

The Arctic National Wildlife Refuge: Wildlife Preserve or Oil Reserve?

by Grace Wang

Last year on October 24, 1992, President George Bush signed the Energy Policy Act of 1992. This document represents a monumental attempt by Congress to curtail United States dependence on foreign oil. Although the Act covers issues such as tax incentive programs to boost domestic natural gas, conservation, and renewable energy, it left out any mention of the Arctic National Wildlife Refuge. For years now the oil industry and environmentalists have been debating the future of the Refuge's coastal plain. The question was whether drilling would be allowed or would the plain be designated wilderness? This article will delve into this question by giving some background on the Arctic National Wildlife Refuge and discuss its merits as both an oil source and as wilderness. Because it would require an Act of Congress to change the designation of the plain, the rest of the discussion will center on the 103rd Congress and the Clinton Administration. In January, Senator Roth of Delaware sponsored a bill which sought to designate the plain as wilderness. Despite the economic arguments urged by the oil producers it is likely that the coastal plain will not be allowed to be developed in the next four years. The real question may be whether the area will be permanently put off limits as Roth's bill suggests.

The Arctic National Wildlife Refuge (ANWR), is located in the northeast corner of Alaska. Its 19 million acres are mostly in the Brooks Range with 1.5 million acres of coastal plain between the foothills of the Brooks Range and the Beaufort Sea. The Refuge represents the last piece of Arctic shoreline in the United States which is free of oil exploration and development.¹ Described by oil industry officials as "barren wasteland"², the plain receives 4 or

5 inches of rain a year and the average temperature is 4 degrees below zero in the winter.³ However, wildlife flourishes here, especially in the summer. Approximately 180,000 of the Porcupine caribou herd come to the coastal plain to escape mosquitos and predators, and to calve during the summer. The plain lies directly in the path of the herd's yearly migration between Alaska and Canada.⁴ As many as 500 muskoxen populate the area as well as other mammals including moose, wolves, arctic foxes, wolverines, brown bears, and polar bears.⁵ A substantial number of the Beaufort Sea polar bear population dens in ANWR, according to Dr. Robert J. Hoffman, Scientific Program Director for the Marine

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Mammal commission. Dr. Hoffman wrote, "the Arctic National Wildlife Refuge is the only remaining relatively undisturbed onland denning area in Alaska".⁶ The land is teeming with life. The rivers in the coastal plain hold various fish, and about 135 species of birds, including peregrine falcons and golden eagles, are found within the plain.⁷

Supreme Court Justice William O. Douglas expressed his feelings for the area when he wrote in his book, *My Wilderness*: "It was difficult to express my feelings as I stood beside these dark quiet pools, shaded by spruce. They were so beautiful, so exquisite, that they were unreal. They seemed withdrawn from this earth, though a glorious part of it ... Here was life in perfect ecological balance. A moose had stopped here to drink. Some water beetles

skimmed the surface. Nothing else had seemed to invade this sanctuary. It was indeed a temple in the glades. Never, I believe, had God worked more wondrously than in the creation of this beautiful, delicate alcove in the remoteness of the Sheenjek Valley."⁸

The beauty that Justice Douglas described has been protected by congressional mandate since 1960. In that year the original 8.9 million acre Arctic National Wildlife Range was established by the Eisenhower Administration to preserve the area's unique wildlife, wilderness, and recreational values. Section 1002 of the 1980 Alaska National Interest Lands Conservation Act (ANILCA) added 97

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million acres to Alaska's National Park and National Wildlife Refuge systems. The size of the original Arctic National Wildlife Refuge was more than doubled to 19 million acres and reclassified as a refuge.⁹ In all, ANILCA added four new purposes for the park and refuge systems in Alaska: to conserve fish and wildlife populations and their habitats in their natural diversity; to fulfill international treaty obligations, such as migratory waterfowl agreements and the Canada-U.S. Porcupine Caribou Herd Treaty; to provide an opportunity for local residents to continue their subsistence way of life; and to protect water quality and quantity within the refuge.¹⁰

Eight percent of ANWR, the coastal plain, was set aside as a special study area for possible development. Section 1002 of the ANILCA required a comprehensive inventory and assessment of the fish and wildlife resources of the coastal plain and an analysis of the impacts of oil and gas

exploration, development and production.¹¹ Pursuant to section 1002 of ANILCA, the Department of the Interior investigated the oil and gas potential and the wildlife resources of ANWR. The 1987 report estimated that there was a 19% chance of finding economically recoverable oil; if any recoverable oil was found, then the mean would be 3.23 billion barrels.¹² At the time the report was issued, this would have translated into a 200-day supply of oil.¹³ (Annual U.S. consumption is over 6 billion barrels, half of which is produced domestically.) Secretary of the Interior Donald Hodel recommended to Congress to approve full scale leasing of ANWR, saying that development could be constrained to reduce environmental impacts. Oil analysts have often stated ANWR's potential as high as 9.2 billion barrels. Secretary Hodel wrote, "The Arctic Refuge coastal plain ... is estimated to contain more than 9 billion barrels of recoverable oil, an amount approximately equal to Prudhoe Bay."¹⁴ According to the DOI assessment, there is about a one percent chance to recover this amount.¹⁵

The major industry producers, the State of Alaska, and many of its citizens are grasping at this chance, slim though it might be. The oil industry is reportedly moving away from the United States because the U.S. "environment" is not conducive to the industry's future.¹⁶ Although many major oil companies have given up the fight,¹⁷ With 3.2 billion barrels they could receive net economic benefits of \$79.4 million.¹⁸ The State of Alaska would receive 90% of the royalties.¹⁹ Initially it was thought Prudhoe Bay, the last great oil discovery, would run out soon. However North Slope oil production is declining at a slower pace than predicted. This production makes up 85% of the State's revenues. The trans-Alaskan oil pipeline is projected to shut down around 2010 unless another large source can be found to replace Prudhoe Bay.²⁰ Given that even if the go ahead

were to come this year, oil production would probably not start until 2005 because of the exploration and set-up that must be done first.²¹

It is impossible to tell if there is any recoverable oil in ANWR. Only one exploratory well has been drilled, a 15,193 foot well in 1985 by Chevron Corp. and British Petroleum on refuge land owned by the Inupiat Eskimos of Kaktovik; "KIC No.1" was capped in 1986. Whatever was discovered is a mystery; the people who know the results aren't talking.²² ARCO struck oil last year in ANWR, but in the federal waters 16 miles offshore. This find yielded high quality crude at a rate of 3,400 barrels a day.²³ The ARCO find was viewed by the Bush administration as additional support for drilling.²⁴

President Reagan and President Bush supported opening the Reserve to oil exploration and drilling. Since the OPEC crisis, there has been interest in the United States to reduce dependency on foreign oil. The instability in the Middle East added weight to this concern. After the Exxon-Valdez incident bills to permit drilling stalled in Congress.²⁵ After the recent Gulf War, drilling in ANWR was a key piece in President Bush's proposed National Energy Strategy.²⁶ The State of Alaska and the oil and gas industry played on the fears generated by the Persian Gulf War, and pointed out that a new large source of domestic oil would reduce United States' dependence on oil imports. They also cited increased revenue and the creation of new jobs as a reason to open drilling.²⁷ However, when President Bush signed the Energy Policy Act of 1992 on October 24, 1992, ANWR drilling was not a part of it. The continuing debate on ANWR forced Senator Johnston (D-LA), co-sponsor of the 1991 Senate Energy Bill to pull it out of the final revision.²⁸ As Dan Fager, a lobbyist for Chevron stated, "The non-event is probably the biggest event."²⁹

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the United States. The debate has been over what kind of asset it is. Environmentalists would like to preserve the peace and tranquility of the refuge and insure that the herd of 180,000 caribou which migrate from Canada to give birth in the Refuge each year can continue to do so without interference from the oil industry. The other perspective is represented by former Interior Secretary Donald Hodel who said in his formal recommendation in the assessment report: "My recommendation reflects my firm belief; based on demonstrated success at Prudhoe Bay and elsewhere, that oil and gas

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activities can be conducted in the 1002 area [ANWR coastal plain] in a manner consistent with the need and desire to conserve the area's significant environmental values."³⁰

The questions to ask are, "Can there be another Prudhoe Bay? Should there be?". Hodel was referring to a Prudhoe Bay different from the one the environmentalists are familiar with. Studies of Prudhoe Bay, formerly a huge wildlife habitat, have found that there are over 1,000 oil spills a year.³¹ The activity in Prudhoe Bay has caused significant declines in the wolf, grizzly bear, and polar bear populations.³² A joint report by the National Resources Defense Council, the National Wildlife Foundation, and the Trustees of Alaska, "Tracking Arctic Oil," summarized the effects the oil industry has had on the North Slope. The report states that there has been a direct loss of 11,000 acres of habitat, 31,000 acres impacted by the Trans-Alaska pipeline and thousands of acres lost or altered by indirect impacts such as flooding by impoundments associated with roads and pads, and dust which kills vegetation and alters local habitat. There is also erosion of permafrost

caused by disturbance of tundra vegetation, pollution from oil industry waste, and fragmentation of habitat by roads, pipelines and facilities.³³

Debbie Miller writes in her book, *Midnight Wilderness*, that Ave Thayer, the former manager of the Arctic Refuge, has seen considerable development and loss of wildlife habitat during his thirty-one years of United States Fish Wildlife Service fieldwork in Alaska. Mr Thayer has been in Prudhoe Bay both before and during oil development and "personally seen the land, lakes, and tundra ponds polluted with oil spills, drilling muds, camp sewage, and garbage. He has seen creekbeds destroyed for their gravel, the permafrost disrupted, and the numbers and diversity of wildlife reduced. Mr. Thayer says, 'I'm convinced that petroleum development here, on the coastal plain, is incompatible with the Arctic Refuge's purpose.'³⁴ Natural Resources Defense Council scientist Lisa Speer points out that in the coastal plain's three-foot thick spongy tundra, which is "one of nature's harshest environments, any physical

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disturbance, even tractor tracks, can scar land for decades. Plants are more sensitive to air pollution than species in warmer climates. Toxic substances persist longer in the environment. And the impact of oil spills is more far reaching and long term than is in more temperate climates.³⁵

So far, Prudhoe Bay oil fields have displaced 15,000 wild birds, workers have killed polar bears and grizzly bears because they "were a nuisance," and 400,000 larval fish have been sucked into a seawater treatment plant. A draft Fish and Wildlife report documented that Prudhoe Bay production each day produces 3,000 cubic yards of oil waste, and 40 million gallons of

toxic brine.³⁶

Senator Timothy Wirth (D-Col.) remarked, "The footprint on the land has all the delicacy of dinosaur tracks."³⁷ According to the DOI, more than 17,000 oil spills have been reported in and around Arctic oil developments since 1973.³⁸ Not all spills are accurately reported, and some are probably not reported at all. ARCO was fined \$206,000 by Alaska for underreporting a spill in August 1987 as being of one barrel. Investigation revealed that the spill was somewhere between 312 to 603 barrels. The spill affected 1.4 acres and is still being cleaned up.³⁹

The oil industry has two counter-arguments. First, it says that with technology developed since Prudhoe Bay, the "footprint", that is the ecological impact, would be smaller because the industry has learned to build on pilings to reduce thawing the permafrost and directional drilling techniques so that there are more individual wells per pad.⁴⁰

There might be new technology, but it might not be successful on the coastal plain. ANWR's coastal plain has special conditions which would affect the technology or practices used. The plain's topography includes rolling foothills which could create problems with building roads or locating facilities; a road might have to meander to avoid extensive excavation. Prudhoe Bay in contrast is a flat plain. There are also fewer sources of water supply in ANWR and industry might have to excavate for water.⁴¹

The second argument the oil industry makes is that the size of the coastal plain (1.55 million acres) is relatively small compared with the size of the remaining protected lands. (19.3 million acres)⁴² It also says that with the new technology, the size of the area affected would be reduced and only about 13,000 acres would be taken up by oil facilities within that 1.55 million acres.⁴³ However, by the time drilling could actually begin, the Trans-Alaska

Pipeline System would need extensive repair. In order for the pipeline to be used equipment and manpower would have to be present on the land. This would create more chances for environmental problems. And assuming that the DOI's most liberal projection of oil is correct, then there will be 4,000 tanker trips with many more possibilities of spills.⁴⁴ The reality is probably best stated in the November 1991 Senate Committee on Environment and Public Works Report. It said:

"(t)he Arctic Refuge is the only conservation system unit that protects, in an undisturbed condition, a complete spectrum of the arctic ecosystems in North America...The 1002 area is the most biologically productive part of the Arctic Refuge for wildlife and is the center of wildlife activity. ... (oil development) would result in long term changes in the wilderness environment, wildlife habitats, and native community activities currently existing, resulting instead in an area governed by industrial activities... The wilderness character of the 1002 area would be lost... (n)o further study or public review is necessary for the Congress to designate the 1002 area as wilderness."⁴⁵

Interior Secretary Hodel had previously rejected the wilderness designation. He felt that with already 8 million acres of designated wilderness in the Arctic Refuge and 3 million acres adjacent in Canada, the 1002 areas value as statutory wilderness was not unique.⁴⁶ There is uncertainty surrounding both the oil and the environmental assessments. It is unclear how much oil would be available from the plain, and no one can really say how drilling would affect the wildlife. What is known is that development will alter the pre-existing wild state of the region.⁴⁷ Supporters of ANWR drilling have argued that the number of caribou have increased at Prudhoe Bay and therefore development is not environmentally damaging. However, if the region is valued because it is undeveloped, thus any development would be damaging

even if that development increases the numbers of some populations. The decision to lease the ANWR is an all-or-nothing decision.⁴⁸

The debate has even pitted native Alaskans against each other. The Eskimo-owned Arctic Slope Regional Corporation which owns the subsurface and mineral rights to 92,000 acres within and adjacent to the coastal plain reported that, "once the thermal balance is destroyed, it may take years to stabilize, during that time, ponds may develop as ice wedges melt and soils subside, altering terrain, ... or in extreme

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cases, resulting in erosion".⁴⁹ The leaders of the Inupiat Eskimo of Kaktovik, the only native village in the wildlife refuge, favor drilling because of the additional revenues. Not everyone in the village favors the prospect. The Inupiat's subsistence diet is based on bowhead whales and caribou. Those that are against drilling fear that the caribou migration patterns will be disturbed by drilling. Then there are the Gwich'in Athabascan residents of Arctic Village, who accuse the Inupiat of selling out. The Gwich'in fear that the Porcupine caribou herd calving patterns will be disrupted. The Gwich'in have depended on the caribou for generations. If the migration shifts or the caribou disappear it could mean doom for the 120 villagers. The Gwich'in have no financial stake in drilling.⁵⁰

During the campaign, Bill Clinton stated that he opposed the development of ANWR, and Al Gore repeatedly fought efforts to open ANWR in Congress when he served as senator from Tennessee.⁵¹ In debates sponsored by Americans for Energy Independence and the National Energy

Resource Organization, Bill Burton, energy adviser to Clinton when he was the Arkansas governor, stated Clinton's three "primary" objectives: promoting energy efficiency, natural gas, and renewable energy.⁵² Burton stated that ANWR is off the table because "it isn't worth the risk".⁵³

Despite such seemingly definitive statements, Clinton's policy towards ANWR is not entirely clear. In an article in *Alaska Business Monthly* John McClellan says that, although Clinton and Gore stated that they were in favor of designating the coastal

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plain of the Arctic National Wildlife Refuge as wilderness, they have also stated that they want to decrease oil imports and American dependence on foreign oil.⁵⁴

Clinton seems to be heading in the general direction of ANWR protection with his appointments of Bruce Babbitt as Secretary of the Interior, and Hazel Rollins O'Leary as Secretary of Energy. Babbitt himself has admitted that he has made some "strong advocacy statements for the environment".⁵⁵ Speaking to Interior Department employees he said that he supported President Clinton's ban on drilling in the Arctic National Wildlife Refuge but would not say if he would advise the administration on whether to designate ANWR a wilderness area.⁵⁶ Being cautious and politically sensitive to groups such as the oil industry, Babbitt also said that "he is capable of taking off one hat and reaching to put on another hat called public service".⁵⁷ However, the new Interior Secretary is making a policy shift in the Interior Department's policy on wildlife protection by basing preventive measures to

insure long-term protection of whole ecosystems and all their inhabitants.⁵⁸ Although Hazel Rollins O'Leary has said that she opposes drilling in ANWR,⁵⁹ she has also said that the U.S. needs to reduce its oil import dependence.⁶⁰ While both environmentalists and the oil industry have received mixed signals, overall, the environmentalists have been the ones pleased with the "green tint" of Clinton's key aides on natural resources issues.⁶¹

The 103rd Congress, which has the authority to change the existing designation of the coastal plain, has several new faces as well. The House Energy and Commerce Committee has fourteen new members, roughly 25 percent of the membership.⁶² The new members are basically untested, so it is difficult for either energy or environmentalists to assume anything.⁶³ Senator William Roth Jr. (R-Del.) and twenty other senators brought a bill, S. 39, on January 21, 1993 which would designate ANWR as a national wilderness and thus permanently off-limits to drilling.⁶⁴ Senator Ted Stevens (R-AK) told his state's lawmakers that Congress will most likely designate ANWR as a protected wilderness soon.⁶⁵

This is probably not an overinflated remark. The President and the people he has surrounding him have all spoken out in favor of banning drilling on the ANWR coastal plain. Although there have been less positive statements regarding the issue of wilderness designation, the fact that Clinton's energy policy stresses fuel efficiency, natural gas development, and alternative energy sources rather than increased oil exploration makes it likely that he will support a permanent ban on drilling.⁶⁶ The fact that Clinton needs to improve the economic situation in America is not enough to give environmentalists pause. The data shows that ANWR's coastal plain might not be the wealth of oil that Secretary Hodel thought. Vice President Al Gore has a strong

environmental record and is probably sensitive to the fact that environmentalists are counting on him to use his influence to preserve the coastal plain. All indications

are that the present administration will ban drilling, and the land's beauty will be allowed to exist as it is, as wilderness.

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ENDNOTES

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