

JUDGE HALTS BEAUFORT SALE

U.S. District Court Judge Aubrey E. Robinson, Jr. ordered a halt to the federal Beaufort Sea oil and gas lease sale Tuesday in Washington, D.C. The language of the decision was unavailable by press time, however, the judge indicated that Native and environmentalists had demonstrated the sale was in violation of the National Environmental Protection Act (NEPA) and the Endangered Species Act.

The suits had been brought against the federal Beaufort Sea leasing process by the arctic slope villages of Kaktovik and Nuiqsut, the North Slope Borough and environmental groups in November. Attorneys for the Justice Department and Department of the Interior have indicated they will appeal the decision, although representatives of the Borough and Native groups told the Tundra Times that they were confident their position would be upheld.

Three separate lawsuits were filed in Federal District Courts in Washington challenging the legality of the sale. The first was filed on November 21 by the North Slope Borough, the Alaska Eskimo Whaling Commission, Eben Hopson,



A couple explores the treacherous Beaufort ice that shields the Arctic Coast

Sr. and Jacob Adams. This action said the Interior Secretary violated NEPA and the Endangered Species Act as well as his Federal Trust Responsibility to Natives in approving the sale. The suit asked a halt to leasing of tracts beyond the barrier islands of the Beau-

fort Sea.

Mayor Archie K. Brower of the village of Kaktovik filed suit on November 27 asking a complete halt to all Beaufort Sea leasing, citing violation of the Outer Continental Shelf Land Act.

On November 23, the National Wildlife Federation,

ments was January 3. Attorneys for the Natives and environmentalists presented their arguments against the sale at that time. Legal counsel for the Interior Secretary, the oil industry and the State of Alaska presented arguments in favor of the federal leasing program at the same time.

The judge had issued an opinion on December 7, in which he declined to issue a preliminary injunction against the sale. Robinson, however, did indicate that he believed the Natives and environmentalists had made a "substantial showing" of violations of federal laws in presenting their arguments.

Meanwhile, a challenge to state leasing in the Beaufort Sea will be heard in Alaska State Superior Court in either Barrow or Fairbanks on February 19. The state suit was filed by the North Slope Borough, Mayor Eben Hopson, Sr., and Jacob Adams on November 29. The villages of Kaktovik and Wainwright and Kaktovik Mayor Archie Brower filed to intervene in that lawsuit on December 5.

It is expected that whatever decision is reached in the state suit will also be appealed.

Photographs by ROB STAPLETON

Greenpeace of Alaska and Trustees for Alaska filed a lawsuit in the same court, also arguing that the sale is in violation of the Endangered Species Act.

The cases were combined and heard before Judge Robinson in December. A final hearing on those argu-