APPEARANCES BY AGENCY STAFF AND CONSULTANTS:
Michael Payne, National Marine Fisheries Service
Kimberly Skrupky, Minerals Management Service
Sheyna Wisdom, URS
Amy Lewis, URS
Jon Isaacs, URS
PROCEEDINGS

(On record)

(Presentation)

CARLA SIMS KAYOTUK: Question on that.

MICHAEL PAYNE: Yeah.

CARLA SIMS KAYOTUK: I'm glad to see that you're going
to be doing an air quality -- my name is Carla Sims Kayotuk for
the record. You just mentioned that you don't normally take a
look at the air quality, but I think it's important because as
much activity as they're doing out on the ocean now and with
the way the winds fall and all that stuff landing on the ice
and melting and everything, I think that that pollution can
have an effect on marine mammals.

MICHAEL PAYNE: Yeah. Actually, I misspoke. We don't
regulate air quality in the National Marine Fisheries Service.
But in terms of looking at the effects of that in the
cumulative sense under NEPA, we will be looking at it. And
that was a huge issue last night in Nuiqsut. I mean, that
really was.

CARLA SIMS KAYOTUK: Yeah.

(Presentation continued)

JENNIFER SMITH: Will that Web site also have
transcripts from this meeting and the other meetings you will
go to?

MICHAEL PAYNE: It'll -- if we can do it. I don't know
how long -- I don't know how that works exactly. Did we do
that last time?

JON ISAACS: Typically the scoping report will have the
transcripts as an appendix. Plus we'll have sort of summaries,
and we'll break them down into issues. And I think we'll just
look and see what the size is, but make sure that they can be
part of this Web site so there's a way you can download them
and look at them.

MICHAEL PAYNE: Yeah.

JON ISAACS: We just got to figure out -- break them up
so they're easy for you guys to get to them. Do you agree with
that Sheyna?

SHEYNA WISDOM: Yep.

MICHAEL PAYNE: I mean, a lot of the transcripts of
these are somewhat small. I mean, there's nothing much more
than me talking. However, like, if you wanted the transcript
of last night's meeting, I'm sure that's going to be a large
one. It was a three and a half hour meeting, so -- but we'll
try to make them available. We will. We're not trying to keep
anything back. So we'll see how we can do that. And if we
have problems doing that, we'll figure out another way to get
it to you. There's always CDs if you really want it.

It's just that people in this community multitask so
much. I mean, everybody is going to meetings every day. So
some people don't have time to read these silly things, but if
you do, we'll make them -- if you do and if you want to, we'll
make them available to you.

(Presentation continued)

MICHAEL PAYNE: Do you have comments here? I couldn't
tell if your hand was up.

HENRY LORD: Yes, I do, but I'd like to reserve my
comment.

MICHAEL PAYNE: Okay. Okay.

(Presentation continued)

FENTON REXFORD: My name is Fenton Rexford.
F-e-n-t-o-n  R-e-x-f-o-r-d. I work for the Native Village of
Kaktovik, federally recognized government for the Village of
Kaktovik. I work as the tribal administrator. We appreciate
NOAA and NMFS coming to Kaktovik.

I have a short message from the council. They would
like to start a government-to-government process with this
agency to develop and use the government-to-government process
with the Native Village of Kaktovik, and we also are -- we have
an association called the Kaktovik Whaling Captain Association
under the Native Village of Kaktovik. So we can set up a
government-to-government process, and in the meantime, we'll be
informed and consulted on during this process.

Now, I'm going to also say that I am the president of
the Kaktovik Whaling Captain Association, and I'm pleased that
you are working on an Environmental Impact Statement where
previous work on marine mammals was in -- just in particular to
the bowhead whale. And I'm informed or been informed by the
CAA process that other marine mammals are included, but not as
specifically as to the hunting season and open and closing
season that they do for the bowhead.

Cultural resources need to be protected. That's where
the Native Village has members that know the cultural locations
and sites of all the cabins, ice cellars, graves, hunting and
fishing camps.

Under the biology, I just want to mention winter
fisheries have not been recorded in this area. We don't know
where the location and the types of fish between Prudhoe Bay
and Demarcation. There needs to be serious studies before EIS,
because we don't know what type of fisheries are under the ice
that may be impacted by an oil spill or other activities.

The members here also have extensive knowledge of
traditional land use and the uses and the needs that they have
used for many, many thousands of years. One particular concern
that we have is the summer coastal use during open water
season, which may commence from June until freeze up.

The residents of Kaktovik are not allowed to go on the
mainland and go after caribou. All of the summer hunting
occurs along the coast during calm days where they are safe to
go as far as Flaxman Island and as far as Canada, all along the
coast. And in a nice calm day, they can make it as far as
Flaxman Island and try and catch caribou that are along the coast getting away from the mosquitos and bugs being near the waters.

These are our only times during the summer that we have access to hunting caribou that go down to the coast. If activity, support activity, such as aircraft or helicopters or other support activities are near the coast -- and we have many people that can make oral statements that during the summer when they're getting close to caribou, either a small plane or helicopter show up and drive the caribou further inland.

That's why I feel it's very important that summer coastal use be protected for the hunting of caribou. Not only caribou, but fisheries, waterfowl. One area that I've looked at is perhaps not NMFS or NOAA, but there is a federal agency, I think they deal with marine protected areas to lease no more oceans out there, and just simply make the rest of the Beaufort and Chukchi Sea a marine protected area like they do out inland for National Parks or wildlife refuges.

Lagoon uses are very important. Several years ago various federal and local agencies identified the locations where -- in the Barrier Islands where -- I don't know what you call them, the islets or the channels that are open that protect -- that allow fish to spawn, you know, to go lay their eggs around -- in the rivers.

You've mentioned that we've had SSDC east of us
drilling, and that is in the records where the whalers were
driven -- the whales were driven 30, 40 miles offshore, and the
whalers here had to go further out and risking their lives and
losing the catch. It's too far out. So no activity during
whaling.

And again, I'm very interested, I just want to pass on
to NOAA and NMFS that it is important to develop a
government-to-government process with the Native Village of
Kaktovik to work on the traditional land uses inventory, and
also to work with you on traditional knowledge. There are many
members here that could provide these, and we want to have that
opportunity to work with another federal agency on a
government-to-government basis.

With that, I don't have anything written, but I think
the two main points I want to reiterate again are that not only
under CAA -- that CAA cover not only bowhead whale, but include
beluga, walrus, and the bearded and regular common seals.
Again, the early summer uses when there's ice that is near the
coast, as soon as the ice breaks up, the hunters go after the
bearded seals when they're hauling out on the ice, which makes
it easier for the hunters to get the seal when they're -- the
bearded seal when they're on top of the ice. There's activity
to break up or use of ice breakers. The ice will be broken up
and no ice for us to hunt food. It will be harder for us to
try and get it in the open waters.
So with that, I thank you for this opportunity to make very brief comments. The last mention I want to make is, again, please come back to Kaktovik to develop and commence a government-to-government process with the Native Village of Kaktovik. Thank you very much for this opportunity. Thank you.

MICHAEL PAYNE: Thank you.

CARLA SIMS KAYOTUK: Carla Sims Kayotuk for the record. I speak -- representing myself. I'd just like to go on the record saying that I believe that no activity would be just the right amount for our community. If I can read this. Because we truly are a coastal subsistence community. We can't travel up our rivers to hunt, so we not only, during the summertime, hunt off the sea, we hunt the animals along the coast because we can't go up our rivers. And I believe that we're going to be highly impacted by any activity that's going on because of that.

The amount of noise from the activities from these seismic -- from seismic work and by travel that they'll be doing by sea and by air will have a negative impact on our community, because I believe it will scare the caribou away, the ducks.

We have a lot of air traffic, not just from the oil companies but from tourist stuff going on. Hunters traveling along the coast, too, so we were having to deal with that on
top of the helicopters and stuff doing their routes to Point Thompson already. They're flying in the same migration -- or the times as the migration of the caribou and stuff, and I'd just really hate to see more of it happen because I think it's going to -- the cumulative impact is going to have a great negative impact on our community.

And I may have more to send in, but I just wanted to go on the record tonight and state that.

MICHAEL PAYNE: Thank you. Thank you very much.

Anyone else? If not, we're -- I'm sorry.

AMY LEWIS: Henry?

HENRY LORD: Yes.

AMY LEWIS: Did you want to make comments or no?

HENRY LORD: Yes. I'd like to comment on the element of your title, education. That I feel that education should always be the top priority. I think the most profound statement I've ever heard was Nelson Mandela's denunciation of the educational policies of apartheid as truly a crime against humanity, and that that really is the very best academia has offered our people to date. And it's been a terrible failure.

So there's a blackout of critically important history as a result of apartheid education curricula starting with the violation of the sovereignty of the Iroquois Confederacy from the East Coast and its continued pernicious effects here in the Arctic on the permanent impairment of my people's rights to
their sovereign authority as a result of the negative impact of extinguishment under ANCSA.

So there's been irrevocable harm done to the people's rights, political rights, that facilitate a violation of economic rights in terms of resource violation and theft of oil out of Prudhoe Bay. And so there's an extreme case of mammal genocide under this extinguishment business. And the assessment work on its pernicious effects has yet to be done.

And so my recommendation is to check yourself in terms of meaningful education that would empower our people with the restoration of our rights as self-determination. Thank you.

MICHAEL PAYNE: Thank you. Could you state your name, please.

HENRY LORD: Oh, Henry Lord.

MICHAEL PAYNE: Thank you. Thank you. If there are no further comments tonight, I guess we're adjourned. Again, I want to thank you very, very much for taking your time. It's a Friday night, I know you've got places you probably could have been, but we appreciate it very much. And if you have.....

EDWARD REXFORD, JR.: Yeah, I'll just.....

MICHAEL PAYNE: Change your mind?

EDWARD REXFORD, JR.: Yeah.

MICHAEL PAYNE: See, this is what happened last night. Yeah. Okay.

COURT REPORTER: Would you please state your name.
EDWARD REXFORD, JR.: Edward Rexford, Jr. Lifelong resident of Kaktovik. Also a tribal council member acting vice president, and also work for the tribe as a natural resources director, which mostly have to do with our polar bears here. And I know you guys share every year about people justifying just about, you know, the same thing over and over in each village that we are opposed to offshore activities because that's where our food comes from. And the very important part of what's been missing in the past, like you were saying, is the traditional knowledge component of the activities.

And the cumulative impacts from different projects, you know, different years, even though they're, you know, not happening at that year, it cumulates in the ocean, all the drilling, cuttings, and the toxic muds that are being dumped overboard. And I think that the agencies should really listen to the people, especially the folks in the Arctic, like in Barrow, Nuiqsut, who testified that there needs to be a no harmful discharge of drilling muds into the ocean.

I know there's two separate wordings like the U.S. and Norway has got. So I think that we need to look into, you know, that Norway study where they say they can't have no -- zero harmful discharge. Which means that they can't dump their drilling muds overboard into the ocean. But here in the Arctic, it's got a different meaning that they use, and that
allows them to discharge the drilling muds into the ocean. And I think the government needs to really look into that Norway process and try to incorporate that here in the North Slope. And I think that's all I have for now, but I'll do more written comments later.

MICHAEL PAYNE: Thank you very much.

EDWARD REXFORD, JR.: Thank you.

MICHAEL PAYNE: Thank you.

JAMES GADAMUS: Can we make a comment off record?

MICHAEL PAYNE: I'm sorry?

JAMES GADAMUS: Can we make a comment off record?

MICHAEL PAYNE: Hang on for a second. Is there any more comments that people want to put on the record? Yeah, we'll come back to you.

MARIE REXFORD: Marie Rexford, resident of Kaktovik. I oppose any offshore (inaudible) seen what it's done over the years, how much impact it has impacted us with all the air -- more air -- vehicles or the airplanes and the oil planes. They're flying all over now around here, and it's impacting us. And more of the things that's happening now, it's impacting us. And we're a subsistence hunters. And I don't want to see more of that. It's our garden. Please don't fool around with it. We need this protection for our oceans. Thank you.

MICHAEL PAYNE: Thank you. Yes, sir.

ARTHUR SMITH: I have a comment. My name is
Arthur Smith, and I've been a resident here in Kaktovik since 2004. One thing I haven't heard addressed in any of the issues for the offshore is the overall trend of the toxic drift from the middle latitudes, the industrialized parts of the world, into the Arctic.

I mean, there's been documentation where there's concentrations of DDT higher in Arctic regions than anywhere where it was actually ever used due to the air currents and water currents and how things tie up in the Arctic. There's places in Canada and in the northern European areas where the breast milk of Inupiat mothers is so toxic they'd be classified as toxic waste because of the bioaccumulation and magnification of the toxins in the food chain.

So what is going to happen when the industrialization of the Arctic presents a point source pollution and toxification on top of the drift that's already occurring from the other latitudes? I mean, you know, because once it starts, it's not going to stop. I mean, it's like a cumulative impact. I mean, once the drilling starts, is it going to just be one well? Or the -- I mean, what's it going to look like in 20 years?

I'm a professional -- by profession, I'm a professional photographer and documentary film maker, and I can measure the record of my life by what no longer exists. If I go back far
enough and start from the beginning, I can document -- I've got
audio recordings that I made 30 years ago that now you can't --
you can't hear yourself think. I've got photography from
places that virtually are indistinguishable from the form that
they -- that occurred naturally before development.

An agency that I shot for, I went through the owner's
records from the forties and fifties to reshoot assignments and
went to places that are just totally developed and
absolutely -- you know, visually represent a foreign landscape
from what occurred naturally. And that's exactly what's going
to happen here.

I mean, coming from this -- the perspective of living
here and being Inupiat is one perspective of understanding this
place and not seeing how it's going to be transformed. My
perspective is coming from the place -- coming from the region
where we have already done the work and it's already been
totally transformed and it's an ongoing process that isn't
stopping. So virtually there's nothing left in the Lower 48
that even closely resembles how it existed before we showed up
and industrialized and changed things.

So once this starts here, the cumulative impact is
going to be -- in 50 years, will people even be able to live
here anymore? Will they even want to? Will it be habitable?
I mean, you can't clean up an oil spill in broken ice, so what
happens if that happens? Who is going to pay that cost?
That's going to be the cost of life and the lives of
the culture and the animals in the ecosystem and the people
that have had this place as home for thousands of years. And
so I don't think that the industry and corporations are what
are -- are going to bear that cost, nor are they going to have
to be impacted by it. They don't live here. It's not their
home.

But I just wondered how they'd react if it was their
water and their food and their air going into their children's
and their mothers' and their wives' bodies if -- you know, if
they do the same thing. And I think we're -- it's ill
considered and a rush that's spawned by a greed that if we
haven't accumulated enough wealth and enough affluence to the
extent that this country and our civilization has occurred --
has accrued already, if that isn't enough, it's never going to
be enough. And if we don't wise up and stop, there's going to
be nothing left.

And this is the last frontier on the planet and it's
worth defending and these people are worth defending and
they're my friends and this is my home and it's an ecosystem
that has much greater value than any dollars or any resources
could ever be pulled out or extracted. Its value is already
here, and it's been here for thousands of years. And if we
wised up, we'd leave it alone.

MICHAEL PAYNE: Thank you. Thank you.
JAMES GADAMUS: I'll go on record.

COURT REPORTER: Please state your name.

JAMES GADAMUS: James Gadamus, Kaktovik. First of all, I want to mention I'm not Native American. And what I really want to stress is that all these changes we've seen, I think, that's going to influence more than anybody else in the EIS is the village people. I'm a guest here, and that's what I want to be recognized as.

I originally came to this island back in 1973 and left in about 1980. I covered pretty much everything from Barter Island, Kaktovik, to what's called Pow-1, Pow-2, Barrow, Wainwright, Point Lay, and Nome. So I think I know the villages fairly well, and my wife knows them very well. She was a special ed teacher up here.

I came back about a year and a half ago as plant manager of Point Lay, so I spend time down there. I did notice one thing that is -- when you come back after that length of time, you ask yourself, boy, what's all the changes about? And that's why I want to stress culture.

Culture is something that from the perspective from a person down in the Lower 48, we're not living in igloos, you know. They're not. And this subsistence hunting and all that, a lot of people don't understand. But I want to really stress what I noticed when I came back after 25 years. The first thing you notice is there's no longer northern lights. The
whole city is lit up. The second thing you notice, tourism. You've got (indiscernible) boats going back and forth to the Spit where there used to be birds going. The next thing you would notice is no dog teams. Vehicles running all over the place.

The biggest change of all, if they're going to say there's any culture change, I don't necessarily think it's the oil fields. I think it's the satellite dish TV. Now, I don't see that -- I say it kind of jokingly, but it's the truth. You know, when you previously know villages, the culture that was here it was church, it was basketball games outside, it was community events. That's disappeared.

The hunting has disappeared. I'm not more or less afraid, necessarily, of what's endangered specieswise as much as I'm endangered hunter. I'm more concerned about the hunter than the hunted. Because that value of life is disappearing.

So what has changed? Yes, the money comes in from these oil companies and it brings hospitals, it brings us firehouses, it gives the family the dental. That's all beautiful. But if you weigh it out, and that's for them to do, I don't think it's for us (indiscernible) to do it, I don't know if they come out ahead.

So when you -- when you're talking an ESI [sic], I think you have to ask the question, not necessarily to species or animals, it's the individuals that live here. That's what I
want to say. Thank you very much.

MICHAEL PAYNE: Thank you.

MATTHEW REXFORD: Matthew Rexford for the record.
M-a-t-t-h-e-w R-e-x-f-o-r-d. I'm a City of Kaktovik board
member. I oppose any offshore activity, be it seismic or
drilling. That seismic activity is already impacting animal
migrations. We get fish here that were tagged in Prudhoe Bay,
and that's a long migration.

And I also have problems with the cleanup process of a
possible oil spill here in the Arctic. During the winter
months, you can only recover less than one percent of an oil
spill. Until that number is raised significantly, I believe
the majority of this village will always be opposed to any
offshore drilling or activity. Thank you.

NORA JANE BURNS: Nora Jane Burns for the record. I
would like to comment on our ocean out here. Being a
fisherwoman, every summer down here when we do fishing, the
last few years I've been noticing whenever I catch a fish,
sometimes we'll get fish that are sickly. And I -- as growing
up as a young lady here, or a young kid here, the fish that we
used to catch were always healthy. But the last few years
whenever we catch fish, we get some sickly white fish, char,
and your -- yeah, they get -- their bodies are soft or
something, and it's -- and they'll have many, like, lesions on
their bodies. And that's what I've been noticing the last
couple years of my fishing down here when we fish for animals. And I would like to see our fish, natchiqs, the bearded seals, seals, and whale and other sea mammals, ducks and sea birds protected. And I know that they've done some studies on our eider ducks, they're starting to have less and less nesting, so I would like to see those animals well protected. And that they're getting -- plus, we're losing a lot of ice that -- growing up as a young person out here, we used to be able to get on these big icebergs and hunt for bearded seals. You don't see no large icebergs for you to launch your boat in and harvest that bearded seal anymore. It's -- there's no chunky ice.

And looking out, when I was coming in this afternoon or this morning, the ice that's in the lagoon over to the west side, it looks weak. You can really tell that is -- I don't think I would want to ride my snow machine, so, you know, it's -- just watching those kinds of things. It's going back and picking leaves; it was pretty thick in there, but it's getting less and less and we're getting -- our seasons are getting shorter. Winter is taking long to come, especially the snow, because we used to have snow in September, and there's no snow until late October sometimes. And it's getting pretty grim, and it's due to global warming. Thank you.

MICHAEL PAYNE: Thank you.

CARLA SIMS KAYOTUK: I wanted to make one more comment.
Carla Sims Kayotuk for the record. One of the things that's really concerning me, too, is that when we go out camping during the summertime, of course, we camp along the coast, because that's the only place we can go, my family, we usually go to the west and camp over that way, and what I hate to see is -- and hear is the noise that's coming from the ships, and probably going to be start coming over from Point Thompson, too.

Because, you know, we get away from the village to get away from the noise. Even though we're a small community, it's noisy here for us. And so I go out camping. And we like to go far enough to where we can't see anything coming from the village and stuff like that, because if we're close enough to it, that's not getting away. And so I just hate to have that all taken away from us.

I just really hate to see that taken away from us. I hate to go out camping and then hear that noise coming in from the ships and from the drill rigs and the planes flying to and from them. And so I just wanted to go on record stating that.

MICHAEL PAYNE: Thank you.

CARLA SIMS KAYOTUK: Where else are we going to go now? You know, if they put them out there, where are we going to go? I mean, this is the last -- we're at the top. I mean, there's nowhere else you can go.

HENRY LORD: In addition to my comment, the inherent
sovereignty of the people is handed down intergenerationally by each consecutive generation of elders. And the Barrow Elders Conference of 1977 had determined that Prudhoe Bay was already too much, and that the industry must be kept off the ocean at all costs. Because we're already near incapacitation because of development of Prudhoe Bay as it stands. And it's -- the supreme law of the land in that regard must be respected.

MICHAEL PAYNE: Thank you. Okay. Thank you very much. Thank you very much for your comments. I don't know what else to say right now. We will take it very seriously. We will probably be back to Kaktovik, I'm sure, in the future to talk some more about this. You probably haven't seen the end of us. But thank you very much for taking your time tonight. Thank you for your comments, and please forward written comments as you think of other things. And we appreciate it. Thank you and have a good night.

(Off record)

(END OF PROCEEDINGS)
CERTIFICATE

UNITED STATES OF AMERICA

STATE OF ALASKA

I, Crystal D. Scotti, Notary Public in and for the State of Alaska, residing at Fairbanks, Alaska, and court reporter for Liz D'Amour & Associates, Inc., do hereby certify:

That the annexed and foregoing National Oceanic and Atmospheric Administration: Effects of Oil and Gas Activities in the Arctic Ocean, Environmental Impact Statement Scoping Meeting was taken before me on the 12th day of March, 2010, at Kaktovik, Alaska;

That this hearing, as heretofore annexed, is a true and correct transcription of the testimony of participants, taken by me electronically and thereafter transcribed by me;

That the hearing has been retained by me for the purpose of filing the same with URS, 560 East 34th Avenue, Suite 100, Anchorage, Alaska 99503, as required by URS.

That I am not a relative or employee or attorney or counsel of any of the parties, nor am I financially interested in this action.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 13th day of April, 2010.

___________________________________
Crystal D. Scotti
Notary Public in and for Alaska
My commission expires: 09/15/2010

SEAL