A Legacy Story:

PROTECTING THE BERING SEA AND BRISTOL BAY FROM OFFSHORE OIL AND GAS DEVELOPMENT
A LEGACY STORY chronicles the long struggle over decisions about opening Bristol Bay and the southeast Bering Sea to offshore oil and gas drilling. Over many decades, people dependent on the region's rich marine resources have been undaunted in their effort to protect these waters. In December 2014, the people of Bristol Bay breathed a collective sigh of relief.

The story is told from the perspective of those on the front lines — leaders in the region, industry, past governors and former Interior Department secretaries. By documenting this story, future generations will remember the history, value, and enduring effort made to permanently set Bristol Bay and the southeast Bering Sea aside from oil and gas leasing, and be supported in safeguarding the region into the future.

The story begins in 1974 when President Ford’s administration first pursued the possibility of offshore oil and gas development in the region. During this time Alaska Governor Jay Hammond (1974-1982) succeeded twice in persuading the federal government not to lease in Bristol Bay because of the high fishery values and overall sensitivity of the region.

But in 1982, Secretary of the Interior James Watt under President Reagan created the infamous Outer Continental Shelf Oil and Gas Leasing Program in which nearly the entire U.S. coast was proposed for sale. This startled fishermen and local governments from New England to Alaska because it was a sweeping policy that did not account for fishing livelihoods, the interests of communities or ecological importance. As part of this controversial plan, the Interior Department scheduled Lease Sale 92 for 1985 in the 32-million acre North Aleutian Basin Planning Area encompassing Bristol Bay and the southeast Bering Sea.

The State of Alaska, Alaska Legal Services representing tribal governments, and Trustees for Alaska representing conservation groups all challenged the Interior Department in court to stop the sale. The three cases were combined by the U.S. District court with claims that offshore drilling would harm subsistence, commercial fisheries and the rich ecosystem. During the course of the litigation the sale was reduced from 32 million acres to 3.5 million acres concentrated north of the Alaska Peninsula, but that did not alleviate the concerns of most people.

There were several stages in which legal action temporarily stopped the sale. But finally the Ninth Circuit Court of Appeals ruled that Lease Sale 92 could go forward. The Department of the Interior opened the bids soon afterwards in October 1988. Eight oil companies paid $95 million for tracks in the heart of the Bering Sea’s productive fisheries and the migratory area considered for leasing.


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CONGRESS INTERVENES

EVEN THOUGH THE LEASE SALE might have dealt the final blow to the diverse opposition, resistance to offshore drilling did not subside. The next Alaska governor, Steve Cowper, carried on the job of resolving the controversy by asking Congress to stop exploration on the leases that had been sold. He sent a letter to the U.S. House Committee on Appropriations raising scientific questions that needed answers and highlighted the lack of oil spill response capability. Reflecting concerns raised by Alaskans, he requested a second layer of protection between the federal government’s quest for national energy security and the protection of our fisheries.

On March 24, 1989, a month after Governor Cowper sent his letter to Congress, the Exxon Valdez oil tanker ran aground in Prince William Sound and the devastating impact of a major oil spill in Alaska’s waters became starkly obvious. The spill was an epic tragedy but it became the impetus for Congress to impose a moratorium on exploration drilling of the active leases in the North Aleutian Basin.

In response to the argument that there is a national interest to be served by hydrocarbon development in Bristol Bay, I must insist that there are far more important national and international sources involved which justify protecting the fisheries of this region.

The oil spill galvanized the leadership in Bristol Bay to really take a hard look at this. Their presence turned out to be a blessing in disguise for Bristol Bay. The oil spill did not subside. The next Alaska governor, representing Alaska State Legislature (1982-1989)

Steve Cowper, Governor of Alaska (1986-1990)

Adaheid Herrmann, Representative, Alaska State Legislature (1985-1995)

TOM TILDSON
Chief, Curyung Tribal Council

We had to go back to Washington, DC and ask the Congress to put off any decision by the Interior Department in terms of opening up Bristol Bay.

Watching the tragedy unfold on TV and seeing those fishermen how everything was heartbreaking to me. I don’t know if the spill was a blessing in disguise for Bristol Bay or what, but it caused the government to re-evaluate the wisdom of having oil and gas development in our traditional areas and the nation’s most productive fishing grounds.

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BRISTOL BAY BUYBACK AND THE STRUGGLE OVER A NEW LEASE SALE

In 1995, the controversy over exploration on the active leases was resolved when the federal government bought the leases back from the oil companies. After the buyback Congress maintained an annual moratorium on new lease sales and President Clinton added a second layer of protection that prevented consideration of leasing in the North Aleutian Basin until 2013.

However, the period of safety for Bristol Bay was brief. Attitudes changed in Congress and the White House, now occupied by George W. Bush. Congress ended its annual moratorium in 2003 and President Bush changed the end date for executive protection from 2002 to 2007. This cleared the way for the Interior Department to schedule North Aleutian Basin Lease Sale 214 for 2008 in the same 5.6 million acre area that was previously bought back.

Although there were promises of jobs and economic diversity, the prevailing view was that drilling in the region was not worth the risk. When President Barack Obama came into office in 2009, community, seafood industry and conservation leaders urged the new administration to reverse Bush administration policy. Interior Secretary Ken Salazar came to Alaska for public hearings and witnessed overwhelming opposition to drilling. Leaders reinforced this outreach with trips to Washington D.C. In March 2010, President Obama and Secretary Salazar announced a reprieve for Bristol Bay by cancelling Lease Sale 214 and extending protection until 2017.

There was clear tension between these opposing forces. One was the prevailing belief among Alaskans that Bristol Bay needed to be protected. The other was the oil companies who had spent millions of dollars but weren’t allowed by Congress to develop the leases. So something had to happen. At governors’ I wanted to make sure the leases were removed and, as a matter of fairness, the oil companies needed to be paid back.

A coalition of tribes, regional Alaska organizations and fishing companies formed the Bristol Bay Buyback Coalition. We knew offshore drilling could affect outfits throughout western Alaska – so this was not just about Bristol Bay. It was an Alaska-wide concern.

Secretary of the Interior (1993-2001)

BRUCE BABBITT
Secretary of the Interior (1998-2001)

As a result of the fallout from the Exxon Valdez spill, it wasn’t a big surprise that President Clinton, you have the authority to cancel the lease sale. He responded very quickly. It wasn’t hard given the chaos and tragedy in Prince William Sound. We can’t ignore what happened in Bristol Bay.

Secretary Salazar addresses Vernon Wilson at hearings in Dillingham. We spent a year trying to secure our energy future. We met with the Interior Secretary Ken Salazar during spring of 2009. At hearings and witnessed overwhelming opposition to drilling. Leaders reinforced this outreach with trips to Washington D.C. In March 2010, President Obama and Secretary Salazar announced a reprieve for Bristol Bay by cancelling Lease Sale 214 and extending protection until 2017.

Despite the return of oil and gas exploration to the region, Bristol Bay remains an area of national importance that set our nation apart. Bristol Bay is a national treasure that we must protect for future generations.

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Secretary of the Interior (2009-2013)

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PERMANENT PROTECTION

BY NOW IT WAS CLEAR that a permanent solution was needed to protect Bristol Bay once and for all. Fifty-four tribes and regional organizations throughout western Alaska passed resolutions, 20 seafood companies sent a letter to the Obama administration, commercial fishermen signed petitions, a diverse array of interest groups collaborated and leaders traveled to Washington, DC many times to make the case for the President to permanently withdraw the North Aleutian Basin from all future offshore oil and gas leasing.

On December 16, 2014, using his authority under the Outer Continental Shelf Lands Act, President Obama announced a landmark decision to permanently remove the North Aleutian Basin from the federal Outer Continental Shelf Oil and Gas Leasing Program, protecting Bristol Bay and the southeast Bering Sea into the future.2 Seafood industry leaders and the people of Bristol Bay had succeeded in the effort to gain long-term protection for a way of life and the region’s seafood economy. The President’s declaration ended decades of uncertainty about whether the fishing grounds and traditional use areas of Bristol Bay and the southeast Bering Sea would be traded for an oil and gas field.

As a young man I learned a lot from watching Bristol Bay leaders protect these natural resources and create opportunity for the people. Pervaded among them was Harvey Samuelsen, whose vision for Bristol Bay included opportunity in the region’s productive commercial fisheries— for salmon as well as groundfish, cod, halibut—and protection of the resources that we favor to put on the table and share with other families. When the first proposal arose to open Bristol Bay waters to offshore drilling, they sprang into action to stop it.

As long as future generations remain faithful to the charge of caring for the place where they live, they’ll know what to do.

TERRY HOSTETLER
Former CEO, Bristol Bay Native Association
A Legacy Story is dedicated to Harvey Samuelsen (1926-2004) and future generations of Bristol Bay leaders.

Harvey Samuelsen was born in 1926 in Akiachak on the Kuskokwim River. After World War II, he moved to Bristol Bay where he began a long career as a commercial fisherman and Alaska Native leader. Harvey served the people of Bristol Bay with unwavering spirit, facing the issues of his time. He formed the Western Alaska Fisherman’s Association in the early 1950s to negotiate with the canneries, enabling Native fishermen to get equal treatment and the same price for their salmon as those who traveled from other states. In 1951, when the fishery changed from company-owned sailboats to independent power vessels, Harvey helped establish the first credit union to loan money to Alaska fishermen for boats and gear. Harvey’s leadership contributed to the rebuilding of the Bristol Bay salmon population that had been overfished under territorial management before Alaska statehood. He helped lead the creation of the Community Development Quota Program establishing opportunity for Bering Sea communities in the lucrative offshore groundfish and crab fisheries.

Despite countless hours working for the betterment of rural Alaskans, Harvey always found time for salmon fishing and teaching young people the skills. In addition to commercial fishing, Harvey’s family always put up dried and smoked fish in the Yup’ik tradition.

Even at the very end of his life, Harvey issued instructions to others for tasks ahead, including preventing industrial activities that threaten the fisheries, from the headwaters to the deep ocean. He remained forever committed to protecting the way of life in Bristol Bay.

A Legacy Story was published in 2015 and includes this publication and a documentary video by Steelbird Productions, accessible at www.akmarine.org • www.nunamta.org • www.youtube.com

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