

Kaktovik, others sue Watt for exploration transfer

The Associated Press

The North Slope village of Kaktovik has joined with two environmental groups and asked a federal judge to set aside Interior Secretary James Watt's transfer of oil and gas exploration responsibilities in the Arctic National Wildlife Refuge to the U.S. Geological Survey.

The groups contend that Watt's March 12 order violates Alaska lands act guidelines and a congressional mandate that refuge management is the sole responsibility of the Fish and Wildlife Service.

In a motion for a summary

judgement against Watt filed with U.S. District Court Judge James von der Heydt. Trustees for Alaska claims refuge responsibility cannot be shared by any other federal agency.

"This mandate has now been violated for one of the most critical possible aspects of refuge management: oil and gas exploration in the sensitive coastal plain of the Arctic National Wildlife Refuge," the organization claims.

Trustees for Alaska, two other environmental groups, the village of Kaktovik and two individuals sued on May 1 to have Watt's order set aside. No hear-

ing date has been set on the latest motion.

The 8.8-million-acre arctic refuge includes coastal plain areas which serve as calving grounds for the Porcupine caribou herd and a nesting area for migratory waterfowl.

Trustees for Alaska claims a congressional compromise during the Alaska lands debates set special conditions for those areas.

Those provisions allow seismic exploration for oil and gas only after a baseline study of the area's fish and wildlife has been undertaken, strict safeguards are in place and exploration plans

are reviewed and approved, the group claims.

In addition, the compromise required a report to Congress on the impact of possible future oil and gas development in the coastal plain, the motion states.

After the act was passed last year, then Interior Secretary Cecil Andrus assigned responsibility for those functions to the U.S. Fish and Wildlife Service.

Watt on March 12 transferred to the U.S. Geological Survey "lead agency responsibilities" for exploration regulations, environmental impact statements and the report to Congress.

Trustees for Alaska claims

Watt also gave the Geological Survey responsibility for exploration plan approval "with concurrence" of the Fish and Wildlife Service.

In its motion, the organization claims concurrence "is a distinctly subordinate role in the overall rule making process, and no agency could meaningfully be said to be 'administering' a refuge if it were restricted to concurring in someone else's regulations."

The requirement that only the Fish and Wildlife Service administer wildlife refuges was enacted in 1976.