdiction goes out for
6 the first three miles. So we're with the federal government,
7 and we go three miles and further offshore.

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

17 The Environmental Impact Statement took nearly three
18 years to prepare. You have been a part of this process from
19 the start, through your earlier scoping comments. If you live
20 in Yakutat or Cordova, you had the opportunity for
21 participation in the recent workshops that we held about two
22 weeks ago on this Draft Environmental Impact Statement. We
23 have now come back to ask you what you think, or what are your
24 further suggestions on this Environmental Impact Statement.

25 We have a recorder here with us, Regina O'Keefe,

1 sitting over here on the side. You can obtain copies of this
2 transcript through Executary Court Reporting Services. The
3 main purpose, and the only purpose, of this hearing is to
4 improve the quality of the Environmental Impact Statement
5 before it's put in final form.

6 Speakers won't be questioned unless it's necessary by
7 one of the panel members to clarify a point. We're interested
8 in your views of this Impact Statement and this sale. The
9 comment period for this document closes April 26, 1996. Until
10 that time, we will accept written comment rather than an oral
11 one, or you can do both, but making an oral comment tonight
12 does not preclude you from making a written comment later on.

13 Those written comments should be sent to our address:
14 Regional Director, Minerals Management Service, at 949 East
15 36th Avenue, Room 308, Anchorage, Alaska 99508. Remember, the
16 comment period closes April 26th.

17 Now, we have asked everybody -- I hope everybody has
18 signed in back there for our records; I'd like to keep a record
19 of who is here. I'm going to read down the list in the order
20 people signed the list for public testimony. Please come up
21 and sit at the end of the table so that we can be sure to get
22 everything you say on the official record.

23 I'd like to thank all of you for coming tonight; I
24 really appreciate it. And your concerns will be forwarded, and
25 they will be incorporated in the final document. Don't forget,

1 written comments can be received in our office by April 26,
2 1996. We very much appreciate it.

3 (Off record)

4 (On record)

5 MR. BROCK: And we'll start your testimony, and if,
6 at the end, you want to have some more questions and answers,
7 well, I'll be glad to stay here as long as you want and try to
8 clear up anything that might be of concern. And I want to
9 assure you that when we walk out tonight that we will be back
10 if there -- if any group has a -- any group or entity here has
11 some specific concerns, we will come back and we'll try to work
12 out a potential mitigation or anything else that we can.
13 It's -- we're not leaving tonight and not coming back and make
14 the decision in a vacuum. So I want to assure you of that.

15 We're back on the record, and I'm not sure who all
16 wants to testify, and I -- so I'm not going to leave until
17 everybody that wants to testify has a chance. And the first
18 one to put down a definite yes, I think, was John Vale. Would
19 you like to testify now, sir?

20 MR. VALE: Yes.

21 MR. BROCK: Could you come down here where we've got
22 the microphone?

23 (Pause - Whispered conversation)

24 MR. BROCK: Would you please state your name and
25 address, just for the record, so that they'd be sure and have

1 it.

2 MR. VALE: Yes.

3 PUBLIC TESTIMONY OF MR. JOHN VALE

4 My name's John Vale. I'm here today testifying for
5 myself. I do, however, chair the Yakutat Fish and Game
6 Advisory Committee. I'm representing myself here today, but I
7 did forward a resolution on this oil and gas sale last fall
8 that basically opposed the sale because -- for environmental
9 and the -- because of the drastic impacts on the community here
10 as a result of the development -- potential development. And
11 our Advisory Committee will be forwarding -- resubmitting that
12 resolution along with some additional comments I'm sure.

13 However, I'm representing myself here today, and my
14 comments are not very well organized. I haven't really had
15 enough time to go through this plan and -- and develop my
16 comments in a more organized form, so I'm just going to waddle
17 through here and pick out the things and -- that I've seen in
18 here that, you know, I want to comment on.

19 First of all, I'd like to say that I think this
20 hearing is very inappropriately timed. I received this
21 approximately three weeks ago in the mail. I -- I'm commercial
22 fishing right now, and I represent the community on fish and
23 game issues. I've been out of town, haven't had adequate time
24 to review this document and develop comments for this hearing
25 process, and I know that other people in this town have not

1 either.

2 And since the comment period is 90 days and extending
3 to, I believe, May 6th, this hearing would have been much
4 better timed if you held it in April so that that would have
5 given people an amount of time, as one individual stated over
6 there, to look at this, to work through it, try and understand
7 it, talk amongst themselves in this community, and develop
8 organized comments. And then, you know, most people who would
9 prefer a process like this to make their concerns known, you
10 know, having to put them, write them down and forward them in
11 that manner is simply -- some people are just not going to do
12 it.

13 And by having this hearing so close to the release of
14 this document, it -- it defeats the purpose of the hearing,
15 and -- and -- and it defeats the purpose of allowing people an
16 opportunity to -- to make their feelings be known in this
17 process. So I -- I am officially asking you and requesting you
18 that you come back in late April and conduct another hearing on
19 this Environmental Impact Statement.

20 Now, one of -- my main concern about this whole thing
21 here, for me, is the lack of public process that has gone on in
22 this. And I'm referring primarily to the lack of local public
23 process. There has been next to nothing done here locally to
24 inform the residents about this plan, about its potential
25 impacts, the -- the pros, the cons. Many people in this

1 community do not even know that this process is going on right
2 now. It's true; they just don't know. Putting a notice up on
3 the board, you know, of pending hearings or resolutions being
4 passed by the Borough, you know, is not adequate.

5 And, you know, the only formal process that's
6 occurred here to date was a -- a public survey that the Borough
7 hired an Anchorage firm to do because they wanted an impartial
8 survey. They didn't want to do it locally. They hired an
9 outside firm, HDR Engineering, to do that survey. And that
10 survey very clearly demonstrated that oil and gas development's
11 not supported by the majority of residents here.

12 At one graph in there, out of 271 people surveyed,
13 only three indicated that they supported oil and gas
14 development; three out of 271, and that was an impartial
15 survey. However, our local Borough government choosed (sic) to
16 ignore that and passed a resolution with very little public
17 process, you know, advocating this development.

18 I think that we need a process here in town that goes
19 out to the residents. If the Borough wants to support this,
20 they need to put forward a process that goes to the residents
21 and tells them what the benefits are, what the negative impacts
22 are, and then tries to get comments from the residents, you
23 know, as to how they feel about this. And -- and I'm certain
24 that the -- that will show that the vast majority of people are
25 opposed to the oil and gas development out here. And

1 they're -- I'm sure they're opposed for much the same reasons
2 that I'm going to give you today here.

3 Now, I am opposed to this development for several
4 reasons. One, if we have -- a spill ever occurs in the Gulf
5 out here, not near shore, but offshore, there's no ability to
6 clean it up. In the turbulent Gulf of Alaska out here, as far
7 as I know, there is no means of cleaning up an oil spill. We
8 have, you know, some very rough ocean out here, you know, so
9 I'm not aware of any means of -- of dealing with a -- with a --
10 a spill offshore out here. Maybe on -- in shore, inside the
11 calm bays, there are some ways of dealing with it, but there
12 isn't offshore.

13 The -- you know, having gone through this plan,
14 the -- I haven't been able to completely go through it. I've
15 only got maybe a third of the way through it. But the part of
16 what I have, I see that's lacking in here is some discussion
17 about the cumulative effects of oil development over the long
18 term here.

19 I know that in other parts of the state, there are
20 many small spills that occur on a regular basis, not only in
21 oil but in other types of hazardous substances. I know for
22 example that in the Kenai area, since the onset of development
23 in there, there have been over 4,000 violations by the oil
24 industry of the Clean Water Act. Over 4,000.

25 I'm very much concerned what the impacts of those

1 type of violations are going to have on the subsistence
2 resources that this community depends on. You know, the beach
3 resources: the sea urchins, the seaweed, the -- all the life
4 that is in the inner tidal zone around here is very important
5 to this community and to its health and long-term well-being.
6 And those actual areas are very limited in size. They're the
7 islands right on the western -- or eastern side of Yakutat Bay
8 here.

9 The sandy beaches, they don't provide anything in
10 terms of the inner tidal areas. It's all the rocky beaches
11 that surround the islands in here. And if we have any spills
12 around here, they're -- that's where they're going to end up.
13 You know, they're going to go right onto those beaches, and
14 they're going to significantly affect those resources because
15 the area's -- is not that large. I'm very much concerned what
16 these smaller spills are going to do over the long term. I
17 don't see a discussion in here of cumulative impacts over 10,
18 20 years, what that -- the impacts are going to be to the
19 resources around here.

20 The -- I'm going to move along here. Now, what
21 concerns me most about this proposal, and about this EIS, is
22 the effects on the community here that the development will
23 have, the onshore effects, the jobs that it would bring to this
24 community, and the development related to that. Now, in your
25 effects on social cultural systems here, I find this totally

1 inadequate. While it may be somewhat accurate, it's totally
2 inadequate. It says so, one sentence here:

3 "Social cultural systems in Yakutat are expected
4 to undergo chronic stress that would last for
5 several decades and periodic episodes of
6 increased individual, social, and institutional
7 stress that would last for several years in each
8 instance."

9 Well, I think that's putting it mildly, and is --
10 it's wholly inadequate. We have, looking at this in here,
11 roughly 220 jobs, if you count every type of job that exists in
12 this community. According to your base case estimate, if
13 developable resources are found, that would bring 500 jobs to
14 this community. There is no way in the world that people from
15 this community are going to fill those 500 jobs. They're going
16 to have to come from outside. And so we're talking about
17 significant changes in the character of this community by
18 bringing in that many people.

19 You're going to -- we're talking about changing the
20 total character of this community beyond what is recognizable
21 today, where it will put stress on all the resources. All
22 these people are going to want to recreate. It's going to put
23 pressure on all of our fisheries resources. Right now we have
24 enough to meet the needs of this community in terms of what can
25 be found in the bay here and shellfish and what can be taken in

1 the rivers out here.

2 But I see a lot of the allocation fights that are
3 going on in the Kenai Peninsula right now. I have no doubt
4 you've heard of those. I see the same thing happening here as
5 a result of this level of development. You know, we have king
6 salmon runs in the Seetuk River out here and steelhead runs and
7 coho runs. Right now in the Kenai Peninsula, there's no
8 commercial fishery for silvers or cohos. You know, there's no
9 real fishery on king salmon. While some are taken incidentally
10 during the sockeye fishery, there's no directed harvest.

11 The recreational users that will be a part of these
12 outsiders that will come in here to fill these jobs will all
13 want access to those resources. I believe, eventually, that
14 the commercial fisheries will have to be restricted in order to
15 meet those needs, and our dependents, people now who are
16 dependent on the commercial fisheries, would be drastically
17 affected. They'd have to go in and do other things because
18 they wouldn't be able to -- they wouldn't be economically
19 viable anymore.

20 Our resources in the bay out here, while there's
21 plenty enough crabs and whatnot to meet the need locally, when
22 we're talking 500 jobs, when we put families behind those 500
23 jobs, we're talking about a great many people, perhaps 2,000,
24 2,500, maybe even more if there's more than the base amount of
25 oil discovered. You know, the -- the high end of this here

1 says as many as 2,800 jobs potentially developed in Yakutat
2 here.

3 You know, that's a -- the effects that that would
4 bring here, I know, are not supported by the vast majority of
5 people in this community. They don't want that. And if our
6 Borough here takes the time to go through a process to inform
7 the residents about this and ask them for their opinions,
8 that's what they'll hear.

9 Now, I got little bits and pieces in here that I
10 picked out that I'm going to go on and make -- one, your
11 references -- when you identified the -- your -- what is it? --
12 the areas of ecological concern probab- -- you know, rookeries
13 and the like. You missed the Seetuk River, which is the
14 lifeblood of this community, and is an area that needs to be
15 identified. You have Yakutat Bay, but you've missed the Seetuk
16 River.

17 Now, I see in here that there's, you know, references
18 to Alternative 3 in terms of the impacts to subsistence uses.
19 And references in here say that Alternative 3 would help
20 mitigate the potential harmful effects that would be brought
21 about to subsistence resources. That's the fair weather
22 deferral area there.

23 I -- I kind of wonder what the thinking is on this,
24 because 95 percent -- now, that figure's off the top of my
25 head, but it's in that range or higher. 95 percent of the

1 subsistence resources that come out of the marine environment
2 here come from the Seetuk River and Yakutat Bay. So whatever
3 happens to that fair weather area there is going to have little
4 or no impact to -- to the subsistence resources as an area. So
5 I -- I don't really find that statement to have any valid --
6 validity.

7 Moving on.

8 (Pause)

9 Another area of big concern to me is the area in here
10 where you refer to the physical characters --

11 MR. EMERSON: Could I ask a --

12 MR. VALE: -- of the Gulf of --

13 RAY EMERSON: Could I ask a question on your last
14 one? Do you see, though, the coastal deferral, the next
15 alternative, as answering your concern about the Yakutat Bay?

16 MR. VALE: No.

17 MR. EMERSON: Okay.

18 BY MR. VALE (Resuming):

19 No. There's no real -- no real impact, because, you
20 know, what -- I don't understand how it -- it would impact
21 Yakutat Bay or the Seetuk River, you know, by -- that area's so
22 far removed. I mean, potential -- I guess if you had a spill,
23 it would -- it -- you know, out in that region, it lowers the
24 impact, but because so much area on this side of it is still
25 open and available for drilling, I -- you know, I just -- I see

1 there -- you know, the difference there is negligible.

2 And the area on -- the physical characteristics of
3 the Gulf of Alaska in the Yakutat Planning Area of faults and
4 earthquakes, I find the information contained in here on
5 earthquakes to be -- I would describe as inaccurate, the
6 earthquake potential here. While it does indicate that we're
7 in a high earthquake potential area, I think it doesn't
8 accurately portray the level of risk that earthquakes, you
9 know, bring about to this type of development.

10 Now, for example, it says:

11 "In the eastern part of this region, east of 140
12 degrees west, the level of earthquake activity
13 appears to be rather low."

14 Of course, 140 goes right through Yakutat Bay, so they're
15 talking about to the east of Yakutat Bay. It says:

16 "An earthquake greater than five on the Richter
17 Scale."

18 This is just -- it's just not real, you know. Back in 1958,
19 for example, along the Fair Weather Fault, we had an earthquake
20 that registered 7.8 on the Richter Scale. Now, that's a slip
21 strike fault.

22 Earthquakes coming from along that fault are of -- of
23 great magnitude because they're slip strike -- it's a slip
24 strike fault and not part of a subduction zone where they
25 can -- they can be of lower magnitude. That earthquake, by the

1 way, on the following page, it says that there was a tsunami
2 wave in Latuya (ph) Bay that registered 7.9 meters, and that
3 it -- it caused a landslide that created a wave that went 100
4 to 150 meters. That's simply not accurate. It's not true.

5 That -- that tsunami wave that was generated in
6 Latuya (ph) Bay from that 7.8 earthquake, which was -- the
7 epicenter was there, but it ripped all along the Fair Weather
8 Fault, that sent a tsunami wave that washed trees off the
9 mountain 1,780 feet high, not anywhere near 150 meters which is
10 what, 500 feet. It was three times that. The tsunami wave,
11 according to the boat that was anchored in there, the Eddyry
12 (ph), was about a hundred feet high. But according to this,
13 7.9 meters, that's, you know, a little over 20 feet. That's
14 simply -- you know, it's not accurately reporting what occurred
15 in that area there.

16 Now, so I think that this doesn't accurately portray
17 the earthquake risk. And, you know, there's a reference here
18 to the 1899 earthquake. And I'd like to talk about the 1899
19 earthquake for a minute, as an example of how this under-
20 represents the earthquake risk. You know, the -- according to
21 the U.S. Geological Survey report, which was done in 1902, you
22 know, several years after the quake -- which I read that report
23 and I -- and you guys should also.

24 You know, the 1899 earthquake was an event that had
25 up to 3,000 earthquakes occurred here in a six-week period,

1 3,000 earthquakes. And it had something that is a little bit
2 exceptional in terms of earthquakes. It had three great
3 quakes, over eight that occurred in a one-week period. It had
4 one on September 3rd that was 8.2 that occurred in the Icy Bay
5 area, within the planning area where potential drig (sic) --
6 rigs -- drilling rigs could be placed. An 8.2 lasting from six
7 to ten minutes.

8 Then east of -- one week later, on September 11th,
9 1899, 9:30 in the morning -- now, these -- this report was
10 updated later to come up with estimates in terms of Richter
11 Scale. Obviously they didn't have that back then, so this is
12 only guessing at the strength of these quakes. But at 9:30 in
13 the morning, it was estimated to be an 8.4 lasting again for
14 six to ten minutes, that was centered right above
15 Disenchantment Bay -- east of 140, right along the Fair Weather
16 Fault and right in front of Mt. Cook -- generated a tsunami
17 wave that buried Yakutat Bay here.

18 Fortunately, it occurred at low tide. It went up
19 well above the high tide line on Knight Island in Icy Bay.
20 They had debris that was 10 feet above the high tide line in
21 the trees. So that -- that tsunami wave, when it entered this
22 side of Yakutat Bay was at least 20 feet, you know, because it
23 was -- occurred at low tide.

24 However, the full force of that wave was -- was
25 pushed out of the bay towards the western side, the Manbee (ph)

1 side of the bay, and the full brunt of it wasn't -- didn't even
2 come over this direction. It was significantly higher over
3 there. Then, unbelievably, on the same day, at 3:30 in the
4 afternoon came the big one. That was one that was estimated to
5 be 8.6 to 9.2, along the scale of the '64 quake that hit
6 Anchorage. Two great quakes in the same day, no less, occurred
7 right in front of the -- almost adjacent to the other spot
8 right in front of the St. Elias Range there, right behind
9 Malaspina Glacier, was a -- a huge earthquake.

10 Now, the area on Phipps Peninsula, where this book
11 says an industrial site would be located, a tank farm, possibly
12 an LNG plant, witnesses here in Yakutat will know during those
13 quakes, the ground liquified, and witnesses observed sand
14 geysers from the liquifation (sic) -- liquification that went
15 500 feet into the air. And the Geological Survey people
16 measured craters in the ground out there from those sand
17 geysers that were 500 feet wide. That's the type of violence
18 that we're subject to here.

19 Now, what concerns me is, what happens if we have
20 these drill rigs offshore during production phase, with
21 pipelines running from them to the bay here, an event such as
22 that occurs? You know, that oil's going to be on the bottom to
23 start with. Is there going to be any means of, you know,
24 cleaning up that spill? I think not. And it can do, depending
25 on the level of development, significant damage for a -- for a

1 great many years. So in my mind, this EIS is wholly inadequate
2 in -- in its discussion of potential damages from -- from
3 earthquake activity.

4 (Pause)

5 And, you know, that's about as far as I've been able
6 to get through this thing. I -- I do plan to develop some
7 written comments, which I'll be submitting to you personally,
8 and I'm sure our Advisory Committee will have some comments as
9 well.

10 MR. BROCK: Thank you very much, sir. Appreciate
11 your comments.

12 MR. VALE: Yeah.

13 MR. BROCK: The next one that definitely wanted to
14 testify was Gayla V-a-l-l-e?

15 MS. VALLE: Gayla Valle.

16 MR. BROCK: Valle?

17 (Pause)

18 PUBLIC TESTIMONY OF MS. GAYLA VALLE

19 My name is Gayla Valle. I'm a 16-year resident of
20 Yakutat, and I'm here representing myself. I also serve on the
21 Borough Assembly of the City and Borough of Yakutat.

22 And, John, I want to thank you for a great job that
23 you started us off with, and it really points to, I think, the
24 need for the rest of us to look closer at that EIS, because it
25 does seem to, in some ways, inaccurately represent the effects

1 as we who live here know them.

2 I'm not going to make a formal or lengthy testimony.
3 I would just like to share my concerns about the impact on the
4 human -- on the human population of Yakutat should full-scale
5 development come to pass. I think that, certainly, we have a
6 need for jobs. I think that, certainly, some of the people who
7 live here will benefit from the opportunity to work on
8 development. But there are many, many people whose lives will
9 be impacted by oil development who will not be beneficiaries.

10 Those people are the people who pick berries, who get
11 fish, who walk the beaches, who try to find a place to live,
12 who want to shop in the stores here. The everyday person in
13 Yakutat who's not directly benefiting from oil development will
14 suffer from it.

15 And you used the word "mitigating" earlier tonight,
16 and when I hear that word, that's a word that kind of says
17 'Watch out. Something's going to hurt. We'll try to make it
18 better.' But I think it's well understood on all sides of the
19 argument that there are going to be considerable negative
20 impacts on the residents here.

21 One of the things that alarmed me the most was -- and
22 I did have a chance to briefly review the EIS -- was the
23 statement about the rate of inflation that would accompany
24 development. We have many people live on -- live on low and
25 fixed incomes, and is -- depend on subsistence resources.

1 Those same people are going to find it increasingly difficult
2 to live in their own town if inflation in fact does occur, if
3 the cost of housing and groceries and gas and fuel oil
4 increases as a result of development. I'm very concerned about
5 those folks.

6 We have very limited resources here in terms of
7 infrastructure. Our emergency services is very effective for
8 us. Can we serve an additional 200 families? I don't think
9 so. Our school is small. Our roads are -- well you've --
10 you've driven them. We're not set up, and I wonder if the
11 resources would accompany development of -- if the -- the need
12 to fund the infrastructure needs of incoming residents would in
13 some way be compensated by the development.

14 As it looks now, it seems like a great deal of
15 pressure would be put on this community, and my concern is that
16 unless you're directly associated as an employee of one of the
17 development companies, you're going to be paying the price.

18 That's the end of my testimony at this time.

19 MR. BROCK: Thank you. That's the only two that said
20 yes on the comments. Is there anybody else that would like to
21 comment?

22 (Pause - Whispered comments)

23 MR. BROCK: Oh. Then you're next. Okay?

24 MR. ERIE: Over here.

25 MR. BROCK: No. Come ahead, sir.

1 MR. ERIE: Oh.

2 MR. BROCK: I thought you were getting up so I.....

3 MR. ERIE: I am. I -- since you -- when you were
4 last here, I had done a correction before, but.....

5 PUBLIC TESTIMONY OF MR. JAY ERIE

6 My name's Jay Erie. I live here in Yakutat, and I
7 commercially fish. and I do have a little idea of what we've
8 got going here developmentally, and if the -- if this does go
9 through.....

10 MR. BROCK: Excuse me. Are we picking that up? Is
11 he --

12 COURT REPORTER: (Indicating - affirmative.)

13 MR. BROCK: We all right? People don't.....

14 MR. ERIE: Okay.

15 BY MR. ERIE (Resuming):

16 I think there's, you know, misnames here, you know,
17 so if someone were just to read this and just only hear, like I
18 had heard this morning on -- you know, here this morning, they
19 refer to a Fair Weather Ground deferral that the State had
20 suggested. Well, you don't want to use that name because if
21 someone just hears Fair Weather, they think of the Fair Weather
22 Grounds, which is offshore, which is an area that you do want
23 to make sure you, you know, have closed because that is an
24 effective geological uplifting there 'cause we are -- it is --
25 this whole plate here where we are at is lifting up.

1 I think you'll have a certain amount of people here
2 who would like to see exploration, for jobs, but as for
3 development, I think you're going to have people want to hold
4 back and say, 'Wait a minute. We don't want to because it's
5 too much -- there is too much effect here of destroying a very
6 fragile ecosystem that we have here.'

7 And I would prefer not to see an actual development,
8 but if people were going to take the money for drilling out
9 here, to drill, it would -- you know, it'd seem beneficial for
10 locals to have jobs. And that's where you're going to have a
11 certain amount of people here that are going to be for it. And
12 then you'll -- of course, a lot will be against it regardless
13 of what it amounts to.

14 And again, you know, I agree with John Vale, that
15 this report didn't come -- hasn't had enough comment time.
16 People do need -- 90 days is -- seems really too short to sit
17 down and assimilate this, all the data and information, because
18 you've got it divided in so many different chapters, you have
19 to overlap and go back and forth. And I think, you know, as
20 was mentioned earlier, before John spoke, that we do, you know,
21 definitely need to have a longer comment period. People have
22 to, you know, discuss what -- what -- what effects do we have
23 here, a potential of development.

24 And I guess I don't really have a whole lot more than
25 just, you know, time to keep reading it, because I haven't had

1 a chance to -- to get through it all. And then also reading
2 your actual well sample information from your other Mineral
3 Management Report, I'll have -- you know, it's going to take me
4 time to go through it.

5 But, you know, at least I wanted to make some, you
6 know, some comments here on your need to -- if you're going to
7 have actual development, that you close off more area. And
8 like I said, I had already sent you some of this, and was
9 'cause you have scallops, dungeness crab, tanner, salmon that
10 migrate through here, both of -- of the Lower 48, Canada that
11 travel through the waters here and in a potential area of
12 drilling. It's three miles, is usually that border zone of --
13 of salmon migration here, plus or minus 20 miles; depends on
14 the currents and what's going on. So that's something else to
15 keep in mind.

16 MR. EMERSON: Jay, I know we worked up some
17 additional resource areas of concern when you were here at the
18 workshop a couple of weeks ago.

19 MR. ERIE: Mm hmm (affirmative).

20 MR. EMERSON: Do you say you submitted some
21 additional material besides that?

22 MR. ERIE: Not yet.

23 MR. EMERSON: Oh.

24 MR. ERIE: This -- I -- you know, I -- right here,
25 I've got this here, and I -- like I say, I have to -- you know,

1 that's something I hadn't also included in areas of -- of
2 definite closure. They shouldn't -- you know, if the sale were
3 to go through, I'd want certain areas that would definitely
4 not, you know, ever be considered to be open because they are
5 so valuable economically, the offshore for sable fish now. But
6 to -- actual Fair Weather Grounds for the herring and rockfish
7 and the salmon that is harvested there, you are going to have
8 certain areas that you do not want to have them go back, or
9 Yakataga Reef or.....

10 MR. BROCK: If you want to submit those graphics
11 with -- are you going to submit some comment responsive.....

12 MR. ERIE: Oh yeah. I.....

13 MR. BROCK: Okay.

14 MR. ERIE: Like I said, I still have to.....

15 MR. BROCK: Right.

16 MR. ERIE:go back through, and through all
17 the -- you know, I have here -- because you come up with
18 questions that -- you know, everyday or something that someone
19 else says, and you go back in here, and it's got -- well, let's
20 see. Is that in here?

21 MR. BROCK: Right.

22 MR. ERIE: I mean, how's it -- how does it read?

23 MR. BROCK: Thank you very much.

24 MR. ERIE: Mm hmm (affirmative).

25 MR. BROCK: Where'd he go? He -- oh, there he is.

1 Okay. He moved.

2 (Pause)

3 MR. JOHNSON: Okay. I'm wondering what kind of
4 experiences do you need to --

5 MR. BROCK: Would you state your name, sir?

6 MR. JOHNSON: Okay. Marcus Johnson. Marcus Johnson.

7 MR. BROCK: Marcus Johnson. Okay. Go ahead.

8 MR. JOHNSON: I'm wondering what kind of experience
9 is needed to help on the drilling.

10 MR. BROCK: You're asking?

11 MR. JOHNSON: Yeah.

12 MR. BROCK: All right. Okay.

13 MR. EMERSON: What kind of job experience?

14 MR. BROCK: What kind of job experience, you mean?

15 MR. JOHNSON: Yeah.

16 MR. BROCK: Okay. That would strictly be up to the
17 oil companies that get the leases as far as what kind of jobs
18 would be available. The -- I think the EIS does mention some
19 jobs, but I don't know that it specifically -- it's specific in
20 the types of jobs. I don't know what the oil companies would
21 want to hire.

22 MR. JOHNSON: Okay.

23 MR. BROCK: As far as -- a lot of the exploration is
24 they bring their -- some of the people with their drilling rig
25 if they come in for exploration. But they do -- I do know that

1 they do hire some locals at the same time, but I don't know
2 what they do. That's -- that would be strictly up to them.

3 MR. EMERSON: We may be able to break that down in a
4 little more detail in the final EIS and get back to you on
5 that.

6 MR. JOHNSON: Okay. That's all I wanted to know.

7 MR. BROCK: Okay.

8 MR. EMERSON: All right.

9 MR. BROCK: Thank you. Sir.

10 PUBLIC TESTIMONY OF MR. MARVIN ADAMS

11 My name is Marvin Adams, and I'm here representing
12 the Yakutat Chamber of Commerce, and there is one issue that
13 I'd like to address. We had -- I had attended the workshop on
14 February 7th, 1996, and, at that time, was presented with the
15 Impact Statement for the offshore Yakutat Lease Sale 158. The
16 Board -- the Yakutat Chamber -- a board had met on February
17 19th, and this issue was presented to the Board of Directors.

18 The concern with the Board was that there was
19 inadequate time to review and digest the -- the full context of
20 the Environmental Impact Statement, that we're requesting more
21 time be given for our memberships to go over these documents
22 and find out what the impact it's going to have in the Yakutat
23 area and to the businesses and -- and to the community as a
24 whole.

25 So we are asking, at this time, that we have at least

1 another public hearing, and that we had also formally extended
2 an offer to the Mineral Management Service to do a presentation
3 to our members, all our -- our Chamber members, and we are now
4 extending this invitation to you at a -- a future date. And
5 we'd be more than happy to facilitate this process for our
6 members if, you know, you can do that.

7 So at this time, we don't feel we can actually take a
8 position on this Oil Lease Sale 158 at this time.

9 MR. BROCK: Okay. If -- yeah, if you want to set up
10 a particular date and time, if you'll give me a call, we'll
11 have somebody here.

12 MR. ADAMS: Okay. Thank you.

13 MR. BROCK: Sir, could -- I didn't get down your
14 name, what it was. Did you say Adams?

15 MR. ADAMS: Marvin Adams.

16 MR. BROCK: Marvin Adams.

17 MR. EMERSON: And we can make that a part of a
18 regular meeting, or it can be a separate, whatever is best.

19 MR. ADAMS: We would accommodate you if you give us
20 enough lead time. I would like to have all our.....

21 MR. BROCK: You set it up, and we'll be here.

22 MR. ADAMS: Okay.

23 MR. BROCK: If -- I mean if you can -- if you give me
24 a call far enough in advance, I know I can have somebody here.

25 MR. ADAMS: Okay. And we could discuss that

1 Environmental Impact Statement?

2 MR. BROCK: Sure.

3 MR. ADAMS: Okay.

4 MR. BROCK: And it -- now, that would not be a formal
5 public hearing, but yes, we could do that.

6 MR. EMERSON: They could still enter any comments.

7 MR. BROCK: In other words, we would -- we could get
8 your comments at that time and things, but we wouldn't have a
9 recorder and a board panel and all that.

10 MR. EMERSON: That's okay.

11 MR. ADAMS: I guess my formal request is to do
12 another public hearing.

13 MR. BROCK: Oh. I thought you meant -- I -- you said
14 you also wanted somebody to come down to attend a Chamber
15 meeting. Isn't that what you said?

16 MR. ADAMS: No. Well.....

17 MR. BROCK: Oh. Did I misunderstand you?

18 MR. ADAMS:we've extended that invitation, but
19 I'd.....

20 MR. BROCK: Oh.

21 MR. ADAMS:invite anybody and everybody in
22 Yakutat to attend that if they wanted to.

23 MR. BROCK: Oh. Okay.

24 (Inaudible comment)

25 MR. BROCK: We could definitely do that.

1 (Inaudible comment)

2 MR. BROCK: I don't know if we could have another
3 public hearing, but we could definitely come down and meet with
4 the Chamber. That's what I was responding to; that's what I
5 understood. We could definitely do that.

6 MR. ADAMS: Would other people besides the Chamber be
7 able to comment.....

8 MR. BROCK: Sure.

9 MR. ADAMS:during that time too? And would
10 that recording go into the.....

11 MR. BROCK: We wouldn't have a recorder, but we would
12 make some notes and get that information. We'd take it back --
13 we wouldn't have a recorder with us on that particular type of
14 a function.

15 MR. EMERSON: But those comments, you would be maybe
16 able to generate comments from that meeting and submit those in
17 writing. We can still deal with those directly in the Final
18 EIS as long as we receive them by April 26th.

19 MR. ADAMS: Maybe the next question is, What would it
20 take to do a public hearing?

21 MR. BROCK: I'll have to do some checking. That's a
22 formal process, and I will have to do some checking on that. I
23 can't answer that right here.....

24 MR. ADAMS: Because.....

25 MR. BROCK: I've never had a request for a second

1 public hearing, so.....

2 MR. ADAMS: Well, it's.....

3 MR. BROCK:that's not a.....

4 MR. ADAMS: We received the document on February 7th,
5 and then with a public hearing supposedly on the 22nd, and we
6 just don't feel we got adequate time to really -- you know, we
7 represent a lot of different businesses, and we -- there's a
8 lot of different views, and we -- as a Chamber, we, you know,
9 we got to make sure that we address all of the issues.

10 MR. BROCK: Right.

11 MR. ADAMS: Some of them are for it; some of them are
12 against it. You know, we got to give our membership full
13 opportunity.....

14 MR. BROCK: I can appreciate that.

15 MR. ADAMS:to voice their concerns because some
16 are going to benefit and some aren't, I mean.

17 MR. BROCK: Did somebody -- yes, sir.

18 (Pause)

19 PUBLIC TESTIMONY OF MR. GEOFF WIDDOWS

20 My name Geoff Widdows. I'm a 25-year resident of
21 Yakutat. I just basically want to reiterate what a few of the
22 other people have said.

23 You know, this EIS came to my house well over two
24 weeks ago, and I can't even get through a good book in that
25 length of time. And so I -- you know, I've had -- like a lot

1 of people, have felt they haven't had adequate time to think
2 about this. But some of the things that come to mind, you
3 know, that are issues that I'm sure are addressed in that
4 statement, but it reads an awful lot like an encyclopedia.
5 It's full of information, but it doesn't have much feeling.

6 The subsistence issue in this community is paramount,
7 and possibly it has been addressed in there and I've missed it,
8 but that can't be emphasized enough.

9 And the other thing that I wanted to say to you on
10 the record was that you had indicated before the meeting that
11 you had had a call-in program with the Valdez radio station,
12 and that's good. However, the people that will be affected
13 directly and indirectly by any offshore development out here,
14 that listening audience of that radio station, they're not --
15 it wasn't the right ones.

16 There's a radio station in Sitka that broadcasts to,
17 I -- I don't know all of the communities -- six or eight or
18 nine communities in Southeast Alaska. A good bunch of them are
19 fishing communities that fish in the Gulf, and I'm sure they
20 would be really eager to cooperate with a -- a call-in program
21 sometime in the near future.

22 But basically, I just -- I wanted to say that, and I
23 wanted to say that this -- this process, you know, you
24 mentioned earlier that you were asked not to hold hearings and
25 these types of things during the fishing season, and that's --

1 and that's good. I don't know what's a good time of year. You
2 know, this is a -- this -- this time of year there's an awful
3 lot of people.....

4 MR. BROCK: Right.

5 BY MR. WIDDOWS (Resuming):

6that have a strong interest one way or the other in the
7 possibility of development that aren't here.....

8 MR. BROCK: Right.

9 BY MR. WIDDOWS (Resuming):

10for whatever reason.

11 I -- I guess I can't really -- I don't have an answer
12 for the best time of year for something like this, but this
13 time of year, other than the fishing season, I would say
14 might -- may be the worst. And to close the comment period at
15 the end of April, I -- I just -- I think that's premature. If
16 you're truly interested in getting the feelings of -- of people
17 in the communities, that's premature. And that's all I wanted
18 to say. Thank you.

19 MR. BROCK: Thank you. Timing is always the problem,
20 because we actually had it scheduled earlier than this, and we
21 postponed it for this time and so.....

22 (Pause)

23 PUBLIC TESTIMONY OF MR. CRAIG SWANSON

24 My name's Craig Swanson. I'm here representing
25 myself and, hopefully, for the benefit of my children in the

1 years to come.

2 I just wanted to start off to saying that I do concur
3 with what Gayla Valle and -- and John Vale had previously
4 stated. I don't think I need to go back and revisit those
5 issues. I don't -- I can't see -- it says the estimated life
6 of the field is 19 years. I can't see basically selling out
7 for short-term profits for long-term habitat, potential
8 habitat, degradation and damage, especially in the Gulf. As
9 it's already been stated, that this is a subsistence community,
10 and most people feel very strongly about that lifestyle here.

11 Another thing that really concerns me is and -- and
12 Gayla kind of touched on it -- was the development of the
13 infrastructure with the addition of new jobs and effects on
14 Yakutat. And I guess I -- I hadn't read the EIS or anything,
15 and I -- I didn't even know that it was out or -- or there was
16 a publication or anything, but, you know, that could be my own
17 fault.

18 But anyway, be that as it may, I guess from my
19 understanding, is -- is the minimum amount of people would be
20 like 500 jobs, and then a maximum's like to 2,500 jobs that's
21 possible from this oil development, and which can increase
22 the -- the -- the whole population of Yakutat dramatically.
23 Once again, we -- as it is, Yakutat can -- barely has enough
24 land to go out, sell, as it is, for people. So I don't know
25 where are the lands going to come -- come from for the

1 additional people.

2 And also trying to build the -- the infrastructure to
3 support those people, and where all the money's going to come
4 from. And also after this -- the short-term field life of
5 maybe 19 years or whatever, if it even goes on beyond that, at
6 some point in time, it's going to be over. And that's where I
7 kind of -- even though I like the idea of having jobs for
8 people in the community, what happens when their jobs are gone
9 and then the community is stuck with the infrastructure that it
10 can't support?

11 So the people that have been here all along, the
12 other people that came in to do -- to do all the jobs, are
13 going to be moving off, and then the people of Yakutat, who
14 were here to begin with, are going to be stuck here trying to
15 support this huge infrastructure, and there's going to be no
16 way to do it. Not only do you say not only that, but the
17 habitat damage, the -- the degradation of the habitat and that,
18 the fishery systems, the subsistence lifestyle, it's all going
19 to change, and, you know, at that point in time, nobody's going
20 to be able to even go out there and get a clamshell off the
21 beach or go out there and catch a fish to go smoke, to make dry
22 fish or whatever.

23 So anyway, that's basically all I have, and thank
24 you.

25 MR. BROCK: Thank you. Anyone else? Sir.

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(Pause)

MR. SENSMEIER: I've kind of just been scribbling notes here. I thought I was going to a Fish and Game Advisory meeting and I -- I attend so many meetings I sometimes get confused.

MR. BROCK: Would you state your name, sir, for the record?

MR. SENSMEIER: My name is Raymond Sensmeier. I'm Vice Chairman of Yakutat Kwon (ph), Incorporated, the local Native corporation. I'm als-.....

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

MR. SENSMEIER: S-e-n-s-m-e-i-e-r.

MR. BROCK: Go ahead.

PUBLIC TESTIMONY OF MR. RAYMOND SENSMEIER

Vice Chairman of Yakutat Kwon (ph), the local Native corporation. Also President of Alaska Native Brotherhood. I echo the same concerns that John and Gayla and others have stated, so I won't reiterate any more on that.

I'd just like to ask you, How many of you watched the news tonight?

MR. BROCK: I was flying.

MR. SENSMEIER: Yeah.

BY MR. SENSMEIER (Resuming):

Well, there was a tanker spill that spilled 19

1 million gallons of oil, 17 million still on board. If that
2 were to happen out here, what would you do? You say you have
3 plans, you know, to -- to deal with such disasters. That's 8
4 million bigger than the Exxon Valdez.

5 If we were to have a spill of that magnitude, one
6 that just occurred today out here, what would you do? I don't
7 think you can do anything. If you -- if you had been able to
8 see this country when you flew in, you'd see that we have 90
9 miles of sandy beach between Cape Sakaleen (ph) and Cape
10 Spencer, probably, to is who live here, the most beautiful
11 country in the world.

12 We get over 50 percent of our -- of our food from the
13 land, from the ocean. We're called the Peoples of the Tides.
14 We harvest over 600 seals annually in this community, more than
15 any other community in the state of Alaska. Prince William
16 Sound has never recovered from the oil spill of the Exxon
17 Valdez. We still get requests from the villages up there for
18 seal meat because they don't have it. What's going to happen
19 when we don't have it? Who's going to send it to us?

20 All this for a few jobs. And as the young man
21 stated, What kind of jobs? You know, if you say 600 people, I
22 would say 585 of them would come from the outside. You know
23 that, and I know that.

24 You know, geologists have stated time and again, and
25 I don't -- won't reiterate on what John Vale said, but this is

1 one of the most seismically active areas in the world.
2 Geologists have stated that they would not live here.

3 On April 14th, 1995, the Board of Directors of
4 Yakutat Kwon (ph) submitted a resolution to the Minerals
5 Management. You should be in receipt of that resolution at
6 that time. It was a resolution opposing the United States
7 Department of Interior's Five-Year Outer Continental Shelf and
8 Oil Lease Gas Plan in Alaskan waters. Whereas -- I'll only
9 read in part:

10 "Whereas, the Department of Interior,
11 Minerals Management Service, has not
12 demonstrated the ability to prevent, contain,
13 and adequately clean up oil spilling in such a
14 coastal region as the Gulf of Alaska.

15 "Whereas, the community of Yakutat is
16 heavily dependent upon commercial fisheries and
17 subsistence fisheries for a livelihood."

18 We go on record opposing it.

19 One thing that isn't included in this, but you will
20 be receiving additional resolutions from the Alaska Native
21 Brotherhood, the Yakutat Tlingit Tribe, and the Yakutat Village
22 Council -- Yakutat Tlingit and Haida Village Council opposing
23 this. And -- and that is because of a -- one that isn't
24 included is tourism.

25 Our corporation is spending a lot of money on

1 tourism, and the risk is too great. Those two -- those two
2 things aren't compatible. Even if there were an oil spill, to
3 have all that stuff out there on the peninsula, and I've been
4 around gas liquification and things like that, and they smell
5 terrible. And when it's nice weather, the wind blows this way.
6 Thank you.

7 MR. BROCK: Thank you, sir. Anyone else that would
8 like to testify?

9 MR. VALE: I've got one follow-up comment that I
10 forgot.....

11 MR. BROCK: Okay. Come on down.

12 MR. VALE:in my stress.

13 MR. BROCK: In your stress (laugh). We're not
14 putting stress on you, are we?

15 MR. VALE: I -- I just put it on myself, I guess.

16 MR. BROCK: Okay.

17 FURTHER PUBLIC TESTIMONY OF MR. JOHN VALE

18 It's John Vale once again. And the one comment that
19 I meant to make, too, that I think needs to be put forward by
20 the Borough, and in some manner, I'd like to see reflected in
21 the EIS is that with development of the resources, providing
22 they find that, and the type of jobs and the population
23 increases that we'd all be expecting, you know, with 500 jobs
24 we're talking perhaps a couple thousand people. Those people,
25 after being here a year, will then become residents. And once

1 they become residents, they become voters. And they'll far
2 outnumber the existing population today.

3 So we, in essence, will be surrendering political
4 control over our future here because we will be outvoted. The
5 local residents and the issues that they have, you know, they
6 will be outvoted by the new residents that would be here. So
7 not only would we, you know, be risking our resources and our
8 lifestyle, we would be giving up our political control as well.
9 And, you know, that's an issue that I think needs to be spelled
10 out to folks here before anyone gets behind a -- you know, any
11 support for this. And that was my.....

12 MR. BROCK: Good point. Thank you.

13 MR. VALE:last comment.

14 MR. BROCK: Thank you.

15 MR. VALE: Thanks.

16 MR. BROCK: Anybody else?

17 (Pause)

18 PUBLIC TESTIMONY OF MR. JIM TURRATT

19 Hello. My name's Jim Turratt. I'm a four-year
20 resident here in Yakutat, and I commercial fish here locally.
21 Most of my concern for the opposition is that a small community
22 with limited amount of resources here, we've got a subsistence
23 lifestyle status to the community, and the Borough and the
24 federal agencies here, they all treat us as we use subsistence
25 for our main course of living here. If we have that many folks

1 come in and that many jobs and fishing poles and guns and --
2 we're going to lose our subsistence rights here, and we'll lose
3 our subsistence status as a subsistence community in the eyes
4 of the federal agencies.

5 And that's why I'm in opposition, because I like the
6 subsistence lifestyle myself. I'd hate to lose that. Thank
7 you.

8 MR. BROCK: Thank you. Anybody else? Okay, well
9 it's 8:25. Mayor, come on down.

10 (Pause)

11 PUBLIC TESTIMONY OF MAYOR DARYL JAMES

12 Good evening. I'm Daryl James. I'm representing
13 myself, and I'd like thank the opportunity for testifying, for
14 you holding this public hearing. I think there was ample time
15 in the process that was given. It was -- this sale has been on
16 for over, I think, looking at it, for a number of years. It
17 was on the last planning phase, and it was out there for five
18 years, I think, or more.

19 I share the concerns of all of those that have
20 testified before me and -- subsistence. I use the subsistence
21 resources also. I also look at the future of the community
22 with the way the direction the -- fishery is going in the state
23 of Alaska and worldwide.

24 There is ways to alleviate the concerns and I hope
25 the industry, if they -- if this goes out as a sale, it is

1 projected that the -- this emergency response equipment be
2 stationed in this area, set aside funds from the lease, and, if
3 the lease goes forward for leasing, for contingencies for
4 infrastructure in the communities that will be impacted, and
5 emergency response funds.

6 And this exploration phase, I think it'll last -- the
7 exploration will -- 5 to 10 years before it even goes to
8 production. The exploration phase will be handled as it was
9 handled in the 1970s, where the rigs and the workers primarily
10 flew in and got on their helicopters and went out to the rigs.
11 And coming back, they were -- they met their plane going south
12 at that time. There was no, or very little, economic impact in
13 this community from that sale in 19- -- I think it was the mid-
14 '70s.

15 MR. BROCK: Right.

16 BY MAYOR JAMES:

17 I can't remember exact dates but.....

18 MR. BROCK: '76, I believe it was. I don't.....

19 BY MAYOR JAMES (Resuming):

20that could be handled in that area, and these funding from
21 the lease sales or funding from the oil interests which handles
22 some of the help and assist in the infrastructure that they
23 would create.

24 And I don't think there was a concern voiced for a
25 liquification of natural gas. I don't think that'll -- that'll

1 ever occur in this area because of -- just because of the costs
2 that come with liquefying natural gas. And even bringing it --
3 bring it on shore and get it ready for shipment, it's -- unless
4 the market dramatically turns around and goes up a -- a many
5 fold, that probably won't ever occur here. But that needs to
6 be planned for anyway, and just like all the contingencies.

7 And the -- the deferrals of some areas upon written
8 comment of areas where they can move the explorations further
9 offshore in some areas or -- or eliminate altogether that -- as
10 Jay mentioned, that when people in Southeast Alaska re- --
11 refer to the Fair Weather Grounds, as the deferral is -- is
12 called, that is not the Fair Weather Grounds. It's in shore
13 from the Fair Weather Grounds itself. And I hope that will
14 be -- I don't know if the state -- the state may have asked for
15 that deferral, but that it's misleading, I think.

16 MR. BROCK: I believe they did, but I don't want to
17 make that a statement for sure because I can't remember.

18 BY MAYOR JAMES (Resuming):

19 So I'd like to say again about the emergency response
20 equipment, if the sale goes forward, and it -- and it doesn't
21 mean that the sale -- that exploration will go forward. That
22 will depend on the economics of the -- right now, the oil is --
23 what? -- \$18 a barrel, somewhere around there. It's been
24 fluctuating there between -- since the -- since it was taken
25 off the restriction for export, it -- it came up a little bit.

1 It's been hanging around at \$16 a barrel for the last 10 years,
2 I guess.

3 But emergency response equipment in the area,
4 contingency funds for infrastructure assistance and for
5 emergency -- emergencies, and handle it as it was handled in
6 the 1970 exploration. Thank you.

7 MR. BROCK: Thank you. Sir.

8 (Pause)

9 FURTHER PUBLIC TESTIMONY OF MR. RAYMOND SENSMEIER

10 I'd just like to say again that I didn't state who I
11 was representing. I -- I am representing the Yakutat Kwon (ph)
12 local Native corporation and Alaska Native Brotherhood.

13 One thing I think needs to be mentioned as far as the
14 location of any particular oil field, be it the Fair Weather
15 Grounds, inside the Fair Weather Grounds, south of the Fair
16 Weather Grounds, we have the Japanese current which flows this
17 way and what they call the Royers (ph) River, named after the
18 scientist Royers (ph). Are you familiar with that?

19 MR. BROCK: I've heard of it, yeah.

20 (Side comment)

21 MR. SENSMEIER: Yeah.

22 MR. SENSMEIER (Resuming):

23 And it flows right by here. It was one -- it was one
24 of the facts that was, I think, instrumental in helping us to
25 successfully fight the construction of the Windy Craige (ph)

1 Mine because if any -- if there were a -- an earthquake or a
2 tremor and the earthen dam broke and all the cyanide and
3 everything washed into -- down the river and into the ocean, it
4 would all come up on the beach, and as soon as it -- it got
5 exposed to the air, it would form sulfuric acid.

6 Well, fortunately, that we had that stopped, but I'd
7 like -- the Royers (ph) River is still there, and it still
8 carries things that come down that river up the coast. And we
9 are a fishing community. It affects virtually every fishing
10 river on the coast, all the way up to Cape Sakaleen (ph).

11 The other thing I mentioned that was on the news
12 tonight was that three or four hundred oiled birds are coming
13 ashore in the Aleutian Islands, and they -- they don't know
14 where those are coming from. Thank you.

15 MR. BROCK: Thank you.

16 (Pause)

17 MR. BROCK: Anybody else? Yes, sir. Redirect
18 (laugh).

19 MR. WIDDOWS: I'm going to keep you here all night
20 with these -- the things we keep thinking of as we go along
21 here.

22 MR. BROCK: That's fine.

23 FURTHER PUBLIC TESTIMONY OF MR. GEOFF WIDDOWS

24 My name's Geoff Widdows again, for the record. I was
25 reminded of an incident, or of a situation the last couple of

1 testimonies, as far as having an economic impact on this
2 community. In the '70s when the oil companies were here, one
3 of the things that was very obvious that happened was that the
4 property values -- I don't know what percentage -- doubled
5 maybe, basically overnight, falsely, and caused a burden on the
6 local residents only to be basically stuck with those inflated
7 property values after the fact.

8 And in today's situation, I could only see that it
9 would be worse. The increased interest in Alaska, the
10 increased mobility of people, the increased money available,
11 and I just think that this community would -- would be left
12 with a -- a big scar, economically, from something like this in
13 the long term.

14 I think that's what I wanted to say, because it
15 definitely was a factor in the '70s. Maybe some people weren't
16 aware of it because of their situation at the time maybe, but
17 it definitely was. Thank you.

18 MR. BROCK: Thank you. Anyone else? Well, it's
19 about 8:35 then, and if nobody else has anything that -- any
20 comments, we'll close the hearing. I want to thank all of you
21 for coming, and we're now closed.

22
23 (Whereupon, the proceedings in the above-entitled
24 matter were adjourned at 8:35 p.m.)
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TABLE OF CONTENTS

PUBLIC TESTIMONY

PAGE

MR. JOHN VALE	6/39
MS. GAYLA VALLE	19
MR. JAY ERIE	22
MR. MARVIN ADAMS	27
MR. GEOFF WIDDOWS	31/45
MR. CRAIG SWANSON	33
MR. RAYMOND SENSMEIER	36/44
MR. JIM TURRATT	40
MAYOR DARYL JAMES	41

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

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

I, **CINDY S. CARL**, do hereby certify:

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

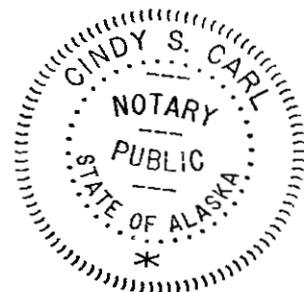
(2) That I have been certified for transcript services by the United States Courts.

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

SIGNED AND CERTIFIED:

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

DATE: 3/18/96



1 UNITED STATES DEPARTMENT OF THE INTERIOR
2 MINERALS MANAGEMENT SERVICE
3
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5

6 OFFICIAL TRANSCRIPT - PUBLIC HEARING
7

8 DRAFT ENVIRONMENTAL IMPACT STATEMENT - SALE 158
9 GULF OF ALASKA, YAKUTAT PLANNING AREA
10

11
12 Cordova, Alaska
13 Thursday, February 22, 1996
14 7:00 o'clock p.m.
15
16

17 MINERALS MANAGEMENT SERVICE PANEL MEMBERS
18

19 Ms. Judy Gottlieb, Regional Director of the Alaska
Outer Continental Shelf Region

20 Mr. Rance Wall, Regional Supervisor for Resource
21 Evaluation

22 Mr. Ray Emerson, Chief, Environmental Assessment Section
23
24

25 Proceedings recorded by electronic sound recording. Transcript
produced by transcription service.

2
3 (Tape No. 1 of 1)

4 (On record at 7:12 p.m.)

5 MS. GOTTLIEB:took the time to come out here
6 tonight. I'll go ahead and start the hearing.

7 My name is Judy Gottlieb. I'm the Regional Director
8 at the Minerals Management Service in Anchorage, and this is
9 your public hearing tonight, set up rather formally, but it's
10 because we want to make sure that this gets accurately
11 recorded. I hope you've had a chance to look over the
12 Environmental Impact Statement. If you have some other
13 questions, we'd be glad to, after the formal testimony has been
14 given, hold an informal session and try to answer some of your
15 questions.

16 With me on the panel are Rance Wall, the Regional
17 Supervisor for Resource Evaluation, and Ray Emerson, some of
18 you know already, our Chief of Environmental Assessment. This
19 is the last of three public hearings on the Gulf of Alaska,
20 Yakutat Environmental Impact Statement. Previously, we had one
21 in Anchorage, and last night in Yakutat, and the one here
22 tonight.

23 The purpose of this hearing is to receive your views,
24 comments, and suggestions on the Draft Environmental Impact
25 Statement. There are plenty of copies around here someplace,

1 and if you'd like to take one home, feel free to do so. The
2 draft covers about 5,000,000 acres, or 977 blocks. This is
3 shown on the maps there in the back. It's the area outlined by
4 the green line offshore. The other maps show some of the
5 alternatives that we have analyzed in the Environmental Impact
6 Statement, transportation routes and some of the wells that
7 have previously been drilled in the Gulf of Alaska.

8 The lease area is, of course, strictly offshore;
9 there's no onshore area involved at all. This is MMS'
10 jurisdiction, which starts at the three-mile limit and goes
11 seaward from there. And as you know, the state's jurisdiction
12 is from the coastline and out three miles. So we are from the
13 federal government, Department of Interior, and would be glad
14 to answer some questions afterwards about that.

15 The Minerals Management Service responsibilities are
16 to fulfill the mandates of the Outer Continental Shelf Land Act
17 and the Oil Pollution Act of 1990, amongst others. We also do
18 compliance with the National Environmental Policy Act, the
19 Clean Air Act, Clean Water Act, Coastal Zone Management Act,
20 and many, many others, as well as all the operating regulations
21 and safety features that are designed to make offshore
22 operations safe and clean.

23 The Environmental Impact Statement took over three
24 years to prepare, and you and other publics have been very much
25 a part of this process from the very start. We've now come

1 back to ask you what you think about this Draft Environmental
2 Impact Statement and for further suggestions for improvement.

3 We do have a recorder with us here tonight, Regina,
4 and if you would like copies of the transcript, you can make
5 arrangements through her.

6 Again, the main purpose of this hearing is to improve
7 the Environmental Impact Statement. The speakers won't
8 necessarily be questioned unless we need to clarify any points.
9 The comment period for this document closes April 26th. So
10 until that time, we'll accept written comments rather than oral
11 ones if you don't want to give any, or you can give both.
12 Making an oral comment tonight does not preclude you, by any
13 means, from making written comments. And the written comments
14 need to be sent to our address, which we have in the back of
15 the room there, 949 East 36th Avenue in Anchorage, 99508,
16 again, by April 26th.

17 So actually, if I can ask Dorne to come up first, and
18 please use the microphone up here. And if you don't mind just
19 spelling out your name, or I can give Regina your card, either
20 way.

21 MS. HAWXHURST: It's easier to pronounce my name --
22 the first name, if you drop the "e" off the end.

23 MS. GOTTLIEB: Okay.

24 MS. HAWXHURST: It's Dorne.

25 MS. GOTTLIEB: Dorne. Okay. Sorry. Thank you.

1 ball in addressing the socioeconomic and sociocultural impacts
2 of the proposed sale on Cordova. There -- you know, the area
3 of proposed effect includes offshore marine environment, Gulf
4 of Alaska, coastal plain, and the Yakutat Borough, and Cordova
5 is missing. Particularly the economic impacts of Cordova is
6 missing.

7 Although some of the sociocultural impacts are there,
8 those also are not, in my opinion, or in CDFU's opinion,
9 adequately addressed. Where are the cultural, social,
10 economic, political, legal, psychological, and other related
11 conditions that threaten us as a result of the sale?

12 At a minimum, I would hope that the next Draft EIS --
13 and I'm going to ask for another draft iteration of the EIS --
14 should be corrected to reflect the social and economic value of
15 the commercial fishing industry in Cordova, the industry's
16 dependence on a healthy marine environment, and the potential
17 negative economic effects of exploration and development in
18 that area on our fisheries-dependent economy.

19 Now, here's the real hard part for me, and I'm not
20 sure I'm going to say this in a very coherent manner, but I
21 don't think that will surprise you. The MMS' shifting base
22 case definitions is so confusing as to require an additional
23 draft iteration of the EIS for public review.

24 On Roman Numeral page IV, MMS states that, by
25 definition, a base case analysis, the effects of producing

1 hydrocarbon if commercial quantities are discovered in the sale
2 area. On several pages throughout the EIS, MMS indicates that
3 the range of resources for the base case and Alternative 1
4 varies from 200 to 400 million barrels deemed by MMS to be a
5 commercially viable quantity. And as I understand it, you
6 estimate that as a 40-percent probability.

7 But then on page 2-3, you say that under the new
8 National Resource Assessment, which I'll refer to as the NRA:

9 "Only a 5-percent chance that economically
10 recoverable resources of 200 to 400 million
11 barrels would exist."

12 On page 2-3, you also say that you will incorporate the new NRA
13 numbers into the final EIS.

14 During the public workshop here in Cordova on the
15 8th, your representatives indicated that MMS will seek legal
16 authorization from Washington, D.C., to perform some seemingly
17 magical, unprecedented base case definition shifting that
18 permits you to make the low case into a no-sale alternative,
19 the base case only into exploration, and the high case "drops
20 off the board." I'm confused, and I'm not alone.

21 The public's ability to perform any meaningful
22 assessment of the completeness, the accuracy, and the
23 defensibility of your findings, your conclusions, and your
24 recommendations is sufficiently hampered by this so-called
25 shifting of the base case definition as to warrant a second

1 public draft iteration of the EIS.

2 That's all I have for tonight. I appreciate the
3 opportunity to comment, and again, CDFU will follow up with
4 written comments about these and other perceived issues by the
5 26th of April. Thanks.

6 MS. GOTTLIEB: That'd be very good. Thank you. If
7 you don't mind leaving the written information for the
8 recorder, but if not, that's fine, too. Thanks very much.

9 Kim, I think you were next.

10 MS. HAWXHURST: Actually I don't, but I'll send it in
11 with my final.

12 MS. GOTTLIEB: That's great. Thanks very much.

13 PUBLIC TESTIMONY OF MR. KIM EWERS

14 My name's Kim Ewers. I'm a commercial fisherman in
15 the Cordova area, as well as Bristol Bay, resident of Cordova,
16 and Board of Directors on the CDFU. I don't have a prepared
17 statement, and for your information, I have not reviewed the
18 Draft EIS. I just wanted to make a few comments on the sale.

19 I'm opposed to the sale. I'm opposed to the concept
20 of a sale, oil lease sale, in this area of the Gulf. There's a
21 number of things I feel going on. We've been somewhat in
22 disagreement with Alyeska SERVS over oil spill contingency
23 plans for the Gulf of Alaska. I don't feel that these have
24 been resolved at this point. I'm not sure they will be
25 resolved to what I feel adequate protection for the areas that

1 would affect Cordovans and fishermen of this area, as well as
2 people that recreate in the area and the wildlife.

3 I don't think that the weather conditions have been
4 adequately addressed. I'm aware that there have been test
5 wells drilled in the area. I assume that they picked prime
6 weather, summertime, to go out and drill those. And as a
7 fisherman that has worked on these waters and known many people
8 that work regularly in the Gulf, it's a hellacious place to be
9 in the winter at times. And it's difficult to see how oil
10 production could be safely done all the time there due to --
11 due to the extreme weather conditions. That's probably my
12 biggest concern, the weather-related incidents and the fact
13 that cleanup of a spill would be next to impossible in that
14 area of the Gulf.

15 So for those basic reasons and the fact that I feel
16 that any type of oil spill, whether it be small or large, would
17 adversely affect this area of Alaska, the Area E fishermen.
18 And the people that enjoy recreation and wildlife in the
19 Cordova, Copper River Delta, Bering River areas, and all the
20 way down to Yakutat, actually, we have a strong westerly
21 current through the Gulf, as everyone that works these waters
22 is aware of, and it's going to bring anything from out there
23 our way.

24 So I thank you for your time and consideration.

25 MS. GOTTLIEB: Thank you very much for coming in

1 tonight. James.

2 PUBLIC TESTIMONY OF MR. JAMES MYKLAND

3 Hi. Yes. For the record, my name is James L.
4 Mykland. It's spelled M-y-k-l-a-n-d. I'd like to start off my
5 public comment concerning Lease Sale 158 with a copy of the
6 Anchorage Daily News, dated February 22, 1996. It's the front
7 page. It shows the -- it says -- the top here, it says:

8 "Tugs, tide ease. Sea Empress off rocks. Oil
9 tanker spills 19 million gallons."

10 To me, this is very auspicious. Close to seven years, almost
11 seven years, six -- I mean six years, eleven months and about
12 twenty days after the Exxon Valdez spilled its tragic disaster
13 here in the Prince William Sound waters. And here today, the
14 oil industry has not learned their lesson. We're still
15 polluting the waters of the world with oil. I don't get it.

16 To the United States Department of the Interior,
17 Minerals Management Service, Alaska OCS Region, I thank you for
18 the opportunity tonight to give my personal public comments
19 concerning Lease Sale 158, the Draft Environmental Impact
20 Statement.

21 My name is James L. Mykland. I reside in the city of
22 Cordova at 118 West Davis. My mailing address is P.O. Box
23 1241, Cordova, Alaska 99574.

24 I have personally been involved in the commercial
25 fishing industry around Prince William Sound for over 20 years.

1 Specifically, I started my employment in Alaska working on a
2 fish tender for the New England Fish Company out of Cordova in
3 1974. Since 1976, I have commercially fished the waters
4 between Cape Sakaleen (ph) and Gore Point. I was here when the
5 disaster known as the Exxon Valdez happened on March 24th,
6 1989. I am here seven years after the fact, and I am here
7 tonight to make my point concerning oil and gas development and
8 production in the Gulf of Alaska.

9 First of all, I would like to state that I support
10 alternate -- Alternative 2, which is no sale of the proposed
11 action and its alternatives. This equates to the cancellation
12 of the Lease Sale 158. That means neither potential
13 environmental effects nor possible oil and gas production
14 resulting from the proposed action would occur. So I say to
15 you, MMS, take a cue from the State of Alaska's Department of
16 Natural Resources' recent decision to delay until further
17 notice the State's Oil and Gas Lease Sale 79, which is just in
18 shore of your Lease Sale 158.

19 Commenting on the Draft Environmental Impact
20 Statement of the Gulf of Alaska, Yakutat Planning Area, Oil and
21 Gas Lease Sale 158, I point you to page I-5, section B,
22 paragraph 1. The last sentence you state, and I quote:

23 "On May 17, 1989, the Department announced the
24 decision to delay the next sale...."

25 Which was Sale 114.

1 "...to allow more time to assess the
2 consequences of the Exxon Valdez oil spill that
3 occurred in Prince William Sound."

4 What I would like to know is, What exactly has the
5 department, MMS, assessed, and what have they learned from
6 their assessment concerning this oil spill in Prince William
7 Sound?

8 The oil tanker Sea Empress' grounding at St. Ann's
9 Head at the tip of the western promontory guarding the mouth of
10 the Milford Haven Estuary (ph) on the southwest coast of Wales
11 leads me to believe that not a whole hell of a lot of has been
12 learned since March 24th, '89. Especially -- especially since
13 the Cyprus-registered, Norwegian-owned, and Russian crude
14 vessel, operating under a Liberian flag, was carrying Texaco,
15 Inc.-owned oil, traveling to its Milford Havens (ph) refinery.
16 Texaco's only comment was that it did not own the ship. In
17 their distorted way of thinking, this evidently dissolved (sic)
18 them of all liability concerning said oil spill.

19 There are indications that the total amount of oil
20 spilled by the Sea Empress could surpass the amount of oil
21 spilled by the Exxon Valdez, which, in the history of the
22 United States, was the most oil ever spilled by a oil tanker in
23 U.S. waters. So I ask the question, what exactly has the oil
24 industry and the United States government done to stop these
25 tragic environmental disasters from happening? From my own

1 observation, absolutely nothing. What lessons have they
2 learned?

3 On page IV-A-19, section C, subsection 3:

4 "Effectiveness of oil spill cleanup in the open
5 ocean."

6 And I quote. The MMS method of monitoring and weight natural
7 dispersion and evaporation approach does not strike me as a
8 cure-all for mitigating damages on the Copper River Delta.
9 This method of just monitoring and -- monitoring and awaiting
10 the natural dispersion of an oil spill, to me, is totally
11 unacceptable, period. I don't even want to see it as listed as
12 an acceptable method. That, to me, is just -- you're just
13 letting the oil pollute the waters. The Gulf of Alaska
14 deserves a lot better than that from MMS concerning this.

15 I have many concerns over the delicate wildlife
16 habitat that could be negatively impacted by this sale. And I
17 would like to see a lot more data research done for this DEIS.

18 Looking through the DEIS, I find no reference to the
19 social economic impact that could be attributed to the city of
20 Cordova and us residents as a result of this sale. I do not
21 understand that, since I make the majority of my personal
22 income in an area only less than 10 nautical miles from this
23 lease sale, why the MMS did not include possible impacts on my
24 livelihood and on the city in which I reside.

25 In general, I do not understand the reasoning for the

1 MMS to go ahead with this type of resource extraction without a
2 total conservation energy plan that should go hand in hand with
3 any and all oil and gas development in our country. What I
4 mean is that it does not make a lot of sense to me that we have
5 relaxed our standards of fuel economy of today's automobile,
6 and we are in fact encouraging the higher consumption of oil
7 products by doing away with the speed limits on our nation's
8 highways.

9 Why are we pushing more for oil exploration when the
10 price of North Slope crude has not changed much in the last
11 five years and is still at the rock bottom price of between 16
12 and \$18 per barrel? In fact, we are consuming more oil than we
13 ever have before, and we have no nationwide energy plan that
14 pushes for conservation instead of mindless consumption. I
15 just don't get it. Am I missing something here?

16 Maybe the MMS could supply me with the oil
17 conservation policy of the United States and how it equates
18 with the Lease Sale 158. Or is the MMS only interested in
19 making sure our natural resources are exploited to the limit?
20 I will not personally be a party to an extraction of a natural
21 resource that could negatively impact everything that I hold
22 true and dear. The MMS has made the legal -- has maybe the
23 legal right but, in my opinion, does not have the moral right
24 to put in danger an area that has -- where the most pristine
25 coastal habitats along the west coast of the United States.

1 I feel it is a travesty of justice that MMS has used
2 federal tax dollars to put together a lease sale that has no
3 community support, does not take into account the state of
4 Alaska's recent decision concerning said area, and is -- the
5 last but not least, is putting together a lease sale that is an
6 outright total waste of taxpayer money.

7 I am also close to the end of my rope in having to
8 deal with the oil industry and the governmental bureautic
9 (sic) -- bureaucratic allies these past seven years. And I
10 cannot wait for our nation to elect a leader who has the guts
11 to stand up to the oil companies, enabled to say enough is
12 enough.

13 In closing, I adamantly object to Lease Sale 158, and
14 consequently, I advise the MS (sic) -- MMS, to put their Draft
15 Environmental Impact Statement in a place where the sun don't
16 shine. Once again, thank you for the opportunity to speak
17 tonight, and take my advice -- choose alternate --
18 Alternative 2 and cancel the lease sale before you waste any
19 more of my time and yours. My patience has started to wear a
20 little thin.

21 And I'm not going to turn in a written comment
22 tonight, but I will send one before the due date is up. Thank
23 you.

24 MS. GOTTLIEB: That'd be great. Thank you. Riki,
25 did you want to testify next?

1 MS. OTT: Hmm?
2 MS. GOTTLIEB: Did you want to testify next?
3 MS. OTT: Yeah. Don't I look ready?
4 MS. GOTTLIEB: Well, I was going to check with you.
5 MS. OTT: The sooner I get called, the less I'll have
6 to say, I'll put it that way. I went skiing today, unlike
7 James. James, I think you should have. Where's James? I'd be
8 happy afterward -- I haven't read it all yet, but I've got
9 extensive comments on what I have read, and I'd be happy to go
10 through some of the comments. I'm going to try to hit the
11 highlights tonight.

12 MS. GOTTLIEB: That'd be great. Sure.

13 PUBLIC TESTIMONY OF MS. RIKI OTT

14 First I want to -- oh, my name is Riki Ott, and I'm
15 testifying on behalf of myself. I'd like to first correct
16 something that I said on KCHU radio when you folks were on a
17 couple of days ago, and that was regarding the -- I got the
18 term mixed up, although the function of the person was
19 accurate. I mentioned that the State did not have OSC, and
20 that was -- I identified that person as the one going to the
21 Alaska Regional Response Team meetings and being up --

22 MS. GOTTLIEB: Mm hmm (affirmative).

23 BY MS. OTT:

24and being trained to respond to an oil spill. And it's
25 not an O -- OSC, it's Alaska State Trustee for Natural

1 Resources. And after I talked to you on KCHU, I did call and
2 make some checks, and we do not. In fact, we are the only
3 state without one.

4 MS. GOTTLIEB: Hmm. Okay.

5 MS. OTT: But that may be corrected by the end of
6 March. The Governor is being made aware of it. But right now,
7 it's -- we don't have one. So.....

8 MS. GOTTLIEB: Okay.

9 MS. OTT:with all this pushing for oil, we
10 don't have the commitment from the State to protect us and be
11 prepared to respond to spills as would be identified by having
12 this person.....

13 MS. GOTTLIEB: Mm hmm (affirmative).

14 MS. OTT:filled. Okay.

15 BY MS. OTT (Resuming):

16 Also, I want to say right off that I do support
17 Alternative 2, which is cancellation of this lease sale.
18 The -- basically, the area at risk includes the Yakataga State
19 Game Refuge; the Chugach National Forest, which is the second
20 largest in the nation; the Copper River Delta is a western
21 hemisphere shorebird reserve network. It in fact hosts the
22 largest concentration of migrating shorebirds in the world and
23 is a bottleneck pretty much for the Pacific flyaway.

24 It's also, I'm sure as you know, a Fish and Game
25 critical habitat area; there's over 40 species of mammals.

1 It's a -- I think it was designated critical habitat because of
2 the stellar sea lion. And also, of course, we have the fishery
3 in this area, which has sustained Cordova since the 1989 oil
4 spill, which is now where I want to go because this fishery is
5 the only fishery left that is not suffering impacts from the
6 oil spill.

7 And I believe that MMS should cancel or, at a
8 minimum, defer the Lease Sale 158 due to continuing impacts
9 from the Exxon Valdez oil spill. We've got impact still on
10 herring, pink salmon, birds, mammals. It goes on and on, and
11 not to mention still are the human impacts on subsistence and
12 economics in this town.

13 The plan to restore it, it's ironic, on one hand,
14 that you have the federal government, in terms of the EVOS
15 Trustee Council, with a restoration plan charged with restoring
16 the resources injured from -- from the Exxon Valdez spill, and
17 on the other hand, you have another agency, another federal
18 agency, potentially adding more risk and more damage to these
19 resources. So it seems to me that MMS is essentially turning
20 its back on the EVOS restoration process.

21 On May 17th in 1989, MMS did defer Lease Sale 114,
22 which I think was in the Cook Inlet area, and the reason was
23 because this area was directly affected by EVOS, and that the
24 sale should be delayed until more of the consequences of the
25 spill were known and the relationship of the consequences and

1 the -- this lease sale to the damaged area were known. And I
2 believe that that reason still stands today.

3 We haven't -- the -- this chapter isn't closed yet.
4 We have not -- we don't know all the impacts from EVOS. I
5 mean, in January I'm sure some of you must have attended the
6 summary, you know, the annual summary, and, I mean, it goes on
7 and on and on. Okay.

8 The environmental track record of the oil industry in
9 more populated areas -- and I'm specifically referring here to
10 Cook Inlet -- is pretty atrocious. They have a legacy of
11 pollution of air, water, and land. In fact, they have some of
12 the highest annual levels -- annual. I mean, this is going on
13 to this day -- highest annual levels of toxic releases in any
14 county or borough in all of EPA Region 10. And I'm -- to be
15 fair, this isn't all attributed to the oil industry, but they
16 certainly are a main contributor. I'm thinking here of Poppy
17 Lane with their illegal dump sites for drilling mud waste.

18 Yakataga is even a more remote area than this area,
19 and I'm really worried that if -- if they're doing this kind of
20 work in Cook Inlet, what in the world are they going to be
21 doing when they cut loose down in Yakataga? Also, it's the
22 only area in the country which has an exemption for zero
23 discharge for the oil rigs, and this is backed by the state
24 legislature.

25 I just got House Joint Resolution 59, which was

1 introduced on the 12th of February, and it basically requests
2 EPA to let the oil industry operate to the existing -- the
3 standard they have currently instead of improving them and
4 bringing them up to the rest of the nation. I just think that
5 the oil industry in this state needs to catch up to the twenty-
6 first century before it's over with, in terms of oil spill
7 cleanup and prevention and handling of their waste.

8 And for that matter, on that note, the oil industry
9 is also continuing to resist efforts to prevent pollution. I'm
10 thinking here not only of the oil rigs, as I mentioned on KCHU
11 Coffee Break, but also the tractor tugs, which I also
12 mentioned. The oil industry is using these in the rest of
13 the -- well, in ports elsewhere in the United States and the
14 rest of the world, and they're resisting using them up here,
15 primarily because of politics. And, I mean, you know, there's
16 2,500 people in Cordova. It's just not enough people to really
17 leverage these guys, especially given the political climate
18 towards oil.

19 That doesn't mean we deserve any less. It just means
20 we can't seem to get it, which points to a double standard by
21 the oil industry. But at any rate, I believe that MMS has
22 failed to adequately address the pre-lease sale stress. It
23 seems you -- to be fair here, you are -- you're identifying it
24 at least now, which is a step in the right direction. And I'm
25 thinking this is probably from the studies by Freud and Berg

1 (ph) and Gramlin (ph), and so you're -- you're at least
2 identifying it.

3 But -- but then what? I mean, how are you planning
4 to mitigate it? It's there. What are -- what are we -- what
5 are we going to do about it? It seems that in not dealing with
6 it, you're transferring the risk from the beneficiaries of this
7 lease sale, which is the oil industry, to the local
8 communities, which are essentially innocent bystanders. I
9 mean, the risk is real. What are we going to do about it?

10 If -- I think you also fail to adequately address the
11 energy alternatives, as James spoke on briefly. This is an
12 area that's been identified as low potential for oil. It seems
13 to be a violation of NEPA, in not finding -- not saying where
14 you could make up for this small amount of oil by energy
15 conservation practices.

16 I'm going to just make a broad sweeping statement
17 about the -- the Draft EIS being scientifically deficient. And
18 what I'm referring to here is that the National Academy of
19 Science, in 1989, wrote a report called "The Adequacy of
20 Environmental Information for OCS Oil and Gas Decisions." And
21 this was -- is what led to the -- basically the Presidential
22 moratorium everywhere except the Gulf of Mexico and Alaska.
23 And it -- it seems that there was a charge that there was
24 inadequate scientific information based on physical
25 oceanography, ecology, and socioeconomics. The report targeted

1 California and Florida, but surely we should have the same
2 standards as California and Florida.

3 And I notice in your handout that you had the number
4 of studies and the cost of those studies, and I was just
5 wondering how, if I can -- well, maybe I can divert this to
6 later, but it did occur to me. How recent are some of these
7 studies? So that might be something you could ask later --
8 answer later. All right. Okay.

9 So I think I'd like to switch now -- well, some --
10 some of the big -- there are three big problems that I see in
11 the scientifically deficient charge, that there's an emphasis
12 on the probability of spills rather than the effect, and
13 there's not enough attention to what happens in shore and
14 onshore and in estuaries from a spill. And also, the sublethal
15 and chronic effects are largely ignored. And I have some
16 specific examples from this DEIS that the risk is understated
17 and the cleanup ability is overstated.

18 On table -- now, here we go. On Table 4A-3-1, on
19 page A-11, or 12, it -- this whole table is -- which is a --
20 the weathering scenario for a spill, an open water spill. The
21 assumption in the footnotes at the bottom are -- in the winter
22 are for 17.6-knot winds and 2-meter-high waves. Exxon Valdez
23 was really unique in spilling when it was flat calm, and
24 usually it's really honking when there's an oil spill. And I
25 just think with all the computer modeling that you guys have,

1 maybe you could plus in some different wind speeds and wave
2 heights.

3 Also, the tankers, there's some statements about --
4 on page 4A-6 about -- this is also referring to the risk being
5 understated. There's a -- here the quote is:

6 "For world-wide tankers, the spill rate based on
7 volume of oil handled has remained constant over
8 time."

9 Well, the tankers have grown larger over time, which means that
10 there's fewer tankers carrying more oil. So if you were to
11 assess the spill on actual tankers, you would find that
12 there's -- it's been increasing over time. In other words,
13 look at the number of tankers that are spilling versus the
14 volume of oil being carried. So I think that's a misleading
15 statistic.

16 And also, I didn't understand, on that same
17 paragraph, on A-6, you have here -- you -- you have -- your
18 assumption of the spill rate to the west coast is based on the
19 assumption that 50 percent of the tanker spills will occur on
20 the outbound portion of the journey. Well, I can only assume
21 from this that you're assuming that the other 50 percent is
22 going to occur inbound. But really we're talking outbound is
23 when they're carrying 100 percent of the oil. So it seemed to
24 me that this statistic is also misleading in that it downplays
25 the risk from a spill.

1 And I've got to say that these were just things that
2 popped out at me when I was flipping through here, and I have
3 got quite a few of those comments throughout this whole thing.
4 But at any rate, I -- because KCHU radio wasn't the proper
5 forum, I just want to restate again my concerns on page A-12
6 about the general -- you have this broad statement of the areas
7 adjacent to the lease sale area, and you break them down into
8 environmentally sensitive resource areas. And there's some
9 pretty sweeping statements about 15-percent coarse grain
10 beaches.

11 Well, all of the Gulf of Alaska is basically adjacent
12 to this lease sale, so I was thinking if you had some maps that
13 showed like, specifically, the Copper River Delta, how much of
14 the Copper River Delta is that 15 percent? Is it like 100
15 percent of it? Or I was thinking if you -- and I know that you
16 said on KCHU that you have these breakdowns, and I think that
17 they might be useful in here to show where the areas that are
18 really high risk.

19 MS. GOTTLIEB: Mm hmm (affirmative).

20 MS. OTT: Okay.

21 BY MS. OTT (Resuming):

22 On A-21, there's also -- this is -- this all -- all
23 relating to understated risk and overstated cleanup. There's
24 this grand statement that, 'Don't worry. If the federal on-
25 scene coordinator determines that the spiller is not providing

1 for an effective response, then the spill can be federalized.'
2 We know that is just not going to happen. It's not going to
3 happen because of liability.

4 So, I mean, it's completely unrealistic why you're
5 even going to say it. We -- we went through this with Exxon.
6 It's not going to change with any other spill where there is a
7 identified spiller, just because a liability. So we're going
8 to be stuck with a spiller, and we're going to be stuck with
9 lawsuits. Okay.

10 Just a few comments on the weathering section, the
11 fate and the weathering of oil. I was really disturbed here
12 when you -- or when MMS -- here we go. It's on -- yeah,
13 page A -- 4A-10 talks about the concentration of oil in the
14 water column and uses Exxon's data from the Exxon Valdez oil
15 spill.

16 Exxon's data, especially their water carbon -- water
17 hydrocarbon chemistry, they broke all kinds of scientific
18 statistic laws when they averaged data. I mean, they averaged
19 it every which way. They averaged -- after the spill, at first
20 they took -- they set up stations all around the Sound. This
21 is in -- I analyzed the government science and Exxon science on
22 key studies. And what Exxon did, was they -- they took
23 sample -- water samples from stations that haven't even been
24 oiled yet and they averaged them into the oiled areas. And
25 then when the oil got everywhere, they took them by depth and

1 averaged that way. And so yeah, they got really low water
2 column samples.

3 But even in Exxon's data -- and I will make sure I
4 dig this out -- you quote that the water column ranged from one
5 to seven parts per million near heavily oiled beaches. Even in
6 Exxon's data, they found pockets of 30 to 50 parts per billion
7 like in July and August. So the concentrations were higher.
8 Why is that important? Okay.

9 On your page -- let's see -- page B-16, you start
10 talking -- 4B-16 and 17, you start talking about the
11 concentration of oil that's anticipated in the water column
12 after a spill. And -- and I have to agree with Dorne here.
13 It's a little bit hard to follow, but the bottom line is 8 to
14 13 parts per billion. And then you actually start -- and I'm
15 going to take your small spill scenario. And you estimate
16 there that it's 67 to 285 parts per billion in three days after
17 a spill in up to 10 kilometers squared, or 3 parts per billion
18 after 30 days in 190 kilometers squared.

19 Well, there are data that suggest from the Exxon
20 Valdez oil spill that, specifically, Auke Bay has found that
21 pink salmon embryos accumulated hydrocarbons at levels at least
22 80 times the ambient water concentration, and effects were
23 observed on survival, metabolism, and osmoregulation at
24 hydrocarbon levels that could not even be detected in the test
25 water.

1 And this is from a 1994 study, Rice, et al. So also,
2 Holworth (ph) who -- Holworth (ph), who is a professor at
3 Cornell, cites a National Academy of Science 1985 study that
4 pointed out numerous biological effects that occur at
5 concentrations of dissolved hydrocarbons as low as one part per
6 billion or less.

7 Your scenario is -- your scenarios are like up to
8 three orders of magnitude over that, and that's from a small
9 spill. So we're seeing effects. We're seeing effects at the
10 low levels that you're even citing in here. We're seeing
11 genetic effects and chronic effects in -- from Exxon Valdez and
12 from elsewhere around the country. Okay.

13 I am almost done. I -- I would like a clarification
14 on A-8. I just didn't get it. Maybe I could just do this
15 afterward, but on page A-8 there's a statement that the
16 conditional probabilities assume that a spill has occurred and
17 refer only to the likelihood that a spill would follow a
18 certain path. So I looked back on the tables in the footnote
19 and discovered that there was a 18-percent probability.

20 So if I read this right, does that mean that there's
21 a 100-percent probability that a spill has occurred and there's
22 only 18-percent probability that this spill is going to follow
23 this path? That means that there's 82 percent that is
24 completely unknown and you don't know where the spill is going
25 to go? I just didn't get that statement. So it kind of makes

1 it hard to comment.

2 MR. EMERSON: Any time it says a conditional
3 probability, it's assuming a spill occurs.

4 MS. OTT: Right.

5 MR. EMERSON: And any qualifier in terms of the
6 percentage risk is just putting it into the perspective of what
7 that volume and that spill rate represents. But what we do
8 when we say conditional probability, we're assuming a spill
9 occurs.

10 MS. OTT: Okay. So then the 18 percent in some of
11 these charts means that your model is only good at 18 percent?
12 Let's see what this -- table this is referring to.

13 MR. EMERSON: Well we could work on that afterwards.

14 MS. OTT: Yeah. We better work on that. I'll work
15 on that after with you guys, because I didn't get it. Okay.

16 BY MS. OTT (Resuming):

17 The mitigation stuff I found was grossly inadequate.
18 For Lease Sale 79, I ran through some mitigation measures, and
19 I can just run them through again real quick. One thing is
20 there could be a zones of dispersant use, because we know the
21 industry will want to use dispersants. So when is dispersant
22 use appropriate, when isn't it? Automatically; no questions
23 asked. Okay.

24 Some of the mitigation measures I -- well, maybe
25 I'll -- well, I had a bunch where portions of the lease sale

1 revenues would go to the cit- -- the communities at risk for
2 various things like public health improvements, strengthening
3 programs at local crisis centers. I mean, we know that -- from
4 experience, that we're -- we're way deficient in that when --
5 if we have a spill. Also, to establish like a keeper program,
6 like they have over in Cook Inlet.

7 Also to put a mechanism so that the proportionate --
8 a proportion of the revenues could be -- go into collecting a
9 baseline data, which is inadequate, and to monitor impacts.
10 Also, we could allow only segregated ballast water tankers to
11 on and offload -- I mean, to offload ballast water because,
12 otherwise, they're going to have to have a BWT out there, and
13 that -- and that just raises all kinds of specters of
14 inadequate monitoring. I mean, there's inadequate monitoring
15 right now at the Alyeska BWT.

16 In 1991, the TAPS tankers were caught -- literally
17 caught -- smuggling illegal oily ballast -- oily waste into the
18 ballast water. That's at -- in Port Valdez, one of the
19 supposedly most highly regulated oil facilities in the U.S.
20 What the heck are they going to be doing out at Cape Yakataga?

21 You could -- we know this is a real high risk area
22 for -- the Coast Guard studies have shown that tankers in the
23 Gulf of Alaska really get beat up. So you could require an
24 annual drydock inspection of any tankers that are used in this
25 area, and you could require tractor tugs on standby at Icy Bay.

1 That's pretty much it.

2 So basically, I've concluded that the risks far
3 outweigh the benefits, and this whole sale should be pulled.

4 MS. GOTTLIEB: Okay. Thanks, Riki. We'll be glad to
5 talk with you after the hearing concludes, too. John, you
6 wanted to say a few words?

7 (Pause - Side comment)

8 PUBLIC TESTIMONY OF MR. JOHN BOCCI

9 Good evening. My name is John Bocci, B-o-c-c-i. I
10 don't have a prepared statement, and I'm not feeling
11 particularly articulate. In light of previous testimony,
12 anything I said tonight would be redundant, so I would just
13 like to go on record as saying that Cordova has absolutely
14 nothing to gain by this. We have only to lose. I'm opposed to
15 Lease Sale 158. Thank you very much.

16 MS. GOTTLIEB: Okay. Thank you for attending
17 tonight. Appreciate it. And Bob, you had signed up to talk?

18 MR. HENRICHS: Sure.

19 MS. GOTTLIEB: Great.

20 PUBLIC TESTIMONY OF MR. BOB HENRICHS

21 Hi. My name is Bob Henrichs, P.O. Box 299, Cordova,
22 Alaska. I'm the President of the Traditional Council, Native
23 Village of Eyak.

24 I don't like to see the United States waste money
25 doing studies on an oil lease sale on the Outer Continental

1 Shelf when the question of who has title to the Outer
2 Continental Shelf is in the courts. The tribes in the Chugach
3 region have filed a suit against the United States, and they've
4 claimed the original title to the Outer Continental Shelf from
5 the east side of Icy Bay to the Barren Islands.

6 If I tried to sell something that the United States
7 claimed they owned, they'd send people with guns after me. But
8 they have no problem with trying to sell something that -- that
9 we own, and then we have to go hire lawyers and go to court.
10 The playing field is tilted in their favor, and that's the way
11 they've treated Natives since the first white man came to North
12 America and Alaska.

13 We own that Outer Continental Shelf. There's a
14 Supreme Court decision that said our aboriginal rights were not
15 extinguished by ANCSA. We own Middleton Island. Our -- our
16 tribe, many of our -- the members of our tribe make their
17 living in the fishing industry. I personally have fished the
18 Controller Bay area in the winters for crab, and that's real
19 tough country down there. There's no place to hide. If they
20 ever have an oil spill down there, all that oil will go with
21 the predominant current, which is from east to west, and a lot
22 of it will end up in Prince William Sound.

23 When the -- that cruise ship burned and sank a few
24 years ago, it was the Christiandam (ph), I believe, many of the
25 lifeboats that they abandoned when they rescued the people --

1 and this happened out in the Gulf of Alaska -- ended up inside
2 Prince William Sound. Icy Bay Logging Company recently lost 50
3 bundles of logs, and it -- they're headed this way, and it will
4 be interesting to see where they end up.

5 And personally, on a personal note, I don't want to
6 see any oil development out there. The Controller Bay area is
7 one of the last still thriving ecosystems left that hasn't been
8 screwed up by man, and if they have any oil spills out in that
9 area, that oil's going to hit in there and it's going to do
10 some serious damage there. If -- the only miracle is that
11 there hasn't been another oil spill in Prince William Sound,
12 and it's been real close.

13 And if the -- the Exxon Valdez Oil Spill Trustees
14 Council is an example of how they restore damage from an oil
15 spill, then we're in trouble because they think that that money
16 that they have should be spent to buy Native lands back and get
17 the land out of Native hands. They don't spend -- very little
18 money to do any restoration. We're still suffering the effects
19 of that oil spill. It -- it's damaged this fishing industry
20 really heavy in this town. And that's all I got to say.

21 MS. GOTTLIEB: Appreciate you coming out tonight.
22 Anyone else who would like to make a statement?

23 (No audible response)

24 MS. GOTTLIEB: Well, I'll close the public hearing,
25 and for those of you who have further questions or want to talk

1 informally, we'll be available, and thank you very much for
2 taking the time. We have heard what you have to say, and we'll
3 get your message back to Washington and see what we can do to
4 make some changes too. Thank you.

5 UNIDENTIFIED SPEAKER: Yeah, I do have one question.
6 You mean to this date.....

7 UNIDENTIFIED SPEAKER: Are we going to talk
8 informally?

9 MS. GOTTLIEB: We'll go off the record.

10
11 (Whereupon, the proceedings in the above-entitled
12 matter were adjourned at 8:00 p.m.)
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18
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20
21
22
23
24
25

TABLE OF CONTENTS

PUBLIC TESTIMONY

PAGE

MS. DORNE HAWXHURST	5
MR. KIM EWERS	8
MR. JAMES MYKLAND	10
MS. RIKI OTT	16
MR. JOHN BOCCI	30
MR. BOB HENRICHS	30

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

