

# Protecting the sacred place where life begins

Allen Smith

Imagine a place so vast and wild that every time you visit it, you see something new. Yet each time you see unique ecological patterns shaped by millennia of repeated annual cycles. it is on a grand scale as old as time. Here is a place where bands of white Dall sheep peer down on you from the cliffs above as you float north through the Brooks Range toward the coastal plain. In this vast wilderness, you see millions of birds come from all over the world to sing, feed, breed, and fledge their young. Where tens of thousands of caribou move back and forth across the coastal plain.

There between the Beaufort Sea and the Brooks Range, this sea of life feeds, gives birth, and avoids predators and mosquitoes. Here wolves and grizzly bears chase caribou. Grizzly bears boldly come into your camp. Here you can see 88 muskoxen in the course of one day as you float down the Canning River, seeing polar bears' dens and their cubs in winter, lining the gravel crest of Icy Reef on the coast with their post-hole tracks in summer for miles. This is a place where a large lone wolf trots past your rest stop along the Hulahula River under the pale yellow light of a late summer evening as it seems briefly to pause and look you over.

Having personally witnessed all of that in this great wilderness is an unforgettable privilege in this place so vibrant that wildness runs through it like the blood of life. It is the gold standard for all wilderness areas: a magical place.

### An undisturbed ecosystem slated for protection

The Arctic Refuge coastal plain is one of the world's most extraordinary intact wilderness and wildlife areas, by any measure of ecological value or wilderness character. This has been officially reported through decades of detailed studies and by those who have traveled there and borne witness to those internationally unique values. It is the biological heart of this refuge the size of Maine. As an undisturbed ecosystem, it is also a

benchmark standard to measure the health of the planet.

Congress passed the Alaska National Interest Lands Conservation Act PL 96-487 (ANILCA) in 1980 to establish four interrelated purposes for the Arctic National Wildlife Refuge: 1) to conserve the natural diversity of fish and wildlife, 2) to fulfill international treaty obligations, 3) to provide for continued local subsistence, and 4) to ensure water quality and quantity for fish and wildlife.

### Sacrificing the future to oil interests?

In 2015, after extensive supporting

lives' way. Further, the administration failed to consider that development would hasten climate change on the coastal plain; provides an inadequate analysis of these negative outcomes, and does not meet the requirements of the National Environmental Policy Act (NEPA).

In enacting the 2017 Tax Cuts, Congress

## The Arctic Refuge coastal plain is one of the world's most extraordinary intact wilderness and wildlife areas

public review, the US Department of the Interior (USDI) completed a revised Comprehensive Conservation Plan for the Arctic Refuge as called for by ANILCA. They forwarded it to President Barack Obama who recommended that 12.28 million acres of the Arctic Refuge be designated by Congress as Wilderness Area under the Wilderness Act.

Two years later, Congress had taken no action on that Wilderness recommendation. Instead they erred in passing Section 20001 of PL 115-97, the 2017 Tax Cuts and Jobs Act. Besides creating an unrealistic tax revenue expectation from coastal plain oil and gas development, the unintended consequence of Congress's action is "termination legislation." It will certainly force the Gwich'in to leave their way of life because of the irreparable harm that development will cause to their subsistence lifeways.

### Steady erosion of the promise of protection

It is equally wrong to allow USDI to rush ahead with leasing plans that exceed the limits of PL 115-97 and would destroy the extraordinary wild natural values found there that those communities rely on for their very

misguidedly added another purpose to the Arctic Refuge – to provide for an oil and gas program on the coastal plain. This additional purpose is totally inconsistent and incompatible with the legally established ANILCA purposes of the Refuge listed above. It will contravene those ANILCA purposes to cause lasting damage to animal and plant diversity, disrupt subsistence activities, upset water quality and quantity, and disregard international wildlife protection treaty obligations legally demanded by those ANILCA purposes. USDI failed to analyze how oil and gas development will interfere with the originally stated purposes of the Refuge.

### Spurning legal and procedural requirements

Since the passage of PL 115-97, USDI has ignored the legal requirement to first establish and evaluate an oil and gas program under NEPA review, before making plans for lease sales. It has instead rushed ahead with a plan and Environmental Impact State-

ment (EIS) that makes wholesale allowances for major oil and gas support infrastructure. This will be built outside of the 2,000 acre development footprint legally allowed under PL 115-97, Section 20001 in order to fast-track lease sales as soon as possible.

These brazen actions resulted in limited public access and participation in the process while USDI continued to work behind the scenes during this winter's government shutdown. USDI's compressed EIS scoping, inadequate Draft EIS (DEIS), omission of science reviews, disregard of the 2,000 acre footprint limitation, disregard for indigenous Native knowledge, lack of thorough analysis, and short public comment period has created a development disaster waiting to happen. USDI has totally failed to



### With development comes destruction

The relatively narrow coastal plain of the Arctic Refuge cannot be developed without destroying those ecological and wilderness values. The density and intensity of wildlife use there is too great and geographically concentrated to absorb any industrial development. The vast network

development would be like a coarsely woven giant fish-net thrown across the coastal plain ensnaring wildlife and displacing it from its historic migrations and natural patterns of use.

One has to look no further than west to Prudhoe Bay to see what the result would be—a densely developed industrial zone visible from space. Climate change is already taking its toll

there, with rising temperatures, melting permafrost, collapsing oil wells, and shorter frozen ground seasons for mechanized over-tundra access.

### Another world is possible

By contrast, a national investment in an energy policy that emphasizes Conservation, Alternatives, Renewables and Efficiencies to reduce our dependence on oil would be environmentally, economically, and nationally more secure. It would eliminate the need to sacrifice this and other ecological treasures for whatever oil may or may not be there. Call it the C.A.R.E. energy policy. We cannot survive if we continue to pursue energy policies that would have us burn all of earth's hydrocarbons. In the face of rapidly increasing impacts of climate change can we afford not to make that investment in a C.A.R.E energy policy?

### Monumental injustice added to injury

The human rights of indigenous Native Athabaskan Gwich'in Indians living in villages south and east of the Brooks Range in Alaska and Canada would be compromised. Their reliance on the Porcupine Caribou Herd for their cultural and traditional subsistence way of life would be destroyed by oil and gas development on the Arctic Refuge coastal plain. That would be an environmental racial injustice of monumental proportions.

As a non-Native, I cannot speak for the Gwich'in, but from thirty years of visiting their villages and working

with them I can make value-based observations about their needs and human rights. They are indigenous Natives who were here first and have a legal right to exist and prosper in their cultural and traditional way of life as they have for millennia. An examination of the purposes of ANILCA and the Arctic Refuge and the history of Native law shows that Congress has guaranteed those rights.

### Is nothing sacred?

Any claims that have been made by proponents of oil and gas development that the Gwich'in must adapt in the face of our perceived need for oil are condescending and unfounded. To the Gwich'in, the Arctic Refuge coastal plain is "the sacred place where life begins." Must we destroy them and their culture that others might have the last drop of oil? No. Morally, that cannot be justified. We are the ones who must adapt.

Oil and gas development cannot take place on the Arctic National Wildlife Refuge coastal plain without contravening the legal purposes of the Arctic Refuge, established by Congress under ANILCA. It cannot be undertaken there without destroying the wildlife and wilderness values protected in law, causing irreparable harm to the subsistence communities that rely on those values. No amount of analysis can honestly escape the devastating realities of what that development would do to the internationally significant wildlife values and subsistence communities that rely on that extraordinary wilderness. Whatever oil and gas may or may not be there, we should leave it there.

The Arctic National Wildlife Refuge coastal plain is wild and free, let it be.

*Allen Smith has 45 years of professional Alaska wilderness conservation experience through leadership roles at The Wilderness Society, Defenders of Wildlife, US Department of Justice and Sierra Club. He and Carol, his wife, live in Olympia.*

# A new Waterkeeper to care for the Twin Harbors

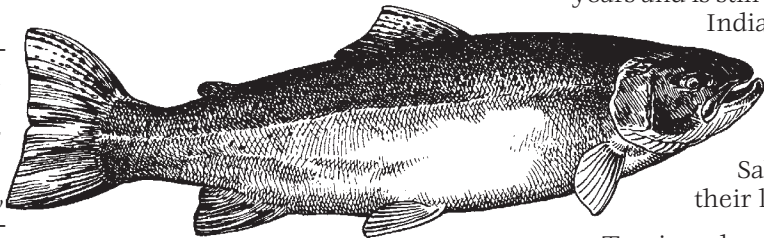
R.D. Grunbaum

Part of the work of the present is to prepare for a viable future—and so the Friends of Grays Harbor (FOGH) are passing on a task that has long occupied them—the fight to preserve the waters around Grays Harbor. In 2017 FOGH was the recipient of a Supplemental Environmental Project (SEP) legal settlement under the Clean Water Act. SEP's are fines that pollution violators must pay in addition to fixing the problem.

The dollars must go to an environmental organization within the watershed. This was the impetus to develop a water quality program that includes the Chehalis River watershed Grays Harbor Estuary, and Willapa Bay. This work will now be carried into the future by Twin Harbors Waterkeeper—part of the international Waterkeeper Alliance (www.waterkeeper.org). The role of Twin Harbors Waterkeeper will be to act as a leader in the effort to prevent pollu-

tion, restore habitats that have been harmed, and to protect what remains.

The Chehalis River Basin is approximately 115 miles long, the largest watershed whose boundaries are completely within Washington state, second in total size only to the Columbia River watershed. Seven rivers empty into the Chehalis on its way to the Pacific Ocean—the Newaukam, Skookumchuck, Satop, Wynoochee, Wishkah, Hoquiam and Humptulips.



The Willapa River is approximately 20 miles long and drains low hills and a coastal plain into Willapa Bay on its way to the Pacific Ocean. It is located entirely in Pacific County and drains six rivers. Collectively, these are the

largest coastal estuaries in Washington state.

## These water bodies have been home to native people for thousands of years

These water bodies have been home to native people for thousands of years and is still home to the Quinault Indian Nation, the Confederated Tribes of the Chehalis and the Shoalwater Bay Indian Reservation. Salmon is central to their lives.

Tourism has become an important economic engine because of the beautiful beaches and forests in Grays Harbor and Pacific counties and the abundance of wildlife they support. The Grays Harbor National Wildlife Refuge is of hemispheric

importance as it hosts millions of migratory shorebirds every year, on their long perilous journey to their nesting grounds in the Arctic. Willapa Bay is known for its biodiversity and much of it, including the entirety of Long Island, has been set aside as part of the Willapa National Wildlife Refuge.

The oyster beds of Willapa Bay and Grays Harbor assist ecosystem services by providing habitat and filtering water, improving the water quality of each watershed. Approximately one in four oysters sold in the United States are from these two oyster-growing areas. The Pacific razor clam is one of the most sought after shellfish in the state of Washington, bringing thousands of visitors to the Twin Harbors.

*Twin Harbors Waterkeeper will join its efforts to those of other regional Waterkeepers including Columbia Riverkeeper, Puget Soundkeeper, North Baykeeper and Spokane Riverkeeper as this corner of the world moves into the murky waters of the future.*

meet its legal obligations for development in the Arctic Refuge and should not be allowed to proceed with it.

of seismic survey lines, hundreds of miles of permanent roads and pipelines, airstrips, and associated infrastructure that would be brought by

# Imagine trees

Kara Walk

"Imagine tree-lined streets enhancing the beauty of your Olympia neighborhood," read the flyer from the City of Olympia. That was 16 years ago. Since then our SW Olympia neighborhood is on its way to becoming one of the loveliest and most walkable parts of the city. Pacific Sunset maples joined other species that have grown into tall trees that arch over our streets. providing shade and shelter in summer and etching the sky in winter.

For 10 years from 1998 to 2008 the City of Olympia provided free street trees through a program called *Neighborhoods*. The city would provide the sidewalk-friendly trees if the homeowner attended a tree care workshop. This attracted people in our neighborhood who had already benefited from a 1992 American Forestry grant that the Neighborhood Association used to plant garry oaks up and down 6th Avenue and acer maples on 5th.

On my street, there were several old, diseased flowering plums. Rick Walk and I attended a workshop and talked to city staff. They came out to help remove the diseased trees and pre-dig holes for new trees. We then selected select new trees suitable for our location.

Then in November 2003 we decided to organize a neighborhood-wide tree planting with the City of Olympia.

We checked in with neighbors to find out if they were interested in free street trees and invited them to an evening information visit. We coordinated with the city to plant all the trees in one day. We started on 11th Court SW, moved north onto Decatur and 4th, and then to Percival. In all that day, we planted 37 street trees at over 14 homes. It was a fun way to get to know our neighbors blocks away.

To celebrate 10 years of the Neighborhoods program, the City of Olympia organized another one-day event with the goal of planting 1,000 street trees. Neighborhood associations across the city (12 in all) came out on March 29, 2008 to help one another plant trees. The extraordinary effort by the two-person staff at the City of Olympia educated, organized, and united neighbors across the city. The foresight of planting the young street trees will prove to be an asset to the neighborhoods for generations to come.

There is another reason to celebrate: according to the US Energy Information Administration by the time these trees reach 25 years, every one living will have sequestered 400 lbs of carbon.

*Note: The City ended the Neighborhoods program several years ago.*

*Kara Walk lives in the SW neighborhood with husband, two daughters and a dog. She planted a lot of trees.*

