

Kuvlum injunction against ARCO denied by judge

On September 1, 1993, lawyers for the Alaska Eskimo Whaling Commission and the North Slope Borough argued for a preliminary injunction in federal court to stop all seismic activity by ARCO Alaska in the Kuvlum Prospect about sixteen miles off shore from the Arctic National Wildlife Refuge and site of the fall whale hunt of the Inupiat villages of Kaktovik, Nuiqsut and Barrow. This injunction was sought in relation to the pending lawsuit brought by these groups against the U.S. Department of Commerce

and ARCO Alaska. That same day, ARCO send an affidavit to court stating they would cease all seismic activity at Kuvlum due to weather and ice conditions.

On September 9, 1993, Judge Harold Greene denied the request for a preliminary injunction against ARCO Alaska.

In denying the request, the judge said the court recognized that whales do avoid noise but cited the successful fall whale hunt of 1992 as his reason for denying the request. Mayor Kaleak of the

North Slope Borough, in response to the news, stated "We are, of course, very disappointed with the outcome but are confident that a strong message has been sent to both the federal government and ARCO that it is in their best interest to work with us to continue to ensure our successful subsistence harvest of the bowhead whale," said borough mayor Leslie Kaleak.

Burton Rexford, chairman of the AEWEC, stated "the record clearly indicates that Judge Greene recognizes that whales avoid noise.

Now that ARCO has shut down its seismic activities and its drill rig and ice breaker have been quiet for the past week, our subsistence hunters are again spotting bowheads close to shore in Camden Bay."

Both Kaleak and Rexford emphasized that the Inupiat community would continue to closely

monitor ARCO's activities and will not cease efforts to protect their cultural heritage and the subsistence hunt of the bowhead whale. They also plan to continue the scientific work needed to support the knowledge of the Inupiat who have hunted the bowhead for thousands of years in Arctic waters.