

Goodnews Bay questions offshore dredging

by Vernon S. Bavilla
President, Kuitsarak Inc.

Editor's Note: The following testimony was presented in Goodnews Bay by Vernon S. Bavilla. He spoke at a hearing held April 19 by the Alaska Department of Natural Resources' Division of Mining in regard to offshore prospecting permits in and near the village.

GOODNEWS BAY — Kuitsarak Inc. is the Alaska Native Claims Settlement Act village corporation for Goodnews Bay. We have 224 shareholders, nearly the entire adult population of Goodnews Bay.

We appreciate the opportunity to testify on the Preliminary Best Interest Finding of the Alaska Department of Natural Resources on the proposed disposal of state lands for offshore mining in and near Goodnews Bay. We also plan to supplement this oral presentation with more detailed written comments in support of our position.

The place you know as Goodnews Bay, we call *Mumtrak*, its original Yupik name. It has been home to us and our ancestors for thousands of years, and that is one of the thoughts we want to be sure DNR has in mind when you decide whether it is in the "best interest" of the state to permit the dredge mining of the bay and the surrounding waters.

Many people come to Goodnews Bay in the summer to make money from our rich herring and salmon fisheries, and others come for recreation fishing in the rivers which empty into the bay.

We, too, use these resources to earn money to support our families in the cash economy, but we also use these and the other rich marine resources (such as marine mammals, clams, crabs, birds and bird eggs) directly as what you call "subsistence" resources. And that tells you one of the big differences between us who live here and the people who only visit.

If something were to harm the resources of Goodnews Bay and the surrounding waters, the people who come here to fish would lose a source of pleasure or even their livelihood. We would lose our entire way of life,

and we could no longer even live in our home!

We have carefully reviewed the Preliminary Best Interest Finding and the attached resource assessment report and consulted with experts to be able to better understand it. The proposed disposal threatens us with the risk of losing everything we have, and that cannot possibly be in the state's "best interest."

The Preliminary Best Interest Finding is as defective for what it does not say as for what it does say. Not only does it leave out information about the renewable resources we do harvest, it either ignores or brushes over major questions such as mercury contamination, fuel spills and turbidity, any one of which has the potential to destroy our marine resources or our ability to use them.

Because so much has been left out of the document, we question whether sufficient time and resources went into the preparation of the Resource Assessment Report on which it is based.

It was a mistake to permit the offshore prospecting permit holders to hire their own consultants to do the Resource Assessment Report, but it also deprives the state of oversight and control of the preparation of the basic report on which the finding is based.

As stated in the finding, state tide and submerged lands are not to be opened to offshore prospecting permits if "adequate funding has not been appropriated for disposal of... minerals under the procedures provided by law."

The finding goes on to note that "adequate funding has not been provided," so we are at a loss to understand how the state was able to proceed with this disposal. Apparently it is under the rationale that this disposal only affects a "small, discreet portion" of the state's submerged lands. The problem is that the finding doesn't say that this is one of the exceptions to the limits on new offshore prospecting permits.

Even if it were a valid exception, that doesn't explain how DNR can allow new permits on five new tracts when state regulations prohibit doing so unless there is adequate funding and DNR has specifically found that "ade-

If something were to harm the resources of Goodnews Bay and the surrounding waters, the people who come here to fish would lose a source of pleasure or even livelihood. We would lose our entire way of life. . .

quate funding has not been provided."

We have concluded that the proposed disposal and new permit offering are therefore illegal as contrary to existing state law. Even if that were not the case, there are many other reasons why this disposal is not in the state's best interest and why it cannot go forward on the strength of this finding.

First, the finding totally ignores recent findings connecting mercury poisoning to submerged land dredging. The draft Environmental Impact Statement prepared for the proposed Norton Sound submerged land mining leases in November 1988 specifically discusses the risks of mercury poisoning from ocean bottom dredging.

Among other things, the statement says, mercury is the most toxic trace metal regulated by the Environmental Protection Agency. Its toxicity is of the same order of magnitude as that of several pesticides and a hundred-fold more toxic than the other trace metals of concern.

The statement goes on to say that unlike other toxic metals, the toxic effects of mercury are actually *increased* in the aquatic food chain. That means that the creatures at the end of the food chain — such as Alaska Natives who eat marine mammals — are going to get the highest concentrations of mercury.

That is especially true since seals and other marine mammals have the ability to concentrate mercury in their meat and organs, and marine mammals are one of the main parts of our diet.

According to the draft Environmental Impact Statement, the level at which mercury poses a risk of concentration to the animals and humans in the marine food chain is only 0.025 parts per billion of sea water. The same statement says that the mercury levels in the Central Bering Sea (the area nearest Goodnews Bay) has measured historically between 0.05 to 0.58 parts per billion with a mean of 0.22 parts per billion.

We are already at some risk because of the levels of mercury in the sea, and the finding doesn't give any consideration the very real possibility that this health risk could be increased by the proposed disposal.

At the very least, the finding should fully assess this risk and require that there be *no mining* anywhere inside or outside of the bay until it is proven that the levels of mercury in the sediment to be mined will not elevate the levels of mercury in our diet to unhealthy levels.

You should begin by properly sampling the levels of mercury in seal liver and clams, because we eat a lot of these and are advised that this is also where the mercury concentrations are likely to be the highest.

The draft Environmental Impact Statement says that the federally approved "safe" level for mercury in human blood is 20 parts per billion and that 200 parts per billion causes nerve damage. But the truth is nobody knows what damage mercury may do when it gets above the "safe" level, but

(Continued on Page Thirteen)

• Residents fear mercury poisoning

(Continued from Page Three)

before it starts to cause noticeable nerve damage.

The statement does say that studies showed mothers along the Yukon-Kuskokwim Coast (just north of here) had mercury concentrations of 22.7 to 73.8 parts per billion in their blood and suggests these levels could be sufficient to pose a risk to unborn children of such mothers.

The Norton Sound draft Environmental Impact Statement concludes that if there are elevated levels of mercury in sea water, marine mammals and humans, dredging that increases the level of mercury in water only a little could require people to *stop hunting and eating marine mammals!*

If there is any risk of that at all, it is not in the state's best interest to permit dredge mining offshore (much less inside) of Goodnews Bay.

Fuel spills are another potentially disastrous, but largely ignored, risk of the proposed disposal. The Resource Assessment Report says that one dredge would use about 500,000 gallons of fuel a season. We understand that a dredge the size to be used here often holds 250,000 gallons in its own tanks.

The report also acknowledges that the weather along the coast where the dredge would operate is extremely stormy. If the dredge ever runs aground, capsizes or sinks in one of these storms, there is a certainty of a catastrophic fuel spill.

The same thing could happen with the supply barge or tanker which might hold up to 500,000 gallons of fuel.

The newspaper reports coming out of Valdez said that prior to the Exxon



spill, the oil companies considered even a 250,000 gallon spill to be "catastrophic."

That is exactly the range of the risk we face here, but the finding and the report hardly even mention it. Furthermore, our experts advise us that refined fuel is even *more toxic* than crude oil, so a little bit will go a long way.

What would a 250,000 gallon fuel spill or a 125,000 gallon one as happened in Cook Inlet a year or two ago, or 50,000 or even a 10,000 gallon spill do to us?

We're afraid to ask after seeing what happened in Prince William Sound and earlier in Cook Inlet, but you have an

obligation to at least ask these questions before you determine it is in the state's "best interest" to take such a risk here.

We have a fully functioning cash and subsistence economy here right now. Last year, according to the finding it brought in more than \$1.5 million for commercial fishing alone. That's as much as the finding says will be brought in by the 50 jobs that are *supposed* to be created by the mining and doesn't even take into account the money brought in by sportsmen and others who purchase fuel and supplies from distributors in Goodnews Bay.

From the finding, it looks like all

of the economic benefit (such as it is) will be concentrated in Platinum. But we wouldn't want the project even if it were the other way around. All it will do is substitute a boom and bust type economy based on the risky development of mineral resources for the stable and growing economy we already have based on renewable resources.

The finding is also riddled with inconsistencies, and its ultimate conclusion to permit exploration and mining is inconsistent with both the Cenallulriit Coastal Resource Area Plan and the Bristol Bay Area Plan.

We do not understand how DNR can possibly approve this disposal of state lands as in the state's "best interest!" It appears to be a proposal which is only in the "self-interest" of a very few.

We cannot understand how the State of Alaska could take an action that has a substantial risk to our livelihood, our way of life and perhaps even our very own lives without much more thought.

The proposed disposal threatens everything we value and hold dear, and for what? *Maybe* 50 jobs? So a speculator can make a killing on the *possibility* there is platinum offshore of Goodnews Bay?

How can this possibly be in the state's best interest when it is measured against the stable and even growing subsistence and cash economy we already have?

The proposed disposal is inconsistent with at least two comprehensive resource plans and the state's own regulations.

The disposal is not in the state's best interest and should be shelved until it can be more properly examined and thought out.