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UNITED STATES HOUSE OF REPRESENTATIVES
HOUSE RESOURCES COMMITTEE
FIELD HEARING IN KAKTOVIK ON
H.R. 770 MORRIS K. UDALL ARCTIC WILDERNESS ACT
TESTIMONY OF
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ON BEHALF OF THE ALASKA WILDERNESS LEAGUE

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Mr. Chairman and members of the House Resources Committee, thank you for inviting me to testify on H.R. 770, the Morris K. Udall Arctic Wilderness Act. This significant piece of legislation will formally designate the 1.5-million-acre 1002 coastal plain area of the Arctic National Wildlife Refuge as wilderness in recognition of its extraordinary and unique values. As part of the National Wilderness Preservation System, the Arctic Refuge coastal plain will be off-limits to any industrial development. By designating the Arctic coastal plain wilderness, Congress will permanently protect the truly wild character of this spectacular and wildlife-rich land that is wedged between the Brooks Range and the Beaufort Sea. Congress will also protect subsistence resources and access that are specific purposes of the Arctic Refuge today.

I'm honored to be testifying in full support of this wilderness legislation at this first field hearing in Kaktovik. However, I'm surprised and extremely disappointed that three days ago the House Resources Committee passed Energy legislation that would allow oil development on the coastal plain, which would destroy the wilderness values of the area. I speak in opposition to H.R. 39, the Arctic Coastal Plain Domestic Energy Security Act of 2003 that would allow drilling and was basically wrapped into the Energy bill earlier in the week. Why hold what appears to be a disingenuous field hearing after the committee has already made its decision on the issue at hand?

Having lived in the Gwich'in village of Arctic Village, I'm also disappointed that some members of your committee have traveled a great distance to attend this hearing, yet your committee has declined the invitation to stop in Arctic Village, a community that lies on the southern boundary of the Arctic Refuge. The Gwich'in people have depended on the wildlife resources of the Arctic Refuge for many thousands of years, in particular the Porcupine Caribou Herd. The Gwich'in Steering Committee has asked me to hand-deliver their invitation to hold a hearing in Arctic Village, and their testimony to you. I submit their heartfelt words into the record.

Introduction

I have been asked to testify about the wilderness values of the Arctic Refuge coastal plain on behalf of the Alaska Wilderness League and other conservation organizations. Over the past 28 years, I have explored the Arctic National Wildlife Refuge on numerous occasions, hiked across the coastal plain, assisted with a wilderness study of the 1002 area, shared incredible wilderness experiences with my family, and written several books and publications about the wilderness and wildlife of the Arctic Refuge. Like the people of Kaktovik and Arctic Village, I love the wilderness, the beauty, and the extraordinary diversity of wildlife of the Arctic Refuge with my whole heart and soul.

There are some wild places in the world that are so special and unique that they deserve full protection from industrial encroachment. The coastal plain of the Arctic National Wildlife Refuge is one of those extraordinary places on earth that we should permanently protect for the benefit of the wildlife that depends on these coastal lands, the truly great wilderness itself, and for the Inupiat and Gwich'in people who have depended on the subsistence resources of the coastal plain for thousands of years. By fully protecting the coastal plain, Congress will also bequeath to all Americans, and the world, an unmatched wilderness legacy. I am here today to share with you my views of why the coastal plain of the Arctic Refuge is so special and deserving of full wilderness protection.

Wilderness and Subsistence Hunting and Fishing

If the coastal plain is designated wilderness, it will protect the subsistence resources and cultural values of the Inupiat and Gwich'in peoples. While oil fields restrict people and hunting access with the complexity of infrastructure, pipelines, security checks, coastal plain wilderness would continue to allow subsistence hunting and fishing, berry picking, camping, and traditional access by snow machine and boats. Subsistence hunting and fishing opportunities are clearly protected in ANILCA under Title I and Title VIII, and through the Arctic Refuge management purposes. Nothing in the wilderness bill would change these basic purposes of the refuge.

Simply put, coastal plain designated wilderness will protect the area from industrial and commercial-scale developments and road building. Subsistence hunting and fishing opportunities will continue as they always have.

Wilderness and Other Wildlife on the Coastal Plain

I always marvel at the diversity of birds when I visit the coastal plain during the nesting season. Graceful tundra swans mate for life and fly to the Arctic Refuge each year from places like Chesapeake Bay. The American golden plover makes a 10,000 mile migration from the Pampas in Argentina to nest on the tundra. Lapland longspurs sing their hearts out in the stiffest of arctic gales. Four species of loons can be spotted on ponds and in the lagoons. Golden eagles and snowy owls might glide by you. I love the birds of the coastal plain and marvel at their dramatic annual migrations.

The coastal plain provides habitat for 135 species of birds, including 70 regular nesters. Birds come from all 50 states, Mexico, Central and South America, the mid and South Pacific Islands, Asia, and even Africa and Antarctica. The coastal plain is a critical migratory destination for birds from nearly every continent.

While wilderness would protect this vital birthplace, oil field development would destroy and fragment bird habitat. Noise, general disturbance and pollutants from oil spills and other activities would degrade habitat. Recent findings reported by the National Research Council indicate that the oil fields have increased populations of ravens, gulls and foxes that are attracted to human food and garbage. Predation on some species of tundra nesting birds has significantly increased as a result.[1]

Grizzly bears have also been impacted by garbage on the North Slope oil fields. The National Research Council sadly reveals that out of 12 grizzly bear cubs, seven bears were killed in defense of life and property because they had been conditioned by scavenging on garbage.[2] Shouldn't wildlife refuges offer a place where bears can be wild and not grow dependent on landfills and garbage dumps? If the coastal plain is designated wilderness, grizzlies will have a better chance of running wild and living garbage-free lives.

Wilderness and Polar Bears

The coastal plain of the Arctic Refuge has the highest density of land-denning maternal polar bears in America. Of great concern would be the significant adverse effects from proposed oil development on these magnificent animals and their newborn cubs. It is imperative that our country protects the bears during their sensitive denning period in the winter. The United States, along with other circumpolar nations, are required to protect ecosystems that contain polar bears with special attention given to denning habitat. If oil development is allowed on the coastal plain, the U.S. will be violating this international Agreement on Conservation of Polar Bears.

Current three-dimensional (3D) survey techniques require multiple survey lines about 300 to 400 yards apart. These surveys create more trails and tundra damage than older 2D methods because of the

increased number of lines and the amount of vehicle turning that is required. Noise from heavy equipment, work crews and seismic vibrations can disturb denning polar bears, causing them to abandon their dens and lose their cubs.

By designating the coastal plain wilderness, polar bear denning habitat would be permanently protected and the United States would take a leadership role in following the requirements of the international polar bear agreement.

Oil Development and the village of Nuiqsut

In 2001, I was asked as a journalist to write a detailed article on the subject of cumulative effects of oil and gas development on Alaska's North Slope. Over the past three decades North Slope oil development has spread extensively from the Canning River to beyond the Colville River into the NPRA. 25 producing fields now sprawl across 1,000 square miles (see attachments). I decided to focus on the Inupiat village of Nuiqsut, the only community that is surrounded by oil development on Alaska's North Slope. Since few journalists had visited Nuiqsut, I thought it was important to hear their views on oil field activities.

I spent many days in Nuiqsut and interviewed individuals at the school, health clinic, city office, public safety office, village corporation, hotel, and general store. I met with youths and elders, oil field workers and village leaders, hunters and hotel workers. Villagers were extremely open and friendly, and they wanted to share their concerns.

Many had complaints about the changes their community was feeling from increased oil development. While some appreciated their jobs at the Alpine field, about 8 miles from the village, others were distressed about the increased number of health and social problems, air pollution, oil spill clean up procedures, poor hunting access, and the difficulty of finding caribou. While the community first welcomed oil development because of jobs and increased revenues, many residents expressed their concern and frustration over the increased number of outside workers and traffic in the village, and the feeling that the village was boxed in by oil development.

If Nuiqsut is any indication, I fear that the Inupiat of Kaktovik may be faced with similar concerns and frustrations if oil development was ever allowed on the coastal plain of the Arctic Refuge. My article entitled "Ground Zero" is attached.

History

The wilderness values of the Arctic National Wildlife Refuge have long been recognized by conservationists, ecologists, scientists, explorers, public land specialists, the majority of Americans, the U.S. House of Representatives, and two former presidents --- President Dwight Eisenhower and President Jimmy Carter. Support for protecting the Arctic coastal plain from oil development has been bipartisan, reflecting the overwhelming voices of Americans who believe that as a nation we should leave one relatively small portion of our Arctic coastal region free of industrialization. It has been well documented that the coastal plain of the Arctic Refuge is the most sensitive reproductive area of the refuge, the birthplace for many migratory species, including one of the largest caribou herds in North America.

It's important to look back at the history of the establishment of the original Arctic National Wildlife Range. During the early 1950s the National Park Service conducted an Alaska Recreational Survey under the leadership of the late George Collins who traveled extensively across Alaska to develop a parks and recreation program. At that time, all lands north of the crest of the Brooks Range were still withdrawn under Public Land Order No. 82, which reserved the use of North Slope lands in connection with World War II. This sweeping withdrawal was about the size of South Dakota and included the 23-million acre National Petroleum Reserve (NPRA), 20 million acres of Central Arctic lands where Prudhoe Bay and 24 other producing fields are now located, and 5 million acres of lands that would eventually become part of the Arctic National Wildlife Range.

When Collins investigated the Arctic region in 1951, it is interesting to note that he met with USGS senior official John C. Reed. Reed had traveled throughout northern Alaska and recognized that the northeastern corner had ideal characteristics for a future park. Since the Navy was exploring for oil and gas in NPRA, Reed recommended that Collins concentrate his survey efforts in the northeastern corner of Alaska, steering clear of potential oil and gas development conflicts. In a 1988 letter to Representative Morris K. Udall Collins wrote:

"It is true that the USGS told me during the early fifties that if the Park Service would stay east of the Canning River, well away from the National Petroleum Reserve, we would not be in the hair of the oil people..."[3]

Collins acted on the advise of the USGS and ultimately chose the Canning River as the western boundary of the proposed Arctic Range. When Collins surveyed the area he noted that the northeast region contained all of the ideal values of conservation area. The region contained the highest glaciated peaks in the Brooks in arctic North America, a complete spectrum of habitats from the south slope of the Brooks Range to the Arctic Ocean, and a tremendous diversity of wildlife that was virtually undisturbed.

Collins and biologist Lowell Sumner lay the groundwork for the establishment of an arctic preserve. They drew support from prominent conservationists such as Olaus and Margaret Murie, Richard Leonard, Sig Olson, and others. The dream of preserving the northeast corner bloomed. In 1959, the Department of Interior drafted legislation to establish the Arctic National Wildlife Range. Hearings on this legislation were conducted in several Alaska towns and in Washington D.C. While some were opposed to the establishment of an Arctic Range, the majority of those who testified favored the concept of preserving some of Alaska's vast wilderness for future generations.

Establishment of the Arctic Range in 1960

During the waning hours of the Eisenhower administration, it was clear that the Arctic Range legislation would not pass Congress. Secretary of Interior Fred Seaton was convinced that the proposal should move forward. On December 6, 1960, Secretary Seaton signed Public Land Order 2214 which established the 8.9 million acre Arctic National Wildlife Range in order to preserve its unique wildlife, wilderness, and recreational values.

In addition to establishing the Arctic Range, Seaton also revoked Public Land Order No. 82, which opened some 20 million acres of North Slope lands. Many at the time considered this a fair trade, but there were some Alaskans from the mining sector who were disgruntled. The Fairbanks Daily News Miner published a strong editorial that supported the formation of the Arctic Range and the 20 million acre deal.

"We favor the proposal for the Arctic Wildlife Range. We think the complaint of those opposing it is akin to that of a small boy who has just been given a pie much larger than he can eat but who cries anyway when someone tries to cut a small sliver out of it.

We ask those who would raise strong protest over reserving this comparatively "small sliver" to stop and ponder the fact that 20 million acres now being made available for development by Secretary Seaton's action comprises an area which exceeds the total land area of five New England states combined."[4]

Indeed, it was more than a fair trade. The giant Prudhoe Bay oil field would later be discovered on those North Slope lands. Today, the State of Alaska has reserved 14 of those 20 million acres for oil and gas leasing, and has received billions of dollars in revenues from the public lands that Seaton relinquished.

It is unthinkable, particularly on the 100th anniversary year of the National Wildlife Refuge System, that Congress would consider violating the purposes for the establishment of our only Arctic Refuge, by allowing oil and gas development in the most biologically sensitive area of the refuge. Such an action would stab the heart of the Arctic Refuge and set a horrible precedent for the more than 500 wildlife refuges that have been set aside to protect precious wildlife and habitats. Oil field development with its maze of roads, pipelines, processing centers, facilities, airports, and scattered drilling pads is clearly not compatible with the purposes for which our country set aside this refuge.

Wilderness Proposals

Subsequent to the passage of the 1964 Wilderness Act, the Department of Interior produced a wilderness study and proposal for the Arctic Range. A 1978 draft environmental impact statement noted that:

"All of the 8.9 million acres within the Arctic National Wildlife Range have outstanding wilderness qualities and ones considered suitable for inclusion of the National Wildlife Preservation System (with the exception of the Distant Early Warning Station sites which have since been cleaned up).

The 1978 draft specifically notes that the Arctic coastline ecosystem is the most biologically productive area

in the Arctic Range and that the proposed wilderness would include a rare example of an undisturbed tundra ecosystem.

"Located in a region which is rapidly being altered by industrial development, its value as an ecological study area increases with time...With wilderness designation, this segment of the ecosystem may be the only portion of the Arctic coastal plain saved in its natural condition, considering the degree of development that is occurring to the west..."[5]

During the late 70s there were many hearings regarding the wilderness and wildlife values of the Arctic National Wildlife Range with respect to the proposed Arctic Gas Pipeline and the Alaska National Interest Lands Conservation Act (ANILCA). Secretary Cecil Andrus summed up the administration's position in a speech before the Outdoor Writers Association on June 14, 1978:

"In some places, such as the Arctic Refuge, the wildlife and natural values are so magnificent and so enduring that they transcend the value of any mineral that might lie beneath the surface. Such minerals are finite. Production inevitably means changes whose impacts will be measured in geologic time in order to gain marginal benefits that may last a few years..."[6]

House of Representatives designated the Arctic Range wilderness

After much debate over ANILCA, the House of Representatives ultimately voted twice in 1978 and 1979 to designate the original Arctic National Wildlife Range (including the coastal plain) as wilderness. However, when the legislation reached the Senate, study provisions were added under Title 10, including Section 1002, which mandated an assessment of the fish and wildlife resources and the oil and gas potential of 1.5 million-acre coastal plain. While a one-time seismic exploration program was authorized in the 1002 area, any further exploration, leasing, and oil and gas development or production was prohibited under Section 1002(i) and 1003.

Over the years, some members of the Alaska delegation have erroneously claimed that the 1002 coastal plain area is not part of the refuge. The Title X studies of ANILCA did not change the land status of the coastal plain. This de facto wilderness has always been a part of the Arctic National Wildlife Refuge, and was part of the original Arctic Range. This is spelled out in Section 303 (2) of ANILCA which also defines four purposes for which the Arctic National Wildlife Refuge was established:

- * to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, the Porcupine caribou herd, polar bears, grizzly bears, muskox, Dall sheep, wolves, wolverines, snow geese, peregrine falcons and other migratory birds and Arctic char and grayling;
- * to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats;
- * to provide the opportunity for continued subsistence uses by local residents; and,
- * to ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth in paragraph (i), water quality and necessary water quantity within the refuge.

It is unthinkable, particularly on the 100th anniversary year of the National Wildlife Refuge System, that Congress would consider violating the purposes for the establishment of our only Arctic Refuge, by allowing oil and gas development in the most biologically sensitive area of the refuge. Such an action would stab the heart of the Arctic Refuge and set a horrible precedent for the more than 500 wildlife refuges that have been set aside to protect precious wildlife and habitats. Oil field development with its maze of roads, pipelines, processing centers, facilities, airports, and scattered drilling pads is clearly not compatible with the purposes of the Arctic Refuge. Significant adverse impacts cannot be avoided with a major oil field complex. The wilderness character of the coastal plain would be destroyed, which would also violate one of the original 1960 purposes.

An Unforgettable Wilderness

Over the past 28 years I have been most fortunate to make many trips to the Arctic National Wildlife Refuge. I've hiked through the majestic Brooks Range, climbed many nameless peaks, floated down wild rivers such as the Canning and Kongakut Rivers, walked across the coastal plain on numerous occasions, and camped in some of the most beautiful places on earth. The vastness, peace and great beauty of the

Arctic wilderness keeps calling me back. Encounters with the tremendous diversity of wildlife in the Arctic Refuge are not forgotten.

Beauty is in the eye of the beholder. The coastal plain offers spectacular vistas of the Brooks Range, which includes the highest glaciated peaks above the Arctic Circle in North America. When I've waked from the Beaufort Sea coast to the mountains in the summer the expansive views across the flower-specked plains are magnificent. To the south you can watch storm clouds billow above snow-capped mountains, to the north the never-setting midnight sun rolls across above the ice-mantled sea. It is a vast, open land free of man's industrial hand, but so full of life.

My most memorable wilderness experiences in the Arctic Refuge have occurred on the coastal plain. On one summer day, a herd of 40,000 caribou migrated past us, on their way to the coast to seek relief from the swarming mosquitoes. There were so many caribou that the earth appeared to be moving. I could only see a jungle of legs, cows with their newborn calves. The land was flooded with new life. The varied sounds of the caribou were as impressive as the spectacle. I like to think of it as a caribou symphony with clicking hooves, grunts and bellows, and young voices of calves. It was a once in a lifetime experience.

The coastal plain is the birthplace and nursery grounds for one of the largest caribou herds in North America --- 129,000 animals. Even during years when the caribou are forced to drop their calves outside the coastal plain, due to heavy snowfall or a late spring, the Porcupine Herd always returns to the coastal plain because of the desirable foraging and insect relief habitat, and there are fewer predators than in the mountains.

Oil Development and Caribou

Does a major oil field development belong in such a birthplace? The coastal plain is a relatively narrow stretch of tundra, 15 to 40 miles wide. It is well-documented that the Central Arctic caribou herd has been displaced from their former range by oil field facilities, roads, pipelines and associated disturbances. The cows and calves are particularly vulnerable to noise and traffic. While the smaller Central Arctic herd has grown over the years, the herd has moved away from oil field activities into non-industrialized areas.

The National Research Council recently issued the first report on the Cumulative Environmental Effects of Oil and Gas Activities on Alaska's North Slope. This report presents disturbing findings on the effects of oil field activities on the Central Arctic Herd. The findings state:

*The intensively developed part of the Prudhoe Bay Oil Complex has altered the distribution of female caribou during the summer insect season. Elsewhere, a network of roads, pipelines, facilities has interfered with their movements between coastal insect relief and inland feeding areas. Possible consequences of these disturbances include reduced nutrient acquisition and retention throughout the calving and midsummer periods, poorer condition in autumn, and a lowered probability of producing a calf in the following spring.

*As a result of conflicts with industrial activity during the calving and an interaction of disturbance with the stress of summer insect harassment, reproductive success of Central Arctic Herd caribou in contact with oil development from 1988 through 2001 was lower than for undisturbed females, contributing to an overall reduction in herd productivity.[7]

The report suggests that consequences similar to those reported for the Central Arctic Herd are possible on the Porcupine Caribou Herd summer range. However, the Porcupine Caribou Herd has the lowest growth capacity of the four arctic herds and the least capacity to resist natural and man-induced stresses. With the lack of suitable alternative habitats, due to the size of the herd and narrowness of the coastal plain, industrial activity could have substantial effects on the Porcupine Herd.

The first Arctic Refuge purpose is to "conserve fish and wildlife populations and habitats in their natural diversity." Based on studies to date, oil development would clearly put the Porcupine Herd at risk in terms of reproductive success. The disturbance from the possible web of facilities, roads, traffic, compressors, and pipelines would disrupt and alter the natural diversity of the coastal plain wilderness ecosystem and the free movements of caribou.

Arctic Refuge purposes also provide for the opportunity of continued subsistence uses by the Inupiat and the Gwich'in people. If the Porcupine Herd suffers as a result of oil field activities and loss of habitat, so will the Gwich'in people who have traditionally depended on the herd as a major subsistence resource for at

least 10,000 years. The Inupiat will also be impacted, as they will be restricted from hunting near oil field facilities and pipelines due to public safety issues.

Existing Wilderness:

Approximately 8 million acres of the Arctic Refuge, south of the coastal plain, is official wilderness. One summer I climbed Mt. Michelson, the second highest peak in the Brooks Range, located in the wilderness portion of the refuge. From the top of this magnificent mountain you have a sweeping view of the Brooks Range mountains to the east and west, and you can look north across the vast sweep of coastal plain to the Beaufort Sea, beyond toward the North Pole.

I have climbed many mountains in Alaska, British Columbia, the Pacific Northwest, the Rockies, and in the Sierra. The view from Mt. Michelson stands alone as being the greatest wilderness vista that I have ever seen. It is an unlimited, far-reaching view that takes you beyond the edge of the North America continent. I have never felt more free, more humble, more awestruck, or felt such great peace, as when I gazed out that day across the Brooks Range, across the expansive coastal plain.

If oil development invades this last protected stretch of Arctic coastline, not only would we lose the wilderness character of the coastal plain, and our last undeveloped wild stretch of coastline, but we would also degrade the scenic values of the existing wilderness. If one climbs a mountain in the Brooks Range and looks out at belching smoke, gas flares, and a web of pipelines and roads, the true wilderness will be gone. All for what may be a few billion barrels of oil that might fuel our nation for six months, and reduce our imports by only 2%. We could easily save more oil by driving more fuel efficient vehicles.

The original Arctic Range and the Arctic National Wildlife Refuge should not be taken apart and carved up. Of all the places in the Arctic Refuge, the coastal plain is perhaps most deserving of wilderness designation because of its wildlife and scenic values. It is a sensitive birthplace. An open wilderness full of life. A place where oil fields don't belong. It is an extraordinary beautiful place that we should forever protect for future generations of Americans, Arctic wildlife, and for the great land itself.

REFERENCES

[1] National Research Council. Cumulative Environmental Effects of Oil and Gas Activities on Alaska's North Slope. Pg. 194

[2]National Research Council. Pg. 191

[3]Letter from George Collins to Morris K. Udall, May 3, 1988

[4]Fairbanks Daily News Miner editorial, Fall of 1957

[5]U.S. Department of Interior, U.S. Fish and Wildlife Service. Draft Environmental Statement, Proposed Arctic Wilderness, Alaska, February, 1978.

[6]U.S. Department of Interior, U.S. Fish and Wildlife, Fairbanks. Arctic National Wildlife Range: Wilderness Proposal History. June, 1978.

[7]National Research Council. pgs. 187-188. March, 2003.