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**Subject:** DCN: BP036667 - Weekly Updates for the Alaska Region  
**Date:** Tuesday, March 7, 2023 10:42:49 PM  
**Attachments:** [BP036667 Weekly Update BP - Polar Bear Quota 3-8-23.docx](#) nonresponsive  
[BP036667 Weekly Update BP - Arctic Refuge SEIS 3-8-23.docx](#)  
[BP036667 Weekly Update BP - Arctic ROW 3-8-23.docx](#) nonresponsive  
[BP036667 Weekly Update BP - Izembek 3-8-23.docx](#) nonresponsive  
[BP036667 Weekly Update BP - Kaktovik Combined Issues 3-8-23.docx](#)  
[Weekly Update BP - FES 3-8-23.docx](#) nonresponsive

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BP036667 - Weekly Updates for the Alaska Region



## FWS INFORMATION MEMORANDUM

**UPDATE:** March 8, 2023

**TO:** Martha Williams, Director, U.S. Fish and Wildlife Service

**FROM:** Sara Boario, Alaska Regional Director, U.S. Fish and Wildlife Service

**SUBJECT:** BP036667 Arctic Refuge Supplemental Environmental Impact Statement

### I. KEY FACTS

Section 20001 of the Tax Cuts and Jobs Act (Tax Act) directed the Secretary of the Interior, acting through the Bureau of Land Management (BLM), to establish and administer a competitive oil and gas leasing program for the leasing, development, production, and transportation of oil and gas in and from the Coastal Plain of the Arctic National Wildlife Refuge (Refuge). During the previous administration, BLM developed an Environmental Impact Statement (EIS) – published in September 2019 – and ROD – signed in August of 2020 – for a new Coastal Plain Oil and Gas Leasing Program, with the U.S. Fish and Wildlife Service (Service) serving as a cooperator and regulator through that process. In January 2021, BLM held the first of two required lease sales, with nine leases purchased.

Based on direction from the new Administration in Executive Order 13990 and Secretarial Order (S.O.) 3401, the BLM is preparing a Supplemental EIS for the Coastal Plain Oil and Gas Leasing Program. The Service is working with BLM to define our role in this new process.

### II. BACKGROUND AND FWS POSITION

The Arctic Refuge was established in 1980 by the Alaska National Interest Lands Conservation Act. In 1988, the Arctic Refuge's initial Comprehensive Conservation Plan (CCP) recognized the coastal plain (1002 area) as critical habitat for numerous subsistence and internationally significant species including polar bear, the Porcupine caribou herd, and over 100 bird and waterfowl species. The updated CCP issued in 2015 recommended an additional 12 million acres as wilderness, including the entire coastal plain and four rivers as National Wild and Scenic Rivers. The Tax Act, Public Law 115-97, was signed into law on December 22, 2017, and directs the Secretary of the Interior, through BLM, to establish and administer a competitive oil and gas program in the 1002 area. The oil and gas program will be managed similarly to BLM's program in the National Petroleum Reserve-Alaska. A maximum of 2,000 surface acres may be authorized. The Tax Act requires two oil and gas lease sales within 10 years of enactment. All revenue receipts shall be split evenly between the State of Alaska and the U.S. Treasury.

The Service served as a cooperator in BLM's development of their 2019 EIS for the new oil and gas leasing program in the 1002 Coastal Plain, representing our responsibilities under the Alaska National Interest Lands Conservation Act of 1980, as amended (ANILCA); National Wildlife Refuge Administration Act (1966); National Wildlife Refuge System Improvement Act (1997); Endangered Species Act (ESA), Marine Mammal Protection Act (MMPA), and Migratory Bird

Treaty Act (MBTA). The Service's comments on the draft EIS indicated interest in the Arctic Refuge Manager working closely with the BLM Authorizing Officer in implementing an oil and gas program that is not in conflict with the Refuge's other four purposes. Our comments also requested specific modifications to BLM's preferred alternative, Alternative B, to ensure adequate protection of important resources including polar bears, water, and caribou. To fulfill ESA responsibilities, the Service issued a programmatic framework Biological Opinion, which addressed impacts to polar bears, Steller's eiders, and spectacled eiders.

On January 20, 2021, the White House issued [Executive Order 13990](#), which called on the Department to put a temporary moratorium on all activities related to Arctic Refuge oil and gas and to review the existing EIS. The Department's review identified deficiencies, including the lack of analysis of a reasonable range of alternatives in the EIS conducted under NEPA, leading to the issuance of SO 3401 on June 1. That Order directed the BLM and FWS not to take any action to authorize any aspect of the Coastal Plain Oil and Gas Leasing Program, as established by the Record of Decision signed August 17, 2020, in Arctic Refuge and called for a Notice of Intent to be published that kicks off a Supplemental EIS (SEIS) process. That Notice of Intent was published on July 30, and BLM is currently planning public meetings related to this SEIS.

### III. POSITION OF AFFECTED STAKEHOLDERS/PUBLIC LANDS AFFECTED

The Alaska Delegation, the State of Alaska, and other development interests support leasing the 1002 area for oil and gas development. Current Iñupiat leadership in Kaktovik, the only community within the boundaries of the Arctic Refuge, supports development, while some members of the community oppose development. The Gwich'in people, who utilize Arctic Refuge for subsistence and other purposes, and many nongovernmental conservation organizations, oppose oil and gas development in the 1002 area. The Canadian government has expressed concerns on the health of the shared Porcupine caribou herd, and, as with their Alaskan counterparts, this is an issue important to the Vuntut Gwitchin First Nation of the Northern Yukon.

The Alaska Department of Fish and Game (ADFG) is advocating for early and full engagement in our activities to implement the MMPA and ESA. We appreciate the expertise and involvement of ADFG and have worked to identify appropriate opportunities for greater engagement. We also received similar requests for full engagement and consultation from other parties who feel they have a unique role. For example, our Alaska Native co-management partners are provided a specific role under Section 119 of the MMPA. In addition, the Marine Mammal Commission has a Congressional mandate to serve as an oversight body for the Service and the National Marine Fisheries Service in implementation of the MMPA.

### IV. DISCUSSION

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## V. STATUS UPDATE

- August 24, 2021: On Monday, August 23, Service and BLM points of contact for cooperation on the Supplemental EIS met to identify roles and responsibilities to be outlined in an MOU. A draft MOU will be completed this week. Last week, Alaska Region External Affairs staff met with BLM Public Affairs staff to discuss BLM's draft plan for public meetings on the SEIS and associated communications planning. We are working with BLM to identify Service participants in the public meetings.
- August 30, 2021: On Wednesday, August 25, the Service provided a draft MOU to BLM that outlined possible roles for partnership in the SEIS's preparation and implementation. BLM is reviewing the document, and we are meeting Monday, August 30 week to discuss. On Thursday, August 26, BLM issued a press release announcing six virtual public meetings scheduled September 14-16 to inform development of the SEIS.
- September 7, 2021: The Service met with BLM's Deputy State Director for Resources on 8/30. He provided a draft of roles and responsibilities for the SEIS where the Service's input would be considered but BLM would make all final decisions, similar to how we cooperated during the original EIS. The BLM Acting State Director and Service's Acting Regional Director met and agreed that the Service should have an elevated role in decision-making as the land and natural resource manager. We are waiting for BLM to have internal conversations that align their leadership in recognizing the FWS authority in the development of the SEIS.
- September 13, 2021: Today, BLM and FWS State/Regional Directors and Assistant Regional Directors are meeting to discuss how we will co-lead the development of the SEIS. This week, BLM is holding public meetings on the SEIS (September 14-16), with FWS Arctic Refuge and the Marine Mammals Management staff serving as panelists.
- September 20, 2021: Last week, the Service participated in the SEIS public meetings. The Service participated in a co-lead role, with the Acting Alaska Regional Director providing opening remarks following remarks from BLM's Acting State Director.
- September 27, 2021: The scoping period on the SEIS closes next Monday, October 4<sup>th</sup>.
- October 4, 2021: As of September 28<sup>th</sup>, we have received approximately 23,000 comments through the scoping period that ended today. The contractor plans to provide a preliminary scoping report to the Service, BLM, and the State of the Alaska—the only agency that has signed on to be a cooperator— on October 5<sup>th</sup>. The Service and BLM staff are reviewing a draft MOU laying out how we will co-lead on SEIS development.
- October 12, 2021: The contractor updated BLM, the Service, and the State of Alaska (the only Cooperating Agency) on comments received through the scoping period. A scoping



report will be completed in the next several weeks following analysis. The scoping period generated approximately 104,000 comments, the majority of which are form letters from conservation NGOs. The contractor estimated that there are potentially 4,800 comments with unique content. The Service and BLM continue to work on the MOU.

- October 18, 2021: No new update.
- October 25, 2021: Bobbie Jo Skibo started on 10/12/21 as the new 1002 Coastal Plain Coordinator and met with the BLM lead planner on Friday, October 22 to begin her liaison role between BLM and the Service for the development of the SEIS. As joint lead agencies in this process we will continue to meet during a weekly standing call to review and finalize the MOU as well as identify next steps and key details related to the process.
- November 1, 2021: No new update.
- November 8, 2021: A call was hosted between BLM and FWS leadership to finalize the draft MOU highlighting consensus development and joint lead roles. Final review and signatures are expected soon.
- November 15, 2021: The MOU was finalized and signed by both BLM and FWS. The MOU outlines our intent for consensus decisions as Joint Lead Agencies and integrates the FWS Coastal Plain Coordinator as an equal Project Lead. A final scoping report was completed by the project contractor that summarizes substantive comments received through the scoping period. BLM is finalizing a performance work statement for the post-scoping phase.
- November 22, 2021: We received the final public scoping report today (not yet 508 compliant). Due to the holiday on 11/25, we plan to publish the final 508 compliant version of the Scoping Report along with the public comments and scoping meeting transcripts to the BLM's NEPA Register (a.k.a. ePlanning) on 11/29. We anticipate the new contractor that will assist for the duration of the process will be selected in December, and we will resume the next steps of the process in mid-January.
- November 29, 2021: No new update.
- December 6, 2021: The final SEIS scoping Report has been published on BLM's e-Planning website, where it is accessible to the public. Two cooperating agency MOU's are circulating for signature; one is with the Alaska Department of Natural Resources, and the other is with three Tribal entities (i.e., Native Village of Venetie Tribal Government, Venetie Village Council, and Arctic Village Council). The interagency-interdisciplinary team plans to meet on January 19<sup>th</sup> and 20<sup>th</sup> to kick off the next steps of the SEIS process.
- December 13, 2021: No new update.
- December 20, 2021: No new update.
- December 27, 2021: The BLM and USFWS, as co-lead agencies on the SEIS, are hosting a learning and listening session to kick off the Coastal Plain SEIS effort on January 19 and 20, 2022. The purpose of the meeting is to establish roles and responsibilities, set expectations for the SEIS process, and share expertise about issues on the Coastal Plain from different perspectives. Attendees will include cooperating agency representatives, as well as BLM, USFWS, and contractor ID Team members and associated staff. EMPSi Environmental Management and Planning Solutions, Inc. was awarded the contract to manage the remainder of the SEIS process.
- January 3, 2022: No new update.
- January 10, 2022: No new update.

- January 18, 2022: The Joint Lead Agencies (FWS and BLM) are hosting their SEIS kickoff meetings on January 19<sup>th</sup> and 20<sup>th</sup>. The first day features only DOI agency (BLM, FWS, SOL) staff. The second day features Cooperating Agencies, including the State of Alaska and the Native American Rights Foundation (representing the Native Village of Venetie Tribal Government, Venetie Village Council, and Arctic Village Council).
- January 18, 2022: The Joint Lead Agencies (FWS and BLM) are hosting their SEIS kickoff meetings on January 19<sup>th</sup> and 20<sup>th</sup>. The first day features only DOI agency (BLM, FWS, SOL) staff. The second day features Cooperating Agencies, including the State of Alaska and the Native American Rights Foundation (representing the Native Village of Venetie Tribal Government, Venetie Village Council, and Arctic Village Council).
- January 24, 2022: Last week, the Service and BLM—as Joint Lead Agencies—hosted 2 successful and well attended kickoff meetings for the SEIS, which set the right tone for this process—one of consensus and collaboration. Day 1 was a shared learning opportunity and a meet-and-greet for the BLM-FWS Joint Leadership and Interdisciplinary Team. Day 2 was designed primarily for the Cooperating Agency representatives to introduce themselves and to get to know the Joint Lead Agencies. The next major step in this process will be the alternatives development workshop, which we plan to hold in the spring, involve BLM, FWS, and Cooperating Agencies.
- January 31, 2022: The Joint Lead Agency Project Managers are following up on tasks and questions that came up during the kick-off sessions including finalizing the State of Alaska Cooperating Agency MOU and developing Non-Disclosure Agreements for all participating cooperators and contractors.
- February 7, 2022: No new update.
- February 14, 2022: No new update.
- February 22, 2022: No new update.
- February 28, 2022: No new update.
- March 8, 2022: The Cooperating Agency MOU with the State of Alaska was finalized this week and signed. The Joint Lead Project Managers have been meeting with staff on a variety of topics including transboundary interests and engagement with Canada; inclusion of Indigenous and Traditional Ecological Knowledge (ITEK) into the process; and the legal deficiencies noted in SO 3401. The Joint Lead Project Managers are also working on a joint memo that outlines the many interpretations of the Tax Act and associated aspects of the EIS to ensure BLM and FWS are on the same page as we move forward into the Alternatives Development Workshop scheduled for late April.
- March 14, 2022: The SEIS process is ramping up to stay on schedule for a signed ROD by August 2023. The FWS Interdisciplinary Team (IDT) plans to meet March 30 and 31 to discuss alternatives, including those from the EIS and other alternatives that could provide a more “reasonable range” of alternatives in the SEIS. We hope to meet with NARF and Tribal representatives in early April to start discussions on how best to integrate ITEK into the SEIS process. We also recently met with DOI International Affairs staff to seek support and guidance on how best to interface with Canada.
- March 21, 2022: No new update.
- March 28, 2022: No new update.
- April 4, 2022: The FWS IDT met on March 30 and 31 to begin strategizing on resource considerations that can be built into the Stipulations and Required Operating Procedures

for the SEIS. In addition, we spent time exploring and discussing Scoping comments related to key resource areas. On April 8, the Joint Lead Project Managers are meeting with NARF and other Tribal representative to begin discussions on how we will approach the inclusion of Indigenous and Tribal Ecological Knowledge (ITEK).

- April 11, 2022: No new update.
- April 18, 2022: The Joint Lead Project Managers had a very successful meeting with tribal representatives of Arctic Village and Venetie on April 8. The team agreed to continue meeting every two weeks to ensure forward momentum on identifying ways to integrate ITEK into the SEIS. The tribal representatives invited the Project Managers to their villages to meet with Elders and their people to “begin healing from the past”. They requested that we visit prior to any public comment period begins and to come prior to “pulling out the maps”. That trip is tentatively scheduled for June. The Alternatives Development Workshop is being held on April 25<sup>th</sup>-27<sup>th</sup> and will include the Joint Lead and Cooperating Agencies. This will begin the more involved part of the SEIS process.
- April 25, 2022: This week, BLM and FWS are hosting the Alternatives Development Workshop.
- May 2, 2022: Last week, approximately 70 participants (25 in-person and 45 on Zoom) from the Joint Lead Agencies and Cooperating Agencies—including the State, Venetie Tribal Council, and Arctic Refuge Tribal Council—met to begin SEIS alternatives development. This workshop primarily focused on the Stipulations (Stips) and Required Operating Procedures (ROPs) for each alternative. After this meeting, at least seven topics were identified for further discussion—including air; climate change; caribou; water resources and fish; permafrost, snow, and overland travel; polar bears and other wildlife; and the integration of Indigenous and Traditional Ecological Knowledge—and Resource Groups have been set up with agency representatives who will meet over the coming weeks to look at the Stips and ROPS for their area of expertise.
- May 9, 2022: No new update.
- May 16, 2022: Acting Arctic Refuge Manager met with Kaktovik community leaders Edward and Matthew Rexford on May 11, during which they shared a brief update and an estimated SEIS completion timeline. During that meeting, the Rexfords raised a specific question about the legal deficiencies with the first EIS. The Joint Lead Project Managers are scheduling follow-up Resource Group discussions to further refine the Stips and ROPs for SEIS alternatives the weeks of May 16 and May 23.
- May 23, 2022: The 6 Resource Groups met last week to provide input to the Stipulations and Required Operating Procedures. We anticipate having our group work completed by May 27 and will work with the Joint Lead Agency IDTs to synthesize the input to date into a master document for review and next steps. EPA has also reached out to become a Cooperating Agency, and the Cooperating Agency MOU is in EPA’s legal review process and should be signed soon.
- May 31, 2022: No new update.
- June 6, 2022: A Government-to-Government (G2G) consultation has been scheduled in Arctic Village for June 27, 2022. Both SEIS co-leads will have representatives present at this G2G meeting, including the Regional Directors of the two bureaus. The MOU with EPA has been signed and they are now a full Cooperating Agency in the process.
- June 14, 2022: No new update.
- June 21, 2022: No new update.

- June 27, 2022: BLM and the Service are conducting a Government-to-Government consultation in Arctic Village this week. Sara Boario is representing the Service at the consultation.
- July 5, 2022: The Joint Lead Agencies held a very successful Government-to-Government consultation last week with representatives of the Arctic Village and Venetie Tribal Councils. They have asked for another consultation in September. As of this week, the EPA's MOU for Cooperating Agency status has been signed by all parties. The Joint Lead project managers will be finalizing the Stipulations and Required Operating Procedures this week so the EMPSi contractors can begin development of alternatives.
- July 11, 2022: No new update.
- July 18, 2022: No new update.
- July 26, 2022: No new update.
- August 1, 2022: A second round of Government-to-Government consultation is being planned for September 11-13. One day will be spent in Venetie and one day in Arctic Village. The Joint Lead Project Managers are finalizing the ROPs and STIPs and should be prepared for alternative development within the next 2 weeks.
- August 8, 2022: No new update.
- August 15, 2022: No new update.
- August 22, 2022: No new update.
- August 29, 2022: No new update.
- September 6, 2022: No new update.
- September 13, 2022: Over the past month, the Project Management Team has been working on elements of the SEIS including the Purpose and Need Statement, the Reasonably Foreseeable Development scenario and the 2,000-acre interpretation (as identified in Secretarial Order 3401) and the Stipulations and Required Operating Procedures. We have been holding regularly reoccurring Cooperating Agency meetings as well as reoccurring ITEK working group meetings. Current Cooperating Agencies include EPA, Native Village of Venetie Tribal Government, the Venetie Village Council, the Arctic Village Council, and the State of Alaska. The Inupiat Community of the Arctic Slope (ICAS), a regional Alaska Native tribal government, is interested in joining on as a cooperating agency; they represent a number of native communities across the North Slope. We are working on the MOU this week. The Native Village of Kaktovik has expressed interest in becoming more involved in the SEIS. They would like to set up a meeting with BLM/USFWS in October. We have received a formal request from the Kaktovik Inupiat Corporation for ANCSA consultation. We will be following up on this request. The Project Management Team is in Arctic Village for Government-to-Government consultation September 13<sup>th</sup>, 2022.
- September 20, 2022: The Project Management Team attended the Government-to-Government consultation on September 13 in Arctic Village. It was well attended by tribal members of the community and staff are now following up on next steps.
- September 27, 2022: Last week, the BLM and FWS Project Management Team met with FWS and BLM Alaska communications staff to develop a plan for coordinating regionally on proactive and reactive communication needs. (Note: Any external communications will be closely coordinated with FWS and BLM HQ and the Department.)
- October 3, 2022: No new update.

- October 11, 2022: The Project Management Team is continuing to refine the Stipulations and Required Operating Procedures this week and will send to the EMPSi contractor this Friday to begin the development of alternatives and maps. The Team is also hosting a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18<sup>th</sup> in Anchorage. Then Team is also hosting a Cooperating Agency meeting on October 19<sup>th</sup>.
- October 18, 2022: The Team is hosting a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18<sup>th</sup> in Anchorage and is hosting a Cooperating Agency meeting on October 19<sup>th</sup>.
- October 25, 2022: The Project Management Team held a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18<sup>th</sup> in Anchorage and discussed a variety of topics, including a Gwich'in proposal for a new alternative that addresses protections for caribou calving and for climate change related changes to permafrost (ice-rich soils). The discussion went well and one representative said this was the "most meaningful consultation they have engaged in to date." The team also hosted a Cooperating Agency meeting on October 19<sup>th</sup> with pre-existing Cooperators (State of Alaska and the Gwich'in Tribal representatives from Arctic Village and Venetie and new Cooperators (Native Village of Kaktovik (NVK), EPA, and the Inupiat Council of the Arctic Slope (ICAS)). That meeting focused on bringing everyone up to speed and shared our updated Purpose and Need statement, our tentative schedule, and discussed how we are working towards a new alternative and associated Stipulations and Required Operating Procedures. The Project Management Team—including Regional Director, Sara Boario and BLM State Director Steve Cohn—is meeting in Kaktovik with the Native Village of Kaktovik on October 26<sup>th</sup> for a G2G consultation and on October 27<sup>th</sup> for an ANCSA consultation with the Kaktovik Inupiat Corporation.
- November 1, 2022: No new update.
- November 7, 2022: No new update.
- November 14, 2022: (b)(5)DPP  
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- November 21, 2022: (b)(5)DPP  
[REDACTED]
- November 28, 2022: Regional Directors Boario (FWS) and Cohn (BLM) are working to schedule a joint briefing with Directors Williams (FWS) and Stone-Manning (BLM), and Deputy Directors for the week of 12/5.
- December 5, 2022: No new update.
- December 12, 2022: The Project Management Team and Regional Directors Boario (FWS) and Cohn (BLM) met with Directors Williams (FWS) and Stone-Manning (BLM), and Deputy Directors to discuss the current range of alternatives and other key aspects of the SEIS.
- December 19, 2022: No new update.
- January 10, 2023: The Project Management Team held a briefing on Friday, January 6<sup>th</sup> with Regional Directors Boario (FWS) and Cohn (BLM) to begin preparing for an



upcoming (tentatively on 27 Jan.) Departmental Review Team briefing to gain concurrence on the Alternative E that has been under development.

- January 17, 2023: No new update.
- January 24, 2023: The Project Management Team is finalizing details for an upcoming Indigenous Traditional Ecological Knowledge (ITEK) and Science Integration Workshop tentatively scheduled for February 27<sup>th</sup> through March 4 at the Morris Thompson Center in Fairbanks. The workshop is designed to create a shared-learning opportunity and safe space for cross cultural and interdisciplinary discussions on key resource topics putting ITEK on equal footing with Western science throughout the SEIS. The workshop will be co-managed and led by BLM/FWS staff and tribal representatives. Invitees include key agency staff and members (and their invited guests/contractors) of the Native Village of Kaktovik, the Inupiat Community of the Arctic Slope, Native Village of Venetie Tribal Government, Venetie Village Council, and Arctic Village Council.
- February 1, 2023: No new update.
- February 8, 2023: No new update.
- February 15, 2023: Regional Director Sara Boario will be joining virtually while the Project Management Team will be traveling to Kaktovik February 12-14 for a Government-to-Government consultation with the Native Village of Kaktovik as well as an ANCSA consultation with the Kaktovik Inupiat Corporation. The ITEK Workshop is confirmed for February 27-March 4, and the team is finalizing details for this first-of-its-kind effort. Confirmed attendees include highly respected elders and knowledge holders from Arctic Village, Venetie, and Fairbanks.
- March 1, 2023:
  - On February 13<sup>th</sup>, members of the Project Management Team held a hybrid (in-person/phone) Government-to-Government consultation with the Native Village of Kaktovik. In attendance were also members of the Kaktovik Inupiat Corporation. The G2G session included a discussion on NVK's recommendations on the Final EIS Stipulations and Required Operating Procedures. Additionally, NVK raised questions about how Indigenous Knowledge was being considered in the SEIS, and raised significant concerns about an ITEK workshop intended to bring all Tribes and knowledge-holders together to discuss perspectives on resource topics covered in the SEIS. FWS and BLM decided to pause the workshop to address these concerns.
  - The updated range of alternatives has been developed and approved, and project contractors will begin to update and expand the affected environment and environmental consequences sections for the SEIS.
- March 8, 2023: No new update.

## VI. TIMELINE AND NEXT STEPS

Table 1 below.

**Prepared by:** Brian Glaspell, Refuge Chief, Alaska Region

☐ FYI    or    ☐ Requested by: *[name]*

☒ **Prepared for a meeting:** Weekly Alaska Policy Meeting

**Does this involve, directly or tangentially, any Director's Office recusals?** ☐ Yes ☐ No

**If yes, please identify:**

**Table 1. Schedule for Arctic Refuge Supplemental EIS**

| <b>Start</b>       | <b>End</b>         | <b># of Days</b> | <b>Description</b>   |
|--------------------|--------------------|------------------|--|
| August 4, 2021     | August 4, 2021     | NA               | BLM's Notice of Intent for Supplemental EIS publishes in Federal Register.   |
| August 12, 2021    | August 12, 2021    | NA               | Date of meeting between USFWS and BLM National and Regional leadership regarding preparation of SEIS.  |
| August 23, 2021    | August 23, 2021    | NA               | FWS and BLM Regional Leadership meet regarding preparation of SEIS   |
| August 30, 2021    | August 30, 2021    | NA               | FWS and BLM Regional Leadership met to continue conversations on SEIS coordination.  |
| September 13, 2021 | September 13, 2021 | NA               | FWS Regional Director and BLM Alaska State Director and ARDs will meet to discuss FWS co-lead role in SEIS   |
| September 14, 2021 | September 16, 2021 | 3                | BLM has scheduled 6 virtual public meetings to assist in the preparation of the SEIS. Participants under consideration.                            |
| October 5, 2021    | October 5, 2021    | NA               | BLM, FWS and the State of Alaska will meet with the contractor preparing the preliminary summary of written and oral scoping comments on the SEIS. |
| January 19, 2022   | January 20, 2022   | 2                | Joint Leadership and IDT Kick Off (Day 1), Cooperating Agency Kick Off (Day 2)   |
| April 25, 2022     | April 27, 2022     | 3                | Alternatives Development Workshop  |
| Summer/Fall 2022   |                    |                  | Administrative Draft SEIS  |
| Late 2022          |                    |                  | Minimum 45-Day Public Comment Period   |
| Early 2023         |                    |                  | Develop Final SEIS   |
| Mid 2023 (August)  |                    |                  | Record of Decision   |
|                    |                    |                  |  |
|                    |                    |                  |  |

## USFWS INFORMATION MEMORANDUM



**UPDATE:** March 8, 2023

**TO:** Martha Williams, Director, U.S. Fish and Wildlife Service

**FROM:** Sara Boario, Alaska Regional Director, U.S. Fish and Wildlife Service

**SUBJECT:** BP036667 Summary of Arctic National Wildlife Refuge and Significant Kaktovik, Alaska, Issues

### I. KEY FACTS

Alaska is home to 229 federally recognized tribes and 200 Alaska Native Claims Settlement Act (ANCSA) Corporations. The U.S. Fish and Wildlife Service's (Service) work across the state has significant implications for Tribal partners and Indigenous peoples, and we strive to work together as shared stewards. The Service's relationship with Kaktovik—located along the northern boundary of Arctic National Wildlife Refuge (Refuge)—is among the most sensitive and complex within Alaska, due to a difficult history between the U.S. Government and Qaaktuḡvigmiut (the people of Kaktovik). Aside from the relatively new issues of polar bear viewing, land and water jurisdiction, and commercial permitting, there are deeper challenges driven by the fact that land claims were settled without consent of the Qaaktuḡvigmiut. There is an ongoing effort between Service staff and Kaktovik's leaders to improve our relationship and communications.

The Service's relationships with Kaktovik are also complicated by the number of Service programs involved and the number of entities in Kaktovik with which the Service collaborates. Multiple Service Alaska Region programs are engaged in activities that affect Kaktovik, with the largest players being the Refuge, which manages lands and waters surrounding Kaktovik, and the Marine Mammals Management (MMM) program, which is responsible for protecting polar bears under the Marine Mammal Protection Act, the Endangered Species Act, and several international agreements. The Service's relationships with Kaktovik involve three governing bodies and one corporate board representing the people in Kaktovik: The Native Village of Kaktovik (NVK), a federally recognized tribal government; the City of Kaktovik, a state-chartered municipal government; the less formal but important Indigenous traditional Whaling Captains, a body to govern whaling; and the Kaktovik Inupiat Corporation (KIC), an ANCSA Corporation. The North Slope Borough also has a significant role in the community in addition to owning the airport land.

The major issues currently impacting the Service's relationship with Kaktovik are listed below.

- Kaktovik Community Coordination

- Off-Road Vehicle (ORV) Use for Subsistence Purposes on the Arctic Refuge (“traditional access”)
- Arctic Refuge Right-of-Way (ROW) for Kaktovik, Alaska
- Local Participation in Polar Bear Viewing in the Arctic Refuge
- Arctic Refuge Coastal Plain Oil and Gas Program Supplemental Environmental Impact Statement (SEIS)

## II. BACKGROUND AND FWS POSITION

Kaktovik Community Coordination: The Service’s Alaska Region seeks open communication and collaboration with the people of Kaktovik, including closer relationships and fellowship with the NVK, KIC, and City of Kaktovik. We propose exploring a new framework for relationships in cooperation with local leaders. This could include: a Community Liaison position; development of a Kaktovik Community Collaborative, an advisory group that serves as a forum to regularly convene local, state, and federal partners to maintain lines of communication and proactively address issues; a truth and healing effort; a cultural training program for employees working with Kaktovik; and additional paths forward to improve our relationship.

ORV Use for Subsistence Purposes on the Arctic Refuge: The Service has been working on a traditional access study for Arctic Refuge, following up on direction in the 2015 Refuge CCP and a subsequent Director’s Memo (073990) and accompanying Solicitor’s Opinion. Kaktovik residents and leaders have expressed a desire to use ORVs in Arctic Refuge for subsistence use and have implied that certain, not yet verified despite Service requests, means of ORV use were employed by local residents prior to the passage of the Alaska National Interest Lands Conservation Act (ANILCA) in 1980. The traditional access study was completed by a contractor and shared with affected communities in March of 2022. Missing information could affect the access determination for the Kaktovik area.

Arctic Refuge Road ROW for Kaktovik, Alaska: In August 2021, KIC submitted a ROW application asking for a 20-year, with option for renewal, overland snow route to move materials for a permanent school, community vehicles, fuel, and “other consumables.” The Service determined that the application was complete and will soon be preparing a NEPA analysis of the ROW and alternatives. Polar bears and administration of the ESA and MMPA will be a significant issue to address.

Local Participation in Polar Bear Viewing in the Arctic Refuge: The number of tourists visiting Kaktovik, Alaska, for polar bear viewing has increased significantly in the last decade, posing challenges for residents. To address this, in 2010 the Service began authorizing commercial boat-based viewing on Kaktovik waters, which are the jurisdiction of Arctic Refuge. In January of 2021, issuance of Secretarial Order No. 3392, *Local Participation in Commercial Polar Bear Viewing Services in the Arctic National Wildlife Refuge and Other Commercial Visitor Services in Alaska Conservation System Units* paused commercial polar bear viewing activities at Arctic Refuge until the Service completed a “polar bear commercialization study” and called on the Assistant Secretary for Fish and Wildlife and Parks to develop a report to the Deputy Secretary on implementation of ANILCA Sections 1307 and 1308 (due March 15). In response to the Order, the Service’s Alaska Region recommends reconvening with the community to discuss studies completed prior to the pandemic as part of the development of a draft Polar BEAR

Viewing Management Strategy. These studies and the draft Management Study meet the intent of many elements of the Order.

Arctic Refuge Coastal Plain Oil and Gas Program SEIS: Section 20001 of the Tax Cuts and Jobs Act (Tax Act) directed the Secretary of the Interior, acting through the Bureau of Land Management (BLM), to establish and administer a competitive oil and gas leasing program for the leasing, development, exploration, production, and transportation of oil and gas from the Coastal Plain of the Arctic Refuge. During the previous administration, BLM developed an Environmental Impact Statement (EIS) – published in September 2019 – and ROD – signed in August of 2020 – for a new Coastal Plain Oil and Gas Leasing Program, with the Service serving as a cooperator in that process. In January 2021, BLM held the first of two required lease sales, with nine leases purchased. Based on direction from the new Administration in Executive Order 13990 and Secretarial Order (S.O.) 3401, the BLM and Service, as joint leads, are currently preparing a SEIS for the Coastal Plain Oil and Gas Leasing Program.

### III. POSITION OF AFFECTED STAKEHOLDERS/PUBLIC LANDS AFFECTED

Local Community Perspectives: The Native Village of Kaktovik and the Kaktovik Inupiat Corporation have expressed frustration that their perspectives on self-determination and environmental justice have not been sufficiently heard, and they strongly desire additional coordination between the Service and the community.

- ORVs: They would prefer the Refuge to allow ORVs for subsistence use and have communicated that certain means of ORV use were employed by local residents prior to ANILCA.
- ROW: With their ROW application and supporting statements, Kaktovik residents have been clear about their desire for improved access to their community.
- Polar bear viewing: They have also expressed interest in having primary management responsibility for polar bear viewing on Refuge waters surrounding the community, along with any permit administration responsibilities. (b)(5)DPP(b)(5)DPP  
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- Oil and gas development: Opinions vary in Kaktovik, but through their current leadership, residents have expressed support for oil and gas development on the Arctic Refuge coastal plain. The Gwich'in people, who utilize Arctic Refuge for subsistence and other purposes, and many conservation nongovernmental organizations, oppose oil and gas development in the 1002 area.

The Alaska Congressional Delegation: The Delegation generally supports Kaktovik leaders in their desires for ORV use on the Refuge, changes to the polar bear viewing program, oil and gas production in Arctic Refuge, and the development of a ROW for Kaktovik.

Environmental Groups: While many environmental groups advocate for Indigenous rights and improved relationships with Indigenous Peoples, they likely diverge from the Kaktovik community on these issues. In general, these groups oppose ORV use and expanded access across the refuge, and oppose efforts toward oil and gas development.



#### IV. DISCUSSION


To strengthen our relationships in Kaktovik, the Service must closely track and manage each of these issues as part of a broader package and commit to open and honest communication and healing with Kaktovik. Many issues affecting Kaktovik garner significant outside attention, and decisions about oil and gas development, overland access through Arctic Refuge, and polar bears are likely to be litigated, which could further complicate the goal of open communication. Improving our relationships in Kaktovik will take significant time and effort, but the Alaska Region is committed to that investment.

#### V. STATUS UPDATE

- March 28, 2022:
  - *Kaktovik Community Coordination:* The Alaska Region is communicating with Kaktovik leadership to establish a liaison position that will facilitate improved communications between the Service and the community.
  - *ORV Use for Subsistence Purposes on the Arctic Refuge:* Communities and Tribal entities were sent the final report March 18, 2022, and were invited to engage in government-to-government consultation, and afforded continued opportunity to provide additional documentation missing from the report by June 1, 2022. The Refuge Manager will complete a final determination of traditional ORV use for subsistence purposes by the summer of 2022.
  - *ROW:* Evaluate existing access as being adequate and feasible and prepare NEPA scoping to evaluate issuance of an 1110(b) ROW permit.
  - *Polar Bear Viewing:* Arctic Refuge is not currently authorizing bear viewing activities per S.O. 3392, and out of respect for Kaktovik's COVID-19 declaration prohibiting nonresident travel. Kaktovik leadership has recently requested updates on the status of and response to S.O. 3392.
  - *Arctic Refuge Oil and Gas SEIS:* The SEIS process is ramping up to stay on schedule for a signed ROD by August 2023. The Service's Interdisciplinary Team plans to meet March 30 and 31 to discuss alternatives, including those from the EIS and other alternatives that could provide a more "reasonable range" of alternatives in the SEIS.
- April 4, 2022:
  - *ROW:* Given that Kaktovik has been determined an inholding for the purposes of ANILCA 1110(b), Refuges will be moving forward with the NEPA process. We are now preparing to communicate next steps with Kaktovik, with the first step being development of a Notice of Intent.
  - *Arctic Refuge Oil and Gas SEIS:* The FWS IDT met on March 30 and 31 to begin strategizing on resource considerations that can be built into the Stipulations and Required Operating Procedures for the SEIS. In addition, we spent time exploring and discussing Scoping comments related to key resource areas. On April 8, the Joint Lead Project Managers are meeting with NARF and other Tribal representative to begin discussions on how we will approach the inclusion of Indigenous and Tribal Ecological Knowledge.
- April 11, 2022:

- *ROW*: On April 8, the Service communicated with Kaktovik leadership on next steps, including a future Notice of Intent (NOI) to start NEPA. The Service plans to hire a contractor to conduct NEPA, and is preparing a draft NOI package for the *Federal Register*.
- April 18, 2022:
  - No new updates.
- April 25, 2022:
  - Last week, the Director and Secretary met with Kaktovik leadership as part of a North Slope Listening session in Utqiagvik, who raised the issues incorporated in this briefing paper.
- May 2, 2022:
  - *Kaktovik Community Coordination*: Last week (4/22), the Acting Refuge Manager was given permission by the City Council to travel to Kaktovik. That travel is tentatively scheduled for the week of May 9. The Region is working out the details of the visit.
  - *ROW*: We continue to work on the NOI package for NEPA.
  - *Arctic Refuge Oil and Gas SEIS*: Last week, approximately 70 participants from the Joint Lead Agencies and Cooperating Agencies (i.e., the State, Venetie Tribal Council, and Arctic Refuge Tribal Council) met to begin SEIS alternatives development. This workshop primarily focused on the Stipulations (Stips) and Required Operating Procedures (ROPs) for each alternative. From this meeting, topics were identified for further discussion (e.g., air; climate change; caribou; water resources and fish; permafrost, snow, and overland travel; polar bears and other wildlife; and Indigenous and Traditional Ecological Knowledge), and Resource Groups were established to look at the Stips and ROPS for their resource area of expertise.
- May 9, 2022:
  - No new update.
- May 16, 2022:
  - *Kaktovik Community Coordination*: The Acting Arctic Refuge Manager and other key staff travelled to Kaktovik May 9 – 12. The Manager and Supervisory Ecologist met with village leaders Edward and Matthew Rexford to discuss a multitude of topics including Coastal Plain field activities, the SEIS, and the Traditional Access study. Kaktovik leaders did inquire about the ROW permit status, but we had no new information or updates. Additionally, Alaska Region staff met with Kaktovik leadership via phone on May 11<sup>th</sup> to discuss potential duties and the desired knowledge, skills, and abilities for a future liaison position that will facilitate improved communications between the Service and the community.
  - *ROW*: (b)(5)ACP-AWP [REDACTED]
  - *Arctic Refuge Oil and Gas SEIS*: The Joint Lead Project Managers are scheduling follow-up Resource Group discussions to further refine the Stips and ROPS for SEIS alternatives the weeks of May 16 and May 23.
- May 23, 2022:

- *ROW*: The Service completed Stage 1 (Initial Action Notice) in the DOI EIS briefing process and is developing cost recovery guidance and an estimate to implement 43 C.F.R. 36.6(c).
- *Arctic SEIS*: The 6 Resource Groups met last week to provide input to the Stipulations and Required Operating Procedures. We anticipate having our group work completed by May 27<sup>th</sup> and will work with the Joint Lead Agency IDTs to synthesize the input to date into a master document for review and next steps. EPA has also reached out to become a Cooperating Agency, and the Cooperating Agency MOU is in EPA's legal review process and should be signed soon.
- May 31, 2022:
  - Following a recent meeting between Director Williams and Taqulik Hepa, Director of the North Slope Borough Department of Fish and Wildlife, lawyer Alan Mintz shared an emailed summary of Kaktovik issues to Martha and Cynthia Martinez. That email covers the Arctic ROW, polar bear tourism, and traditional access on Arctic Refuge. Alaska staff are reviewing those issues, as described, to ensure they are addressed in our related program of work.
- June 6, 2022:
  - *ORV Use for Subsistence Purposes on Arctic Refuge*: The Alaska Regional Director received correspondence from the Native Village of Kaktovik expressing concern with the Traditional Access Determination process. Their letter raised concerns about inadequacy of the Traditional Access Study, a perceived lack of coordination with Tribal governments, and their legal interpretation about ANILCA existing allowances for ORV use for subsistence purposes. The NVK requested that the Refuge stop work on the Traditional Access determinations and cease further restrictions on ORV use for subsistence access.
  - *ROW*: Kaktovik leaders asked if a NEPA analysis is necessary and/or contradicts the intent of ANILCA Title XI. (b)(5)ACP-AWP [REDACTED]
  - *Arctic Refuge SEIS*: A Government-to-Government (G2G) consultation has been scheduled in Arctic Village for June 27, 2022. Both SEIS co-leads will have representatives present at this G2G meeting, including the Regional Directors of the two bureaus. The MOU with EPA has been signed and they are now a full Cooperating Agency in the process.
- June 14, 2022:
  - *ROW*: Alaska staff are reviewing NEPA and cost recovery options per 43 C.F.R. 36.6.
- June 21, 2022:
  - Sara Boario, Regional Director, and Brian Glaspell, ARD-Refuges, met with leadership representatives from Kaktovik on June 15 to discuss a range of issues, including the traditional access study, NEPA for the ROW process, and Polar Bear Viewing. Notes have been shared with Director Williams.
- June 27, 2022:
  - *Arctic Refuge SEIS*: BLM and the Service are conducting a Government-to-Government consultation in Arctic Village this week. Sara Boario is representing the Service at the consultation.
- July 5, 2022:

- *Arctic Refuge SEIS*: The Joint Lead Agencies held a very successful Government-to-Government consultation last week with representatives of the Arctic Village and Venetie Tribal Councils. They have asked for another consultation in September. As of this week, the EPA's MOU for Cooperating Agency status has been signed by all parties. The Joint Lead project managers will be finalizing the Stipulations and Required Operating Procedures this week so the EMPSi contractors can begin development of alternatives.
- July 11, 2022: No new update.
- July 18, 2022: No new update.
- July 26, 2022: No new update.
- August 1, 2022:
  - *Kaktovik Community Coordination*: On July 21, a representative for Kaktovik acknowledged the Service's numerous requests to schedule a follow up meeting to discuss establishment of a liaison position which they have been unable to schedule due to spring and summer subsistence seasons.
- August 8, 2022: No new update.
- August 15, 2022: (b)(5)ACP-AWP  

- August 22, 2022: No new update
- August 29, 2022: On August 25, the Regional Director and Assistant Regional Director-Refuges met via teleconference with Kaktovik leadership and counsel – Eddie Rexford, Matthew Rexford, and Teresa Imm – to share updates on a range of issues, including traditional access; polar bear viewing management history and relevant documents; and, the NEPA for the ROW. The most immediate decision was around the ROW. While Kaktovik leadership was disappointed that the process would require an EIS, they expressed appreciation for the additional review and decision around cost-recovery.
- September 6, 2022: No updates.
- September 13, 2022: The bi-weekly teleconference call with Kaktovik leaders scheduled for September 8 was postponed at their request. Refuges staff are preparing a Notice of Intent to begin the ROW EIS, for publication in the Federal Register and finalizing a Scope of Work for the EIS contract solicitation.
- September 20, 2022: On September 15, the Regional Director and Assistant Regional Director-Refuges met once again via teleconference with Kaktovik leadership and counsel – Eddie Rexford, Matthew Rexford, and Teresa Imm – to discuss the NEPA for the ROW. Kaktovik leaders continue to insist that an EIS is unnecessary and inconsistent with the right of access they understand to be granted by ANILCA. During the call, Service participants agreed to schedule a near-future meeting to include the Alaska Solicitor's office and address any last questions regarding the necessity of an EIS. Kaktovik leaders confirmed that the Service should proceed with preparation of an NOI and other steps for the EIS in the meantime.

- September 27, 2022: Assistant Regional Director-Refuges and Mike Routhier from the Alaska Solicitor's office met via teleconference with Kaktovik representatives on September 22 to discuss pending NEPA work and related issues. During the call, Kaktovik representatives confirmed their intention to apply for a Refuge Special Use Permit for transportation of building supplies this winter along the previously authorized, shore-fast sea ice route. They also expressed interest in providing additional polar bear mitigation information related to their Right of Way Application, if that information could affect the pending NEPA evaluation.
- October 3, 2022: No new update.
- October 11, 2022:
  - *ROW:* The Service is preparing documents to engage with the new Departmental Clearance Process for Environmental Impact Statements.
  - *Arctic SEIS:* The Project Management Team is continuing to refine the Stipulations and Required Operating Procedures this week and will send to the EMPSi contractor this Friday to begin the development of alternatives and maps. The Team is also hosting a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18 in Anchorage. Then Team is also hosting a Cooperating Agency meeting on October 19.
- October 18, 2022:
  - *ORV Use for Subsistence Purposes on the Arctic Refuge:* The DRAFT *Determination of Traditional ORV Use to Access Arctic National Wildlife Refuge for Subsistence Purposes by Federally Qualified Subsistence Users* has been submitted to regional solicitors for review.
  - *ROW:* After further internal consultation regarding the appropriate NEPA starting point, and considering the other projects currently underway and the strong desires of Kaktovik, the Service has determined that preparing an EA will best meet everyone's needs at this time. The Regional Director and Assistant Regional Director-Refuges met via teleconference with Kaktovik leadership and counsel on October 13 to discuss that decision and next steps. Kaktovik representatives were thankful and confirmed their understanding that an EA may lengthen the overall NEPA process if the result of the EA is not a FONSI. The immediate next steps are to determine what type and amount of public involvement in the EA is appropriate and to develop a reformulated timeline.
  - *Arctic Refuge SEIS:* The Team is hosting a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18 in Anchorage and is hosting a Cooperating Agency meeting on October 19.
- October 25, 2022:
  - *Arctic Refuge SEIS:* The Project Management Team held a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18<sup>th</sup> in Anchorage and discussed a variety of topics, including a Gwich'in proposal for a new alternative that addresses protections for caribou calving and for climate change related changes to permafrost (ice-rich soils). The discussion went well and one representative said this was the "most meaningful consultation they have engaged in to date." The team also hosted a Cooperating Agency meeting on October 19<sup>th</sup> with pre-existing Cooperators (State of Alaska and the Gwich'in Tribal representatives from Arctic Village and Venetie and new Cooperators (Native Village of Kaktovik (NVK), EPA, and the Inupiat Council of the Arctic



Slope (ICAS)). That meeting focused on bringing everyone up to speed and shared our updated Purpose and Need statement, our tentative schedule, and discussed how we are working towards a new alternative and associated Stipulations and Required Operating Procedures. The Project Management Team—including Regional Director, Sara Boario and BLM State Director Steve Cohn—is meeting in Kaktovik with the Native Village of Kaktovik on October 26<sup>th</sup> for a G2G consultation and on October 27<sup>th</sup> for an ANCSA consultation with the Kaktovik Inupiat Corporation.

- November 1, 2022: No new update.
- November 7, 2022:
  - *ROW*: Regional Director and Assistant Regional Director-Refuges met via teleconference with Kaktovik leadership on 11/8/22 and shared the two necessary public process steps -- on the front end with publication of revised timeline and later with the potential publication of an EA/FONSI -- in the NEPA process for the ROW.
  - *Polar Bear Viewing*: Regional Director and Assistant Regional Director-Refuges shared all reports and studies developed to-date on polar bear viewing and jointly agreed with Kaktovik leadership to re-group on next steps with this issue in January 2023.
- November 14, 2022: No new update.
- November 21, 2022: The next meeting with Kaktovik leadership is scheduled for Thursday, December 1.
- November 28, 2022: No new updates.
- December 5, 2022: No new updates.
- December 12, 2022: One Wednesday, December 7, Kaktovik leaders submitted a minor amendment to their ROW application in the form of an email clarifying the intended uses of the ROW. Regional Director and Assistant Regional Director-Refuges met via teleconference with Kaktovik leadership later the same day to discuss the amendment and next steps for publishing a revised timeline for preparation of an EA in the Federal Register. Alaska Refuges staff are working to finalize content for the Federal Register notice by December 15.
- December 19, 2022: On December 14, Arctic NWR staff hosted a cross-program FWS coordination meeting to share information about the variety of projects and issues with the potential to impact Kaktovik. About 25 individuals participated and discussed opportunities to further build community relationships, streamline work and minimize meeting demands on Kaktovik leaders. In addition, on December 15, the Alaska Region submitted a DTS package for a Federal Register Notice titled: Notice of Time Extension and Intent to Prepare a Draft Environmental Assessment for a Right-of-Way Application on Arctic National Wildlife Refuge.
- January 10, 2023: No new update.
- January 17, 2023: No new update.
- January 24, 2023:
  - *Arctic Refuge SEIS*: The Project Management Team is finalizing details for an upcoming Indigenous Traditional Ecological Knowledge (ITEK) and Science Integration Workshop tentatively scheduled for February 27<sup>th</sup> through March 4 at the Morris Thompson Center in Fairbanks. The workshop is designed to create a shared learning opportunity and safe space for cross cultural and interdisciplinary

discussions on key resource topics putting ITEK on equal footing with Western science throughout the SEIS. The workshop will be co-facilitated and led by BLM/FWS staff and tribal representatives. Invitees include key agency staff and members (and their invited guests/contractors) of the Native Village of Kaktovik, the Inupiat Community of the Arctic Slope, Native Village of Venetie Tribal Government, Venetie Village Council, and Arctic Village Council.

- February 1, 2023: No new updates.
- February 8, 2023:
  - *ROW*: The Federal Register Notice regarding this ROW application and EA is slated to publish today, February 8. Alaska Region staff implemented the communication plan this week. The FR notice will include a link to a public website where the ROW application and supporting materials, as well as future planning documents, will be available.
- February 15, 2023:
  - *Arctic Refuge SEIS*: Regional Director Sara Boario will be joining virtually while the Project Management Team will be traveling to Kaktovik February 12-14 for a Government-to-Government consultation with the Native Village of Kaktovik as well as an ANCSA consultation with the Kaktovik Inupiat Corporation. The ITEK Workshop is confirmed for February 27-March 4, and the team is finalizing details for this first-of-its-kind effort. Confirmed attendees include highly respected elders and knowledge holders from Arctic Village, Venetie, and Fairbanks.
- March 1, 2023:
  - *ROW*: A project initiation letter is in the Alaska Regional surname process to formalize the interdisciplinary team for writing the Environmental Assessment for the Right of Way request from Kaktovik Inupiat Corporation (KIC). The goal is to release the letter later this week.
  - *Arctic Refuge SEIS*: 1) On February 13<sup>th</sup>, members of the Project Management Team held a hybrid (in-person/phone) Government-to-Government consultation with the Native Village of Kaktovik. In attendance were also members of the Kaktovik Inupiat Corporation. The G2G session included a discussion on NVK's recommendations on the Final EIS Stipulations and Required Operating Procedures. Additionally, NVK raised questions about how Indigenous Knowledge was being considered in the SEIS, and raised significant concerns about an ITEK workshop intended to bring all Tribes and knowledge-holders together to discuss perspectives on resource topics covered in the SEIS. FWS and BLM decided to pause the workshop to address these concerns. 2) The updated range of alternatives has been developed and approved, and project contractors will begin to update and expand the affected environment and environmental consequences sections for the SEIS.
- March 8, 2023:
  - *ROW*: The letter approving the interdisciplinary team has been signed by the RD and will be released.

**Prepared by:** Brian Glaspell, Refuge Chief, Alaska Region

☐ FYI   or   ☐ **Requested by:** [name]

☒ **Prepared for a meeting:** Weekly Alaska Policy Meeting

**Does this involve, directly or tangentially, any Director's Office recusals?** ☐ Yes ☐ No

**If yes, please identify:**

**From:** [michael\\_hayes@fws.gov](mailto:michael_hayes@fws.gov)  
**To:** [sara\\_boario@fws.gov](mailto:sara_boario@fws.gov); [scheduling@fws.gov](mailto:scheduling@fws.gov); [Socheata\\_Lor@fws.gov](mailto:Socheata_Lor@fws.gov); [tobi\\_slaughter@fws.gov](mailto:tobi_slaughter@fws.gov)  
**Subject:** DCN: BP036667 - Weekly Updates for the Alaska Region  
**Date:** Tuesday, March 14, 2023 9:38:14 PM  
**Attachments:** [BP036667 Weekly Update BP - Polar Bear Quota 3-15-23.docx](#) nonresponsive  
[BP036667 Weekly Update BP - Arctic Refuge SEIS 3-15-23.docx](#)  
[BP036667 Weekly Update BP - Arctic ROW 3-15-23.docx](#) nonresponsive  
[BP036667 Weekly Update BP - Izembek 3-15-23.docx](#) nonresponsive  
[BP036667 Weekly Update BP - Kaktovik Combined Issues 3-15-23.docx](#)  
[Weekly Update BP - FES 3-15-23.docx](#)

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BP036667 - Weekly Updates for the Alaska Region



## FWS INFORMATION MEMORANDUM

**UPDATE:** March 15, 2023

**TO:** Martha Williams, Director, U.S. Fish and Wildlife Service

**FROM:** Sara Boario, Alaska Regional Director, U.S. Fish and Wildlife Service

**SUBJECT:** BP036667 Arctic Refuge Supplemental Environmental Impact Statement

### I. KEY FACTS

Section 20001 of the Tax Cuts and Jobs Act (Tax Act) directed the Secretary of the Interior, acting through the Bureau of Land Management (BLM), to establish and administer a competitive oil and gas leasing program for the leasing, development, production, and transportation of oil and gas in and from the Coastal Plain of the Arctic National Wildlife Refuge (Refuge). During the previous administration, BLM developed an Environmental Impact Statement (EIS) – published in September 2019 – and ROD – signed in August of 2020 – for a new Coastal Plain Oil and Gas Leasing Program, with the U.S. Fish and Wildlife Service (Service) serving as a cooperator and regulator through that process. In January 2021, BLM held the first of two required lease sales, with nine leases purchased.

Based on direction from the new Administration in Executive Order 13990 and Secretarial Order (S.O.) 3401, the BLM is preparing a Supplemental EIS for the Coastal Plain Oil and Gas Leasing Program. The Service is working with BLM to define our role in this new process.

### II. BACKGROUND AND FWS POSITION

The Arctic Refuge was established in 1980 by the Alaska National Interest Lands Conservation Act. In 1988, the Arctic Refuge's initial Comprehensive Conservation Plan (CCP) recognized the coastal plain (1002 area) as critical habitat for numerous subsistence and internationally significant species including polar bear, the Porcupine caribou herd, and over 100 bird and waterfowl species. The updated CCP issued in 2015 recommended an additional 12 million acres as wilderness, including the entire coastal plain and four rivers as National Wild and Scenic Rivers. The Tax Act, Public Law 115-97, was signed into law on December 22, 2017, and directs the Secretary of the Interior, through BLM, to establish and administer a competitive oil and gas program in the 1002 area. The oil and gas program will be managed similarly to BLM's program in the National Petroleum Reserve-Alaska. A maximum of 2,000 surface acres may be authorized. The Tax Act requires two oil and gas lease sales within 10 years of enactment. All revenue receipts shall be split evenly between the State of Alaska and the U.S. Treasury.

The Service served as a cooperator in BLM's development of their 2019 EIS for the new oil and gas leasing program in the 1002 Coastal Plain, representing our responsibilities under the Alaska National Interest Lands Conservation Act of 1980, as amended (ANILCA); National Wildlife Refuge Administration Act (1966); National Wildlife Refuge System Improvement Act (1997); Endangered Species Act (ESA), Marine Mammal Protection Act (MMPA), and Migratory Bird

Treaty Act (MBTA). The Service's comments on the draft EIS indicated interest in the Arctic Refuge Manager working closely with the BLM Authorizing Officer in implementing an oil and gas program that is not in conflict with the Refuge's other four purposes. Our comments also requested specific modifications to BLM's preferred alternative, Alternative B, to ensure adequate protection of important resources including polar bears, water, and caribou. To fulfill ESA responsibilities, the Service issued a programmatic framework Biological Opinion, which addressed impacts to polar bears, Steller's eiders, and spectacled eiders.

On January 20, 2021, the White House issued [Executive Order 13990](#), which called on the Department to put a temporary moratorium on all activities related to Arctic Refuge oil and gas and to review the existing EIS. The Department's review identified deficiencies, including the lack of analysis of a reasonable range of alternatives in the EIS conducted under NEPA, leading to the issuance of SO 3401 on June 1. That Order directed the BLM and FWS not to take any action to authorize any aspect of the Coastal Plain Oil and Gas Leasing Program, as established by the Record of Decision signed August 17, 2020, in Arctic Refuge and called for a Notice of Intent to be published that kicks off a Supplemental EIS (SEIS) process. That Notice of Intent was published on July 30, and BLM is currently planning public meetings related to this SEIS.

### III. POSITION OF AFFECTED STAKEHOLDERS/PUBLIC LANDS AFFECTED

The Alaska Delegation, the State of Alaska, and other development interests support leasing the 1002 area for oil and gas development. Current Iñupiat leadership in Kaktovik, the only community within the boundaries of the Arctic Refuge, supports development, while some members of the community oppose development. The Gwich'in people, who utilize Arctic Refuge for subsistence and other purposes, and many nongovernmental conservation organizations, oppose oil and gas development in the 1002 area. The Canadian government has expressed concerns on the health of the shared Porcupine caribou herd, and, as with their Alaskan counterparts, this is an issue important to the Vuntut Gwitchin First Nation of the Northern Yukon.

The Alaska Department of Fish and Game (ADFG) is advocating for early and full engagement in our activities to implement the MMPA and ESA. We appreciate the expertise and involvement of ADFG and have worked to identify appropriate opportunities for greater engagement. We also received similar requests for full engagement and consultation from other parties who feel they have a unique role. For example, our Alaska Native co-management partners are provided a specific role under Section 119 of the MMPA. In addition, the Marine Mammal Commission has a Congressional mandate to serve as an oversight body for the Service and the National Marine Fisheries Service in implementation of the MMPA.

### IV. DISCUSSION

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## V. STATUS UPDATE

- August 24, 2021: On Monday, August 23, Service and BLM points of contact for cooperation on the Supplemental EIS met to identify roles and responsibilities to be outlined in an MOU. A draft MOU will be completed this week. Last week, Alaska Region External Affairs staff met with BLM Public Affairs staff to discuss BLM's draft plan for public meetings on the SEIS and associated communications planning. We are working with BLM to identify Service participants in the public meetings.
- August 30, 2021: On Wednesday, August 25, the Service provided a draft MOU to BLM that outlined possible roles for partnership in the SEIS's preparation and implementation. BLM is reviewing the document, and we are meeting Monday, August 30 week to discuss. On Thursday, August 26, BLM issued a press release announcing six virtual public meetings scheduled September 14-16 to inform development of the SEIS.
- September 7, 2021: The Service met with BLM's Deputy State Director for Resources on 8/30. He provided a draft of roles and responsibilities for the SEIS where the Service's input would be considered but BLM would make all final decisions, similar to how we cooperated during the original EIS. The BLM Acting State Director and Service's Acting Regional Director met and agreed that the Service should have an elevated role in decision-making as the land and natural resource manager. We are waiting for BLM to have internal conversations that align their leadership in recognizing the FWS authority in the development of the SEIS.
- September 13, 2021: Today, BLM and FWS State/Regional Directors and Assistant Regional Directors are meeting to discuss how we will co-lead the development of the SEIS. This week, BLM is holding public meetings on the SEIS (September 14-16), with FWS Arctic Refuge and the Marine Mammals Management staff serving as panelists.
- September 20, 2021: Last week, the Service participated in the SEIS public meetings. The Service participated in a co-lead role, with the Acting Alaska Regional Director providing opening remarks following remarks from BLM's Acting State Director.
- September 27, 2021: The scoping period on the SEIS closes next Monday, October 4<sup>th</sup>.
- October 4, 2021: As of September 28<sup>th</sup>, we have received approximately 23,000 comments through the scoping period that ended today. The contractor plans to provide a preliminary scoping report to the Service, BLM, and the State of the Alaska—the only agency that has signed on to be a cooperator— on October 5<sup>th</sup>. The Service and BLM staff are reviewing a draft MOU laying out how we will co-lead on SEIS development.
- October 12, 2021: The contractor updated BLM, the Service, and the State of Alaska (the only Cooperating Agency) on comments received through the scoping period. A scoping

report will be completed in the next several weeks following analysis. The scoping period generated approximately 104,000 comments, the majority of which are form letters from conservation NGOs. The contractor estimated that there are potentially 4,800 comments with unique content. The Service and BLM continue to work on the MOU.

- October 18, 2021: No new update.
- October 25, 2021: Bobbie Jo Skibo started on 10/12/21 as the new 1002 Coastal Plain Coordinator and met with the BLM lead planner on Friday, October 22 to begin her liaison role between BLM and the Service for the development of the SEIS. As joint lead agencies in this process we will continue to meet during a weekly standing call to review and finalize the MOU as well as identify next steps and key details related to the process.
- November 1, 2021: No new update.
- November 8, 2021: A call was hosted between BLM and FWS leadership to finalize the draft MOU highlighting consensus development and joint lead roles. Final review and signatures are expected soon.
- November 15, 2021: The MOU was finalized and signed by both BLM and FWS. The MOU outlines our intent for consensus decisions as Joint Lead Agencies and integrates the FWS Coastal Plain Coordinator as an equal Project Lead. A final scoping report was completed by the project contractor that summarizes substantive comments received through the scoping period. BLM is finalizing a performance work statement for the post-scoping phase.
- November 22, 2021: We received the final public scoping report today (not yet 508 compliant). Due to the holiday on 11/25, we plan to publish the final 508 compliant version of the Scoping Report along with the public comments and scoping meeting transcripts to the BLM's NEPA Register (a.k.a. ePlanning) on 11/29. We anticipate the new contractor that will assist for the duration of the process will be selected in December, and we will resume the next steps of the process in mid-January.
- November 29, 2021: No new update.
- December 6, 2021: The final SEIS scoping Report has been published on BLM's e-Planning website, where it is accessible to the public. Two cooperating agency MOU's are circulating for signature; one is with the Alaska Department of Natural Resources, and the other is with three Tribal entities (i.e., Native Village of Venetie Tribal Government, Venetie Village Council, and Arctic Village Council). The interagency-interdisciplinary team plans to meet on January 19<sup>th</sup> and 20<sup>th</sup> to kick off the next steps of the SEIS process.
- December 13, 2021: No new update.
- December 20, 2021: No new update.
- December 27, 2021: The BLM and USFWS, as co-lead agencies on the SEIS, are hosting a learning and listening session to kick off the Coastal Plain SEIS effort on January 19 and 20, 2022. The purpose of the meeting is to establish roles and responsibilities, set expectations for the SEIS process, and share expertise about issues on the Coastal Plain from different perspectives. Attendees will include cooperating agency representatives, as well as BLM, USFWS, and contractor ID Team members and associated staff. EMPSi Environmental Management and Planning Solutions, Inc. was awarded the contract to manage the remainder of the SEIS process.
- January 3, 2022: No new update.
- January 10, 2022: No new update.

- January 18, 2022: The Joint Lead Agencies (FWS and BLM) are hosting their SEIS kickoff meetings on January 19<sup>th</sup> and 20<sup>th</sup>. The first day features only DOI agency (BLM, FWS, SOL) staff. The second day features Cooperating Agencies, including the State of Alaska and the Native American Rights Foundation (representing the Native Village of Venetie Tribal Government, Venetie Village Council, and Arctic Village Council).
- January 24, 2022: Last week, the Service and BLM—as Joint Lead Agencies—hosted 2 successful and well attended kickoff meetings for the SEIS, which set the right tone for this process—one of consensus and collaboration. Day 1 was a shared learning opportunity and a meet-and-greet for the BLM-FWS Joint Leadership and Interdisciplinary Team. Day 2 was designed primarily for the Cooperating Agency representatives to introduce themselves and to get to know the Joint Lead Agencies. The next major step in this process will be the alternatives development workshop, which we plan to hold in the spring, involve BLM, FWS, and Cooperating Agencies.
- January 31, 2022: The Joint Lead Agency Project Managers are following up on tasks and questions that came up during the kick-off sessions including finalizing the State of Alaska Cooperating Agency MOU and developing Non-Disclosure Agreements for all participating cooperators and contractors.
- February 7, 2022: No new update.
- February 14, 2022: No new update.
- February 22, 2022: No new update.
- February 28, 2022: No new update.
- March 8, 2022: The Cooperating Agency MOU with the State of Alaska was finalized this week and signed. The Joint Lead Project Managers have been meeting with staff on a variety of topics including transboundary interests and engagement with Canada; inclusion of Indigenous and Traditional Ecological Knowledge (ITEK) into the process; and the legal deficiencies noted in SO 3401. The Joint Lead Project Managers are also working on a joint memo that outlines the many interpretations of the Tax Act and associated aspects of the EIS to ensure BLM and FWS are on the same page as we move forward into the Alternatives Development Workshop scheduled for late April.
- March 14, 2022: The SEIS process is ramping up to stay on schedule for a signed ROD by August 2023. The FWS Interdisciplinary Team (IDT) plans to meet March 30 and 31 to discuss alternatives, including those from the EIS and other alternatives that could provide a more “reasonable range” of alternatives in the SEIS. We hope to meet with NARF and Tribal representatives in early April to start discussions on how best to integrate ITEK into the SEIS process. We also recently met with DOI International Affairs staff to seek support and guidance on how best to interface with Canada.
- March 21, 2022: No new update.
- March 28, 2022: No new update.
- April 4, 2022: The FWS IDT met on March 30 and 31 to begin strategizing on resource considerations that can be built into the Stipulations and Required Operating Procedures for the SEIS. In addition, we spent time exploring and discussing Scoping comments related to key resource areas. On April 8, the Joint Lead Project Managers are meeting with NARF and other Tribal representative to begin discussions on how we will approach the inclusion of Indigenous and Tribal Ecological Knowledge (ITEK).
- April 11, 2022: No new update.

- April 18, 2022: The Joint Lead Project Managers had a very successful meeting with tribal representatives of Arctic Village and Venetie on April 8. The team agreed to continue meeting every two weeks to ensure forward momentum on identifying ways to integrate ITEK into the SEIS. The tribal representatives invited the Project Managers to their villages to meet with Elders and their people to “begin healing from the past”. They requested that we visit prior to any public comment period begins and to come prior to “pulling out the maps”. That trip is tentatively scheduled for June. The Alternatives Development Workshop is being held on April 25<sup>th</sup>-27<sup>th</sup> and will include the Joint Lead and Cooperating Agencies. This will begin the more involved part of the SEIS process.
- April 25, 2022: This week, BLM and FWS are hosting the Alternatives Development Workshop.
- May 2, 2022: Last week, approximately 70 participants (25 in-person and 45 on Zoom) from the Joint Lead Agencies and Cooperating Agencies—including the State, Venetie Tribal Council, and Arctic Refuge Tribal Council—met to begin SEIS alternatives development. This workshop primarily focused on the Stipulations (Stips) and Required Operating Procedures (ROPs) for each alternative. After this meeting, at least seven topics were identified for further discussion—including air; climate change; caribou; water resources and fish; permafrost, snow, and overland travel; polar bears and other wildlife; and the integration of Indigenous and Traditional Ecological Knowledge—and Resource Groups have been set up with agency representatives who will meet over the coming weeks to look at the Stips and ROPS for their area of expertise.
- May 9, 2022: No new update.
- May 16, 2022: Acting Arctic Refuge Manager met with Kaktovik community leaders Edward and Matthew Rexford on May 11, during which they shared a brief update and an estimated SEIS completion timeline. During that meeting, the Rexfords raised a specific question about the legal deficiencies with the first EIS. The Joint Lead Project Managers are scheduling follow-up Resource Group discussions to further refine the Stips and ROPS for SEIS alternatives the weeks of May 16 and May 23.
- May 23, 2022: The 6 Resource Groups met last week to provide input to the Stipulations and Required Operating Procedures. We anticipate having our group work completed by May 27 and will work with the Joint Lead Agency IDTs to synthesize the input to date into a master document for review and next steps. EPA has also reached out to become a Cooperating Agency, and the Cooperating Agency MOU is in EPA’s legal review process and should be signed soon.
- May 31, 2022: No new update.
- June 6, 2022: A Government-to-Government (G2G) consultation has been scheduled in Arctic Village for June 27, 2022. Both SEIS co-leads will have representatives present at this G2G meeting, including the Regional Directors of the two bureaus. The MOU with EPA has been signed and they are now a full Cooperating Agency in the process.
- June 14, 2022: No new update.
- June 21, 2022: No new update.
- June 27, 2022: BLM and the Service are conducting a Government-to-Government consultation in Arctic Village this week. Sara Boario is representing the Service at the consultation.
- July 5, 2022: The Joint Lead Agencies held a very successful Government-to-Government consultation last week with representatives of the Arctic Village and Venetie Tribal Councils. They have asked for another consultation in September. As of this

week, the EPA's MOU for Cooperating Agency status has been signed by all parties. The Joint Lead project managers will be finalizing the Stipulations and Required Operating Procedures this week so the EMPSi contractors can begin development of alternatives.

- July 11, 2022: No new update.
- July 18, 2022: No new update.
- July 26, 2022: No new update.
- August 1, 2022: A second round of Government-to-Government consultation is being planned for September 11-13. One day will be spent in Venetie and one day in Arctic Village. The Joint Lead Project Managers are finalizing the ROPs and STIPs and should be prepared for alternative development within the next 2 weeks.
- August 8, 2022: No new update.
- August 15, 2022: No new update.
- August 22, 2022: No new update.
- August 29, 2022: No new update.
- September 6, 2022: No new update.
- September 13, 2022: Over the past month, the Project Management Team has been working on elements of the SEIS including the Purpose and Need Statement, the Reasonably Foreseeable Development scenario and the 2,000-acre interpretation (as identified in Secretarial Order 3401) and the Stipulations and Required Operating Procedures. We have been holding regularly reoccurring Cooperating Agency meetings as well as reoccurring ITEK working group meetings. Current Cooperating Agencies include EPA, Native Village of Venetie Tribal Government, the Venetie Village Council, the Arctic Village Council, and the State of Alaska. The Inupiat Community of the Arctic Slope (ICAS), a regional Alaska Native tribal government, is interested in joining on as a cooperating agency; they represent a number of native communities across the North Slope. We are working on the MOU this week. The Native Village of Kaktovik has expressed interest in becoming more involved in the SEIS. They would like to set up a meeting with BLM/USFWS in October. We have received a formal request from the Kaktovik Inupiat Corporation for ANCSA consultation. We will be following up on this request. The Project Management Team is in Arctic Village for Government-to-Government consultation September 13<sup>th</sup>, 2022.
- September 20, 2022: The Project Management Team attended the Government-to-Government consultation on September 13 in Arctic Village. It was well attended by tribal members of the community and staff are now following up on next steps.
- September 27, 2022: Last week, the BLM and FWS Project Management Team met with FWS and BLM Alaska communications staff to develop a plan for coordinating regionally on proactive and reactive communication needs. (Note: Any external communications will be closely coordinated with FWS and BLM HQ and the Department.)
- October 3, 2022: No new update.
- October 11, 2022: The Project Management Team is continuing to refine the Stipulations and Required Operating Procedures this week and will send to the EMPSi contractor this Friday to begin the development of alternatives and maps. The Team is also hosting a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18<sup>th</sup> in Anchorage. Then Team is also hosting a Cooperating Agency meeting on October 19<sup>th</sup>.

- October 18, 2022: The Team is hosting a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18<sup>th</sup> in Anchorage and is hosting a Cooperating Agency meeting on October 19<sup>th</sup>.
- October 25, 2022: The Project Management Team held a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18<sup>th</sup> in Anchorage and discussed a variety of topics, including a Gwich'in proposal for a new alternative that addresses protections for caribou calving and for climate change related changes to permafrost (ice-rich soils). The discussion went well and one representative said this was the "most meaningful consultation they have engaged in to date." The team also hosted a Cooperating Agency meeting on October 19<sup>th</sup> with pre-existing Cooperators (State of Alaska and the Gwich'in Tribal representatives from Arctic Village and Venetie and new Cooperators (Native Village of Kaktovik (NVK), EPA, and the Inupiat Council of the Arctic Slope (ICAS)). That meeting focused on bringing everyone up to speed and shared our updated Purpose and Need statement, our tentative schedule, and discussed how we are working towards a new alternative and associated Stipulations and Required Operating Procedures. The Project Management Team—including Regional Director, Sara Boario and BLM State Director Steve Cohn—is meeting in Kaktovik with the Native Village of Kaktovik on October 26<sup>th</sup> for a G2G consultation and on October 27<sup>th</sup> for an ANCSA consultation with the Kaktovik Inupiat Corporation.
- November 1, 2022: No new update.
- November 7, 2022: No new update.
- November 14, 2022: (b)(5)DPP  
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- November 21, 2022: (b)(5)DPP  
[REDACTED]
- November 28, 2022: Regional Directors Boario (FWS) and Cohn (BLM) are working to schedule a joint briefing with Directors Williams (FWS) and Stone-Manning (BLM), and Deputy Directors for the week of 12/5.
- December 5, 2022: No new update.
- December 12, 2022: The Project Management Team and Regional Directors Boario (FWS) and Cohn (BLM) met with Directors Williams (FWS) and Stone-Manning (BLM), and Deputy Directors to discuss the current range of alternatives and other key aspects of the SEIS.
- December 19, 2022: No new update.
- January 10, 2023: The Project Management Team held a briefing on Friday, January 6<sup>th</sup> with Regional Directors Boario (FWS) and Cohn (BLM) to begin preparing for an upcoming (tentatively on 27 Jan.) Departmental Review Team briefing to gain concurrence on the Alternative E that has been under development.
- January 17, 2023: No new update.
- January 24, 2023: The Project Management Team is finalizing details for an upcoming Indigenous Traditional Ecological Knowledge (ITEK) and Science Integration Workshop tentatively scheduled for February 27<sup>th</sup> through March 4 at the Morris Thompson Center in Fairbanks. The workshop is designed to create a shared-learning opportunity and safe



space for cross cultural and interdisciplinary discussions on key resource topics putting ITEK on equal footing with Western science throughout the SEIS. The workshop will be co-managed and led by BLM/FWS staff and tribal representatives. Invitees include key agency staff and members (and their invited guests/contractors) of the Native Village of Kaktovik, the Inupiat Community of the Arctic Slope, Native Village of Venetie Tribal Government, Venetie Village Council, and Arctic Village Council.

- February 1, 2023: No new update.
- February 8, 2023: No new update.
- February 15, 2023: Regional Director Sara Boario will be joining virtually while the Project Management Team will be traveling to Kaktovik February 12-14 for a Government-to-Government consultation with the Native Village of Kaktovik as well as an ANCSA consultation with the Kaktovik Inupiat Corporation. The ITEK Workshop is confirmed for February 27-March 4, and the team is finalizing details for this first-of-its-kind effort. Confirmed attendees include highly respected elders and knowledge holders from Arctic Village, Venetie, and Fairbanks.
- March 8, 2023: No new update.
- March 15, 2023: Over the past week, the Joint Lead Project Management Team began working with the contractor and sub-contractors on the development of Chapter 3 and associated analysis for the SEIS. Over the course of three days, the team participated in 21 meetings with each of the Joint Lead Agency/Contractor resource teams to ensure alignment and coordination of the supplemental information and approach. The team anticipates that we will be on schedule for the Preliminary Draft sometime in early April. The project is now in high gear and will begin to meet many key milestones leading to a public draft in late June.

## VI. TIMELINE AND NEXT STEPS

Table 1 below.

**Prepared by:** Brian Glaspell, Refuge Chief, Alaska Region

☐ FYI   or   ☐ Requested by: *[name]*

☒ **Prepared for a meeting:** Weekly Alaska Policy Meeting

**Does this involve, directly or tangentially, any Director's Office recusals?** ☐ Yes ☐ No

**If yes, please identify:**

**Table 1. Schedule for Arctic Refuge Supplemental EIS**

| Start           | End             | # of Days | Description   |
|-----------------|-----------------|-----------|---|
| August 4, 2021  | August 4, 2021  | NA        | BLM's Notice of Intent for Supplemental EIS publishes in Federal Register.                            |
| August 12, 2021 | August 12, 2021 | NA        | Date of meeting between USFWS and BLM National and Regional leadership regarding preparation of SEIS. |

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|                    |                    |    |  |
|--------------------|--------------------|----|--|
| August 23, 2021    | August 23, 2021    | NA | FWS and BLM Regional Leadership meet regarding preparation of SEIS   |
| August 30, 2021    | August 30, 2021    | NA | FWS and BLM Regional Leadership met to continue conversations on SEIS coordination.  |
| September 13, 2021 | September 13, 2021 | NA | FWS Regional Director and BLM Alaska State Director and ARDs will meet to discuss FWS co-lead role in SEIS   |
| September 14, 2021 | September 16, 2021 | 3  | BLM has scheduled 6 virtual public meetings to assist in the preparation of the SEIS. Participants under consideration.                            |
| October 5, 2021    | October 5, 2021    | NA | BLM, FWS and the State of Alaska will meet with the contractor preparing the preliminary summary of written and oral scoping comments on the SEIS. |
| January 19, 2022   | January 20, 2022   | 2  | Joint Leadership and IDT Kick Off (Day 1), Cooperating Agency Kick Off (Day 2)   |
| April 25, 2022     | April 27, 2022     | 3  | Alternatives Development Workshop  |
| Summer/Fall 2022   |                    |    | Administrative Draft SEIS  |
| Late 2022          |                    |    | Minimum 45-Day Public Comment Period   |
| Early 2023         |                    |    | Develop Final SEIS   |
| Mid 2023 (August)  |                    |    | Record of Decision   |
|                    |                    |    |  |
|                    |                    |    |  |

## USFWS INFORMATION MEMORANDUM



**UPDATE:** March 15, 2023

**TO:** Martha Williams, Director, U.S. Fish and Wildlife Service

**FROM:** Sara Boario, Alaska Regional Director, U.S. Fish and Wildlife Service

**SUBJECT:** BP036667 Summary of Arctic National Wildlife Refuge and Significant Kaktovik, Alaska, Issues

### I. KEY FACTS

Alaska is home to 229 federally recognized tribes and 200 Alaska Native Claims Settlement Act (ANCSA) Corporations. The U.S. Fish and Wildlife Service's (Service) work across the state has significant implications for Tribal partners and Indigenous peoples, and we strive to work together as shared stewards. The Service's relationship with Kaktovik—located along the northern boundary of Arctic National Wildlife Refuge (Refuge)—is among the most sensitive and complex within Alaska, due to a difficult history between the U.S. Government and Qaaktuġvigmiut (the people of Kaktovik). Aside from the relatively new issues of polar bear viewing, land and water jurisdiction, and commercial permitting, there are deeper challenges driven by the fact that land claims were settled without consent of the Qaaktuġvigmiut. There is an ongoing effort between Service staff and Kaktovik's leaders to improve our relationship and communications.

The Service's relationships with Kaktovik are also complicated by the number of Service programs involved and the number of entities in Kaktovik with which the Service collaborates. Multiple Service Alaska Region programs are engaged in activities that affect Kaktovik, with the largest players being the Refuge, which manages lands and waters surrounding Kaktovik, and the Marine Mammals Management (MMM) program, which is responsible for protecting polar bears under the Marine Mammal Protection Act, the Endangered Species Act, and several international agreements. The Service's relationships with Kaktovik involve three governing bodies and one corporate board representing the people in Kaktovik: The Native Village of Kaktovik (NVK), a federally recognized tribal government; the City of Kaktovik, a state-chartered municipal government; the less formal but important Indigenous traditional Whaling Captains, a body to govern whaling; and the Kaktovik Inupiat Corporation (KIC), an ANCSA Corporation. The North Slope Borough also has a significant role in the community in addition to owning the airport land.

The major issues currently impacting the Service's relationship with Kaktovik are listed below.

- Kaktovik Community Coordination

- Off-Road Vehicle (ORV) Use for Subsistence Purposes on the Arctic Refuge (“traditional access”)
- Arctic Refuge Right-of-Way (ROW) for Kaktovik, Alaska
- Local Participation in Polar Bear Viewing in the Arctic Refuge
- Arctic Refuge Coastal Plain Oil and Gas Program Supplemental Environmental Impact Statement (SEIS)

## II. BACKGROUND AND FWS POSITION

Kaktovik Community Coordination: The Service’s Alaska Region seeks open communication and collaboration with the people of Kaktovik, including closer relationships and fellowship with the NVK, KIC, and City of Kaktovik. We propose exploring a new framework for relationships in cooperation with local leaders. This could include: a Community Liaison position; development of a Kaktovik Community Collaborative, an advisory group that serves as a forum to regularly convene local, state, and federal partners to maintain lines of communication and proactively address issues; a truth and healing effort; a cultural training program for employees working with Kaktovik; and additional paths forward to improve our relationship.

ORV Use for Subsistence Purposes on the Arctic Refuge: The Service has been working on a traditional access study for Arctic Refuge, following up on direction in the 2015 Refuge CCP and a subsequent Director’s Memo (073990) and accompanying Solicitor’s Opinion. Kaktovik residents and leaders have expressed a desire to use ORVs in Arctic Refuge for subsistence use and have implied that certain, not yet verified despite Service requests, means of ORV use were employed by local residents prior to the passage of the Alaska National Interest Lands Conservation Act (ANILCA) in 1980. The traditional access study was completed by a contractor and shared with affected communities in March of 2022. Missing information could affect the access determination for the Kaktovik area.

Arctic Refuge Road ROW for Kaktovik, Alaska: In August 2021, KIC submitted a ROW application asking for a 20-year, with option for renewal, overland snow route to move materials for a permanent school, community vehicles, fuel, and “other consumables.” The Service determined that the application was complete and will soon be preparing a NEPA analysis of the ROW and alternatives. Polar bears and administration of the ESA and MMPA will be a significant issue to address.

Local Participation in Polar Bear Viewing in the Arctic Refuge: The number of tourists visiting Kaktovik, Alaska, for polar bear viewing has increased significantly in the last decade, posing challenges for residents. To address this, in 2010 the Service began authorizing commercial boat-based viewing on Kaktovik waters, which are the jurisdiction of Arctic Refuge. In January of 2021, issuance of Secretarial Order No. 3392, *Local Participation in Commercial Polar Bear Viewing Services in the Arctic National Wildlife Refuge and Other Commercial Visitor Services in Alaska Conservation System Units* paused commercial polar bear viewing activities at Arctic Refuge until the Service completed a “polar bear commercialization study” and called on the Assistant Secretary for Fish and Wildlife and Parks to develop a report to the Deputy Secretary on implementation of ANILCA Sections 1307 and 1308 (due March 15). In response to the Order, the Service’s Alaska Region recommends reconvening with the community to discuss studies completed prior to the pandemic as part of the development of a draft Polar BEAR

Viewing Management Strategy. These studies and the draft Management Study meet the intent of many elements of the Order.

Arctic Refuge Coastal Plain Oil and Gas Program SEIS: Section 20001 of the Tax Cuts and Jobs Act (Tax Act) directed the Secretary of the Interior, acting through the Bureau of Land Management (BLM), to establish and administer a competitive oil and gas leasing program for the leasing, development, exploration, production, and transportation of oil and gas from the Coastal Plain of the Arctic Refuge. During the previous administration, BLM developed an Environmental Impact Statement (EIS) – published in September 2019 – and ROD – signed in August of 2020 – for a new Coastal Plain Oil and Gas Leasing Program, with the Service serving as a cooperator in that process. In January 2021, BLM held the first of two required lease sales, with nine leases purchased. Based on direction from the new Administration in Executive Order 13990 and Secretarial Order (S.O.) 3401, the BLM and Service, as joint leads, are currently preparing a SEIS for the Coastal Plain Oil and Gas Leasing Program.

### **III. POSITION OF AFFECTED STAKEHOLDERS/PUBLIC LANDS AFFECTED**

Local Community Perspectives: The Native Village of Kaktovik and the Kaktovik Inupiat Corporation have expressed frustration that their perspectives on self-determination and environmental justice have not been sufficiently heard, and they strongly desire additional coordination between the Service and the community.

- ORVs: They would prefer the Refuge to allow ORVs for subsistence use and have communicated that certain means of ORV use were employed by local residents prior to ANILCA.
- ROW: With their ROW application and supporting statements, Kaktovik residents have been clear about their desire for improved access to their community.
- Polar bear viewing: They have also expressed interest in having primary management responsibility for polar bear viewing on Refuge waters surrounding the community, along with any permit administration responsibilities. However, local resident polar bear guides want the strategy, and its accompanying planning process, to help determine a sustainable visitation level, since even a modest viewing industry (about 600-700 visitors in a “typical” year) brings significant income to the community.
- Oil and gas development: Opinions vary in Kaktovik, but through their current leadership, residents have expressed support for oil and gas development on the Arctic Refuge coastal plain. The Gwich’in people, who utilize Arctic Refuge for subsistence and other purposes, and many conservation nongovernmental organizations, oppose oil and gas development in the 1002 area.

The Alaska Congressional Delegation: The Delegation generally supports Kaktovik leaders in their desires for ORV use on the Refuge, changes to the polar bear viewing program, oil and gas production in Arctic Refuge, and the development of a ROW for Kaktovik.

Environmental Groups: While many environmental groups advocate for Indigenous rights and improved relationships with Indigenous Peoples, they likely diverge from the Kaktovik community on these issues. In general, these groups oppose ORV use and expanded access across the refuge, and oppose efforts toward oil and gas development.

#### IV. DISCUSSION

To strengthen our relationships in Kaktovik, the Service must closely track and manage each of these issues as part of a broader package and commit to open and honest communication and healing with Kaktovik. Many issues affecting Kaktovik garner significant outside attention, and decisions about oil and gas development, overland access through Arctic Refuge, and polar bears are likely to be litigated, which could further complicate the goal of open communication. Improving our relationships in Kaktovik will take significant time and effort, but the Alaska Region is committed to that investment.


#### V. STATUS UPDATE

- March 28, 2022:
  - *Kaktovik Community Coordination:* The Alaska Region is communicating with Kaktovik leadership to establish a liaison position that will facilitate improved communications between the Service and the community.
  - *ORV Use for Subsistence Purposes on the Arctic Refuge:* Communities and Tribal entities were sent the final report March 18, 2022, and were invited to engage in government-to-government consultation, and afforded continued opportunity to provide additional documentation missing from the report by June 1, 2022. The Refuge Manager will complete a final determination of traditional ORV use for subsistence purposes by the summer of 2022.
  - *ROW:* Evaluate existing access as being adequate and feasible and prepare NEPA scoping to evaluate issuance of an 1110(b) ROW permit.
  - *Polar Bear Viewing:* Arctic Refuge is not currently authorizing bear viewing activities per S.O. 3392, and out of respect for Kaktovik's COVID-19 declaration prohibiting nonresident travel. Kaktovik leadership has recently requested updates on the status of and response to S.O. 3392.
  - *Arctic Refuge Oil and Gas SEIS:* The SEIS process is ramping up to stay on schedule for a signed ROD by August 2023. The Service's Interdisciplinary Team plans to meet March 30 and 31 to discuss alternatives, including those from the EIS and other alternatives that could provide a more "reasonable range" of alternatives in the SEIS.
- April 4, 2022:
  - *ROW:* Given that Kaktovik has been determined an inholding for the purposes of ANILCA 1110(b), Refuges will be moving forward with the NEPA process. We are now preparing to communicate next steps with Kaktovik, with the first step being development of a Notice of Intent.
  - *Arctic Refuge Oil and Gas SEIS:* The FWS IDT met on March 30 and 31 to begin strategizing on resource considerations that can be built into the Stipulations and Required Operating Procedures for the SEIS. In addition, we spent time exploring and discussing Scoping comments related to key resource areas. On April 8, the Joint Lead Project Managers are meeting with NARF and other Tribal representative to begin discussions on how we will approach the inclusion of Indigenous and Tribal Ecological Knowledge.
- April 11, 2022:



- *ROW*: On April 8, the Service communicated with Kaktovik leadership on next steps, including a future Notice of Intent (NOI) to start NEPA. The Service plans to hire a contractor to conduct NEPA, and is preparing a draft NOI package for the *Federal Register*.
- April 18, 2022:
  - No new updates.
- April 25, 2022:
  - Last week, the Director and Secretary met with Kaktovik leadership as part of a North Slope Listening session in Utqiagvik, who raised the issues incorporated in this briefing paper.
- May 2, 2022:
  - *Kaktovik Community Coordination*: Last week (4/22), the Acting Refuge Manager was given permission by the City Council to travel to Kaktovik. That travel is tentatively scheduled for the week of May 9. The Region is working out the details of the visit.
  - *ROW*: We continue to work on the NOI package for NEPA.
  - *Arctic Refuge Oil and Gas SEIS*: Last week, approximately 70 participants from the Joint Lead Agencies and Cooperating Agencies (i.e., the State, Venetie Tribal Council, and Arctic Refuge Tribal Council) met to begin SEIS alternatives development. This workshop primarily focused on the Stipulations (Stips) and Required Operating Procedures (ROPs) for each alternative. From this meeting, topics were identified for further discussion (e.g., air; climate change; caribou; water resources and fish; permafrost, snow, and overland travel; polar bears and other wildlife; and Indigenous and Traditional Ecological Knowledge), and Resource Groups were established to look at the Stips and ROPS for their resource area of expertise.
- May 9, 2022:
  - No new update.
- May 16, 2022:
  - *Kaktovik Community Coordination*: The Acting Arctic Refuge Manager and other key staff travelled to Kaktovik May 9 – 12. The Manager and Supervisory Ecologist met with village leaders Edward and Matthew Rexford to discuss a multitude of topics including Coastal Plain field activities, the SEIS, and the Traditional Access study. Kaktovik leaders did inquire about the ROW permit status, but we had no new information or updates. Additionally, Alaska Region staff met with Kaktovik leadership via phone on May 11<sup>th</sup> to discuss potential duties and the desired knowledge, skills, and abilities for a future liaison position that will facilitate improved communications between the Service and the community.
  - *ROW*: (b)(5)ACP-AWP [REDACTED]
  - *Arctic Refuge Oil and Gas SEIS*: The Joint Lead Project Managers are scheduling follow-up Resource Group discussions to further refine the Stips and ROPS for SEIS alternatives the weeks of May 16 and May 23.
- May 23, 2022:

- *ROW*: The Service completed Stage 1 (Initial Action Notice) in the DOI EIS briefing process and is developing cost recovery guidance and an estimate to implement 43 C.F.R. 36.6(c).
- *Arctic SEIS*: The 6 Resource Groups met last week to provide input to the Stipulations and Required Operating Procedures. We anticipate having our group work completed by May 27<sup>th</sup> and will work with the Joint Lead Agency IDTs to synthesize the input to date into a master document for review and next steps. EPA has also reached out to become a Cooperating Agency, and the Cooperating Agency MOU is in EPA's legal review process and should be signed soon.
- May 31, 2022:
  - Following a recent meeting between Director Williams and Taqulik Hepa, Director of the North Slope Borough Department of Fish and Wildlife, lawyer Alan Mintz shared an emailed summary of Kaktovik issues to Martha and Cynthia Martinez. That email covers the Arctic ROW, polar bear tourism, and traditional access on Arctic Refuge. Alaska staff are reviewing those issues, as described, to ensure they are addressed in our related program of work.
- June 6, 2022:
  - *ORV Use for Subsistence Purposes on Arctic Refuge*: The Alaska Regional Director received correspondence from the Native Village of Kaktovik expressing concern with the Traditional Access Determination process. Their letter raised concerns about inadequacy of the Traditional Access Study, a perceived lack of coordination with Tribal governments, and their legal interpretation about ANILCA existing allowances for ORV use for subsistence purposes. The NVK requested that the Refuge stop work on the Traditional Access determinations and cease further restrictions on ORV use for subsistence access.
  - *ROW*: Kaktovik leaders asked if a NEPA analysis is necessary and/or contradicts the intent of ANILCA Title XI. (b)(5)ACP-AWP [REDACTED]
  - *Arctic Refuge SEIS*: A Government-to-Government (G2G) consultation has been scheduled in Arctic Village for June 27, 2022. Both SEIS co-leads will have representatives present at this G2G meeting, including the Regional Directors of the two bureaus. The MOU with EPA has been signed and they are now a full Cooperating Agency in the process.
- June 14, 2022:
  - *ROW*: Alaska staff are reviewing NEPA and cost recovery options per 43 C.F.R. 36.6.
- June 21, 2022:
  - Sara Boario, Regional Director, and Brian Glaspell, ARD-Refuges, met with leadership representatives from Kaktovik on June 15 to discuss a range of issues, including the traditional access study, NEPA for the ROW process, and Polar Bear Viewing. Notes have been shared with Director Williams.
- June 27, 2022:
  - *Arctic Refuge SEIS*: BLM and the Service are conducting a Government-to-Government consultation in Arctic Village this week. Sara Boario is representing the Service at the consultation.
- July 5, 2022:

- *Arctic Refuge SEIS*: The Joint Lead Agencies held a very successful Government-to-Government consultation last week with representatives of the Arctic Village and Venetie Tribal Councils. They have asked for another consultation in September. As of this week, the EPA's MOU for Cooperating Agency status has been signed by all parties. The Joint Lead project managers will be finalizing the Stipulations and Required Operating Procedures this week so the EMPSi contractors can begin development of alternatives.
- July 11, 2022: No new update.
- July 18, 2022: No new update.
- July 26, 2022: No new update.
- August 1, 2022:
  - *Kaktovik Community Coordination*: On July 21, a representative for Kaktovik acknowledged the Service's numerous requests to schedule a follow up meeting to discuss establishment of a liaison position which they have been unable to schedule due to spring and summer subsistence seasons.
- August 8, 2022: No new update.
- August 15, 2022: (b)(5)ACP-AWP  

- August 22, 2022: No new update
- August 29, 2022: On August 25, the Regional Director and Assistant Regional Director-Refuges met via teleconference with Kaktovik leadership and counsel – Eddie Rexford, Matthew Rexford, and Teresa Imm – to share updates on a range of issues, including traditional access; polar bear viewing management history and relevant documents; and, the NEPA for the ROW. The most immediate decision was around the ROW. While Kaktovik leadership was disappointed that the process would require an EIS, they expressed appreciation for the additional review and decision around cost-recovery.
- September 6, 2022: No updates.
- September 13, 2022: The bi-weekly teleconference call with Kaktovik leaders scheduled for September 8 was postponed at their request. Refuges staff are preparing a Notice of Intent to begin the ROW EIS, for publication in the Federal Register and finalizing a Scope of Work for the EIS contract solicitation.
- September 20, 2022: On September 15, the Regional Director and Assistant Regional Director-Refuges met once again via teleconference with Kaktovik leadership and counsel – Eddie Rexford, Matthew Rexford, and Teresa Imm – to discuss the NEPA for the ROW. Kaktovik leaders continue to insist that an EIS is unnecessary and inconsistent with the right of access they understand to be granted by ANILCA. During the call, Service participants agreed to schedule a near-future meeting to include the Alaska Solicitor's office and address any last questions regarding the necessity of an EIS. Kaktovik leaders confirmed that the Service should proceed with preparation of an NOI and other steps for the EIS in the meantime.

- September 27, 2022: Assistant Regional Director-Refuges and Mike Routhier from the Alaska Solicitor's office met via teleconference with Kaktovik representatives on September 22 to discuss pending NEPA work and related issues. During the call, Kaktovik representatives confirmed their intention to apply for a Refuge Special Use Permit for transportation of building supplies this winter along the previously authorized, shore-fast sea ice route. They also expressed interest in providing additional polar bear mitigation information related to their Right of Way Application, if that information could affect the pending NEPA evaluation.
- October 3, 2022: No new update.
- October 11, 2022:
  - *ROW:* The Service is preparing documents to engage with the new Departmental Clearance Process for Environmental Impact Statements.
  - *Arctic SEIS:* The Project Management Team is continuing to refine the Stipulations and Required Operating Procedures this week and will send to the EMPSi contractor this Friday to begin the development of alternatives and maps. The Team is also hosting a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18 in Anchorage. Then Team is also hosting a Cooperating Agency meeting on October 19.
- October 18, 2022:
  - *ORV Use for Subsistence Purposes on the Arctic Refuge:* The DRAFT *Determination of Traditional ORV Use to Access Arctic National Wildlife Refuge for Subsistence Purposes by Federally Qualified Subsistence Users* has been submitted to regional solicitors for review.
  - *ROW:* After further internal consultation regarding the appropriate NEPA starting point, and considering the other projects currently underway and the strong desires of Kaktovik, the Service has determined that preparing an EA will best meet everyone's needs at this time. The Regional Director and Assistant Regional Director-Refuges met via teleconference with Kaktovik leadership and counsel on October 13 to discuss that decision and next steps. Kaktovik representatives were thankful and confirmed their understanding that an EA may lengthen the overall NEPA process if the result of the EA is not a FONSI. The immediate next steps are to determine what type and amount of public involvement in the EA is appropriate and to develop a reformulated timeline.
  - *Arctic Refuge SEIS:* The Team is hosting a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18 in Anchorage and is hosting a Cooperating Agency meeting on October 19.
- October 25, 2022:
  - *Arctic Refuge SEIS:* The Project Management Team held a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18<sup>th</sup> in Anchorage and discussed a variety of topics, including a Gwich'in proposal for a new alternative that addresses protections for caribou calving and for climate change related changes to permafrost (ice-rich soils). The discussion went well and one representative said this was the "most meaningful consultation they have engaged in to date." The team also hosted a Cooperating Agency meeting on October 19<sup>th</sup> with pre-existing Cooperators (State of Alaska and the Gwich'in Tribal representatives from Arctic Village and Venetie and new Cooperators (Native Village of Kaktovik (NVK), EPA, and the Inupiat Council of the Arctic



Slope (ICAS)). That meeting focused on bringing everyone up to speed and shared our updated Purpose and Need statement, our tentative schedule, and discussed how we are working towards a new alternative and associated Stipulations and Required Operating Procedures. The Project Management Team—including Regional Director, Sara Boario and BLM State Director Steve Cohn—is meeting in Kaktovik with the Native Village of Kaktovik on October 26<sup>th</sup> for a G2G consultation and on October 27<sup>th</sup> for an ANCSA consultation with the Kaktovik Inupiat Corporation.

- November 1, 2022: No new update.
- November 7, 2022:
  - *ROW*: Regional Director and Assistant Regional Director-Refuges met via teleconference with Kaktovik leadership on 11/8/22 and shared the two necessary public process steps -- on the front end with publication of revised timeline and later with the potential publication of an EA/FONSI -- in the NEPA process for the ROW.
  - *Polar Bear Viewing*: Regional Director and Assistant Regional Director-Refuges shared all reports and studies developed to-date on polar bear viewing and jointly agreed with Kaktovik leadership to re-group on next steps with this issue in January 2023.
- November 14, 2022: No new update.
- November 21, 2022: The next meeting with Kaktovik leadership is scheduled for Thursday, December 1.
- November 28, 2022: No new updates.
- December 5, 2022: No new updates.
- December 12, 2022: One Wednesday, December 7, Kaktovik leaders submitted a minor amendment to their ROW application in the form of an email clarifying the intended uses of the ROW. Regional Director and Assistant Regional Director-Refuges met via teleconference with Kaktovik leadership later the same day to discuss the amendment and next steps for publishing a revised timeline for preparation of an EA in the Federal Register. Alaska Refuges staff are working to finalize content for the Federal Register notice by December 15.
- December 19, 2022: On December 14, Arctic NWR staff hosted a cross-program FWS coordination meeting to share information about the variety of projects and issues with the potential to impact Kaktovik. About 25 individuals participated and discussed opportunities to further build community relationships, streamline work and minimize meeting demands on Kaktovik leaders. In addition, on December 15, the Alaska Region submitted a DTS package for a Federal Register Notice titled: Notice of Time Extension and Intent to Prepare a Draft Environmental Assessment for a Right-of-Way Application on Arctic National Wildlife Refuge.
- January 10, 2023: No new update.
- January 17, 2023: No new update.
- January 24, 2023:
  - *Arctic Refuge SEIS*: The Project Management Team is finalizing details for an upcoming Indigenous Traditional Ecological Knowledge (ITEK) and Science Integration Workshop tentatively scheduled for February 27<sup>th</sup> through March 4 at the Morris Thompson Center in Fairbanks. The workshop is designed to create a shared learning opportunity and safe space for cross cultural and interdisciplinary

discussions on key resource topics putting ITEK on equal footing with Western science throughout the SEIS. The workshop will be co-facilitated and led by BLM/FWS staff and tribal representatives. Invitees include key agency staff and members (and their invited guests/contractors) of the Native Village of Kaktovik, the Inupiat Community of the Arctic Slope, Native Village of Venetie Tribal Government, Venetie Village Council, and Arctic Village Council.

- February 1, 2023: No new updates.
- February 8, 2023:
  - *ROW*: The Federal Register Notice regarding this ROW application and EA is slated to publish today, February 8. Alaska Region staff implemented the communication plan this week. The FR notice will include a link to a public website where the ROW application and supporting materials, as well as future planning documents, will be available.
- February 15, 2023:
  - *Arctic Refuge SEIS*: Regional Director Sara Boario will be joining virtually while the Project Management Team will be traveling to Kaktovik February 12-14 for a Government-to-Government consultation with the Native Village of Kaktovik as well as an ANCSA consultation with the Kaktovik Inupiat Corporation. The ITEK Workshop is confirmed for February 27-March 4, and the team is finalizing details for this first-of-its-kind effort. Confirmed attendees include highly respected elders and knowledge holders from Arctic Village, Venetie, and Fairbanks.
- March 1, 2023:
  - *ROW*: A project initiation letter is in the Alaska Regional surname process to formalize the interdisciplinary team for writing the Environmental Assessment for the Right of Way request from Kaktovik Inupiat Corporation (KIC). The goal is to release the letter later this week.
  - *Arctic Refuge SEIS*: 1) On February 13<sup>th</sup>, members of the Project Management Team held a hybrid (in-person/phone) Government-to-Government consultation with the Native Village of Kaktovik. In attendance were also members of the Kaktovik Inupiat Corporation. The G2G session included a discussion on NVK's recommendations on the Final EIS Stipulations and Required Operating Procedures. Additionally, NVK raised questions about how Indigenous Knowledge was being considered in the SEIS, and raised significant concerns about an ITEK workshop intended to bring all Tribes and knowledge-holders together to discuss perspectives on resource topics covered in the SEIS. FWS and BLM decided to pause the workshop to address these concerns. 2) The updated range of alternatives has been developed and approved, and project contractors will begin to update and expand the affected environment and environmental consequences sections for the SEIS.
- March 8, 2023: No new update.
- March 15, 2023: No new update.

**Prepared by:** Brian Glaspell, Refuge Chief, Alaska Region

☐ FYI   or   ☐ **Requested by:** [name]

☒ **Prepared for a meeting:** Weekly Alaska Policy Meeting

**Does this involve, directly or tangentially, any Director's Office recusals?** ☐ Yes ☐ No

**If yes, please identify:**



**From:** [Director's Office, FWS](#)  
**To:** [Williams, Martha M](#)  
**Cc:** [Director's Office, FWS](#)  
**Subject:** FW: DCN: BP036667 - Weekly Updates for the Alaska Region  
**Date:** Wednesday, March 15, 2023 6:58:34 AM  
**Attachments:** [BP036667 Weekly Update BP - Polar Bear Quota 3-15-23.docx](#) nonresponsive  
[BP036667 Weekly Update BP - Arctic Refuge SEIS 3-15-23.docx](#)  
[BP036667 Weekly Update BP - Arctic ROW 3-15-23.docx](#) nonresponsive  
[BP036667 Weekly Update BP - Izembek 3-15-23.docx](#) nonresponsive  
[BP036667 Weekly Update BP - Kaktovik Combined Issues 3-15-23.docx](#)  
[Weekly Update BP - FES 3-15-23.docx](#) nonresponsive

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Good morning Martha,

There is not a DOI Alaska Policy meeting today so I removed the FWS Alaska check in from your calendar at 1pm. You have a conflict due to the Douglas Brinkley Luncheon.

Attached are the Alaska update briefing papers for your reading pleasure.

Roslyn Sellars

Scheduling Team | Office of the Director | U.S. Fish and Wildlife Service (FWS) | 202-208-4545

Please email scheduling related matters to [scheduling@fws.gov](mailto:scheduling@fws.gov)

-----Original Message-----

From: [michael\\_hayes@fws.gov](mailto:michael_hayes@fws.gov) <[michael\\_hayes@fws.gov](mailto:michael_hayes@fws.gov)>

Sent: Tuesday, March 14, 2023 11:38 PM

To: Boario, Sara D <[sara\\_boario@fws.gov](mailto:sara_boario@fws.gov)>; Director's Office, FWS <[Scheduling@fws.gov](mailto:Scheduling@fws.gov)>; Lor, Socheata <[socheata\\_lor@fws.gov](mailto:socheata_lor@fws.gov)>; Slaughter, Tobi J <[tobi\\_slaughter@fws.gov](mailto:tobi_slaughter@fws.gov)>

Subject: DCN: BP036667 - Weekly Updates for the Alaska Region

BP036667 - Weekly Updates for the Alaska Region



## FWS INFORMATION MEMORANDUM

**UPDATE:** March 15, 2023

**TO:** Martha Williams, Director, U.S. Fish and Wildlife Service

**FROM:** Sara Boario, Alaska Regional Director, U.S. Fish and Wildlife Service

**SUBJECT:** BP036667 Arctic Refuge Supplemental Environmental Impact Statement

### I. KEY FACTS

Section 20001 of the Tax Cuts and Jobs Act (Tax Act) directed the Secretary of the Interior, acting through the Bureau of Land Management (BLM), to establish and administer a competitive oil and gas leasing program for the leasing, development, production, and transportation of oil and gas in and from the Coastal Plain of the Arctic National Wildlife Refuge (Refuge). During the previous administration, BLM developed an Environmental Impact Statement (EIS) – published in September 2019 – and ROD – signed in August of 2020 – for a new Coastal Plain Oil and Gas Leasing Program, with the U.S. Fish and Wildlife Service (Service) serving as a cooperator and regulator through that process. In January 2021, BLM held the first of two required lease sales, with nine leases purchased.

Based on direction from the new Administration in Executive Order 13990 and Secretarial Order (S.O.) 3401, the BLM is preparing a Supplemental EIS for the Coastal Plain Oil and Gas Leasing Program. The Service is working with BLM to define our role in this new process.

### II. BACKGROUND AND FWS POSITION

The Arctic Refuge was established in 1980 by the Alaska National Interest Lands Conservation Act. In 1988, the Arctic Refuge's initial Comprehensive Conservation Plan (CCP) recognized the coastal plain (1002 area) as critical habitat for numerous subsistence and internationally significant species including polar bear, the Porcupine caribou herd, and over 100 bird and waterfowl species. The updated CCP issued in 2015 recommended an additional 12 million acres as wilderness, including the entire coastal plain and four rivers as National Wild and Scenic Rivers. The Tax Act, Public Law 115-97, was signed into law on December 22, 2017, and directs the Secretary of the Interior, through BLM, to establish and administer a competitive oil and gas program in the 1002 area. The oil and gas program will be managed similarly to BLM's program in the National Petroleum Reserve-Alaska. A maximum of 2,000 surface acres may be authorized. The Tax Act requires two oil and gas lease sales within 10 years of enactment. All revenue receipts shall be split evenly between the State of Alaska and the U.S. Treasury.

The Service served as a cooperator in BLM's development of their 2019 EIS for the new oil and gas leasing program in the 1002 Coastal Plain, representing our responsibilities under the Alaska National Interest Lands Conservation Act of 1980, as amended (ANILCA); National Wildlife Refuge Administration Act (1966); National Wildlife Refuge System Improvement Act (1997); Endangered Species Act (ESA), Marine Mammal Protection Act (MMPA), and Migratory Bird

Treaty Act (MBTA). The Service's comments on the draft EIS indicated interest in the Arctic Refuge Manager working closely with the BLM Authorizing Officer in implementing an oil and gas program that is not in conflict with the Refuge's other four purposes. Our comments also requested specific modifications to BLM's preferred alternative, Alternative B, to ensure adequate protection of important resources including polar bears, water, and caribou. To fulfill ESA responsibilities, the Service issued a programmatic framework Biological Opinion, which addressed impacts to polar bears, Steller's eiders, and spectacled eiders.

On January 20, 2021, the White House issued [Executive Order 13990](#), which called on the Department to put a temporary moratorium on all activities related to Arctic Refuge oil and gas and to review the existing EIS. The Department's review identified deficiencies, including the lack of analysis of a reasonable range of alternatives in the EIS conducted under NEPA, leading to the issuance of SO 3401 on June 1. That Order directed the BLM and FWS not to take any action to authorize any aspect of the Coastal Plain Oil and Gas Leasing Program, as established by the Record of Decision signed August 17, 2020, in Arctic Refuge and called for a Notice of Intent to be published that kicks off a Supplemental EIS (SEIS) process. That Notice of Intent was published on July 30, and BLM is currently planning public meetings related to this SEIS.

### III. POSITION OF AFFECTED STAKEHOLDERS/PUBLIC LANDS AFFECTED

The Alaska Delegation, the State of Alaska, and other development interests support leasing the 1002 area for oil and gas development. Current Iñupiat leadership in Kaktovik, the only community within the boundaries of the Arctic Refuge, supports development, while some members of the community oppose development. The Gwich'in people, who utilize Arctic Refuge for subsistence and other purposes, and many nongovernmental conservation organizations, oppose oil and gas development in the 1002 area. The Canadian government has expressed concerns on the health of the shared Porcupine caribou herd, and, as with their Alaskan counterparts, this is an issue important to the Vuntut Gwitchin First Nation of the Northern Yukon.

The Alaska Department of Fish and Game (ADFG) is advocating for early and full engagement in our activities to implement the MMPA and ESA. We appreciate the expertise and involvement of ADFG and have worked to identify appropriate opportunities for greater engagement. We also received similar requests for full engagement and consultation from other parties who feel they have a unique role. For example, our Alaska Native co-management partners are provided a specific role under Section 119 of the MMPA. In addition, the Marine Mammal Commission has a Congressional mandate to serve as an oversight body for the Service and the National Marine Fisheries Service in implementation of the MMPA.

### IV. DISCUSSION

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## V. STATUS UPDATE

- August 24, 2021: On Monday, August 23, Service and BLM points of contact for cooperation on the Supplemental EIS met to identify roles and responsibilities to be outlined in an MOU. A draft MOU will be completed this week. Last week, Alaska Region External Affairs staff met with BLM Public Affairs staff to discuss BLM's draft plan for public meetings on the SEIS and associated communications planning. We are working with BLM to identify Service participants in the public meetings.
- August 30, 2021: On Wednesday, August 25, the Service provided a draft MOU to BLM that outlined possible roles for partnership in the SEIS's preparation and implementation. BLM is reviewing the document, and we are meeting Monday, August 30 week to discuss. On Thursday, August 26, BLM issued a press release announcing six virtual public meetings scheduled September 14-16 to inform development of the SEIS.
- September 7, 2021: The Service met with BLM's Deputy State Director for Resources on 8/30. He provided a draft of roles and responsibilities for the SEIS where the Service's input would be considered but BLM would make all final decisions, similar to how we cooperated during the original EIS. The BLM Acting State Director and Service's Acting Regional Director met and agreed that the Service should have an elevated role in decision-making as the land and natural resource manager. We are waiting for BLM to have internal conversations that align their leadership in recognizing the FWS authority in the development of the SEIS.
- September 13, 2021: Today, BLM and FWS State/Regional Directors and Assistant Regional Directors are meeting to discuss how we will co-lead the development of the SEIS. This week, BLM is holding public meetings on the SEIS (September 14-16), with FWS Arctic Refuge and the Marine Mammals Management staff serving as panelists.
- September 20, 2021: Last week, the Service participated in the SEIS public meetings. The Service participated in a co-lead role, with the Acting Alaska Regional Director providing opening remarks following remarks from BLM's Acting State Director.
- September 27, 2021: The scoping period on the SEIS closes next Monday, October 4<sup>th</sup>.
- October 4, 2021: As of September 28<sup>th</sup>, we have received approximately 23,000 comments through the scoping period that ended today. The contractor plans to provide a preliminary scoping report to the Service, BLM, and the State of the Alaska—the only agency that has signed on to be a cooperator— on October 5<sup>th</sup>. The Service and BLM staff are reviewing a draft MOU laying out how we will co-lead on SEIS development.
- October 12, 2021: The contractor updated BLM, the Service, and the State of Alaska (the only Cooperating Agency) on comments received through the scoping period. A scoping

report will be completed in the next several weeks following analysis. The scoping period generated approximately 104,000 comments, the majority of which are form letters from conservation NGOs. The contractor estimated that there are potentially 4,800 comments with unique content. The Service and BLM continue to work on the MOU.

- October 18, 2021: No new update.
- October 25, 2021: Bobbie Jo Skibo started on 10/12/21 as the new 1002 Coastal Plain Coordinator and met with the BLM lead planner on Friday, October 22 to begin her liaison role between BLM and the Service for the development of the SEIS. As joint lead agencies in this process we will continue to meet during a weekly standing call to review and finalize the MOU as well as identify next steps and key details related to the process.
- November 1, 2021: No new update.
- November 8, 2021: A call was hosted between BLM and FWS leadership to finalize the draft MOU highlighting consensus development and joint lead roles. Final review and signatures are expected soon.
- November 15, 2021: The MOU was finalized and signed by both BLM and FWS. The MOU outlines our intent for consensus decisions as Joint Lead Agencies and integrates the FWS Coastal Plain Coordinator as an equal Project Lead. A final scoping report was completed by the project contractor that summarizes substantive comments received through the scoping period. BLM is finalizing a performance work statement for the post-scoping phase.
- November 22, 2021: We received the final public scoping report today (not yet 508 compliant). Due to the holiday on 11/25, we plan to publish the final 508 compliant version of the Scoping Report along with the public comments and scoping meeting transcripts to the BLM's NEPA Register (a.k.a. ePlanning) on 11/29. We anticipate the new contractor that will assist for the duration of the process will be selected in December, and we will resume the next steps of the process in mid-January.
- November 29, 2021: No new update.
- December 6, 2021: The final SEIS scoping Report has been published on BLM's e-Planning website, where it is accessible to the public. Two cooperating agency MOU's are circulating for signature; one is with the Alaska Department of Natural Resources, and the other is with three Tribal entities (i.e., Native Village of Venetie Tribal Government, Venetie Village Council, and Arctic Village Council). The interagency-interdisciplinary team plans to meet on January 19<sup>th</sup> and 20<sup>th</sup> to kick off the next steps of the SEIS process.
- December 13, 2021: No new update.
- December 20, 2021: No new update.
- December 27, 2021: The BLM and USFWS, as co-lead agencies on the SEIS, are hosting a learning and listening session to kick off the Coastal Plain SEIS effort on January 19 and 20, 2022. The purpose of the meeting is to establish roles and responsibilities, set expectations for the SEIS process, and share expertise about issues on the Coastal Plain from different perspectives. Attendees will include cooperating agency representatives, as well as BLM, USFWS, and contractor ID Team members and associated staff. EMPSi Environmental Management and Planning Solutions, Inc. was awarded the contract to manage the remainder of the SEIS process.
- January 3, 2022: No new update.
- January 10, 2022: No new update.

- January 18, 2022: The Joint Lead Agencies (FWS and BLM) are hosting their SEIS kickoff meetings on January 19<sup>th</sup> and 20<sup>th</sup>. The first day features only DOI agency (BLM, FWS, SOL) staff. The second day features Cooperating Agencies, including the State of Alaska and the Native American Rights Foundation (representing the Native Village of Venetie Tribal Government, Venetie Village Council, and Arctic Village Council).
- January 24, 2022: Last week, the Service and BLM—as Joint Lead Agencies—hosted 2 successful and well attended kickoff meetings for the SEIS, which set the right tone for this process—one of consensus and collaboration. Day 1 was a shared learning opportunity and a meet-and-greet for the BLM-FWS Joint Leadership and Interdisciplinary Team. Day 2 was designed primarily for the Cooperating Agency representatives to introduce themselves and to get to know the Joint Lead Agencies. The next major step in this process will be the alternatives development workshop, which we plan to hold in the spring, involve BLM, FWS, and Cooperating Agencies.
- January 31, 2022: The Joint Lead Agency Project Managers are following up on tasks and questions that came up during the kick-off sessions including finalizing the State of Alaska Cooperating Agency MOU and developing Non-Disclosure Agreements for all participating cooperators and contractors.
- February 7, 2022: No new update.
- February 14, 2022: No new update.
- February 22, 2022: No new update.
- February 28, 2022: No new update.
- March 8, 2022: The Cooperating Agency MOU with the State of Alaska was finalized this week and signed. The Joint Lead Project Managers have been meeting with staff on a variety of topics including transboundary interests and engagement with Canada; inclusion of Indigenous and Traditional Ecological Knowledge (ITEK) into the process; and the legal deficiencies noted in SO 3401. The Joint Lead Project Managers are also working on a joint memo that outlines the many interpretations of the Tax Act and associated aspects of the EIS to ensure BLM and FWS are on the same page as we move forward into the Alternatives Development Workshop scheduled for late April.
- March 14, 2022: The SEIS process is ramping up to stay on schedule for a signed ROD by August 2023. The FWS Interdisciplinary Team (IDT) plans to meet March 30 and 31 to discuss alternatives, including those from the EIS and other alternatives that could provide a more “reasonable range” of alternatives in the SEIS. We hope to meet with NARF and Tribal representatives in early April to start discussions on how best to integrate ITEK into the SEIS process. We also recently met with DOI International Affairs staff to seek support and guidance on how best to interface with Canada.
- March 21, 2022: No new update.
- March 28, 2022: No new update.
- April 4, 2022: The FWS IDT met on March 30 and 31 to begin strategizing on resource considerations that can be built into the Stipulations and Required Operating Procedures for the SEIS. In addition, we spent time exploring and discussing Scoping comments related to key resource areas. On April 8, the Joint Lead Project Managers are meeting with NARF and other Tribal representative to begin discussions on how we will approach the inclusion of Indigenous and Tribal Ecological Knowledge (ITEK).
- April 11, 2022: No new update.



- April 18, 2022: The Joint Lead Project Managers had a very successful meeting with tribal representatives of Arctic Village and Venetie on April 8. The team agreed to continue meeting every two weeks to ensure forward momentum on identifying ways to integrate ITEK into the SEIS. The tribal representatives invited the Project Managers to their villages to meet with Elders and their people to “begin healing from the past”. They requested that we visit prior to any public comment period begins and to come prior to “pulling out the maps”. That trip is tentatively scheduled for June. The Alternatives Development Workshop is being held on April 25<sup>th</sup>-27<sup>th</sup> and will include the Joint Lead and Cooperating Agencies. This will begin the more involved part of the SEIS process.
- April 25, 2022: This week, BLM and FWS are hosting the Alternatives Development Workshop.
- May 2, 2022: Last week, approximately 70 participants (25 in-person and 45 on Zoom) from the Joint Lead Agencies and Cooperating Agencies—including the State, Venetie Tribal Council, and Arctic Refuge Tribal Council—met to begin SEIS alternatives development. This workshop primarily focused on the Stipulations (Stips) and Required Operating Procedures (ROPs) for each alternative. After this meeting, at least seven topics were identified for further discussion—including air; climate change; caribou; water resources and fish; permafrost, snow, and overland travel; polar bears and other wildlife; and the integration of Indigenous and Traditional Ecological Knowledge—and Resource Groups have been set up with agency representatives who will meet over the coming weeks to look at the Stips and ROPS for their area of expertise.
- May 9, 2022: No new update.
- May 16, 2022: Acting Arctic Refuge Manager met with Kaktovik community leaders Edward and Matthew Rexford on May 11, during which they shared a brief update and an estimated SEIS completion timeline. During that meeting, the Rexfords raised a specific question about the legal deficiencies with the first EIS. The Joint Lead Project Managers are scheduling follow-up Resource Group discussions to further refine the Stips and ROPS for SEIS alternatives the weeks of May 16 and May 23.
- May 23, 2022: The 6 Resource Groups met last week to provide input to the Stipulations and Required Operating Procedures. We anticipate having our group work completed by May 27 and will work with the Joint Lead Agency IDTs to synthesize the input to date into a master document for review and next steps. EPA has also reached out to become a Cooperating Agency, and the Cooperating Agency MOU is in EPA’s legal review process and should be signed soon.
- May 31, 2022: No new update.
- June 6, 2022: A Government-to-Government (G2G) consultation has been scheduled in Arctic Village for June 27, 2022. Both SEIS co-leads will have representatives present at this G2G meeting, including the Regional Directors of the two bureaus. The MOU with EPA has been signed and they are now a full Cooperating Agency in the process.
- June 14, 2022: No new update.
- June 21, 2022: No new update.
- June 27, 2022: BLM and the Service are conducting a Government-to-Government consultation in Arctic Village this week. Sara Boario is representing the Service at the consultation.
- July 5, 2022: The Joint Lead Agencies held a very successful Government-to-Government consultation last week with representatives of the Arctic Village and Venetie Tribal Councils. They have asked for another consultation in September. As of this

week, the EPA's MOU for Cooperating Agency status has been signed by all parties. The Joint Lead project managers will be finalizing the Stipulations and Required Operating Procedures this week so the EMPSi contractors can begin development of alternatives.

- July 11, 2022: No new update.
- July 18, 2022: No new update.
- July 26, 2022: No new update.
- August 1, 2022: A second round of Government-to-Government consultation is being planned for September 11-13. One day will be spent in Venetie and one day in Arctic Village. The Joint Lead Project Managers are finalizing the ROPs and STIPs and should be prepared for alternative development within the next 2 weeks.
- August 8, 2022: No new update.
- August 15, 2022: No new update.
- August 22, 2022: No new update.
- August 29, 2022: No new update.
- September 6, 2022: No new update.
- September 13, 2022: Over the past month, the Project Management Team has been working on elements of the SEIS including the Purpose and Need Statement, the Reasonably Foreseeable Development scenario and the 2,000-acre interpretation (as identified in Secretarial Order 3401) and the Stipulations and Required Operating Procedures. We have been holding regularly reoccurring Cooperating Agency meetings as well as reoccurring ITEK working group meetings. Current Cooperating Agencies include EPA, Native Village of Venetie Tribal Government, the Venetie Village Council, the Arctic Village Council, and the State of Alaska. The Inupiat Community of the Arctic Slope (ICAS), a regional Alaska Native tribal government, is interested in joining on as a cooperating agency; they represent a number of native communities across the North Slope. We are working on the MOU this week. The Native Village of Kaktovik has expressed interest in becoming more involved in the SEIS. They would like to set up a meeting with BLM/USFWS in October. We have received a formal request from the Kaktovik Inupiat Corporation for ANCSA consultation. We will be following up on this request. The Project Management Team is in Arctic Village for Government-to-Government consultation September 13<sup>th</sup>, 2022.
- September 20, 2022: The Project Management Team attended the Government-to-Government consultation on September 13 in Arctic Village. It was well attended by tribal members of the community and staff are now following up on next steps.
- September 27, 2022: Last week, the BLM and FWS Project Management Team met with FWS and BLM Alaska communications staff to develop a plan for coordinating regionally on proactive and reactive communication needs. (Note: Any external communications will be closely coordinated with FWS and BLM HQ and the Department.)
- October 3, 2022: No new update.
- October 11, 2022: The Project Management Team is continuing to refine the Stipulations and Required Operating Procedures this week and will send to the EMPSi contractor this Friday to begin the development of alternatives and maps. The Team is also hosting a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18<sup>th</sup> in Anchorage. Then Team is also hosting a Cooperating Agency meeting on October 19<sup>th</sup>.

- October 18, 2022: The Team is hosting a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18<sup>th</sup> in Anchorage and is hosting a Cooperating Agency meeting on October 19<sup>th</sup>.
- October 25, 2022: The Project Management Team held a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18<sup>th</sup> in Anchorage and discussed a variety of topics, including a Gwich'in proposal for a new alternative that addresses protections for caribou calving and for climate change related changes to permafrost (ice-rich soils). The discussion went well and one representative said this was the "most meaningful consultation they have engaged in to date." The team also hosted a Cooperating Agency meeting on October 19<sup>th</sup> with pre-existing Cooperators (State of Alaska and the Gwich'in Tribal representatives from Arctic Village and Venetie and new Cooperators (Native Village of Kaktovik (NVK), EPA, and the Inupiat Council of the Arctic Slope (ICAS)). That meeting focused on bringing everyone up to speed and shared our updated Purpose and Need statement, our tentative schedule, and discussed how we are working towards a new alternative and associated Stipulations and Required Operating Procedures. The Project Management Team—including Regional Director, Sara Boario and BLM State Director Steve Cohn—is meeting in Kaktovik with the Native Village of Kaktovik on October 26<sup>th</sup> for a G2G consultation and on October 27<sup>th</sup> for an ANCSA consultation with the Kaktovik Inupiat Corporation.
- November 1, 2022: No new update.
- November 7, 2022: No new update.
- November 14, 2022: (b)(5)DPP  
[REDACTED]
- November 21, 2022: (b)(5)DPP  
[REDACTED]
- November 28, 2022: Regional Directors Boario (FWS) and Cohn (BLM) are working to schedule a joint briefing with Directors Williams (FWS) and Stone-Manning (BLM), and Deputy Directors for the week of 12/5.
- December 5, 2022: No new update.
- December 12, 2022: The Project Management Team and Regional Directors Boario (FWS) and Cohn (BLM) met with Directors Williams (FWS) and Stone-Manning (BLM), and Deputy Directors to discuss the current range of alternatives and other key aspects of the SEIS.
- December 19, 2022: No new update.
- January 10, 2023: The Project Management Team held a briefing on Friday, January 6<sup>th</sup> with Regional Directors Boario (FWS) and Cohn (BLM) to begin preparing for an upcoming (tentatively on 27 Jan.) Departmental Review Team briefing to gain concurrence on the Alternative E that has been under development.
- January 17, 2023: No new update.
- January 24, 2023: The Project Management Team is finalizing details for an upcoming Indigenous Traditional Ecological Knowledge (ITEK) and Science Integration Workshop tentatively scheduled for February 27<sup>th</sup> through March 4 at the Morris Thompson Center in Fairbanks. The workshop is designed to create a shared-learning opportunity and safe

space for cross cultural and interdisciplinary discussions on key resource topics putting ITEK on equal footing with Western science throughout the SEIS. The workshop will be co-managed and led by BLM/FWS staff and tribal representatives. Invitees include key agency staff and members (and their invited guests/contractors) of the Native Village of Kaktovik, the Inupiat Community of the Arctic Slope, Native Village of Venetie Tribal Government, Venetie Village Council, and Arctic Village Council.

- February 1, 2023: No new update.
- February 8, 2023: No new update.
- February 15, 2023: Regional Director Sara Boario will be joining virtually while the Project Management Team will be traveling to Kaktovik February 12-14 for a Government-to-Government consultation with the Native Village of Kaktovik as well as an ANCSA consultation with the Kaktovik Inupiat Corporation. The ITEK Workshop is confirmed for February 27-March 4, and the team is finalizing details for this first-of-its-kind effort. Confirmed attendees include highly respected elders and knowledge holders from Arctic Village, Venetie, and Fairbanks.
- March 8, 2023: No new update.
- March 15, 2023: Over the past week, the Joint Lead Project Management Team began working with the contractor and sub-contractors on the development of Chapter 3 and associated analysis for the SEIS. Over the course of three days, the team participated in 21 meetings with each of the Joint Lead Agency/Contractor resource teams to ensure alignment and coordination of the supplemental information and approach. The team anticipates that we will be on schedule for the Preliminary Draft sometime in early April. The project is now in high gear and will begin to meet many key milestones leading to a public draft in late June.

## VI. TIMELINE AND NEXT STEPS

Table 1 below.

**Prepared by:** Brian Glaspell, Refuge Chief, Alaska Region

☐ FYI   or   ☐ Requested by: *[name]*

☒ **Prepared for a meeting:** Weekly Alaska Policy Meeting

**Does this involve, directly or tangentially, any Director's Office recusals?** ☐ Yes ☐ No

**If yes, please identify:**

**Table 1. Schedule for Arctic Refuge Supplemental EIS**

| Start           | End             | # of Days | Description   |
|-----------------|-----------------|-----------|---|
| August 4, 2021  | August 4, 2021  | NA        | BLM's Notice of Intent for Supplemental EIS publishes in Federal Register.                            |
| August 12, 2021 | August 12, 2021 | NA        | Date of meeting between USFWS and BLM National and Regional leadership regarding preparation of SEIS. |

DELIBERATIVE-DRAFT-DO NOT DISCLOSE

|                    |                    |    |  |
|--------------------|--------------------|----|--|
| August 23, 2021    | August 23, 2021    | NA | FWS and BLM Regional Leadership meet regarding preparation of SEIS   |
| August 30, 2021    | August 30, 2021    | NA | FWS and BLM Regional Leadership met to continue conversations on SEIS coordination.  |
| September 13, 2021 | September 13, 2021 | NA | FWS Regional Director and BLM Alaska State Director and ARDs will meet to discuss FWS co-lead role in SEIS   |
| September 14, 2021 | September 16, 2021 | 3  | BLM has scheduled 6 virtual public meetings to assist in the preparation of the SEIS. Participants under consideration.                            |
| October 5, 2021    | October 5, 2021    | NA | BLM, FWS and the State of Alaska will meet with the contractor preparing the preliminary summary of written and oral scoping comments on the SEIS. |
| January 19, 2022   | January 20, 2022   | 2  | Joint Leadership and IDT Kick Off (Day 1), Cooperating Agency Kick Off (Day 2)   |
| April 25, 2022     | April 27, 2022     | 3  | Alternatives Development Workshop  |
| Summer/Fall 2022   |                    |    | Administrative Draft SEIS  |
| Late 2022          |                    |    | Minimum 45-Day Public Comment Period   |
| Early 2023         |                    |    | Develop Final SEIS   |
| Mid 2023 (August)  |                    |    | Record of Decision   |
|                    |                    |    |  |
|                    |                    |    |  |

## USFWS INFORMATION MEMORANDUM



**UPDATE:** March 15, 2023

**TO:** Martha Williams, Director, U.S. Fish and Wildlife Service

**FROM:** Sara Boario, Alaska Regional Director, U.S. Fish and Wildlife Service

**SUBJECT:** BP036667 Summary of Arctic National Wildlife Refuge and Significant Kaktovik, Alaska, Issues

### I. KEY FACTS

Alaska is home to 229 federally recognized tribes and 200 Alaska Native Claims Settlement Act (ANCSA) Corporations. The U.S. Fish and Wildlife Service's (Service) work across the state has significant implications for Tribal partners and Indigenous peoples, and we strive to work together as shared stewards. The Service's relationship with Kaktovik—located along the northern boundary of Arctic National Wildlife Refuge (Refuge)—is among the most sensitive and complex within Alaska, due to a difficult history between the U.S. Government and Qaaktuġvigmiut (the people of Kaktovik). Aside from the relatively new issues of polar bear viewing, land and water jurisdiction, and commercial permitting, there are deeper challenges driven by the fact that land claims were settled without consent of the Qaaktuġvigmiut. There is an ongoing effort between Service staff and Kaktovik's leaders to improve our relationship and communications.

The Service's relationships with Kaktovik are also complicated by the number of Service programs involved and the number of entities in Kaktovik with which the Service collaborates. Multiple Service Alaska Region programs are engaged in activities that affect Kaktovik, with the largest players being the Refuge, which manages lands and waters surrounding Kaktovik, and the Marine Mammals Management (MMM) program, which is responsible for protecting polar bears under the Marine Mammal Protection Act, the Endangered Species Act, and several international agreements. The Service's relationships with Kaktovik involve three governing bodies and one corporate board representing the people in Kaktovik: The Native Village of Kaktovik (NVK), a federally recognized tribal government; the City of Kaktovik, a state-chartered municipal government; the less formal but important Indigenous traditional Whaling Captains, a body to govern whaling; and the Kaktovik Inupiat Corporation (KIC), an ANCSA Corporation. The North Slope Borough also has a significant role in the community in addition to owning the airport land.

The major issues currently impacting the Service's relationship with Kaktovik are listed below.

- Kaktovik Community Coordination



- Off-Road Vehicle (ORV) Use for Subsistence Purposes on the Arctic Refuge (“traditional access”)
- Arctic Refuge Right-of-Way (ROW) for Kaktovik, Alaska
- Local Participation in Polar Bear Viewing in the Arctic Refuge
- Arctic Refuge Coastal Plain Oil and Gas Program Supplemental Environmental Impact Statement (SEIS)

## II. BACKGROUND AND FWS POSITION

Kaktovik Community Coordination: The Service’s Alaska Region seeks open communication and collaboration with the people of Kaktovik, including closer relationships and fellowship with the NVK, KIC, and City of Kaktovik. We propose exploring a new framework for relationships in cooperation with local leaders. This could include: a Community Liaison position; development of a Kaktovik Community Collaborative, an advisory group that serves as a forum to regularly convene local, state, and federal partners to maintain lines of communication and proactively address issues; a truth and healing effort; a cultural training program for employees working with Kaktovik; and additional paths forward to improve our relationship.

ORV Use for Subsistence Purposes on the Arctic Refuge: The Service has been working on a traditional access study for Arctic Refuge, following up on direction in the 2015 Refuge CCP and a subsequent Director’s Memo (073990) and accompanying Solicitor’s Opinion. Kaktovik residents and leaders have expressed a desire to use ORVs in Arctic Refuge for subsistence use and have implied that certain, not yet verified despite Service requests, means of ORV use were employed by local residents prior to the passage of the Alaska National Interest Lands Conservation Act (ANILCA) in 1980. The traditional access study was completed by a contractor and shared with affected communities in March of 2022. Missing information could affect the access determination for the Kaktovik area.

Arctic Refuge Road ROW for Kaktovik, Alaska: In August 2021, KIC submitted a ROW application asking for a 20-year, with option for renewal, overland snow route to move materials for a permanent school, community vehicles, fuel, and “other consumables.” The Service determined that the application was complete and will soon be preparing a NEPA analysis of the ROW and alternatives. Polar bears and administration of the ESA and MMPA will be a significant issue to address.

Local Participation in Polar Bear Viewing in the Arctic Refuge: The number of tourists visiting Kaktovik, Alaska, for polar bear viewing has increased significantly in the last decade, posing challenges for residents. To address this, in 2010 the Service began authorizing commercial boat-based viewing on Kaktovik waters, which are the jurisdiction of Arctic Refuge. In January of 2021, issuance of Secretarial Order No. 3392, *Local Participation in Commercial Polar Bear Viewing Services in the Arctic National Wildlife Refuge and Other Commercial Visitor Services in Alaska Conservation System Units* paused commercial polar bear viewing activities at Arctic Refuge until the Service completed a “polar bear commercialization study” and called on the Assistant Secretary for Fish and Wildlife and Parks to develop a report to the Deputy Secretary on implementation of ANILCA Sections 1307 and 1308 (due March 15). In response to the Order, the Service’s Alaska Region recommends reconvening with the community to discuss studies completed prior to the pandemic as part of the development of a draft Polar BEAR

Viewing Management Strategy. These studies and the draft Management Study meet the intent of many elements of the Order.

Arctic Refuge Coastal Plain Oil and Gas Program SEIS: Section 20001 of the Tax Cuts and Jobs Act (Tax Act) directed the Secretary of the Interior, acting through the Bureau of Land Management (BLM), to establish and administer a competitive oil and gas leasing program for the leasing, development, exploration, production, and transportation of oil and gas from the Coastal Plain of the Arctic Refuge. During the previous administration, BLM developed an Environmental Impact Statement (EIS) – published in September 2019 – and ROD – signed in August of 2020 – for a new Coastal Plain Oil and Gas Leasing Program, with the Service serving as a cooperator in that process. In January 2021, BLM held the first of two required lease sales, with nine leases purchased. Based on direction from the new Administration in Executive Order 13990 and Secretarial Order (S.O.) 3401, the BLM and Service, as joint leads, are currently preparing a SEIS for the Coastal Plain Oil and Gas Leasing Program.

### **III. POSITION OF AFFECTED STAKEHOLDERS/PUBLIC LANDS AFFECTED**

Local Community Perspectives: The Native Village of Kaktovik and the Kaktovik Inupiat Corporation have expressed frustration that their perspectives on self-determination and environmental justice have not been sufficiently heard, and they strongly desire additional coordination between the Service and the community.

- ORVs: They would prefer the Refuge to allow ORVs for subsistence use and have communicated that certain means of ORV use were employed by local residents prior to ANILCA.
- ROW: With their ROW application and supporting statements, Kaktovik residents have been clear about their desire for improved access to their community.
- Polar bear viewing: They have also expressed interest in having primary management responsibility for polar bear viewing on Refuge waters surrounding the community, along with any permit administration responsibilities. However, local resident polar bear guides want the strategy, and its accompanying planning process, to help determine a sustainable visitation level, since even a modest viewing industry (about 600-700 visitors in a “typical” year) brings significant income to the community.
- Oil and gas development: Opinions vary in Kaktovik, but through their current leadership, residents have expressed support for oil and gas development on the Arctic Refuge coastal plain. The Gwich’in people, who utilize Arctic Refuge for subsistence and other purposes, and many conservation nongovernmental organizations, oppose oil and gas development in the 1002 area.

The Alaska Congressional Delegation: The Delegation generally supports Kaktovik leaders in their desires for ORV use on the Refuge, changes to the polar bear viewing program, oil and gas production in Arctic Refuge, and the development of a ROW for Kaktovik.

Environmental Groups: While many environmental groups advocate for Indigenous rights and improved relationships with Indigenous Peoples, they likely diverge from the Kaktovik community on these issues. In general, these groups oppose ORV use and expanded access across the refuge, and oppose efforts toward oil and gas development.

#### IV. DISCUSSION


To strengthen our relationships in Kaktovik, the Service must closely track and manage each of these issues as part of a broader package and commit to open and honest communication and healing with Kaktovik. Many issues affecting Kaktovik garner significant outside attention, and decisions about oil and gas development, overland access through Arctic Refuge, and polar bears are likely to be litigated, which could further complicate the goal of open communication. Improving our relationships in Kaktovik will take significant time and effort, but the Alaska Region is committed to that investment.

#### V. STATUS UPDATE

- March 28, 2022:
  - *Kaktovik Community Coordination:* The Alaska Region is communicating with Kaktovik leadership to establish a liaison position that will facilitate improved communications between the Service and the community.
  - *ORV Use for Subsistence Purposes on the Arctic Refuge:* Communities and Tribal entities were sent the final report March 18, 2022, and were invited to engage in government-to-government consultation, and afforded continued opportunity to provide additional documentation missing from the report by June 1, 2022. The Refuge Manager will complete a final determination of traditional ORV use for subsistence purposes by the summer of 2022.
  - *ROW:* Evaluate existing access as being adequate and feasible and prepare NEPA scoping to evaluate issuance of an 1110(b) ROW permit.
  - *Polar Bear Viewing:* Arctic Refuge is not currently authorizing bear viewing activities per S.O. 3392, and out of respect for Kaktovik's COVID-19 declaration prohibiting nonresident travel. Kaktovik leadership has recently requested updates on the status of and response to S.O. 3392.
  - *Arctic Refuge Oil and Gas SEIS:* The SEIS process is ramping up to stay on schedule for a signed ROD by August 2023. The Service's Interdisciplinary Team plans to meet March 30 and 31 to discuss alternatives, including those from the EIS and other alternatives that could provide a more "reasonable range" of alternatives in the SEIS.
- April 4, 2022:
  - *ROW:* Given that Kaktovik has been determined an inholding for the purposes of ANILCA 1110(b), Refuges will be moving forward with the NEPA process. We are now preparing to communicate next steps with Kaktovik, with the first step being development of a Notice of Intent.
  - *Arctic Refuge Oil and Gas SEIS:* The FWS IDT met on March 30 and 31 to begin strategizing on resource considerations that can be built into the Stipulations and Required Operating Procedures for the SEIS. In addition, we spent time exploring and discussing Scoping comments related to key resource areas. On April 8, the Joint Lead Project Managers are meeting with NARF and other Tribal representative to begin discussions on how we will approach the inclusion of Indigenous and Tribal Ecological Knowledge.
- April 11, 2022:

- *ROW*: On April 8, the Service communicated with Kaktovik leadership on next steps, including a future Notice of Intent (NOI) to start NEPA. The Service plans to hire a contractor to conduct NEPA, and is preparing a draft NOI package for the *Federal Register*.
- April 18, 2022:
  - No new updates.
- April 25, 2022:
  - Last week, the Director and Secretary met with Kaktovik leadership as part of a North Slope Listening session in Utqiagvik, who raised the issues incorporated in this briefing paper.
- May 2, 2022:
  - *Kaktovik Community Coordination*: Last week (4/22), the Acting Refuge Manager was given permission by the City Council to travel to Kaktovik. That travel is tentatively scheduled for the week of May 9. The Region is working out the details of the visit.
  - *ROW*: We continue to work on the NOI package for NEPA.
  - *Arctic Refuge Oil and Gas SEIS*: Last week, approximately 70 participants from the Joint Lead Agencies and Cooperating Agencies (i.e., the State, Venetie Tribal Council, and Arctic Refuge Tribal Council) met to begin SEIS alternatives development. This workshop primarily focused on the Stipulations (Stips) and Required Operating Procedures (ROPs) for each alternative. From this meeting, topics were identified for further discussion (e.g., air; climate change; caribou; water resources and fish; permafrost, snow, and overland travel; polar bears and other wildlife; and Indigenous and Traditional Ecological Knowledge), and Resource Groups were established to look at the Stips and ROPS for their resource area of expertise.
- May 9, 2022:
  - No new update.
- May 16, 2022:
  - *Kaktovik Community Coordination*: The Acting Arctic Refuge Manager and other key staff travelled to Kaktovik May 9 – 12. The Manager and Supervisory Ecologist met with village leaders Edward and Matthew Rexford to discuss a multitude of topics including Coastal Plain field activities, the SEIS, and the Traditional Access study. Kaktovik leaders did inquire about the ROW permit status, but we had no new information or updates. Additionally, Alaska Region staff met with Kaktovik leadership via phone on May 11<sup>th</sup> to discuss potential duties and the desired knowledge, skills, and abilities for a future liaison position that will facilitate improved communications between the Service and the community.
  - *ROW*: (b)(5)ACP-AWP [REDACTED]
  - *Arctic Refuge Oil and Gas SEIS*: The Joint Lead Project Managers are scheduling follow-up Resource Group discussions to further refine the Stips and ROPS for SEIS alternatives the weeks of May 16 and May 23.
- May 23, 2022:

- *ROW*: The Service completed Stage 1 (Initial Action Notice) in the DOI EIS briefing process and is developing cost recovery guidance and an estimate to implement 43 C.F.R. 36.6(c).
- *Arctic SEIS*: The 6 Resource Groups met last week to provide input to the Stipulations and Required Operating Procedures. We anticipate having our group work completed by May 27<sup>th</sup> and will work with the Joint Lead Agency IDTs to synthesize the input to date into a master document for review and next steps. EPA has also reached out to become a Cooperating Agency, and the Cooperating Agency MOU is in EPA's legal review process and should be signed soon.
- May 31, 2022:
  - Following a recent meeting between Director Williams and Taqulik Hepa, Director of the North Slope Borough Department of Fish and Wildlife, lawyer Alan Mintz shared an emailed summary of Kaktovik issues to Martha and Cynthia Martinez. That email covers the Arctic ROW, polar bear tourism, and traditional access on Arctic Refuge. Alaska staff are reviewing those issues, as described, to ensure they are addressed in our related program of work.
- June 6, 2022:
  - *ORV Use for Subsistence Purposes on Arctic Refuge*: The Alaska Regional Director received correspondence from the Native Village of Kaktovik expressing concern with the Traditional Access Determination process. Their letter raised concerns about inadequacy of the Traditional Access Study, a perceived lack of coordination with Tribal governments, and their legal interpretation about ANILCA existing allowances for ORV use for subsistence purposes. The NVK requested that the Refuge stop work on the Traditional Access determinations and cease further restrictions on ORV use for subsistence access.
  - *ROW*: Kaktovik leaders asked if a NEPA analysis is necessary and/or contradicts the intent of ANILCA Title XI. (b)(5)ACP-AWP [REDACTED]
  - *Arctic Refuge SEIS*: A Government-to-Government (G2G) consultation has been scheduled in Arctic Village for June 27, 2022. Both SEIS co-leads will have representatives present at this G2G meeting, including the Regional Directors of the two bureaus. The MOU with EPA has been signed and they are now a full Cooperating Agency in the process.
- June 14, 2022:
  - *ROW*: Alaska staff are reviewing NEPA and cost recovery options per 43 C.F.R. 36.6.
- June 21, 2022:
  - Sara Boario, Regional Director, and Brian Glaspell, ARD-Refuges, met with leadership representatives from Kaktovik on June 15 to discuss a range of issues, including the traditional access study, NEPA for the ROW process, and Polar Bear Viewing. Notes have been shared with Director Williams.
- June 27, 2022:
  - *Arctic Refuge SEIS*: BLM and the Service are conducting a Government-to-Government consultation in Arctic Village this week. Sara Boario is representing the Service at the consultation.
- July 5, 2022:

- *Arctic Refuge SEIS*: The Joint Lead Agencies held a very successful Government-to-Government consultation last week with representatives of the Arctic Village and Venetie Tribal Councils. They have asked for another consultation in September. As of this week, the EPA's MOU for Cooperating Agency status has been signed by all parties. The Joint Lead project managers will be finalizing the Stipulations and Required Operating Procedures this week so the EMPSi contractors can begin development of alternatives.
- July 11, 2022: No new update.
- July 18, 2022: No new update.
- July 26, 2022: No new update.
- August 1, 2022:
  - *Kaktovik Community Coordination*: On July 21, a representative for Kaktovik acknowledged the Service's numerous requests to schedule a follow up meeting to discuss establishment of a liaison position which they have been unable to schedule due to spring and summer subsistence seasons.
- August 8, 2022: No new update.
- August 15, 2022: (b)(5)ACP-AWP  

- August 22, 2022: No new update
- August 29, 2022: On August 25, the Regional Director and Assistant Regional Director-Refuges met via teleconference with Kaktovik leadership and counsel – Eddie Rexford, Matthew Rexford, and Teresa Imm – to share updates on a range of issues, including traditional access; polar bear viewing management history and relevant documents; and, the NEPA for the ROW. The most immediate decision was around the ROW. While Kaktovik leadership was disappointed that the process would require an EIS, they expressed appreciation for the additional review and decision around cost-recovery.
- September 6, 2022: No updates.
- September 13, 2022: The bi-weekly teleconference call with Kaktovik leaders scheduled for September 8 was postponed at their request. Refuges staff are preparing a Notice of Intent to begin the ROW EIS, for publication in the Federal Register and finalizing a Scope of Work for the EIS contract solicitation.
- September 20, 2022: On September 15, the Regional Director and Assistant Regional Director-Refuges met once again via teleconference with Kaktovik leadership and counsel – Eddie Rexford, Matthew Rexford, and Teresa Imm – to discuss the NEPA for the ROW. Kaktovik leaders continue to insist that an EIS is unnecessary and inconsistent with the right of access they understand to be granted by ANILCA. During the call, Service participants agreed to schedule a near-future meeting to include the Alaska Solicitor's office and address any last questions regarding the necessity of an EIS. Kaktovik leaders confirmed that the Service should proceed with preparation of an NOI and other steps for the EIS in the meantime.



- September 27, 2022: Assistant Regional Director-Refuges and Mike Routhier from the Alaska Solicitor's office met via teleconference with Kaktovik representatives on September 22 to discuss pending NEPA work and related issues. During the call, Kaktovik representatives confirmed their intention to apply for a Refuge Special Use Permit for transportation of building supplies this winter along the previously authorized, shore-fast sea ice route. They also expressed interest in providing additional polar bear mitigation information related to their Right of Way Application, if that information could affect the pending NEPA evaluation.
- October 3, 2022: No new update.
- October 11, 2022:
  - *ROW:* The Service is preparing documents to engage with the new Departmental Clearance Process for Environmental Impact Statements.
  - *Arctic SEIS:* The Project Management Team is continuing to refine the Stipulations and Required Operating Procedures this week and will send to the EMPSi contractor this Friday to begin the development of alternatives and maps. The Team is also hosting a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18 in Anchorage. Then Team is also hosting a Cooperating Agency meeting on October 19.
- October 18, 2022:
  - *ORV Use for Subsistence Purposes on the Arctic Refuge:* The DRAFT *Determination of Traditional ORV Use to Access Arctic National Wildlife Refuge for Subsistence Purposes by Federally Qualified Subsistence Users* has been submitted to regional solicitors for review.
  - *ROW:* After further internal consultation regarding the appropriate NEPA starting point, and considering the other projects currently underway and the strong desires of Kaktovik, the Service has determined that preparing an EA will best meet everyone's needs at this time. The Regional Director and Assistant Regional Director-Refuges met via teleconference with Kaktovik leadership and counsel on October 13 to discuss that decision and next steps. Kaktovik representatives were thankful and confirmed their understanding that an EA may lengthen the overall NEPA process if the result of the EA is not a FONSI. The immediate next steps are to determine what type and amount of public involvement in the EA is appropriate and to develop a reformulated timeline.
  - *Arctic Refuge SEIS:* The Team is hosting a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18 in Anchorage and is hosting a Cooperating Agency meeting on October 19.
- October 25, 2022:
  - *Arctic Refuge SEIS:* The Project Management Team held a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18<sup>th</sup> in Anchorage and discussed a variety of topics, including a Gwich'in proposal for a new alternative that addresses protections for caribou calving and for climate change related changes to permafrost (ice-rich soils). The discussion went well and one representative said this was the "most meaningful consultation they have engaged in to date." The team also hosted a Cooperating Agency meeting on October 19<sup>th</sup> with pre-existing Cooperators (State of Alaska and the Gwich'in Tribal representatives from Arctic Village and Venetie and new Cooperators (Native Village of Kaktovik (NVK), EPA, and the Inupiat Council of the Arctic

Slope (ICAS)). That meeting focused on bringing everyone up to speed and shared our updated Purpose and Need statement, our tentative schedule, and discussed how we are working towards a new alternative and associated Stipulations and Required Operating Procedures. The Project Management Team—including Regional Director, Sara Boario and BLM State Director Steve Cohn—is meeting in Kaktovik with the Native Village of Kaktovik on October 26<sup>th</sup> for a G2G consultation and on October 27<sup>th</sup> for an ANCSA consultation with the Kaktovik Inupiat Corporation.

- November 1, 2022: No new update.
- November 7, 2022:
  - *ROW*: Regional Director and Assistant Regional Director-Refuges met via teleconference with Kaktovik leadership on 11/8/22 and shared the two necessary public process steps -- on the front end with publication of revised timeline and later with the potential publication of an EA/FONSI -- in the NEPA process for the ROW.
  - *Polar Bear Viewing*: Regional Director and Assistant Regional Director-Refuges shared all reports and studies developed to-date on polar bear viewing and jointly agreed with Kaktovik leadership to re-group on next steps with this issue in January 2023.
- November 14, 2022: No new update.
- November 21, 2022: The next meeting with Kaktovik leadership is scheduled for Thursday, December 1.
- November 28, 2022: No new updates.
- December 5, 2022: No new updates.
- December 12, 2022: One Wednesday, December 7, Kaktovik leaders submitted a minor amendment to their ROW application in the form of an email clarifying the intended uses of the ROW. Regional Director and Assistant Regional Director-Refuges met via teleconference with Kaktovik leadership later the same day to discuss the amendment and next steps for publishing a revised timeline for preparation of an EA in the Federal Register. Alaska Refuges staff are working to finalize content for the Federal Register notice by December 15.
- December 19, 2022: On December 14, Arctic NWR staff hosted a cross-program FWS coordination meeting to share information about the variety of projects and issues with the potential to impact Kaktovik. About 25 individuals participated and discussed opportunities to further build community relationships, streamline work and minimize meeting demands on Kaktovik leaders. In addition, on December 15, the Alaska Region submitted a DTS package for a Federal Register Notice titled: Notice of Time Extension and Intent to Prepare a Draft Environmental Assessment for a Right-of-Way Application on Arctic National Wildlife Refuge.
- January 10, 2023: No new update.
- January 17, 2023: No new update.
- January 24, 2023:
  - *Arctic Refuge SEIS*: The Project Management Team is finalizing details for an upcoming Indigenous Traditional Ecological Knowledge (ITEK) and Science Integration Workshop tentatively scheduled for February 27<sup>th</sup> through March 4 at the Morris Thompson Center in Fairbanks. The workshop is designed to create a shared learning opportunity and safe space for cross cultural and interdisciplinary

discussions on key resource topics putting ITEK on equal footing with Western science throughout the SEIS. The workshop will be co-facilitated and led by BLM/FWS staff and tribal representatives. Invitees include key agency staff and members (and their invited guests/contractors) of the Native Village of Kaktovik, the Inupiat Community of the Arctic Slope, Native Village of Venetie Tribal Government, Venetie Village Council, and Arctic Village Council.

- February 1, 2023: No new updates.
- February 8, 2023:
  - *ROW*: The Federal Register Notice regarding this ROW application and EA is slated to publish today, February 8. Alaska Region staff implemented the communication plan this week. The FR notice will include a link to a public website where the ROW application and supporting materials, as well as future planning documents, will be available.
- February 15, 2023:
  - *Arctic Refuge SEIS*: Regional Director Sara Boario will be joining virtually while the Project Management Team will be traveling to Kaktovik February 12-14 for a Government-to-Government consultation with the Native Village of Kaktovik as well as an ANCSA consultation with the Kaktovik Inupiat Corporation. The ITEK Workshop is confirmed for February 27-March 4, and the team is finalizing details for this first-of-its-kind effort. Confirmed attendees include highly respected elders and knowledge holders from Arctic Village, Venetie, and Fairbanks.
- March 1, 2023:
  - *ROW*: A project initiation letter is in the Alaska Regional surname process to formalize the interdisciplinary team for writing the Environmental Assessment for the Right of Way request from Kaktovik Inupiat Corporation (KIC). The goal is to release the letter later this week.
  - *Arctic Refuge SEIS*: 1) On February 13<sup>th</sup>, members of the Project Management Team held a hybrid (in-person/phone) Government-to-Government consultation with the Native Village of Kaktovik. In attendance were also members of the Kaktovik Inupiat Corporation. The G2G session included a discussion on NVK's recommendations on the Final EIS Stipulations and Required Operating Procedures. Additionally, NVK raised questions about how Indigenous Knowledge was being considered in the SEIS, and raised significant concerns about an ITEK workshop intended to bring all Tribes and knowledge-holders together to discuss perspectives on resource topics covered in the SEIS. FWS and BLM decided to pause the workshop to address these concerns. 2) The updated range of alternatives has been developed and approved, and project contractors will begin to update and expand the affected environment and environmental consequences sections for the SEIS.
- March 8, 2023: No new update.
- March 15, 2023: No new update.

**Prepared by:** Brian Glaspell, Refuge Chief, Alaska Region

☐ FYI   or   ☐ **Requested by:** [name]

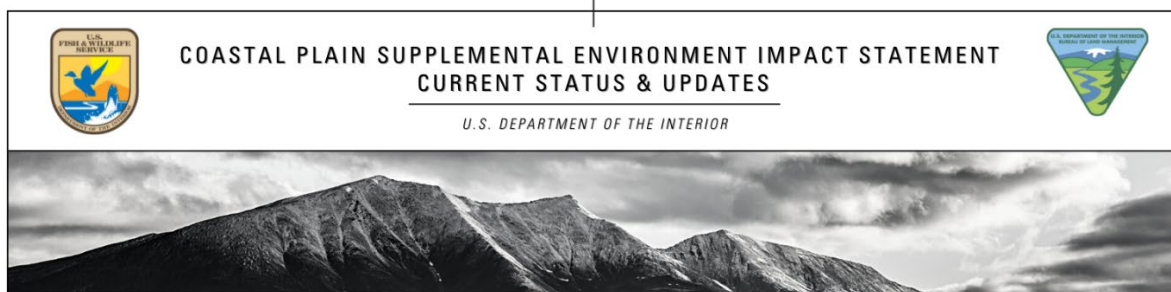
☒ **Prepared for a meeting:** Weekly Alaska Policy Meeting

**Does this involve, directly or tangentially, any Director's Office recusals?** ☐ Yes ☐ No

**If yes, please identify:**

**From:** Skibo, Bobbie Jo  
**To:** Sweet, Serena E; Skibo, Bobbie Jo; Kuhns, Stephanie L; Amy Lewis; Kate Krebs; Erin Hudson; Hillis, Catherine M; Hamfler, Cindy L; Dufford, Sheila J; Leonard, Paul B; Coble, Deborah A; Medeiros, Andrea AM; Mckee, Paul C; Maisonet-Montanez, Virgilio J; Collins, Catherine; Allen, Tim; Lyons, Zachary C; King, Robert (Bob); Keeney, Joseph W; Karchut, Jeremy M; Drew, Katie A; Trawicki, John JT; Erickson, Ann C; Branson, Willie J; Gravley, Hunter A; Butteri, Peter; Varner, Matthew; Brown, Randy J; Nigro, Debora A; Latty, Christopher CL; Savage, Heather J; Leacock, William WL; Perham, Craig J; Wilson, Ryan R; Ott, Kaithryn; Castellanos, Gilbert; Hamilton, Charles CH; Brumbaugh, Robert; Galluzzi, Joseph; Debenham, Krystal (Melody); Matz, Angela AM; Wixon, Donna L; Biesanz, Diana DB; Million, Zach; Kaye, Roger RK; Reed, Jennifer J; Knudson, Timothy W; Allen, Stewart D; Carver, Erin; Mikow, Elizabeth H; Wagener, Ella; LaMarr, Sarah L; Jones, Nichelle (Shelly); Bolton, Melinda A; Denos, Sarah K; Medeiros, Andrea AM; Glaspell, Brian; Bach, Donna E; Loya, Wendy M; Trawicki, John JT; Crane, Drew; Hawkaluk, Nathan; Lemons, Patrick R; Roach, Emma K; Leonard, Paul B; Boario, Sara D; Damberg, Doug; Conn, Sarah SC; Glaspell, Brian; Cribley, Bud C; Lor, Socheata; Fasbender, Peter; Reed, Jennifer J; Cohn, Steven M; Pendergast, Kevin J; Knoll, Erin; Slaughter, Tobi J  
**Subject:** Coastal Plain SEIS - March Updates  
**Date:** Tuesday, March 21, 2023 1:12:25 PM  
**Attachments:** [image001.png](#)  
[Coastal Plain SEIS Background and Assumptions Sent TO IDT.pdf](#)  
[Coastal SEIS RRFA section 20230320.pdf](#)  
[Coastal SEIS Stips and ROPs 20230320.pdf](#)  
[CoastalSEIS AppB RFD 20230320.pdf](#)

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**Date 3/21/2023**

Good Afternoon, Coastal Plain SEIS Team!

The Project Management Team wants to thank everyone for their patience and participation in the past few weeks of meetings to support the authors of the SEIS and the development of Chapter 3. We are now in full gear towards the completion of the SEIS and we appreciate your time and attention to this as it unfolds.

#### **SUMMARY OF STATUS AND UPDATES:**

Attached are a few resources that we promised to share with all of you. These were resources that EMPSi shared with their IDT and we hope this provides further clarity to all of you too!

**\*\*\*Please remember to not share these resources beyond our IDT\*\*\***

***They are ONLY internal documents at this time!***

1. Updated Stips/ROPs: Thank you to everyone for your involvement to get them to this point. At this time, we can not accept further edits to the Stips/ROPs. If you feel there is a necessary edit, please bring those forward during the Chapter 3 review.
2. Baseline Assumptions and updated RFD: These document helps you understand range of alternatives, how seismic is being approached, and contains a description of the new Alt. D.

3. The Reasonably Foreseeable Future Actions document was also updated to describe projects outside of the SEIS that may add to cumulative impacts to the project area.
4. Our next Coastal Plain SEIS cooperating agency meeting is scheduled on Tuesday, April 18 from 10:00am – 12:00pm. This meeting is to daylight Chapter 3 and to get our Cooperators up to speed as they begin their reviews. No further G2G meetings have been scheduled.
5. To help with scheduling your review time, the following should be used for FWS and BLM Joint Lead SMEs:
  - a. BLM/FWS review of Chapter 3: April 17-28
  - b. BLM/FWS review of Administrative Draft SEIS (v1): May 29-June 9
  - c. We will keep you informed of any changes to these timeframes and any future review timeframes as we know them.

As always, please reach out directly if you have any questions or concerns.

Much appreciated, The SEIS Project Management Team (*Bobbie Jo, Stephanie, Serena*)

\*\*\*\*\*

Bobbie Jo Skibo, MS (she/her)  
Coastal Plain SEIS Project Manager  
Science Applications Program  
US Fish and Wildlife Service  
907-441-1539

## COASTAL PLAIN SEIS BACKGROUND AND ASSUMPTIONS

Section 2000I of Public Law 115-97 requires the Secretary of the Interior, acting through the BLM, to establish and administer a competitive oil and gas program for the leasing, development, production, and transportation of oil and gas in and from the Coastal Plain area within the Arctic Refuge. Further, Section 2000I of Public Law 115-97 requires that at least two lease sales be held by December 22, 2024, and that each sale offer for lease at least 400,000 acres of the highest hydrocarbon potential lands within the Coastal Plain, allowing for up to 2,000 surface acres of federal land to be covered by production and support facilities.

On June 1, 2021, Secretary's Order 3401 placed a temporary halt on all activities in the Arctic Refuge relating to the Coastal Plain Oil and Gas Leasing Program. The Secretary of the Interior's review of the FEIS identified multiple legal deficiencies in the underlying record supporting the leases, including, but not limited to: (1) insufficient analysis under the National Environmental Policy Act (NEPA), including failure to adequately analyze a reasonable range of alternatives in the environmental impact statement; and (2) failure in the August 17, 2020, Record of Decision (ROD) to properly interpret Section 2000I of Public Law 115-97 (Tax Act).

The Principal Deputy Assistant Secretary for Land and Minerals Management, when issuing lease suspension letters to lessees on June 1, 2021, further explained the two legal errors and identified the potential for additional legal defects. On August 19, 2022, the Principal Deputy Assistant Secretary issued an addendum to the lease suspension for the only remaining lessee that identified an additional legal error in that the Coastal Plain EIS did not give a quantitative estimate of the downstream greenhouse gas emissions that would result from changes in consumption of oil abroad due to the foreseeable production of Coastal Plain oil nor did it sufficiently explain why BLM could not do so and provide a more thorough discussion of how changes in foreign oil consumption might change the greenhouse gas emissions analysis.

### 2020 ROD

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### Existing Leases

According to the Tax Act, at least 400,000 acres must be offered for lease in each of at least two lease sales. The BLM conducted its first lease sale in the Coastal Plain on Jan. 6, 2021; a total of nine tracts were leased. After two leases (tract numbers 25 and 29) were subsequently cancelled, there are currently seven lease tracts (numbers 16, 17, 24, 26, 27, 30 and 31) that are under lease. The Coastal Plain SEIS will discuss these existing leases and it will be noted that these leases may be reaffirmed, voided, or subject to additional mitigation measures following the completion of the SEIS process. The Tax Act requires a second lease sale, offering not fewer than 400,000 acres, by December 2024. (b)(5)DPP(b)(5)DPP(b)(5)DPP.

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(b)(5)AC(b)(5)AC(b)(5)AC(b)(5)AC(b)(5)AC(b)(5)AC(b)(5)AC(b)(5)AC(b)(5)AC The presence of the existing leases will be discussed in Chapter 1.

### Updated Purpose and Need

The Purpose and Need (P&N) statement provided in the 2019 Coastal Plain FEIS remains accurate yet verbose. We intend to carry forward the updated P&N statement that includes previous language while adding the recognition of the USFWS's role as a Joint Lead Agency and elevating the point that none of



## Range of Alternatives

**Table I** below summarizes the alternatives that will be considered in the SEIS.

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### Table 1: SEIS Alternatives

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#### Public Law 115-97 – 2,000-acre Surface Disturbance Interpretation

The lease suspension letters (dated 6/1/2021), issued by the Principal Deputy Assistant Secretary for Land and Minerals Management, provide further insight into SO 3401's identification of the EIS's range of alternatives deficiency. *Specifically, the Coastal Plain Leasing Program EIS failed to analyze a reasonable range of alternatives in that it did not analyze an alternative, besides the no action alternative, that involved fewer than 2,000 acres of surface development. The Tax Act provides for authorization of up to 2,000 acres to be covered by "production and support facilities."*

All alternatives in the 2019 Final EIS were analyzed as having 2,000 acres of development regardless of the amount of leasable and surface occupancy restrictions. To address the legal deficiencies related to the 2,000-acre interpretation and range of alternatives, the BLM has developed a scalable hypothetical development model which applies proportional adjustments across the range of alternatives to guide the hypothetical number of acres that may be developed (see table above).

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### Past, Present, and Reasonably Foreseeable Future Actions

Relevant past and present actions are those that have influenced the current condition of the resource. For the purposes of this EIS, past and present actions are both human controlled and natural events. Past actions were identified using agency documentation, NEPA analyses, reports and resource studies, peer-reviewed literature, and best professional judgment.

The term reasonably foreseeable future action (RFFA) is used in concert with the CEQ definitions of indirect and cumulative effects, but the term itself is not defined further. Most regulations that refer to “reasonably foreseeable” do not define the meaning of the words but do provide guidance on the term. For this analysis, RFFAs are those that are external to the proposed action and are likely (or reasonably certain) to occur, although they may be subject to a degree of uncertainty. Typically, they are based on such documents as plans, permit applications, and fiscal appropriations. RFFAs considered in the cumulative effects analysis consist of projects, actions, or developments that can be projected, with a reasonable degree of confidence to occur over the next 50 years.

Recent environmental reports, surveys, research plans, NEPA compliance documents, and other source documents have been evaluated to identify these actions. RFFAs were assessed to determine if they were speculative and would occur within the analytical timeframe of the EIS. Projects and activities considered in the cumulative effects analysis are summarized in **Table F-1** and are discussed in more detail below.

**Table F-1**  
**Past, Present, and Reasonably Foreseeable Future Actions Considered in the Cumulative Effects Analysis**

| Category   | Area  | Actions/Activities  | Description  |
|--|---|---|--|
| Oil and gas exploration, development, and production | <ul style="list-style-type: none"><li>Onshore North Slope</li><li>State and federal waters (Beaufort Sea)</li><li>Western Canadian Arctic</li></ul> | <ul style="list-style-type: none"><li>Geological and geophysical surveys</li><li>Infrastructure development</li><li>Gravel mining</li><li>Geotechnical borehole surveys</li><li>Construction and maintenance</li><li>Exploration activities associated with drilling</li><li>Production wells</li><li>Surface, air, and marine traffic</li><li>Scientific research for avian studies, bathymetry, cultural resources, and fisheries (directly related to oil and gas)</li></ul> | <p>Competitive oil and gas lease sales, lease exploration, and development have occurred across the North Slope; continued activity is expected.</p> <p>The number of flights by cargo-rated planes associated with oil and gas development tends to increase dramatically during summer.</p> <p>See below for an additional discussion.</p> |

| Category                                      | Area   | Actions/Activities   | Description  |
|---|--|--|--|
| Transportation<br>(separate from oil and gas) | <ul style="list-style-type: none"> <li>• Surface</li> <li>• Air</li> <li>• Marine</li> </ul>   | <ul style="list-style-type: none"> <li>• Roads and vehicular traffic in communities</li> <li>• International marine vessel traffic</li> <li>• Shipping/barging to Kaktovik</li> <li>• Aircraft traffic</li> <li>• Winter trail ROW for access to inholdings (ANILCA Section 1110)</li> </ul> | <p>Surface, air, and marine transportation services are available in the program area. Federal, state, and tribal governments maintain plans for ongoing maintenance and development.</p> <p>Marine transportation is projected to increase with decreases in sea ice associated with climate change.</p> <p>See below for an additional discussion.</p> |
| Subsistence Activities                        | <ul style="list-style-type: none"> <li>• Kaktovik</li> <li>• Nuiqsut</li> <li>• Arctic Village</li> <li>• Venetie</li> <li>• Western Canadian Arctic</li> </ul>  | <ul style="list-style-type: none"> <li>• Hunting</li> <li>• Trapping</li> <li>• Fishing</li> <li>• Whaling</li> <li>• Sealing</li> <li>• Traveling</li> <li>• Berry Picking</li> </ul>   | <p>Anticipate a continuation of traditional past and present subsistence practices (See <b>Section 3.4.3</b>, Subsistence Uses and Resources)</p> <p>See below for an additional discussion.</p>   |
| Recreation and Tourism                        | <ul style="list-style-type: none"> <li>• Arctic National Wildlife Refuge</li> <li>• Various locations across the North Slope</li> <li>• Beaufort Sea and nearshore areas</li> <li>• North American Arctic</li> </ul> | <ul style="list-style-type: none"> <li>• Wildlife/Scenic viewing and photography including commercial polar bear viewing</li> <li>• Sport/commercial hunting and fishing</li> <li>• Boating and river recreation</li> <li>• Camping</li> <li>• Hiking</li> <li>• Ecotourism</li> </ul>       | <p>Past and present recreational uses of the Program Area are expected to continue (See <b>Section 3.4.6</b>, Recreation).</p> <p>See below for an additional discussion.</p>  |
| Scientific Research                           | <ul style="list-style-type: none"> <li>• Onshore North Slope</li> <li>• Nearshore waters</li> <li>• OCS waters</li> <li>• Arctic National Wildlife Refuge</li> </ul>   | <ul style="list-style-type: none"> <li>• Arctic National Wildlife Refuge studies</li> <li>• Biological, geophysical, archaeological, and socioeconomic surveys</li> <li>• Stock and harvest assessments</li> </ul>   | <p>Scientific research and surveys have occurred throughout the Program Area and are expected to continue.</p> <p>See below for an additional discussion.</p>  |
| Community Development                         | <ul style="list-style-type: none"> <li>• Kaktovik</li> <li>• Arctic Village</li> <li>• Venetie</li> <li>• Utqiagvik</li> <li>• North Slope Borough</li> </ul>  | <ul style="list-style-type: none"> <li>• Demographic/population change</li> <li>• Migration</li> <li>• Infrastructure development projects</li> </ul>  | <p>Anticipate a continuation of infrastructure development projects.</p> <p>See below for an additional discussion.</p>  |
| Climate Change                                | Global   | Trends in climate change are described in GMT2 SEIS (BLM 2018 Section 3.2.4) and are projected to continue and interact with other reasonably foreseeable future actions within the program area   | Long-term changes in temperature and precipitation, with associated changes in the atmosphere, water resources, permafrost, vegetation, wetlands, fish and wildlife habitat, and subsistence practices   |

### ***Oil and Gas Exploration, Development, and Production***

Onshore oil development has been a primary agency of industrial change on the North Slope. Oil and gas exploration has occurred on the North Slope since the early 1900s, and culminated with the first oil production at Prudhoe Bay in 1977. Onshore gas production from the Barrow gas field began over 60 years ago.

Both onshore and offshore reasonably foreseeable future oil and gas activities are considered in the cumulative effects analysis. The discussion does not include small discoveries and undiscovered resources that are unlikely to be developed within the temporal scope of this EIS. The following reasonably foreseeable future onshore oil and gas projects are included in the cumulative effects analysis:

**Nanushuk**—The project is southeast of the East Channel of the Colville River, approximately 52 miles west of Deadhorse and about 6.5 miles from Nuiqsut (at the southernmost project boundary). The project will include construction of the Nanushuk pad, comprised of Drill Site 1 and a Central Processing Facility, Drill Site 2, Drill Site 3, an operations center pad, infield pipelines, the export/import Nanushuk pipeline, infield roads, an access road, a tie-in pad, and a potable water system. The project also includes temporary discharges to 5.8 acres of jurisdictional waters of the United States (US) for screeding at the Oliktok Dock.

**Alpine CD-5**—This Alpine field satellite development drill site is on Alaska Native Claims Settlement Act (ANCSA) corporation lands near Nuiqsut and is the first commercial oil production from the National Petroleum Reserve in Alaska (NPR-A). CD-5 went into production in late 2015. As a satellite to the Alpine Central Processing Facility (CPF), CD-5 has only minimal on-site processing facilities; however, it required 6 miles of gravel road, four bridges, and 32 miles of pipelines including completion of a gravel road and natural gas pipeline from Alpine CPF into Nuiqsut. ConocoPhillips Alaska, Inc. plans to expand CD-5 up to its full 43-well slot capacity; the project is exceeding its original production target of 16,000 barrels of oil per day (BOPD) gross, and is currently producing approximately 37,000 BOPD gross average, year to date. The company has drilled Alaska's 10 longest wells there, with one measuring over 33,000 feet in horizontal distance.

**Greater Mooses Tooth**—The Greater Mooses Tooth-1 (GMT1) project is the first commercial development on a federal unit in the NPR-A; first oil production was achieved in October 2018. The GMT1 development involves an 11.8-acre drilling pad, with a 7.6-mile-long road, two bridges, and pipelines that connect to Alpine CPF through the existing CD-5 road and pipeline extension. The drilling pad can support up to 33 wells; it currently has seven wells. Recent production from GMT1 has averaged about 2,000 BOPD. The Greater Mooses Tooth-2 (GMT2) is located 8 miles southwest of GMT1. First production occurred in December 2020. The 14-acre gravel pad can support up to 48 wells. The 8.2-mile gravel road and pipeline connects through GMT1 and then on to Alpine CPF. Production is approximately 20,000 BOPD.

**Willow**—The Willow oil and gas prospect is located on Federal oil and gas leases ConocoPhillips holds within the Bear Tooth Unit of the NPR-A, approximately 30 air miles west of Nuiqsut. The proposed project would enable applicants to construct, operate, and maintain up to three drill sites with up to 50 wells on each pad, a central processing facility, an operations center pad, gravel roads, ice roads and ice pads, one to two airstrips, a module transfer island, pipelines, and a gravel mine site. up to five drill pads with up to 50 wells on each pad, access and infield roads, an airstrip, pipelines, and a gravel mine on BLM-managed lands within the NPR-A. Production from Willow is estimated at



180,000 barrels of oil per day at its peak. A SEIS is being finalized by the BLM. First production is currently anticipated around 2024-2025.

**Greater Prudhoe Bay/Kuparuk**—This main producing part of the North Slope is expected to have numerous small developments as smaller accumulations of oil are discovered and can be produced using existing infrastructure. In 2020, net crude oil production at Kuparuk averaged 52 million barrels of oil equivalent a day.

**Alaska LNG Project**—This development would include a gas treatment plant at Prudhoe Bay, a 42-inch-diameter, high-pressure, 800-mile pipeline, and eight compressor stations to move the gas to a proposed liquefaction plant at Nikiski, on the Kenai Peninsula. The pipeline would be designed to accommodate an initial mix of gas from the Prudhoe Bay and Point Thomson fields and room to accommodate other gas fields in the decades ahead.

**Arctic Strategic Transportation and Resources (ASTAR)**—The ASTAR program is a collaboration between the State of Alaska, the NSB, and other North Slope stakeholders. Its purposes are to prioritize community needs and to identify infrastructure opportunities that offer the most cumulative benefit for the region.

ASTAR will consider a broad range of potential infrastructure projects, such as permanent and seasonal roads, utilities, new or updated community facilities, fiber optics, trail marking programs, airport facilities, and improved wastewater infrastructure (proposed road networks do not currently connect to Arctic Village or Venetie). The planning area includes the entire NSB boundary, including State lands, the NPR-A, and the Arctic Refuge.

The effects of the ASTAR program could include increasing the cultural and community connectivity, lowering the cost of goods and services, preserving or enhancing subsistence traditions, increasing health and safety for NPR-A residents and stakeholders, increasing access to education, improving workforce development opportunities, and reducing environmental impacts by identifying potential synergies between public and private projects.

### ***Transportation***

In addition to air, land, and marine transport associated with oil and gas activities, there is frequent marine and air traffic associated with coastal communities on the North Slope. It is reasonable to assume that trends associated with transportation to facilitate the maintenance and development of coastal communities will continue. Typically, vessels offshore of the program area are those that support oil and gas industries, barges or cargo vessels used to supply coastal villages, smaller vessels used for hunting and location transportation during the open water period, research vessels, and a limited number of recreational vessels. Passenger and air cargo flights between Fairbanks and each of the communities in the Arctic Refuge and across the North Slope often include several scheduled flights of small propeller-driven aircraft. Government agencies, researchers, and recreationists often charter aircraft for travel and research. Aircraft traffic is expected to continue; levels of traffic may increase because of increased industrial activity, tourism, and community development.

The USFWS has received a right-of-way (ROW) application (ANILCA 1110(b)) for a snow trail across upland habitats within the program area. The application is for a 20-year period of use and requests a 200-foot wide ROW and the annual construction of a 25-foot wide snow trail that would allow for transportation of goods for communities and the bi-directional movement of community vehicles.



### ***Subsistence Activities***

Subsistence activities occur throughout the program area and in the surrounding areas, including the western Canadian Arctic. Subsistence hunters primarily use, boats and snowmachines for accessing subsistence resources. Off-highway vehicles could be used for subsistence resource access by rural residents, subject to reasonable regulations, pursuant ANILCA Section 811(b). The types of subsistence uses and activities that were described in **Section 3.4.3**, Subsistence Uses and Resources, are expected to continue.

### ***Recreation and Tourism***

Until recently, recreation and tourism activities are generally pursued by non-resident visitors to the program area and surrounding areas. While a very small number of local residents have historically participated in recreational guiding and tourism, since 2010 residents have developed tourism around polar bear viewing, and in 2017 over 50 percent of the visitors to the program area are served by locally-owned tourism businesses. Since 2020, commercial polar bear viewing within the program area has been paused by Secretarial Order 3392 and community prohibition; however, commercial polar bear viewing is expected to resume. . The types of recreation and tourism that were described in **Section 3.4.6**, Recreation, are expected to continue. Current and past sport hunting and fishing, or other recreation or tourism-related activities would be similar in the types of activities and areas used by the communities in the analysis area in the foreseeable future. Transport associated with recreation and tourism includes aircraft and powered and non-powered vessel traffic is expected to remain unchanged.

### ***Scientific Research***

There are scientific research programs that take place in the program area and the Arctic Refuge. These activities involve vessel, air, and overland transport of researchers and equipment, and could contribute to cumulative effects. This would come about through the disturbance of terrestrial and marine wildlife, impacts on subsistence harvest, or sediment/soil disturbance through biological or chemical sampling.

### ***Community Development and Infrastructure Projects***

Community development projects in Arctic communities involve both large and small infrastructure projects. For example, the new airport in Kaktovik is a past community development project. Smaller projects resulting from and leading to community growth could further increase demand for public services and infrastructure, such as airport construction upgrades, roads, port and dock construction, telecommunications, alternative energy infrastructure, and telecommunications projects.

The USFWS has received a ROW application for the installation, operation, and maintenance of a communication tower within the program area. The use and occupancy of Refuge lands for this or similar community development proposals will continue within the program area.

ANILCA 1310(b) allows for the establishment, operation, and maintenance of new air and water navigation aids and related facilities and facilities for national defense purposes, with conditions to minimize the adverse effects of such activities. The USFWS recently issued a ROW for specific installations within the program area under this provision.

### ***Climate Change***

Climate change is an ongoing factor in the consideration of cumulative effects in the Arctic. Climate change could affect the habitat, behavior, distribution, and populations of fish and wildlife within the program area. Climate change could also affect the availability of, or access to, subsistence resources. The trends in climate change that were described in the GMT2 Final SEIS (BLM 2018), and incorporated by reference into this EIS, are expected to continue.

### **Actions Not Included in the Cumulative Analysis**

Developments for which a solid proposal has not been submitted or which seem unlikely to occur within the foreseeable future are considered speculative. These may include projects that are discussed in the public arena but are not currently authorized by law or for which there is no current proposal before an authorizing agency. Speculative developments are not considered reasonably foreseeable and are not evaluated as part of the cumulative impacts analysis.



### ***Oil and Gas Activities on Non-Federal Lands***

The program area is next to State of Alaska lands and waters and contains inholdings owned by ANCSA corporations. Although there are no present plans to develop these non-federal lands for oil and gas, leasing in the Coastal Plain could result in exploration and development of recoverable hydrocarbons. Future NEPA analyses associated with Coastal Plain leasing will consider oil and gas activities on non-federal lands once project-specific details are available.



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## Appendix B

Updated Reasonably Foreseeable Development  
Scenario for Oil and Gas Resources in the  
Public Law 115-97 Coastal Plain, Alaska

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## ACRONYMS AND ABBREVIATIONS

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### Full Phrase

|               |  |
|---------------|--|
| 3D            | three-dimensional  |
| ADEC          | Alaska Department of Environmental Conservation                          |
| ANCSA         | Alaska Native Claims Settlement Act                                      |
| ANILCA        | Alaska National Interest Lands Conservation Act of 1980                  |
| Arctic Refuge | Arctic National Wildlife Refuge  |
| BBO           | billion barrels of oil   |
| CFR           | Code of Federal Regulations  |
| Coastal Plain | Public Law 115-97 Coastal Plain  |
| CPF           | central processing facility  |
| EIA           | Energy Information Administration  |
| EIS           | environmental impact statement   |
| EOR           | enhanced oil recovery  |
| Leasing EIS   | Coastal Plain Oil and Gas Leasing Program Environmental Impact Statement |
| NEPA          | National Environmental Policy Act  |
| NPR-A         | National Petroleum Reserve Alaska  |
| PL            | Public Law   |
| ROD           | Record of Decision   |
| TAPS          | Trans-Alaska Pipeline System   |
| TCF           | trillion cubic feet  |
| USGS          | United States Geological Survey  |
| VSM           | vertical support member  |

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# **Appendix B. Updated Reasonably Foreseeable Development Scenario for Oil and Gas Resources in the Public Law 115-97 Coastal Plain, Alaska**

## **B.1 SUMMARY**

This hypothetical development scenario represents a good faith effort to project reasonably foreseeable oil and gas exploration, development, production, and abandonment in accordance with the Tax Cuts and Jobs Act of 2017, Public Law 115-97 (Dec. 22, 2017) (PL 115-97) Coastal Plain (Coastal Plain), and 40 Code of Federal Regulations (CFR) 1508.8(b). Estimating the level of future oil and gas activity in this area is difficult at best. Timing and location of future commercially viable discoveries cannot be more accurately projected until these undiscovered resources are explored. The hypothetical unconstrained scenario projects development under standard lease terms and encompasses restrictions in the enacting legislation. Scenarios by alternative incorporate the leasing stipulations and required operating procedures in the Coastal Plain Oil and Gas Leasing Program Environmental Impact Statement (Leasing EIS) into the hypothetical projections.

The Coastal Plain encompasses approximately 1,563,500 acres of federal land in the northernmost end of the Arctic National Wildlife Refuge (Arctic Refuge). Alaska Native Claims Settlement Act (ANCSA) corporation lands that are patented or interim conveyed are excluded from the program area.

Very little oil and gas exploration has occurred in this area, and there are no proven plays<sup>1</sup> at this point. The United States Geological Survey (USGS) estimated that there is a 95 percent probability that the federal lands in the 1002 Area (as defined by ANILCA) of the Arctic Refuge<sup>2</sup> contain a technically recoverable volume of least 4.25 billion barrels of oil (BBO). There is a 5 percent probability that the technically recoverable volume of oil could exceed 11.80 BBO. The mean estimate of technically recoverable oil for the federal lands in the ANILCA 1002 Area of the Arctic Refuge is 7.69 BBO. Of this, a mean of 7.14 BBO was estimated to be economically recoverable at \$55 per barrel (2005 dollars, approximately \$85 in 2023 dollars; Attanasi 2005). Alaska North Slope crude was priced around \$81 per barrel in December 2022, down from a high of \$112 in July of 2022 but up from \$68 per barrel one year earlier (EIA 2023a), and the US Energy Information Administration (EIA) projects that crude oil prices will follow a declining trend until 2025, after which they will rise steadily through 2050 (EIA 2023b). More recent estimates published by the EIA estimate mean oil production in the Coastal Plain at 3.4 BBO produced by 2050 (Van Wagner 2018).

Technically recoverable associated and unassociated natural gas resources are estimated at 7.04 trillion cubic feet (TCF; Attanasi 2005). Any proposed gas pipelines connecting the North Slope to potential markets would first connect to better understood and established fields before connecting to the Coastal Plain. There are estimated to be 225 million barrels of natural gas liquids in the program area; some amount of natural gas liquids would be produced as a byproduct of oil production in some formations.

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<sup>1</sup>A play is a group of oil fields or prospects in the same region that are controlled by the same set of geological circumstances.

<sup>2</sup>Similar in area and boundary, but not identical to the Coastal Plain program area boundary.

Crude oil and natural gas resource assessments often use different classifications to describe estimated oil and natural gas resource volumes that might be produced at some time in the future. Such classifications generally range, in order of decreasing volume, from original oil in place, to technically recoverable resources, to economically recoverable resources, and finally to proved reserves. For a thorough description of each of these categories, and useful visual aids, the reader is referred to the EIA at <https://www.eia.gov/todayinenergy/detail.php?id=17151>.

According to the EIA, the “volumes of oil and natural gas that ultimately will be produced cannot be known ahead of time. Resource estimates change as extraction technologies improve, as markets evolve, and as oil and natural gas are produced. Consequently, the oil and gas industry, researchers, and government agencies spend considerable time and effort defining and quantifying oil and natural gas resources” (EIA, 2019). For instance, the United States Geological Survey (USGS) often conducts resource estimates under the Technically Recoverable Resources classification, while the Securities and Exchange Commission maintains a definition of Proved Oil and Gas Reserves for oil and gas reporting disclosures to assist investors in a more meaningful and comprehensive understanding of the oil and gas industry. The definition of proved reserves has been established by SEC rulemaking at 17 CFR 210.4-10, which can be read at <https://www.sec.gov/rules/final/2008/33-8995.pdf> (SEC 2010). All of these classifications of resource estimates, as described above and as used herein, involve speculation and uncertainty.

In addition, it is noted that the projections of oil and gas reserves across the North Slope as cited herein, and predictions of likely future production levels resulting from those reserves, are necessarily highly speculative. For instance, USGS has repeatedly revised their prior assessments of producible oil and gas for the NPR-A and surrounding areas, as new information has become available and additional analysis has been conducted. These assessments have proven to fluctuate significantly over time, as evidenced by the fact that the assessments of technically recoverable reserves for NPR-A and surrounding areas were projected by USGS to be 10.5 billion barrels of oil and 61 trillion cubic feet of gas in 2002, then were revised to be 896 million barrels of oil and 53 trillion cubic feet of gas in 2010, and again were revised to be 8.7 billion barrels of oil and 25 trillion cubic feet of gas in 2017 (USGS 2002, 2010, 2017). Future studies and assessments, whether by the USGS or others, will likely continue to evolve and shift based on advancements in geophysical assessment and drilling technology. They also may include new methods of development not currently contemplated on the North Slope, such as methane hydrates. A 2008 USGS resource assessment of methane hydrate potential for the North Slope, including areas of the Coastal Plain, are estimated to contain up to 590 trillion cubic feet of in-place methane hydrate gas (USGS 2008) though the study acknowledges that “the production potential of the known and seismically inferred gas-hydrate accumulations in northern Alaska has not been adequately field tested.” To date, there is no known commercial production of natural gas from gas hydrate formations, and the Department of Energy stipulates that “the commercial viability of gas hydrate reservoirs is not yet known” (DOE 2019). In some cases, whether in the Coastal Plain or elsewhere on the North Slope, future estimates may change drastically based on new discoveries, ongoing exploration activities, and market conditions. Often exploration and development activities are the only sure way to confirm the size and extent of oil and gas reserves.

## **B.2 INTRODUCTION**

This hypothetical development scenario provides an estimate of the levels of petroleum-related activities and associated surface disturbances under an unconstrained scenario. Under the unconstrained scenario, the lessee is bound to the terms and conditions set forth on the standard lease form. The hypothetical development scenario is a discussion of how those projected activities may vary under each alternative. In addition, this



document presents a description of the subsurface geology and the oil and gas resource estimates of the Coastal Plain and identifies the assumptions used to develop hypothetical projections.

The petroleum-related activities projected in this hypothetical development scenario is useful only in a general sense. This is because the timing and location of future commercial-sized discoveries cannot be accurately predicted until exploration drilling begins; however, it is reasonable to expect that new technologies and designs developed in the future will augment exploration and development and will enhance the safety and efficiency of operations, while minimizing the effects of oil activity on the environment. The hypothetical scenarios described in this document represent successful discovery and optimistic high-production development scenarios in a situation of favorable market prices. This is to minimize the chance that the resultant impact analysis will understate potential impacts.

Current state-of-the-art technologies, methods, and designs are used to project hypothetical scenarios for future petroleum development. Petroleum-related activities include such major undertakings as conducting seismic operations; constructing ice roads and snow trails for transporting equipment and supplies for winter drilling of exploration wells; drilling exploration and delineation wells; constructing gravel pads, roads connecting production pads to main facilities, and landing strips; drilling production and service wells; installing pipelines; and constructing oil and gas processing facilities. The location and size of any future infrastructure proposed as part of development will be described in future National Environmental Policy Act (NEPA) documentation.

Impacts caused by the extraction of energy resources cannot be assessed without estimating future activity on at least a hypothetical level. A fundamental assumption of these scenarios is that the level of future activities is directly related to the petroleum resource potential made available for leasing and development; however, industry's interest in exploring for new resources is influenced by profit motives, where opportunities for new production in northern Alaska must compete with projects elsewhere. Consequently, future development and associated potential impacts are influenced by several factors, as follows:

- The perceptions of economic potential of the area
- The prospective locations available for leasing
- Industry's ability to identify prospects to drill
- The distance to existing infrastructure
- The competitive interest in exploring for new fields and encumbrances placed on the land

Until a transportation system to move gas to market is constructed, the assumption is that gas produced with oil would be separated and reinjected into the reservoir as part of the enhanced oil recovery (EOR) process.

### **B.3 DESCRIPTION OF GEOLOGY**

Due to a lack of bedrock exposure in outcrops within the majority of the coastal plain, information regarding subsurface geology has been obtained from limited remote sensing, observations in the mountains south of the area, and wells drilled west and north of the area (Bird 1999). As a result, localized geology is not as well understood as it is in most prospective lease areas, where data collected from wells are used to inform geologic understanding.

The geology of the Coastal Plain is split into undeformed and deformed areas, demarcated by the Marsh Creek anticline, which runs northeast-southwest across the Coastal Plain (see **Map B-1**, Hydrocarbon Potential). Northwest of the Marsh Creek anticline, the undeformed area rocks are generally gently dipping to nearly



horizontal. Southeast of the anticline, the deformed area rocks show significantly more folding and faulting. Rocks with petroleum potential in the Coastal Plain area are mostly younger than Devonian and are divided into the Ellesmerian sequence of Mississippian to Triassic age, the Beaufortian sequence of Jurassic to Early Cretaceous age, and the Brookian sequence of Early Cretaceous to Cenozoic age (USGS 1998). The Ellesmerian sequence is up to two-thirds of a mile thick, primarily composed of equal amounts of carbonate and clastic rocks. The Brookian sequence consists of up to 4 miles of marine and nonmarine siliciclastic deposits originating from the ancestral Brooks Range (USGS 1998).

Possible petroleum reservoir rocks beneath the Coastal Plain are intra-basement carbonate rocks, Beaufortian sandstone similar to that of the Kemik sandstone or Thomson sand of local usage, and Brookian turbidite sandstone in the Canning Formation or deltaic sandstone in the Sagavanirktok and Jago River Formations. The timing of hydrocarbon generation relative to the formation of traps is judged to be favorable for the retention of oil in the Coastal Plain. Structural traps are believed to have formed before, during, and after oil generation and migration (Bird and Magoon 1987).

### B.3.1 Undeformed Area

Approximately 80 percent of petroleum resources are estimated to be in the undeformed northwestern portion of the ANILCA 1002 Area (USGS 1998). The identified potential plays in this area, in order of greatest to least potential, are the Topset play, Turbidite play, Wedge play, Thompson play, Undeformed Franklinian play, and Kemik play. Total undiscovered, technically recoverable resources from these plays are estimated to be 6.420 BBO (Attanasi 2005).

**Table B-1**, below, gives estimates of recoverable petroleum resources in the undeformed area. Development is expected to begin in the Topset play, which is estimated to contain over half the recoverable undiscovered oil in the program area. Initial interest is expected to be in test wells drilled in areas where seismic data reveals traps or where the formation is particularly thick. Areas where multiple plays overlap are also expected to receive early exploration and development interest.

**Table B-1**  
**Estimated Mean Undiscovered Petroleum Resources in the Undeformed ANILCA 1002 Area**

| Play Name              | Oil (BBO)    | Gas (TCF)    | Natural Gas Liquids<br>(Billion Barrels of Liquid) |
|------------------------|--------------|--------------|--|
| Topset                 | 4.325        | 1.193        | 0.010  |
| Turbidite              | 1.279        | 1.12         | 0.065  |
| Wedge                  | 0.438        | 0.226        | 0.005  |
| Thompson               | 0.246        | 0.47         | 0.039  |
| Kemik                  | 0.047        | 0.116        | 0.010  |
| Undeformed Franklinian | 0.085        | 0.30         | 0.029  |
| <b>Total</b>           | <b>6.420</b> | <b>3.424</b> | <b>0.159</b>                                       |

Source: Attanasi 2005

Note: Totals are technically recoverable amounts.

Note: Totals are for federal lands only.

Note: The ANILCA 1002 Area is similar in area and boundary, but not identical to the Coastal Plain program area boundary.

### B.3.2 Deformed Area

Potential plays in the deformed area, in order of greatest to least potential, are the Thin-Skinned Thrust belt play, Niguanak/Aurora play, Deformed Franklinian play, and Ellesmerian Thrust Belt play. Total undiscovered resources from these plays are estimated to be 1.267 BBO (Attanasi 2005). **Table B-2**, below, gives estimates of recoverable petroleum resources in the deformed area. Plays in the deformed area are expected to be developed only in localized areas if seismic data and test wells indicate a promising field.

**Table B-2**  
**Estimated Mean Undiscovered Petroleum Resources in the Deformed ANILCA 1002 Area**

| Play Name                | Oil (BBO)    | Gas (TCF)    | Natural Gas Liquids<br>(Billion Barrels of Liquid) |
|--------------------------|--------------|--------------|--|
| Thin-Skinned Thrust Belt | 1.038        | 1.608        | 0.017  |
| Ellesmerian Thrust Belt  | 0.000        | 0.876        | 0.018  |
| Deformed Franklinian     | 0.046        | 0.86         | 0.046  |
| Niguanak/Aurora          | 0.183        | 0.273        | 0.016  |
| <b>Total</b>             | <b>1.267</b> | <b>3.617</b> | <b>0.096</b>                                       |

Source: Attanasi 2005

Note: Totals are estimated technically recoverable amounts.

Note: The ANILCA 1002 Area is similar in area and boundary, but not identical to the Coastal Plain program area boundary.

### B.4 PAST OIL EXPLORATION

Due to a prohibition on oil and gas leasing until the passage of PL 115-97, very little exploration has occurred in the Coastal Plain. A single oil and gas exploratory well was drilled within the boundary of the Coastal Plain (although it was drilled on Kaktovik Iñupiat Corporation surface estate). Results of the KIC#1 exploration well drilled in 1985/1986 have been maintained strictly confidential by the data owners, which are Chevron, BP, and Arctic Slope Regional Corporation. A two-dimensional seismic survey was conducted by an industry group in the winters of 1984/1985 and 1985/1986 (DOI 1987). The data collected have contributed to every analysis of oil and gas potential in the Coastal Plain since.

### B.5 OIL OCCURRENCE AND DEVELOPMENT POTENTIAL

Estimates of oil occurrence and development potential were developed based on the locations of the plays discussed above in *Description of Geology*. Areas where plays with larger estimated undiscovered resources overlap were considered as high occurrence potential, areas where only one or two plays with significant undiscovered resources overlap were considered moderate potential, and areas with only minor plays were considered low potential. Based on these definitions, the highest estimated potential areas are in the western and northern part of the Coastal Plain. See **Map B-1**, below, for a depiction of potential areas.

Since no infrastructure exists in the Coastal Plain, developers are expected to follow oil occurrence potential very closely, rather than trying to build off existing infrastructure, as might occur in a field with existing development; however, the closest infrastructure outside the Coastal Plain is near the northwest border of the area. This coincides with the area of highest occurrence potential. Moving farther from the existing infrastructure near the northwest border of the Coastal Plain, areas would be increasingly less economical to reach; therefore, estimated development potential (which accounts for economic considerations in addition to resource occurrence) coincides with estimated occurrence potential for the Coastal Plain.

## **B.6 METHOD AND ASSUMPTIONS FOR HYPOTHETICAL DEVELOPMENT SCENARIO PROJECTIONS**

There are many uncertainties associated with projecting future petroleum exploration and development. These uncertainties include the amount and location of technically and economically recoverable oil; the timing of oil field discoveries and associated development; the future prices of oil and gas, and more to the point, the many exploration companies' individual assessment of future prices and other competitive calculations that play into corporate investment decisions; and the ability of industry to find petroleum and to mobilize the requisite technology to exploit it.

To address these uncertainties, the BLM has made reasonable assumptions based on the previous two-dimensional seismic exploration of the Coastal Plain, the history of development in the National Petroleum Reserve-Alaska (NPR-A) and other North Slope developments, its own knowledge of the almost entirely unexplored petroleum endowment of the Coastal Plain and current industry practice, and professional judgment. In making these assumptions, the BLM has striven to minimize the chance that the resultant impact analysis will understate potential impacts; therefore, the hypothetical scenarios are intended to represent optimistic high-production, successful discovery, and development scenarios in a situation of favorable market prices. The amount of infrastructure that would be necessary to develop the projected amount of oil is also estimated at upper, but reasonable, limits. For example, the assumption is that each satellite production pad could disturb approximately 12 acres and contain 30 wells (approximately 2.5 wells per acre); however, as ConocoPhillips develops newer well pads in the Colville River Unit (commonly referred to as Alpine) and the Greater Moose's Tooth Unit, this suggests that, on average, pad sizes for that many wells may be closer to 10 acres (approximately 3.3 wells per acre)<sup>3</sup>.

These estimates account for advances in technology that have allowed development on the North Slope to become less impactful on the surrounding environment. For example, the older well pads in Alpine had a ratio of 1.6 to 2.2 wells per acre. Increasing the number of wells per acre on a pad does have some drawbacks. For example, wells spaced too tightly can make it difficult to get a workover rig on a well.

The time frame used for the hypothetical development scenarios assumes that a rapid rate of development would occur. Development at this rate is only likely to occur under certain conditions such as very high oil prices or if oil accumulations are found to be larger or easier to produce than expected based on current information. Because there is very little data on geologic conditions and petroleum accumulations, and because no infrastructure currently exists in the Coastal Plain, there would be a lag time between lease issuance and the beginning of production in the area. The activities that are projected to occur and the estimated timing of those activities are further described in the *Hypothetical Unconstrained Scenario*, below. The minimum time anticipated for all wells to be completed in the Coastal Plain under any hypothetical scenario is up to 50 years, recognizing the timeframe for production could be more than 50 years given the speculative nature of the long-range development scenarios. Because it is unlikely that all projected wells would be producing at the same time, peak production from the Coastal Plain is anticipated at some point before 50 years, potentially as early as 20 years after the first lease sale. Once peak production is reached, production from a field is anticipated to continue for up to another 35 years, depending on resource production, market forces, and operator financial decisions; therefore, it could be 85 years or more after the first lease sale before all facilities described in the development scenarios are abandoned and reclaimed. However, just as development is

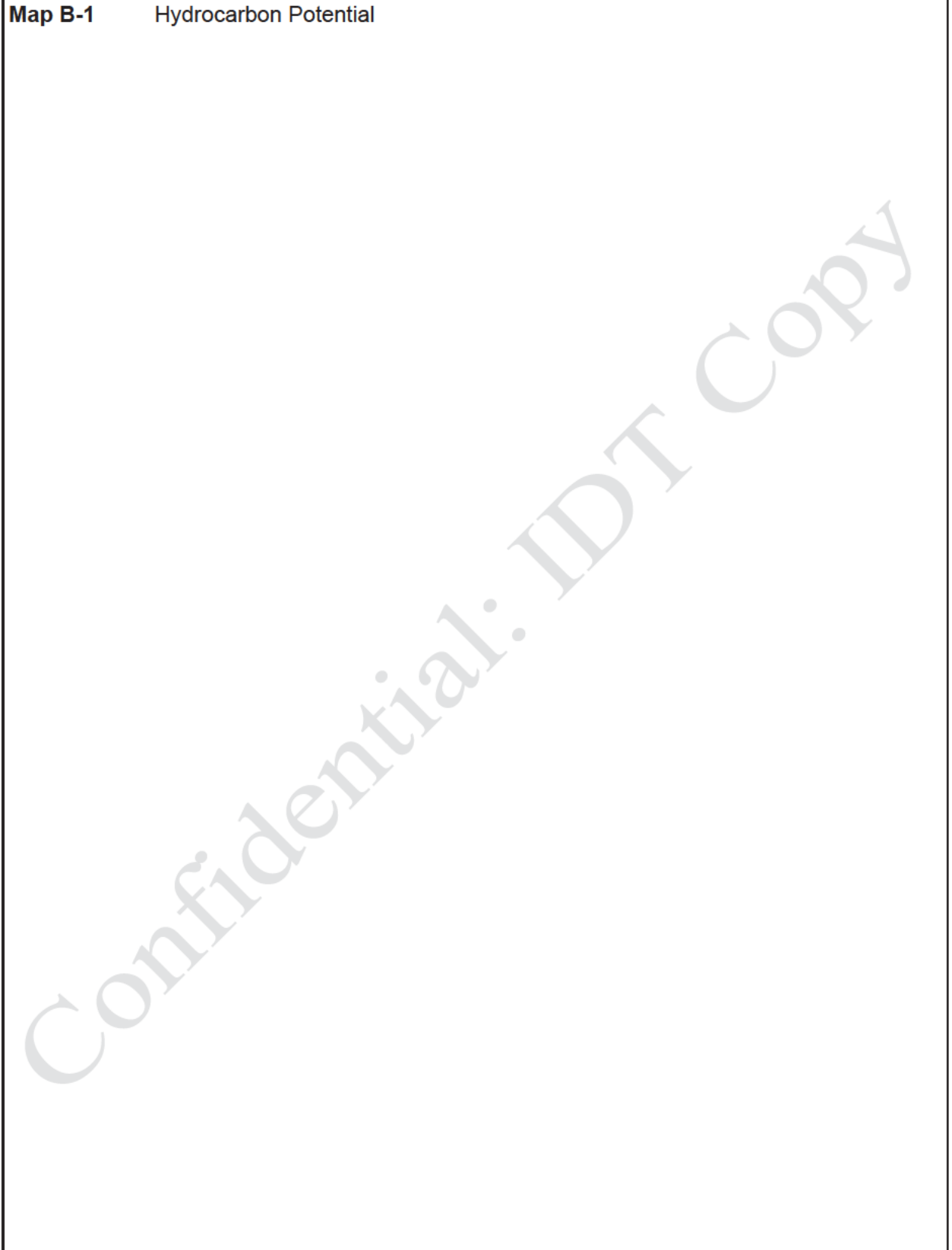
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<sup>3</sup>Nanushuk Draft EIS measured 2.75 wells per acre of well pad; Alpine, which is newer development, measures approximately 2.5 wells per acre of well pad (USACE 2017).

expected to occur in phases, reclamation would occur in phases. The first field to be developed could be reclaimed long before the last field is abandoned.

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**Map B-1**      Hydrocarbon Potential



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Additional assumptions, some of which also tend to support an optimistic set of hypothetical development scenarios, are as follows:

- Industry would aggressively lease and explore the tracts offered.
- Economic conditions (particularly oil prices) would be high enough to support development in the Coastal Plain.
- Undiscovered oil deposits would be discovered in all potential areas (high, medium, and low).
- Industry groups would independently explore and develop new fields in the Coastal Plain.
- Operators would enter agreements to share road and pipeline infrastructure, where feasible.
- Discoveries could be announced any time during a 10-year period (primary lease term) following lease sale, or during a subsequent 10-year lease renewal period (per 43 CFR 3135.1-6).
- Up to three anchor fields, with a minimum of 400 million barrels of producible reserves in each, would be discovered.
- Future oil production would use existing North Slope infrastructure, including the Trans-Alaska Pipeline System (TAPS).
- If the Coastal Plain is connected to a future natural gas pipeline, the plant for compressing produced natural gas into liquid natural gas would be located outside of the Coastal Plain.
- Production wells would have horizontal wellbores, with the lateral portion coinciding with the target formation.
- Each producing horizontal oil well would require a horizontal injection well.
- Once all wells are online for a field, the projected yield would be approximately 100,000 barrels of oil per day (peak production) for approximately 3 years, with an 8 percent annual production decline.<sup>4</sup>
- The maximum production range from CPF to satellite pads is an approximately 35-mile radius.
- Production activities would continue year-round for approximately 10 to 50 years, depending on field size and reservoir conditions.
- Production would end when the value of production cannot meet operating expenses.
- Fuel for equipment operation would be hauled overland.
- Gas would be re-injected into the formation to maintain reservoir pressure and enhance oil recovery.

Gas would be flared or vented only in situations where an equipment failure prevents re-injection or there is danger of equipment becoming over-pressurized. Operators must use flaring over venting per 43 CFR 3179.6(b).

#### **B.6.1 Surface Development Limitations**

Section 1.9.1 of the EIS contains the BLM's interpretation of Section 20001(c)(3) of PL 115-97, which states the following:

**SURFACE DEVELOPMENT**—In administering this section, the Secretary shall authorize up to 2,000 surface acres of Federal land on the Coastal Plain to be covered by production and support

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<sup>4</sup>The 100,000 barrels of oil per day represents the minimum for a CPF in the Coastal Plain based on Willow and Pikka Nanushuk on the North Slope, though for any particular development this number may be exceeded. Decline estimate is based on standard decline estimates from the State of Alaska and the estimates used in NPR-A analyses.

facilities (including airstrips and any area covered by gravel berms or piers for support of pipelines) during the term of the leases under the oil and gas program under this section.

For the purposes of impact analysis, BLM employs that interpretation as an assumption in each of the action alternatives analyzed in the EIS. (b)(5)DPP

## B.7 HYPOTHETICAL UNCONSTRAINED SCENARIO

This hypothetical unconstrained scenario projects an estimated projection of activity on federal lands in the Coastal Plain, assuming all potentially productive areas will be open to leasing, subject to standard terms and conditions. The exception is those areas designated as closed to leasing by law, regulation, or executive order. The activities and methods described in the hypothetical unconstrained scenario are based on the activities typically associated with oil and gas operations on the North Slope of Alaska.

For a further description of typical activities and methods in the North Slope, see Section 4.2.1.2 of the NPR-A Final Integrated Activity Plan/Environmental Impact Statement (IAP/EIS) (BLM 2012).

The hypothetical development scenario is meant to convey the most likely unconstrained development scenario, meaning the entire Coastal Plain would be offered for leasing under standard terms and conditions with no management restrictions, such as stipulations or required operating procedures, except those mandated by law. The hypothetical scenario provides the mechanism to analyze the effects that discretionary management decisions under the Leasing EIS alternatives would have on estimated future petroleum development activity.

**Table B-3**, below, describes the general time frames in which hypothetical exploration, development, and production might occur in the Coastal Plain. As described in *Method and Assumptions for Hypothetical Development Scenario Projections*, a time lag of at least 8 years is expected between the first lease sale and the beginning of production. As previously discussed, the time frames below represent an optimistic, aggressive hypothetical scenario. Activities projected to occur within 5 years after the first lease sale are considered short term; activities projected to occur more than 5 years after the first lease sale are considered long term.

**Table B-3**  
**Estimated Hypothetical Development Time Frames**

| Project Phase                                      | Estimated Time Frames of Activities                        | Projected Activities  |
|--|--|---|
| Initial three-dimensional (3D) seismic exploration | Within 2 years after lease sale                            | 3D seismic exploration  |
| Leasing  | Within 1 year of ROD                                       | Lease sale  |
| Exploration  | Within 2 years after lease sale or end of lease suspension | <ul style="list-style-type: none"><li>• First application for permit to drill submitted for exploration well</li><li>• First exploration well drilled</li><li>• Assumes discovery with first exploration well</li></ul> |

| Project Phase  | Estimated Time Frames of Activities                         | Projected Activities  |
|--|---|---|
| Additional lease-level 3D seismic exploration and/or initial exploration wells | Within 3 years after lease sale (would occur during winter) | <ul style="list-style-type: none"> <li>Seismic exploration on lease block with discovery to locate future delineation exploration wells</li> <li>Process seismic data and determine location of delineation wells to be drilled the following winter</li> </ul> |
| Additional exploration wells   | 4 years after lease sale (winter)                           | Drill 3 to 5 additional wells to define the prospect and identify satellite pad locations   |
| Master development plan  | 5 to 6 years after lease sale                               | <ul style="list-style-type: none"> <li>Conduct NEPA analysis on master development plan for anchor field</li> <li>Continue drilling 2 to 3 exploration wells to identify CPF and satellite pad locations</li> </ul>   |
| Development  | 7 years after lease sale                                    | <ul style="list-style-type: none"> <li>Begin laying gravel for anchor pad, begin CPF construction</li> <li>Continue drilling 2 to 3 exploration wells to identify satellite pad locations</li> <li>Begin drilling production wells on anchor pad</li> </ul>     |
| Production begins  | 8 years after lease sale                                    | <ul style="list-style-type: none"> <li>First production from anchor pad</li> <li>Winter gravel and construction on satellite pads</li> </ul>  |
| Production increases   | 9 to 40 years after lease sale                              | <ul style="list-style-type: none"> <li>All wells completed on anchor pad</li> <li>All wells completed on satellite pads</li> </ul>  |
| Development of additional fields   | 11 to 85 years after lease sale                             | <ul style="list-style-type: none"> <li>Construct facilities and drill wells in additional fields</li> <li>Production continues for approximately 35 years after reaching peak production in each field</li> </ul>   |
| Abandonment and reclamation  | 19 to 85 or more years after lease sale                     | <ul style="list-style-type: none"> <li>Plug wells that are no longer economically productive</li> <li>Remove retired equipment, dig up vacant gravel pads and roads and reclaim the area</li> </ul>   |

### B.7.1 Leasing

PL 115-97 mandates two lease sales: the first within 4 years and the second within 7 years. Under this hypothetical scenario, the assumption is that a lease sale would occur within a year of the publication of the ROD for the Supplemental EIS. It is also assumed that industry would lease areas offered and would follow up with a rapid exploration and development schedule.

### B.7.2 Exploration

The completion of 3D seismic surveys would be the first step in the exploration process. After the lease sale, operators would likely conduct 3D seismic surveys on their lease blocks. This would require winter travel by vibroseis (seismic vibration) vehicles and smaller support vehicles. Vibroseis vehicles are mounted on rubber



tracks to minimize ground pressure. No air-guns or dynamite are expected to be used as part of the seismic surveys. Multiple vehicles could be used simultaneously miles apart to conduct vibroseis exploration, or convoys of four to five trucks could travel in a line, which is less common.

It is assumed that cable-less geophone receivers (autonomous recording nodes) would be placed in lines perpendicular to source lines. Source and receiver lines could be 330 to 1,320 feet apart. Seismic operations would be accompanied by ski-mounted camp buildings towed by bulldozers or other tracked vehicles. There could be two to three strings with four to eight modular buildings in each string. Camps are assumed to move weekly. All seismic operations would be conducted in the winter to minimize impacts on the tundra (BLM 2018). During the exploration phase, exploratory drilling would occur on lease, and geophysical exploration could occur both on and off lease. On lease seismic would occur to assist in the location of future delineation wells for hydrocarbon verification. Off lease seismic could occur in frontier areas to inform potential future prospects.

Following the completion of 3D seismic surveys, exploration wells would be drilled to confirm seismic findings and further explore the characteristics of the leased area. Exploration wells would be drilled in the winter, using an ice drill pad and an ice road to transport a drilling rig to minimize impacts. Exploration drilling rigs could also be flown in by helicopter in some cases which would remove the need to an ice road to the pad. These wells would target prospective geologic traps, indicated by seismic results. Initial exploration wells would likely be drilled vertically to the basement (approximately 13,000 feet, or deeper to the east) to define the entire stratigraphic column. Water needed for ice pad construction and drilling muds could be imported, taken from grounded ice in nearby lakes and rivers, or acquired by melting snow; water demand would vary based on the site geology, well depth, and the density of drilling mud required.

To protect the tundra, ice roads would be used for most exploration activities. Ice roads are constructed seasonally and are used to transport drill rigs, modular units, large or heavy equipment and other supplies. They are constructed by compacting snow using low-ground pressure vehicles (approximately 1 to 2 pounds per square inch). The compacted tracks would capture more snow blown by wind until they are compacted again after a week or two of accumulation.

Once accumulation is complete, larger tracked vehicles with higher ground pressure or wheeled vehicles, such as a water truck or front-end loader, would compact the snow to the desired road width. Water would then be dispersed on the compacted snow to create ice buildup. The rate of ice buildup in cold conditions is approximately 1.5 inches per day. Using ice chips shaved from frozen lakes can increase the buildup rate to 4.5 inches per day and can reduce the amount of water needed by approximately 75 percent. The minimum ice depth for use by full-size vehicles is 6 inches, and roads are typically 35 to 40 feet wide. A typical ice road requires 1 million to 1.5 million gallons of water per mile (North Slope Borough 2005). Crews can construct about 1 mile per day (BLM 2012).

Construction of ice roads for specific projects using traditional techniques may be limited by freshwater availability in the program area. Innovative techniques, including ice chipping, that minimize the use of freshwater or identify additional water sources could allow for additional construction of ice roads. Examples of alternative sources include naturally deep lakes, melting lake ice, trapping and melting snow, extracting water from gravel mine sumps, and desalinating marine water obtained beyond the barrier islands. Additional NEPA analysis at the site-specific level would assess water needs and measures to address water supply issues.

Snow trails could be used for smaller equipment, such as seismic trucks, camps, and maintenance vehicles. Low-ground pressure vehicles are used to pre-pack snow and groom trails if needed. Snow trails do not use ice as a construction medium and are typically thinner than ice roads and are wide enough for one vehicle only. If snow trail maintenance is necessary, a tracked vehicle would be used to tow a snow groomer to smooth out the trail and disperse snow to areas of the trail that need it.

A typical ice pad for exploration drilling is 1 to 2 feet thick and can require up to 5,000,000 gallons of water, depending on thickness and if ice chips are used (BLM 2012).

Current drilling technology is self-contained; reserve pits are not used. During initial exploration, drill cuttings would be transported out of the Coastal Plain for disposal. Once production pads and facilities have been established within the Coastal Plain, cuttings and muds from exploration wells may be transported to the nearest approved disposal well. Drilling an exploration well may take weeks or months, depending on depth, data collection program, and borehole conditions. Once the well is completed, additional down-hole testing and characterization can take up to a month (DOI 2005).

Following a promising discovery in an exploration well, delineation wells would be drilled to further characterize the discovery. These wells require similar resource commitments and require about the same time for drilling as an initial exploration well. After drilling, logging, and other downhole evaluation activities are complete, exploration and delineation wells may either be completed and suspended for future use or plugged and abandoned according to regulatory requirements, with all wastes removed from the site (DOI 2005).

### **B.7.3 Development**

For the purposes of this hypothetical scenario, the assumption is that economic conditions would remain favorable to produce oil from the program area. Another assumption is that economically feasible oil accumulations would be discovered in all potential areas and that multiple anchor fields (each containing at least 400 million barrels of producible reserves) would be discovered. Further, the assumption is that several different operators would independently explore and develop new fields in the Coastal Plain. See **Figure B-1**, Conceptual Layout of a Stand-Alone Oil Development Facility, for a conceptual rendering of a hypothetical anchor field and associated facilities.

In caribou areas, roads would be built on north-south and east-west orientations to the extent possible, in order to promote immediate crossing and limit interference with caribou migration. BLM biologists have determined that caribou are more likely to cross roads that are close to perpendicular to their direction of travel. **Figure B-2**, Conceptual Layout of a Caribou Area Stand-alone Oil Development Facility, shows how the hypothetical layout could be adjusted for caribou mitigation if deemed appropriate by permitting agencies.

In this hypothetical scenario, development would start following the discovery of an anchor field. The first anchor field discovered is expected to be in the western half of the Coastal Plain, most likely in the Topset play. Development would likely begin with the construction of a gravel pad for wells, CPF, airstrip, storage tanks, communications center, waste treatment unit, and a camp for workers. Typically, these facilities occupy a total of approximately 50 acres (BLM 2012).

Large modular units and infrastructure too large for transport up the Dalton Highway and across existing North Slope routes to the Coastal Plain would be shipped by barge. Camden Bay has been identified as the most likely location for a barge landing (DOI 1987). If facilities were adequate and approval was given by the operator, Point Thomson is another option for barge landings. Barge trips are expected to begin in Dutch Harbor, Alaska. See **Map B-2**, Potential Marine Vessel Transportation Route. A barge landing and an

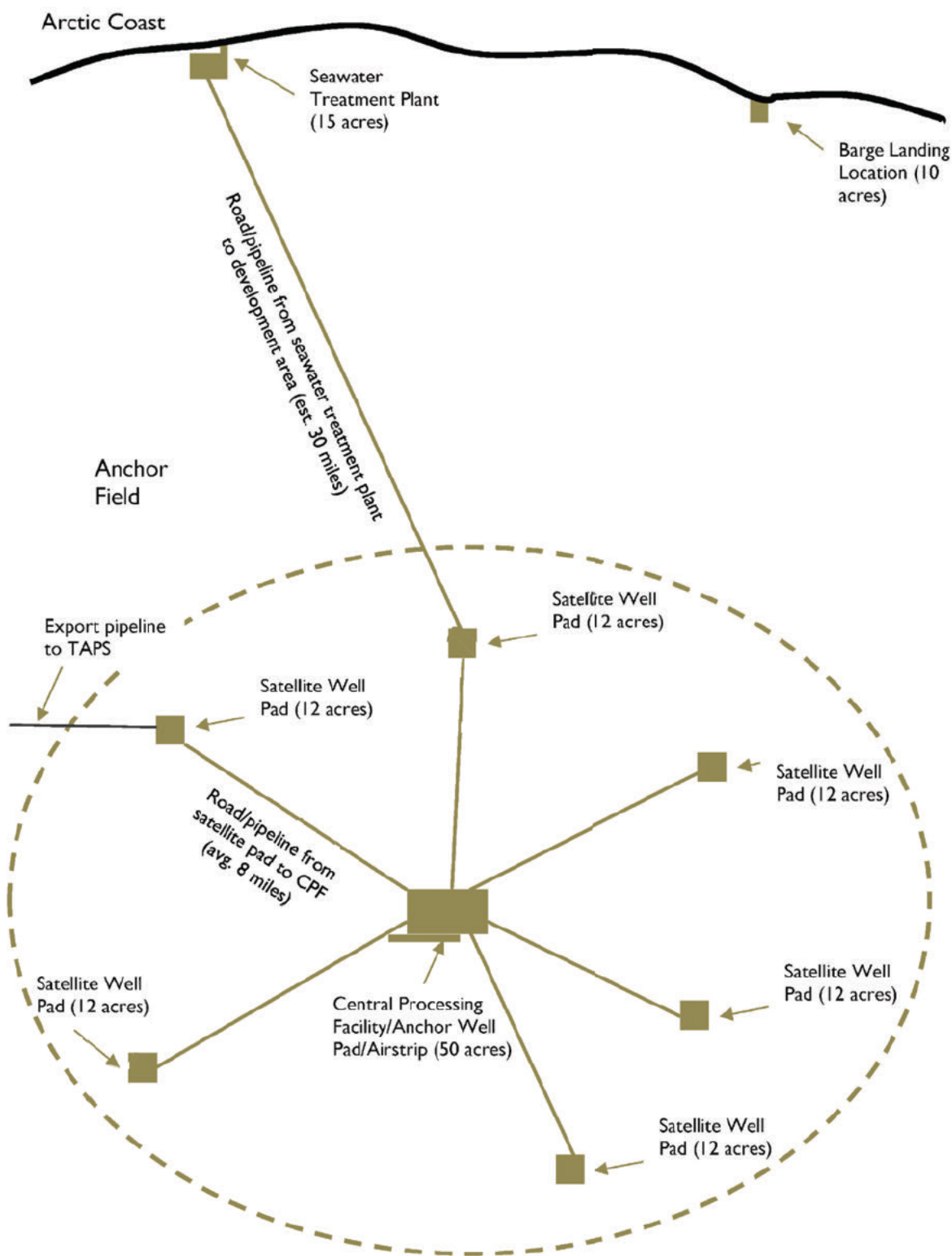
associated staging pad, used to store equipment and modules until ice roads can be constructed, would disturb approximately 10 acres, including the landing area and a gravel staging pad. If dredging is required for a barge landing, it would be analyzed at the project level.

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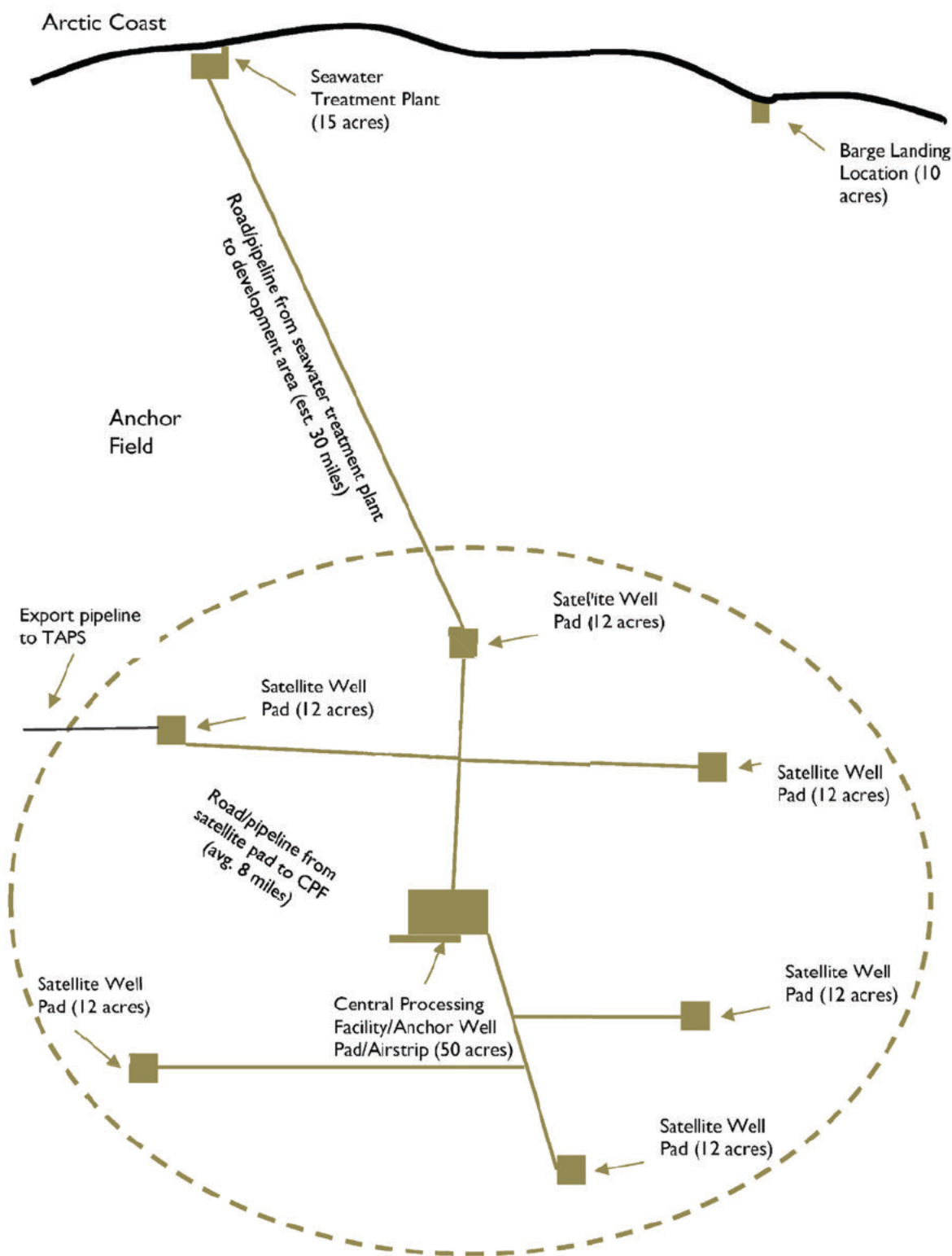
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**Figure B-1. Conceptual Layout of a Stand-Alone Oil Development Facility\***



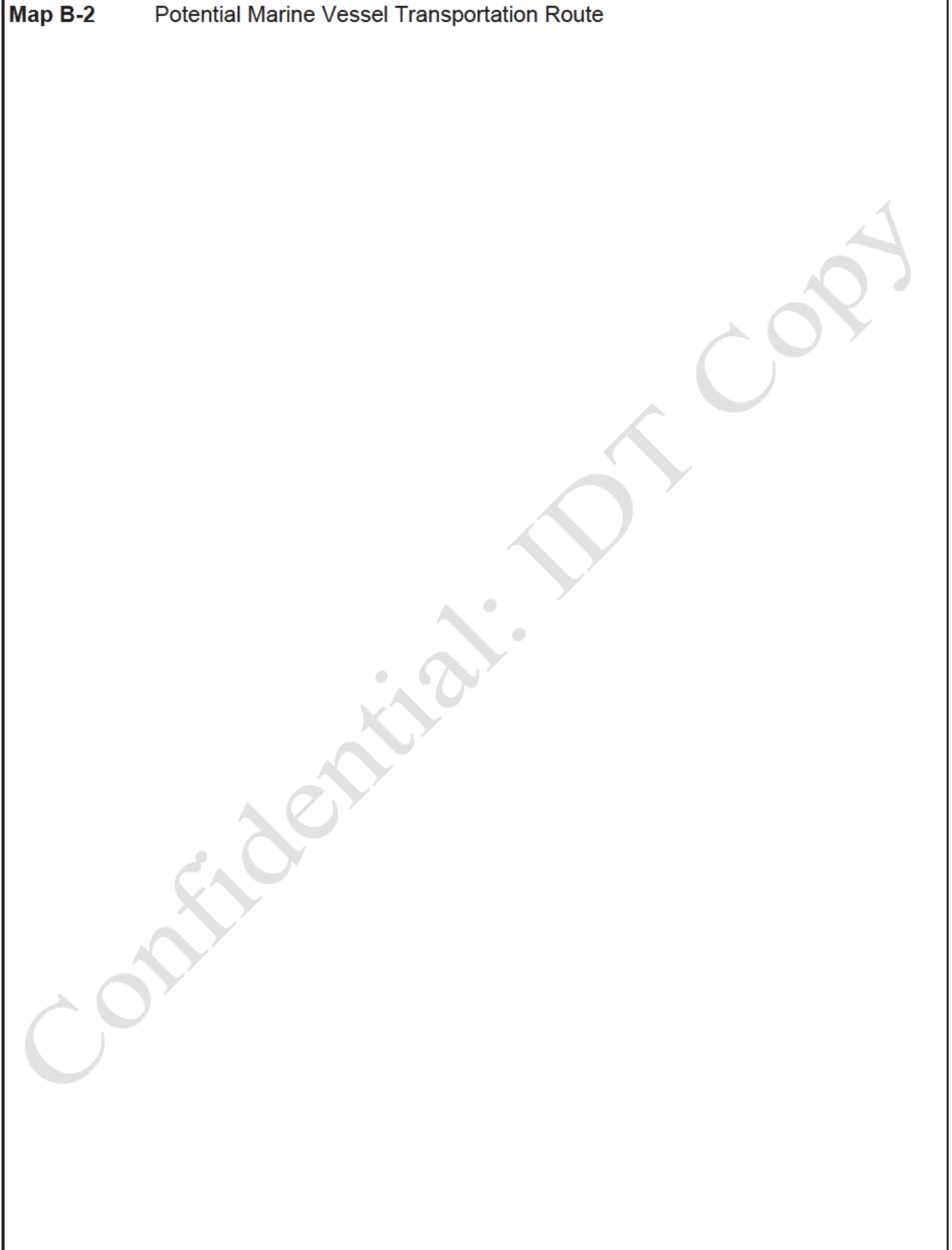
\*Facility locations and sizes are conceptual and are not to scale

**Figure B-2. Conceptual Layout of a Caribou Area Stand-alone Oil Development Facility\***



\*Facility locations and sizes are conceptual and are not to scale

**Map B-2**      Potential Marine Vessel Transportation Route



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An average of two barge transports per year is anticipated; the number of transports would vary based on ice conditions and the large equipment needed for upcoming development phases. The barge landing would likely use a floating dock for support. The dock would likely consist of impermanent, industrial strength plastic, modular blocks that can be joined together.

A seawater treatment plant could also be constructed along the coast, if needed, to source saline water for waterflooding, reservoir pressure support, or other subsurface uses. Local lakes are typically the preferred water sources, due to the cost and maintenance requirements of a seawater desalination plant; however, with limited information about surface water resources in the Coastal Plain, those sources may not be sufficient to meet water needs. Thus, for the purpose of analysis, it is assumed that a seawater treatment plant would be required. Seawater treatment plants from other Arctic developments require approximately 15 acres of surface disturbance.<sup>5</sup> A road and seawater transport pipeline would be constructed from the seawater treatment plant to the CPF. Typical gravel roads in the Arctic require 7.5 acres of surface disturbance per mile (BLM 2012).

Following the construction of a gravel anchor pad for a CPF, airstrip, wells, and worker camp, facility construction and production drilling is expected to begin. A CPF is the long-term operational center for production activities in an anchor field. It generally contains equipment for processing oil, gas, and water, as follows:

- Separators for oil, gas, and water, with an output of sales-quality oil
- Filters for produced oil to extract solids
- Processors to remove water and natural gas liquids from associated gas, followed by gas compression and reinjection into the reservoir through gas injection wells
- Compressors for gas and pumps for water injection back into the reservoir

In addition to a CPF, it is expected that a generator, airstrip, storage tanks, a communications center, waste treatment units, and a maintenance shop would be constructed on the anchor pad. Living quarters and offices may or may not be constructed on an anchor pad with the rest of the facilities. All buildings would be supported aboveground on pilings to accommodate ground settling or frost heaving. Pile driving would be needed for the construction of these buildings.

Production wells would extend horizontally in the target formation and could take approximately 45 to 60 days to drill. Total horizontal distance could be up to 6 miles under favorable geologic conditions. This rate of drilling allows approximately eight wells to be drilled on the same pad per year. Depending on drill rig availability, drilling could take place on multiple well pads at the same time. Drilling and completing each well would require anywhere from 420,000 gallons of water for a typical exploration or other vertical well to up to 8 million gallons for a horizontal production well<sup>6</sup> (BLM 2012).

Current drilling technology is self-contained; reserve pits are not used and drilling muds are not placed on the ground. Using grind and inject technology, cuttings are now crushed and mixed with seawater in a ball mill to form slurry. Then it is combined with the remaining drilling muds and reinjected into confining rock formation at an approved depth, typically greater than 3,000 feet below surface. An Alaska Department of Environmental Conservation (ADEC)-approved injection well is used (DOI 2005). This reduces the

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<sup>5</sup>The seawater treatment plant and gravel support pad at Prudhoe Bay measure 15 acres.

<sup>6</sup>Robert Brumbaugh, BLM-Alaska Oil and Gas Section Chief, meeting with Francis Craig, EMPSi geologist, on May 30, 2019, regarding water use for recent wells.



environmental impacts of disposing of drill cuttings because it avoids the need to bury cuttings on-site or haul them to a landfill. Drilling muds and additives are reconditioned and recycled, to the extent possible.

The anchor pad or satellite pad may have a grind and inject, Class I or Class II disposal well, or both. These are used to dispose of industrial wastes and fluids associated with oil and gas production, respectively (EPA 2018). Disposal wells would need to be approved by the ADEC before use. Solid, unburnable waste would be disposed of in large trash receptacles or other approved containers and hauled to approved off-site landfills.

Wells are expected to be hydraulically fractured for initial stimulation; however, this process requires less water than the multi-stage hydraulic fracturing used in unconventional reservoirs, such as shale. The amount of seawater necessary to stimulate conventional reservoir sandstone would vary, depending on the length of the fracture desired in the horizontal section of the wellbore and the specific formation properties. The amount of stimulation can be gauged by poundage of proppant used (typically sand). As pressurized water opens up spacing between the formation particles, the proppant lodges itself into the spacing, keeping it open for hydrocarbons to flow more freely. A smaller scale stimulation may use 50,000 pounds of proppant and require approximately 21,000 gallons of water. A larger stimulation could use 400,000 pounds of proppant and 180,000 gallons of water.

Water flooding using parallel injection wells would occur to maintain reservoir pressure and to increase oil recovery by pushing oil toward producer wells. Water demand for maintaining reservoir pressure is proportional to the oil production from the field; a field with a daily production rate of 50,000 barrels of oil per day would require approximately 2 million gallons of water per day.

A production pipeline would be constructed to connect a CPF to the TAPS. Vertical support members (VSMs) are counted as ground disturbance at a rate of approximately 0.04 acres per mile (USACE 2017). Pipelines would also connect each satellite pad to the CPF. It is assumed that pipelines for water, gas, and electric cables to supply satellite pads would also be run on the same VSMs. A pipeline to transport future petroleum production from Native lands could be constructed across the northern Coastal Plain to connect to TAPS or other export infrastructure. If there is already a pipeline from other development in the Coastal Plain and if the distance is shorter, then the pipeline from Native lands could tie into that pipeline.

Following the completion of an anchor pad, development would begin on satellite pads around the anchor field. Development of individual pools reachable from an individual satellite pad may be delayed until the project is economical or additional geological data are collected. Satellite pads would consist of wells and the minimum amount of required production equipment. Production from these pads would be pumped via pipeline to the nearest CPF for processing.

### ***Natural Gas Development***

A gas line to Kaktovik is possible if gas is discovered nearby and it is considered economical to replace imported diesel or fuel oil as the primary source of power and heat to the village. In the longer term, gas could be exported to markets outside the North Slope; however, this is not likely to occur until other gas deposits closer to the infrastructure have been produced. Given the large gas reserves around Prudhoe Bay, it could take a considerable amount of time before gas would be exported from the Coastal Plain.

(b)(5)DPP



(b) (5) DPP. Gas transported through the pipeline is expected to come from established fields with proven reserves initially. If economically viable gas resources are discovered in the Coastal Plain, they could be connected to the pipeline to maintain capacity as the primary fields are depleted. Estimated possible natural gas production from the Coastal Plain ranges from 0 to 7 TCF of gas produced (Attanasi 2005). These production estimates do not include gas that would be reinjected into the formation to maintain reservoir pressure as part of the EOR process.

If natural gas resources were to be developed, the addition of gas compression pumping equipment to existing CPF pads in oil fields would result in an approximately 13 additional acres of ground disturbance per CPF. Gas pipelines would be installed on the same VSMs as oil pipelines, so no additional acres would be disturbed for gas pipelines.

### **Unconventional Development**

No unconventional hydrocarbon development, such as hydraulic fracturing, is anticipated in the Coastal Plain for the period analyzed in this hypothetical development scenario. There is currently no unconventional oil and gas production on Alaska's North Slope; due to the high costs of and difficult operating conditions in the Arctic, the viability of hydraulic fracturing to produce from unconventional petroleum resources has not been proven from a technology or commercial viability standpoint (BLM 2012). Coal bed methane potential is low, and its production is unlikely, due to a lack of infrastructure to transport methane gas from northern Alaska to any significant market. Gas hydrates<sup>7</sup> (methane hydrates) are theorized to exist in the Coastal Plain, but no definitive discoveries have been published at this time. Commercial scale gas hydrate development is currently an unproven technology and is not likely to occur in the program area in the foreseeable future.

### **B.7.4 Production**

Production is anticipated to peak at an estimated 100,000 barrels per day<sup>8</sup> from each field (not necessarily concurrently) after 3 years from initial production, though this number may be exceeded for any particular development. From that point onward, production from the field is estimated to decline at a rate of approximately 8 percent per year.<sup>9</sup> New production is expected to come online at various points during the decline but is not expected to bring production back to peak rates. Produced resources would be processed at a CPF to separate water and gas from salable oil and natural gas liquids. Water and gas would be reinjected into the formation to enhance oil recovery; oil and natural gas liquids would be shipped to market, likely via TAPS.

Field production can last from 10 to 50 years before abandonment (BLM 2012). In the Coastal Plain, assuming the 100,000 barrel-per-day peak production and the 8-percent decline per year, the assumption was made that it would take an estimated 35 years after reaching peak production to get to the point of abandoning a field. Reinjecting produced gas and water helps maintain oil reservoir energy and improve hydrocarbon recovery efficiency by pushing oil toward the production wells, increasing the ultimate oil recovery. Associated gas and water injection wells are needed where no gas sales line exists and where water disposal is not allowed at the surface (BLM 2012).

Depending on market forces, the size and number of fields discovered, and the timing of development, the projected ultimate recovery in the Coastal Plain is estimated to be anywhere from 1.5 BBO to 10 BBO (Attanasi and Freedman 2009). Given the limited data on the formations, reservoirs, and resources in the

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<sup>7</sup>A crystalline compound in which water molecules are chemically bound to another compound or to an element.

<sup>8</sup>Estimate based on production projections for Willow and Pikka Nanushuk developments on the North Slope.

<sup>9</sup>Estimate based on standard decline estimates from the State of Alaska and the estimates used in NPR-A analyses.

Coastal Plain exact locations, timing, layout, and total production of any development that might occur cannot be predicted.

#### **B.7.5 Abandonment and Reclamation**

Abandonment and reclamation occur once a well pad or field is no longer producing enough oil to cover costs. Typically, abandonment and reclamation take from 2 to 5 years following the termination of production (BLM 2012). Wells are plugged with cement to prevent fluid migration between formations; they are plugged at the surface to satisfy federal requirements. After plugging, the well casing is cut below the surface and buried. On-site equipment, facilities, and solid wastes are removed from the site. Gravel from pads and roads would be removed and reused in other areas. Gravel pits would have side slopes constructed and reclaimed as ponds. Pipelines and VSMs would be removed and scrapped or reused in other developments.

Once all satellite pads feeding to a CPF are no longer producing, or when the flow of produced oil is reduced to the point that operation is no longer economically viable, the CPF would be decommissioned and reclaimed.

### **B.8 COASTAL PLAIN OIL AND GAS LEASING PROGRAM EIS ALTERNATIVES HYPOTHETICAL SCENARIOS**

#### **B.8.1 Alternative A**

Under Alternative A (the No Action Alternative), no federal minerals in the Coastal Plain would be offered for future oil and gas lease sales following the ROD for the Supplemental EIS. Alternative A would not fulfill the direction under PL 115-97 to establish and administer a competitive oil and gas program for leasing, developing, producing, and transporting oil and gas in and from the Coastal Plain in the Arctic Refuge. Under this alternative, management actions and resource trends as described in the Arctic National Wildlife Refuge Revised Comprehensive Conservation Plan (USFWS 2015), would continue. Alternative A is being considered to provide a baseline for the comparison of impacts under the action alternatives.

Because no leasing, exploration, or development would occur under this alternative, no production would occur, and no surface would be disturbed.

#### **B.8.2 Alternative B**

Due to limited restrictions and stipulations under this alternative, hypothetical development would be expected to occur in approximately the same manner as the hypothetical unconstrained scenario. In the long term, four CPFs are projected to be built. Hypothetically, this could include two CPFs in the high potential area, one CPF in the medium potential area south of Kaktovik, and one CPF in the low potential area. This hypothetical scenario includes the possibility that one or more CPFs could be located on state or Native lands. Approximately 14 satellite pads are projected to be developed in addition to the four anchor pads associated with the CPFs; an estimated 174 miles of gravel road would be needed to connect facilities. It is projected that one seawater treatment plant and at least one barge landing and storage pad would be needed under this hypothetical scenario.

It is possible that one or more of the CPF development clusters under any of the development scenarios would be roadless. This would entail an expanded airstrip at the CPF with the capacity to handle the larger cargo planes and increased air traffic. In a hypothetical roadless development scenario, it is expected that service roads would still connect satellite pads to the central CPF, so no airstrips would be required at satellites. An ice road would be constructed from a barge landing or supply area outside the Coastal Plain to the CPF each winter under a roadless hypothetical scenario in order to transport larger and heavier supply items required for the coming year. Any equipment or supplies not transported during the winter would be flown in. Additional flights would be needed, compared to a hypothetical development using roads. Roadless



development would depend on sufficient water resources for the construction of ice roads each winter. Under the hypothetical development scenario for this alternative, it is expected that the 2,000-acre surface disturbance limit would be reached. See *Surface Disturbance Due to Oil and Gas*, below, for more details on the surface disturbance projected to be created under the hypothetical development scenario for this alternative.

### B.8.3 Alternative C

Due to additional restrictions and stipulations under this alternative, including a 1,464-acre total limit on surface disturbance, development could be reduced, the potential locations for drill pads and CPFs could be limited, and pad configurations and locations could change. In the long term, two CPFs are projected to be built under a hypothetical scenario. This could include one in the high potential area and one in the medium potential area south of Kaktovik. The assumption is that approximately 9 satellite pads would be developed under this hypothetical scenario, in addition to the two production pads associated with the two CPFs. An estimated 135 miles of gravel road would be needed to connect facilities, and one seawater treatment plant and one barge landing and storage pad would be needed under a hypothetical scenario. Under the hypothetical development scenario for this alternative the 1,464-acre surface development limit is expected to be reached. See *Surface Disturbance Due to Oil and Gas*, below, for more details on the surface disturbance projected to be created under the hypothetical development scenario for this alternative. Under this alternative most areas with no surface occupancy (NSO) stipulations would be accessible by horizontal drilling from areas where surface occupancy is permitted or from adjacent state or Native lands. The area close to leasing is predominantly low potential and is not likely to contain significant petroleum accumulations. The lower total disturbed acreage limit would result in a lower ultimate total than under Alternative B but would likely not impact the level of production during the planning period, before the limit is reached.

### B.8.4 Alternative D

Due to additional restrictions and stipulations under this alternative, limiting the leasable area to (b) (5) DPP acres and applying NSO stipulations on (b) (5) DPP acres of available area, the potential locations for drill pads and CPFs under a hypothetical development scenario could be drastically limited compared to the unconstrained scenario. Alternative D would apply a 1,040-acre total limit on surface disturbance. (b) (5) DPP

(b) (5) DPP

In the long term, one CPF is expected to be built under a hypothetical scenario. Possible locations are the areas open for leasing under standard terms and conditions in the high potential area (b) (5) DPP or areas open for leasing under standard terms and conditions in the medium potential area (b) (5) DPP. The assumption is that approximately 6 satellite pads would be developed under a hypothetical development scenario, in addition to the production pad associated with the CPF. An estimated 100 miles of gravel road would be needed to connect facilities, and one seawater treatment plant and one barge landing and storage pad would be needed under a hypothetical scenario. Under this scenario it is possible that a CPF and satellite well pads would be placed on Native or state lands adjacent to the Coastal Plain with wells extending horizontally into leased NSO area in order to develop these areas and reduce the disturbance footprint within the Coastal Plain.

(b)(5)DPP



## **B.9 SURFACE DISTURBANCE DUE TO POTENTIAL FUTURE OIL DEVELOPMENT**

### **B.9.1 Production Facilities**

A CPF is the operational center for long-term production. A typical pad for a CPF and associated facilities, which include an airstrip, workers camp, and production well pad, is approximately 50 acres (BLM 2012). Similar projects estimate gravel needs at 10,000 cubic yards per acre (BLM 2012), for a total of 500,000 cubic yards per 50-acre CPF.

A typical satellite well pad associated with potential future development in the Coastal Plain is projected to have approximately 30 wells and occupy approximately 12 acres. A well pad of this size would require approximately 120,000 cubic yards of gravel.<sup>10</sup> Pads would be constructed to a thickness sufficient to maintain a stable thermal regime. This hypothetical scenario assumes an approximately 5-foot thickness, based on data from Point Thomson (USACE 2012).

### **B.9.2 Support Facilities**

A seawater treatment plant supplies water needed for drilling and water flooding. The total area for comparable Arctic seawater treatment plants and their required support pads is approximately 15 acres. A pad of this size would require approximately 150,000 cubic yards of gravel.

A barge landing area with a floating dock or a module transfer island would likely be constructed in order to transport in CPF modules. Comparable facilities at other North Slope developments occupy approximately 10 acres.

### **B.9.3 Roads and Pipelines**

Roads from similar oil and gas developments create a ground disturbance of approximately 7.5 acres per mile (BLM 2012). Roads are projected to be the greatest source of disturbance associated with future petroleum development in the Coastal Plain. Depending on the hypothetical development scenario for each alternative, anywhere from an estimated 750 to 1,500 acres of road could be built. Road disturbance requirements are somewhat elastic in that operators could route roads through Native or State lands in some areas or build some roadless developments, especially if there were a possibility of the total disturbance limits being exceeded.

Pipelines are hung on VSMs and would be used to transport oil to the CPFs and eventually to TAPS. Other pipelines are attached to the VSMs for water, gas, and electricity. The seawater line would connect from the coast to the CPF and associated satellite pads. The gas line would connect in the field and also would likely connect to other CPFs to provide gas to other reservoirs for EOR. The electricity would be primarily used for pumping and operations on CPF and satellite pads.

Pipeline VSMs are counted toward the total disturbance limit, but spans are not. VSMs in the Arctic create approximately 0.04 acres of surface disturbance per pipeline mile (BLM 2012). The estimate is that approximately 120 to 220 miles of pipeline would be constructed in the Coastal Plain under the hypothetical development scenarios for each alternative, depending on field design; this would disturb approximately 5 to 9 acres of ground.

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<sup>10</sup>Based on gravel need estimates from NPR-A IAP/EIS (BLM 2012).

#### B.9.4 Gravel Mines

Gravel pits would be constructed to supply gravel needs for pads and roads related to future development. An estimated 6 million and 12 million cubic yards of gravel would be required to construct the following under the hypothetical development scenarios for each alternative:

- Roads, airstrips, and pads for wells
- CPFs
- The seawater treatment plant
- The barge landing pads and storage

Gravel could be sourced from hard rock or unconsolidated sand and gravel deposits, depending on what sources are available in the area surrounding development. Blasting could be required to produce gravel from hard rock or to loosen rock for extraction. Due to the number of outcrops and surface deposits in the Coastal Plain, pits are expected to be constructed next to facilities or roads used for satellite access. Minimal additional road construction is expected to be needed to access gravel mines.

In estimating potential gravel mine ground disturbance, the hypothetical development scenario used information from the gravel mine at Point Thomson, the closest oil and gas development to the Coastal Plain. In that case a 60-acre pit and an additional 11-acre pad for gravel storage and operational needs were constructed in order to provide approximately 2.65 million cubic yards of gravel for roads, pads, and an airstrip (Exxon Mobil Corporation 2009).

Gravel pits and associated storage pads are expected to be needed to supply oil exploration, development, and production in the Coastal Plain. This would encompass approximately 160 to 310 acres under all alternatives. The acreage required for gravel mining could increase or decrease, depending on local conditions. Gravel supply plans would be detailed in site-specific NEPA documentation for any future developments.

#### B.9.5 Surface Disturbance Estimates

Table B-4 and Table B-5, below, show surface disturbance estimates for the construction of oil and gas production facilities and infrastructure.

**Table B-4**  
**Estimated Surface Disturbance by Facility**

| <b>Estimated Facility Sizes<sup>11</sup></b> | <b>Acres of Estimated Surface Disturbance</b> |
|--|---|
| CPF, airstrip, anchor well pad               | 50  |
| Satellite pads                               | 12  |
| Gravel roads                                 | 7.5 per mile                                  |
| Pipeline VSMs                                | 0.04 per mile                                 |
| Seawater treatment plant                     | 15  |
| Barge landing and equipment storage          | 10  |

Sources: BLM 2004, 2012; USACE 2017

<sup>11</sup>Estimated facility sizes were determined based on facility sizes from comparable North Slope projects, such as Alpine, and the professional expertise of the BLM and Alaska Department of Natural Resources staff.



**Table B-5**  
**Hypothetical Projected Facilities and Estimated Surface Disturbance by Alternative<sup>1</sup>**

| Facility Type                           | Alternative B                  |                                | Alternative C                  |                                | Alternative D                  |                                |
|---|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
|   | Number of Potential Facilities | Estimated Acres of Disturbance | Number of Potential Facilities | Estimated Acres of Disturbance | Number of Potential Facilities | Estimated Acres of Disturbance |
| CPF, airstrip, anchor well pad          | 4                              | 200                            | 2                              | 100                            | 1                              | 50                             |
| Satellite pads                          | 14                             | 168                            | 9                              | 108                            | 6                              | 72                             |
| Roads                                   | 172 miles                      | 1,290                          | 134 miles                      | 1005                           | 98 miles                       | 735                            |
| VSMs (pipeline miles)                   | 212 miles                      | 8                              | 175 miles                      | 7                              | 120 miles                      | 5                              |
| Seawater treatment plant                | 1                              | 15                             | 1                              | 15                             | 1                              | 15                             |
| Barge landing and storage               | 1                              | 10                             | 1                              | 10                             | 1                              | 10                             |
| Gravel pits and stockpiles <sup>2</sup> | —                              | 309                            | —                              | 220                            | —                              | 154                            |
| <b>Total (approximate)</b>              | —                              | <b>2,000</b>                   | —                              | <b>1,464</b>                   | —                              | <b>1,040</b>                   |

<sup>1</sup>All potential facility numbers and surface disturbance acreages are general hypothetical estimates and are not based on specific project proposals. Acreages are approximate and rounded to the nearest acre.

<sup>2</sup>The number of gravel pits is dependent on the locations of gravel resources in relation to project components and thus is unknown at this time.

— = not applicable

## B.10 ECONOMIC IMPACTS

### THIS SECTION NOT YET UPDATED

Issuance of an oil and gas lease under the directives of Section 20001(c)(1) of PL 115-97 has no direct impacts on the environment; however, it is a commitment of oil and gas resources for potential future exploration and development, subject to environmental review and permits, that would result in future indirect impacts from exploration and development activities. Indirect impacts because of a lease sale include direct and indirect impacts from post-lease activities, including seismic and drilling exploration, development, and transportation of oil and gas in and from the Coastal Plain. Therefore, an analysis is provided of the potential direct and indirect impacts that may follow a leasing decision along with the potential cumulative impacts throughout the entire program area.

Following issuance of an oil and gas lease, subsequent possible future development of oil and gas resources in the Coastal Plain would have direct and indirect economic impacts on the economy. **Table B-6**, below, estimates the number of direct and indirect jobs that would be created because of potential future exploration, development, and production in the Coastal Plain.

Direct and indirect income projected to be created by potential future Coastal Plain development is shown in **Table B-7**, below.

Government revenues projected to be created by leasing and potential future Coastal Plain development are shown in **Table B-8**, below. These revenues represent estimates of the taxes and royalties that would be collected from leasing, developing, producing, and transporting oil and gas resources from the Coastal Plain. These estimates are based on the hypothetical unconstrained scenario detailed in **Section B.5**. Additionally,

local governments could experience increased economic activity and revenues from an increase in hotel/bed tax collections.

**Table B-6**  
**Projected Direct and Indirect Jobs: Potential Exploration, Development, and Production Phases**

| Effects  | Jobs (average number of part-time and full-time jobs) | Annual Average | Peak  |
|----------|---|----------------|-------|
| Direct   | Exploration   | 250            | 650   |
|          | Development   | 470            | 680   |
|          | Production  | 730            | 1,150 |
| Indirect | Exploration   | 190            | 560   |
|          | Development   | 3,130          | 4,570 |
|          | Production  | 3,160          | 4,970 |

Source: Northern Economics estimates, based on the following models and data sources: i) Alaska Department of Natural Resources Cash Flow model (modified for use in this analysis), ii) MAG-PLAN model (used to estimate some of the capital expenditures); iii) Spring 2018 Revenue Forecast published by the Alaska Department of Revenue (for data on transportation costs); iv) Annual Energy Outlook 2018 published by the Energy Information Administration (for data on oil price projections); v) IMPLAN model (used to estimate direct, indirect, induced effects); vi) Attanasi and Freeman 2009 (used to estimate some capital expenditures of petroleum development)

**Table B-7**  
**Projected Direct and Indirect Labor Income: Potential Exploration, Development, and Production Phases**

| Effects  | Labor Income (in Millions of 2017 Dollars) | Annual Average | Peak |
|----------|--|----------------|------|
| Direct   | Exploration                                | (b)(5)DPP      |      |
|          | Development                                |                |      |
|          | Production                                 |                |      |
| Indirect | Exploration                                |                |      |
|          | Development                                |                |      |
|          | Production                                 |                |      |

Sources: Northern Economics estimates based on the following models and data sources: i) Alaska Department of Natural Resources Cash Flow model (modified for use in this analysis), ii) MAG-PLAN model (used to estimate some of the capital expenditures); iii) Spring 2018 Revenue Forecast published by the Alaska Department of Revenue (for data on transportation costs); iv) Annual Energy Outlook 2018 published by the Energy Information Administration (for data on oil price projections); v) IMPLAN model (used to estimate direct, indirect, induced effects); vi) Attanasi and Freeman 2009 (used to estimate some capital expenditures of petroleum development)

**Table B-8**  
**Projected North Slope Borough, State, and Federal Government Revenues**

| Government Revenues (in Millions of 2017 Dollars) | Annual Average | Total |
|---|----------------|-------|
| North Slope Borough property taxes                | (b)(5)DPP      |       |
| State royalties                                   |                |       |
| State taxes                                       |                |       |
| Federal royalties                                 |                |       |
| Federal taxes                                     |                |       |

Sources: Northern Economics estimates based on the following models and data sources: i) Alaska Department of Natural Resources Cash Flow model (modified for use in this analysis), ii) MAG-PLAN model (used to estimate some of the capital expenditures); iii) Spring 2018 Revenue Forecast

published by the Alaska Department of Revenue (for data on transportation costs); iv) Annual Energy Outlook 2018 published by the Energy Information Administration (for data on oil price projections); v) Attanasi and Freeman 2009 (used to estimate some capital expenditures of petroleum development)

The stipulations applied under Alternatives B, C, and D could result in unquantifiable diversions from the hypothetical unconstrained scenario presented above. The impacts associated with stipulations could result in additional consultations with stakeholders, studies for permitting, delays for timing limitations, and construction of additional facilities and infrastructure. Some of these actions could result in higher employment and income effects due to additional expenditures that would be necessary to comply with the required operating procedure, including additional spending on consultation and studies. Some of these actions could also delay exploration, development, and production and would therefore also delay potential employment and income effects and revenues that could accrue to the local, state, and federal governments.




# Summary of Comments on Appendix B. Reasonably Foreseeable Development Scenario for Oil and Gas Resources in the Public Law 115-97

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This came from Socioeconomic modeling, needs to be updated

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Ycharts.com. 2018. Alaska North Slope Crude Oil First Purchase Price. Internet website: [https://ycharts.com/indicators/alaska\\_north\\_slope\\_crude\\_oil\\_first\\_purchase\\_price](https://ycharts.com/indicators/alaska_north_slope_crude_oil_first_purchase_price).

Confidential: IDT Copy

**From:** [Skibo, Bobbie Jo](#)  
**To:** [Lor, Socheata](#); [Boario, Sara D](#)  
**Cc:** [Loya, Wendy M](#)  
**Subject:** 1 of 2 Memos: SEIS Range of Alternatives  
**Date:** Friday, July 7, 2023 12:53:20 AM  
**Attachments:** [July 2023 FWS Briefing Range of Alternatives.docx](#)

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Hello,

Here is the range of alternatives memo that also outlines key considerations for HQ briefing purposes (BLM staff have reviewed as well). I have the Section 7 one over to BLM for a look-see prior to sending it to you. Serena had drafted it and after Mike R and Drew (and Pete) reviewed, we made substantive changes so I wanted her to be aware of the key changes prior to circulating, thank you for your patience. The deadline for BLM to review that memo is 10 am so I hope to get it far in advance of our session tomorrow at 1pm (Wendy I hadn't included you on that meeting since you deserve some uninterrupted leave). Drew is available at 1pm in case we want his perspective on Section 7 (I think I can convey the key messages though).

Ok, I'm signing off now! Talk tomorrow, Bobbie Jo

\*\*\*\*\*

Bobbie Jo Skibo, MS (she/her)  
Coastal Plain Oil and Gas Leasing Program  
Science Applications Program  
U.S. Fish and Wildlife Service  
Alaska Region  
907-441-1539

## DELIBERATIVE INFORMATION MEMORANDUM

**DATE:** July 6, 2023

**SUBJECT:** Coastal Plain Supplemental Impact Statement (SEIS)  
Key Topics for FWS Leadership Consideration

➤ **Introduction**

The following memorandum provides a summary of key topics that are fundamental to understanding the current phase / status of the Supplemental Environmental Impact Statement process.

➤ **Schedule/Process Milestones (\*tentative and subject to change)**

- May 29-June 16, 2023: Preliminary Draft SEIS Cooperating Agency Review
- June 20-June 23, 2023: Joint Lead Agency review of comments
- June 26-July 21, 2023: Contractor develops Administrative Draft  
*\*We are currently working to clarify comments and provide direction to the contractor on how to incorporate. All input that will be included in public draft needs to be finalized by July 7<sup>th</sup> and sent to contractor.*
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- July 28, 2023: Joint Lead Agency 1-day review
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- August 14-August 16: Final HQ Approval
- August 17-August 21: Finalize Camera Ready (508 compliance version)
- August 25, 2023- Notice of Availability published/Comment period begins
- August 25-October 9, 2023: 45-day public comment period
- February 2024: Final SEIS
- April 2024: ROD

\*This schedule is tentative and is subject to change.

➤ **Range of Alternatives:**

- (b)(5)DPP

[REDACTED]

(b)(5)DPP

➤ **Lease Stipulations (Stips) and Required Operating Procedures (ROPs)**

The Stips and ROPs describe the protective measures by which leaseholders must abide. Stips have generally been assumed to be contractually fixed at the time of lease issuance; however, the stipulations of the existing leases may be modified in a new decision per the Suspension of Operations and Production. Additional or modified ROPs may also be required as a result of further analyses of specific activities. Stips and ROPs were reviewed by Cooperating Agencies and Joint Lead SMEs and developed a new suite for leadership consideration.

(b)(5)DPP

*To review the range of Stips/ROPs associated to each alternative, see Chapter 2 of the SEIS.*

**Lease Stipulation** (b)(5)DPP

[illegible]

(b)(5) DPP





(b)(5)DPP



**Required Operating Procedures (ROPS)** (b)(5)DPP

(b)(5)DPP



(b)(5) DPP





**From:** [Boario, Sara D](#)  
**To:** [Skibo, Bobbie Jo](#)  
**Subject:** Fw: Check in Monday or Tuesday?  
**Date:** Friday, July 7, 2023 3:57:37 PM  
**Attachments:** [July 2023 FWS Briefing Range of Alternatives.docx](#)  
[070723 Section 7 consultation options memo FINAL.docx](#)

---

fyi

---

**From:** Boario, Sara D  
**Sent:** Friday, July 7, 2023 1:56 PM  
**To:** Cohn, Steven M <scohn@blm.gov>; Pendergast, Kevin J <kpendergast@blm.gov>; Lor, Socheata <socheata\_lor@fws.gov>  
**Cc:** Hayes, Michael E <michael\_hayes@fws.gov>  
**Subject:** Check in Monday or Tuesday?

Hi Steve and Kevin -

Soch and I are preparing to brief Martha (hopefully next Wednesday) on upcoming milestones, range of alternatives, and Sec 7 consultation options - are you two available next Monday or Tuesday so we are go over what we plan to brief on (attached) and ensure alignment on our ends? I think we're pretty close, but would be good to get some time in person to walk through and discuss? Copying Mike who can hopefully find some time for us. Thank you! - sb

Sara D. Boario  
Regional Director  
U.S. Fish and Wildlife Service, Alaska Region

Memorandum – **INTERNAL DRAFT NOT TO BE RELEASED**

Date: July 7, 2023

Subject: Coastal Plain Oil and Gas Leasing Program SEIS- Options for Section. 7 Consultation

***Issue Statement***

Section 7 of the Endangered Species Act (ESA) requires federal agencies to ensure that actions they undertake, authorize, or fund are not likely to jeopardize threatened or endangered species (i.e., listed species) or adversely modify designated critical habitat of listed species. To satisfy this mandate, Section 7 generally requires action agencies to consult with the U.S. Fish Wildlife Service (FWS) or the National Marine Fisheries Service (NMFS) when their proposed actions may affect listed species or critical habitat.

The Section 7 consultation process formally begins when FWS/NMFS receive a request for formal consultation and the Biological Assessment (BA) is determined to be completed. The BA must describe and analyze the action agency's proposed action, which typically corresponds to one of the alternatives in its NEPA analysis. During formal consultation, the action agency and FWS/NMFS will share information about the proposed project and the species or critical habitat likely to be affected. Formal consultation may last up to 135 days and concludes with the issuance of a final Biological Opinion (BO) which generally must be completed prior to the action agency's issuance of a Record of Decision (ROD).

***Current Status***

The Joint Lead Agencies (BLM and FWS) are continuing development the Coastal Plain Oil and Gas Leasing Program Supplemental Environmental Impact Statement (SEIS). The Draft EIS, scheduled for release by September 2023 will not specify a "preferred alternative", but the Final SEIS must do so. Meanwhile, BLM will engage in formal consultation with FWS prior to issuing a ROD and holding a lease sale.

***Expected Timeframes:***

- Contractor prepares draft BA: 30 days
- BLM/FWS review draft BA: 12-30 days (iterative process between BLM and FWS)
- Contractor revises draft BA: 10 days
- BLM/FWS review and approve revised BA: 5 days
- Final BA submitted to FWS: 1 day
- *Formal consultation: 135 days*
- FWS issues final BO (ROD can then be signed): 1 day

**Section 7 Consultations Options:**

(b)(5)DPP



(b)(5)DPP



(b)(5)DPP



(b)(5)DPP



**Prepping Baseline (Applies to All Options):**

We have asked FWS staff to begin working on the following which will apply to any of the options stated above.

- *Status of the species for:*
  - spectacled eider
  - spectacled eider critical habitat
  - steller's eider
  - polar bear
  - polar bear critical habitat
- *Environmental baseline for:*
  - listed eiders within the action area
  - polar bears within the action area
  - critical habitat within the action area
- *Cumulative effects section* (under ESA these are the effects of future State, tribal, local, or private actions that are reasonably certain to occur in the Action Area)



**Next Steps**

(b)(5)DPP



DRAFT

## DELIBERATIVE INFORMATION MEMORANDUM

**DATE:** July 6, 2023

**SUBJECT:** Coastal Plain Supplemental Impact Statement (SEIS)  
Key Topics for FWS Leadership Consideration

➤ **Introduction**

The following memorandum provides a summary of key topics that are fundamental to understanding the current phase / status of the Supplemental Environmental Impact Statement process.

➤ **Schedule/Process Milestones (\*tentative and subject to change)**

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\*This schedule is tentative and is subject to change.

➤ **Range of Alternatives:**

- (b)(5)DPP



(b)(5)DPP



➤ **Lease Stipulations (Stips) and Required Operating Procedures (ROPs)**

The Stips and ROPs describe the protective measures by which leaseholders must abide. Stips have generally been assumed to be contractually fixed at the time of lease issuance; however, the stipulations of the existing leases may be modified in a new decision per the Suspension of Operations and Production. Additional or modified ROPs may also be required as a result of further analyses of specific activities. Stips and ROPs were reviewed by Cooperating Agencies and Joint Lead SMEs and developed a new suite for leadership consideration.

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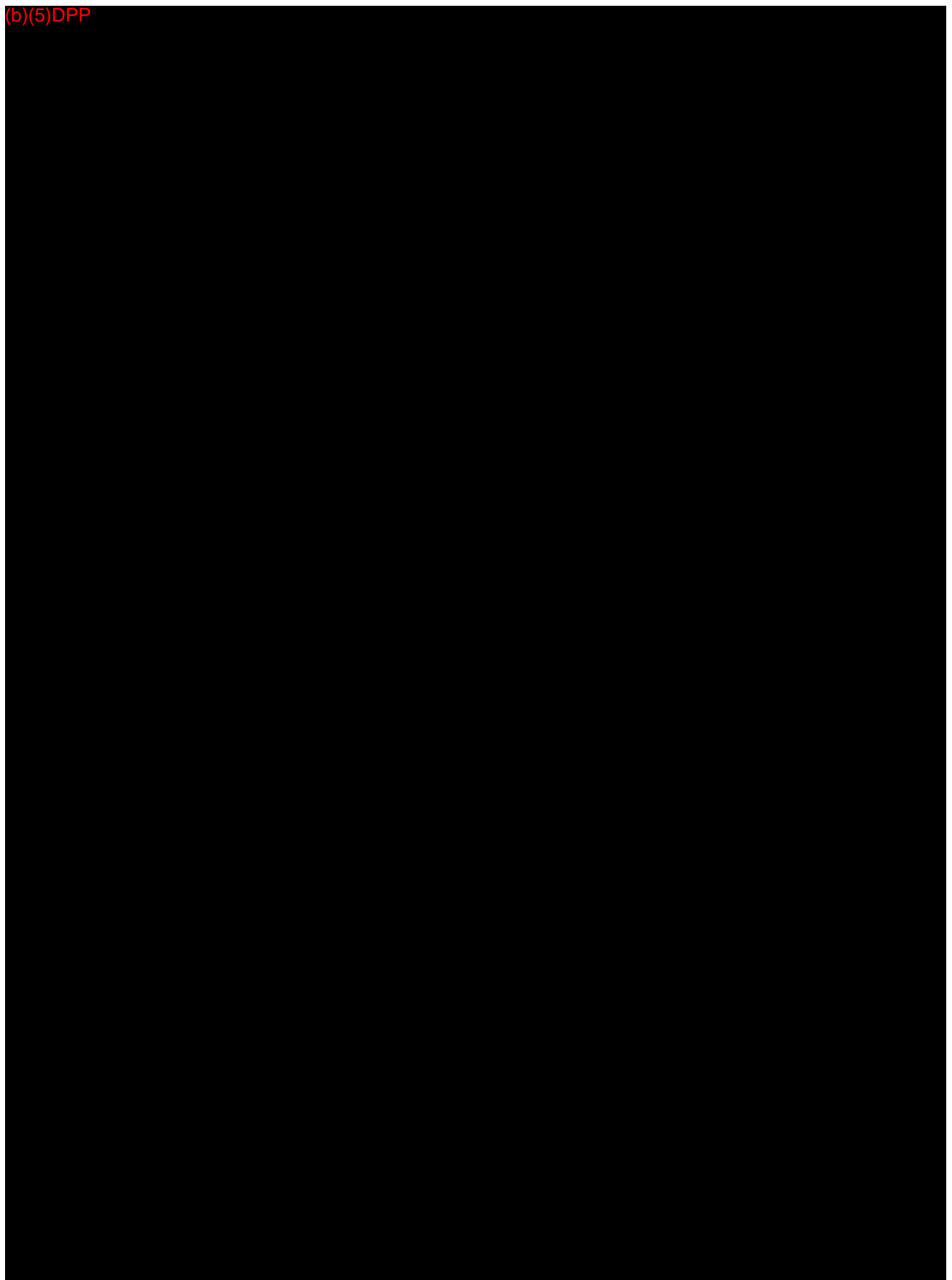
*To review the range of Stips/ROPs associated to each alternative, see Chapter 2 of the SEIS.*

**Lease Stipulation** (b)(5)DPP

(b)(5)DPP



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(b)(5)DPP

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**Required Operating Procedures (ROPS)**

(b)(5)DPP

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(b)(5)DPP

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(b)(5) DPP







**From:** [Lor, Socheata](#)  
**To:** [Weber, Wendi](#); [Williams, Martha M](#)  
**Cc:** [Boario, Sara D](#)  
**Subject:** Arctic SEIS Alternatives and S7 Consultation timeline  
**Date:** Tuesday, July 11, 2023 6:26:24 PM  
**Attachments:** [July 2023 FWS Briefing Range of Alternatives.docx](#)  
[070723 Section 7 consultation options memo FINAL sent to SB.docx](#)

---

Hi Wendi,  
Attached are the range of alternatives and consultation timeline for Arctic SEIS.  
Sara and I will walk you through the two documents tomorrow morning. We just got off a good meeting with BLM.

Martha - we'll miss you tomorrow, but copying you for FYI.

See you soon!

---

*Soch Lor, Ph.D (she/her)*  
*Deputy Regional Director*  
*U.S. Fish and Wildlife Service - Alaska Region*  
*Mobile: 907.891.6194*

*Dena'inaq elnen'aq' gheshtnu ch'q'u yeshdu.*  
*I live and work on Dena'ina land.*

---

## DELIBERATIVE INFORMATION MEMORANDUM

**DATE:** July 6, 2023

**SUBJECT:** Coastal Plain Supplemental Impact Statement (SEIS)  
Key Topics for FWS Leadership Consideration

➤ **Introduction**

The following memorandum provides a summary of key topics that are fundamental to understanding the current phase / status of the Supplemental Environmental Impact Statement process.

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➤ **Range of Alternatives:**

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*To review the range of Stips/ROPs associated to each alternative, see Chapter 2 of the SEIS.*

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Memorandum – **INTERNAL DRAFT NOT TO BE RELEASED**

Date: July 7, 2023

Subject: Coastal Plain Oil and Gas Leasing Program SEIS- Options for Section. 7 Consultation

***Issue Statement***

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***Expected Timeframes for the Formal Consultation:***

- Contractor prepares draft BA: 30 days
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- Formal consultation: 135 days
- FWS issues final BO (ROD can then be signed): 1 day

**Section 7 Consultations Options:**

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**Prepping Baseline (Applies to All Options):**

The following items can be “prepped” prior to knowing the preferred alternative under any of the options stated above.

- *Status of the species for:*
  - spectacled eider
  - spectacled eider critical habitat
  - steller's eider
  - polar bear
  - polar bear critical habitat
- *Environmental baseline for:*
  - listed eiders within the action area
  - polar bears within the action area
  - critical habitat within the action area
- *Cumulative effects section* (under ESA these are the effects of future State, tribal, local, or private actions that are reasonably certain to occur in the Action Area)

## Next Steps

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DRAFT

**From:** [Hausman, Alyssa B](#)  
**To:** [Williams, Martha M](#)  
**Cc:** [Weber, Wendi](#)  
**Subject:** Re: arctic docs  
**Date:** Monday, July 17, 2023 6:28:00 AM  
**Attachments:** [BP036667 Weekly Update BP - Arctic Refuge SEIS 3-15-23.docx](#)

---

Here is the latest Arctic SEIS bp, which is from March

Alyssa Hausman  
Head of Staff  
U.S. Fish and Wildlife Service  
Desk: (202) 742-0688  
Mobile: (703) 785-3402  
[alyssa\\_hausman@fws.gov](mailto:alyssa_hausman@fws.gov)

---

**From:** Hausman, Alyssa B  
**Sent:** Monday, July 17, 2023 8:25 AM  
**To:** Williams, Martha M <[martha\\_williams@fws.gov](mailto:martha_williams@fws.gov)>  
**Cc:** Weber, Wendi <[wendi\\_weber@fws.gov](mailto:wendi_weber@fws.gov)>  
**Subject:** arctic docs

these are all from the beginning of this year. will send you another email when I get something newer

Alyssa Hausman  
Head of Staff  
U.S. Fish and Wildlife Service  
Desk: (202) 742-0688  
Mobile: (703) 785-3402  
[alyssa\\_hausman@fws.gov](mailto:alyssa_hausman@fws.gov)





## FWS INFORMATION MEMORANDUM

**UPDATE:** March 15, 2023

**TO:** Martha Williams, Director, U.S. Fish and Wildlife Service

**FROM:** Sara Boario, Alaska Regional Director, U.S. Fish and Wildlife Service

**SUBJECT:** BP036667 Arctic Refuge Supplemental Environmental Impact Statement

### I. KEY FACTS

Section 20001 of the Tax Cuts and Jobs Act (Tax Act) directed the Secretary of the Interior, acting through the Bureau of Land Management (BLM), to establish and administer a competitive oil and gas leasing program for the leasing, development, production, and transportation of oil and gas in and from the Coastal Plain of the Arctic National Wildlife Refuge (Refuge). During the previous administration, BLM developed an Environmental Impact Statement (EIS) – published in September 2019 – and ROD – signed in August of 2020 – for a new Coastal Plain Oil and Gas Leasing Program, with the U.S. Fish and Wildlife Service (Service) serving as a cooperator and regulator through that process. In January 2021, BLM held the first of two required lease sales, with nine leases purchased.

Based on direction from the new Administration in Executive Order 13990 and Secretarial Order (S.O.) 3401, the BLM is preparing a Supplemental EIS for the Coastal Plain Oil and Gas Leasing Program. The Service is working with BLM to define our role in this new process.

### II. BACKGROUND AND FWS POSITION

The Arctic Refuge was established in 1980 by the Alaska National Interest Lands Conservation Act. In 1988, the Arctic Refuge's initial Comprehensive Conservation Plan (CCP) recognized the coastal plain (1002 area) as critical habitat for numerous subsistence and internationally significant species including polar bear, the Porcupine caribou herd, and over 100 bird and waterfowl species. The updated CCP issued in 2015 recommended an additional 12 million acres as wilderness, including the entire coastal plain and four rivers as National Wild and Scenic Rivers. The Tax Act, Public Law 115-97, was signed into law on December 22, 2017, and directs the Secretary of the Interior, through BLM, to establish and administer a competitive oil and gas program in the 1002 area. The oil and gas program will be managed similarly to BLM's program in the National Petroleum Reserve-Alaska. A maximum of 2,000 surface acres may be authorized. The Tax Act requires two oil and gas lease sales within 10 years of enactment. All revenue receipts shall be split evenly between the State of Alaska and the U.S. Treasury.

The Service served as a cooperator in BLM's development of their 2019 EIS for the new oil and gas leasing program in the 1002 Coastal Plain, representing our responsibilities under the Alaska National Interest Lands Conservation Act of 1980, as amended (ANILCA); National Wildlife Refuge Administration Act (1966); National Wildlife Refuge System Improvement Act (1997); Endangered Species Act (ESA), Marine Mammal Protection Act (MMPA), and Migratory Bird

Treaty Act (MBTA). The Service's comments on the draft EIS indicated interest in the Arctic Refuge Manager working closely with the BLM Authorizing Officer in implementing an oil and gas program that is not in conflict with the Refuge's other four purposes. Our comments also requested specific modifications to BLM's preferred alternative, Alternative B, to ensure adequate protection of important resources including polar bears, water, and caribou. To fulfill ESA responsibilities, the Service issued a programmatic framework Biological Opinion, which addressed impacts to polar bears, Steller's eiders, and spectacled eiders.

On January 20, 2021, the White House issued [Executive Order 13990](#), which called on the Department to put a temporary moratorium on all activities related to Arctic Refuge oil and gas and to review the existing EIS. The Department's review identified deficiencies, including the lack of analysis of a reasonable range of alternatives in the EIS conducted under NEPA, leading to the issuance of SO 3401 on June 1. That Order directed the BLM and FWS not to take any action to authorize any aspect of the Coastal Plain Oil and Gas Leasing Program, as established by the Record of Decision signed August 17, 2020, in Arctic Refuge and called for a Notice of Intent to be published that kicks off a Supplemental EIS (SEIS) process. That Notice of Intent was published on July 30, and BLM is currently planning public meetings related to this SEIS.

### III. POSITION OF AFFECTED STAKEHOLDERS/PUBLIC LANDS AFFECTED

The Alaska Delegation, the State of Alaska, and other development interests support leasing the 1002 area for oil and gas development. Current Iñupiat leadership in Kaktovik, the only community within the boundaries of the Arctic Refuge, supports development, while some members of the community oppose development. The Gwich'in people, who utilize Arctic Refuge for subsistence and other purposes, and many nongovernmental conservation organizations, oppose oil and gas development in the 1002 area. The Canadian government has expressed concerns on the health of the shared Porcupine caribou herd, and, as with their Alaskan counterparts, this is an issue important to the Vuntut Gwitchin First Nation of the Northern Yukon.

The Alaska Department of Fish and Game (ADFG) is advocating for early and full engagement in our activities to implement the MMPA and ESA. We appreciate the expertise and involvement of ADFG and have worked to identify appropriate opportunities for greater engagement. We also received similar requests for full engagement and consultation from other parties who feel they have a unique role. For example, our Alaska Native co-management partners are provided a specific role under Section 119 of the MMPA. In addition, the Marine Mammal Commission has a Congressional mandate to serve as an oversight body for the Service and the National Marine Fisheries Service in implementation of the MMPA.

### IV. DISCUSSION

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## V. STATUS UPDATE

- August 24, 2021: On Monday, August 23, Service and BLM points of contact for cooperation on the Supplemental EIS met to identify roles and responsibilities to be outlined in an MOU. A draft MOU will be completed this week. Last week, Alaska Region External Affairs staff met with BLM Public Affairs staff to discuss BLM's draft plan for public meetings on the SEIS and associated communications planning. We are working with BLM to identify Service participants in the public meetings.
- August 30, 2021: On Wednesday, August 25, the Service provided a draft MOU to BLM that outlined possible roles for partnership in the SEIS's preparation and implementation. BLM is reviewing the document, and we are meeting Monday, August 30 week to discuss. On Thursday, August 26, BLM issued a press release announcing six virtual public meetings scheduled September 14-16 to inform development of the SEIS.
- September 7, 2021: The Service met with BLM's Deputy State Director for Resources on 8/30. He provided a draft of roles and responsibilities for the SEIS where the Service's input would be considered but BLM would make all final decisions, similar to how we cooperated during the original EIS. The BLM Acting State Director and Service's Acting Regional Director met and agreed that the Service should have an elevated role in decision-making as the land and natural resource manager. We are waiting for BLM to have internal conversations that align their leadership in recognizing the FWS authority in the development of the SEIS.
- September 13, 2021: Today, BLM and FWS State/Regional Directors and Assistant Regional Directors are meeting to discuss how we will co-lead the development of the SEIS. This week, BLM is holding public meetings on the SEIS (September 14-16), with FWS Arctic Refuge and the Marine Mammals Management staff serving as panelists.
- September 20, 2021: Last week, the Service participated in the SEIS public meetings. The Service participated in a co-lead role, with the Acting Alaska Regional Director providing opening remarks following remarks from BLM's Acting State Director.
- September 27, 2021: The scoping period on the SEIS closes next Monday, October 4<sup>th</sup>.
- October 4, 2021: As of September 28<sup>th</sup>, we have received approximately 23,000 comments through the scoping period that ended today. The contractor plans to provide a preliminary scoping report to the Service, BLM, and the State of the Alaska—the only agency that has signed on to be a cooperator— on October 5<sup>th</sup>. The Service and BLM staff are reviewing a draft MOU laying out how we will co-lead on SEIS development.
- October 12, 2021: The contractor updated BLM, the Service, and the State of Alaska (the only Cooperating Agency) on comments received through the scoping period. A scoping

report will be completed in the next several weeks following analysis. The scoping period generated approximately 104,000 comments, the majority of which are form letters from conservation NGOs. The contractor estimated that there are potentially 4,800 comments with unique content. The Service and BLM continue to work on the MOU.

- October 18, 2021: No new update.
- October 25, 2021: Bobbie Jo Skibo started on 10/12/21 as the new 1002 Coastal Plain Coordinator and met with the BLM lead planner on Friday, October 22 to begin her liaison role between BLM and the Service for the development of the SEIS. As joint lead agencies in this process we will continue to meet during a weekly standing call to review and finalize the MOU as well as identify next steps and key details related to the process.
- November 1, 2021: No new update.
- November 8, 2021: A call was hosted between BLM and FWS leadership to finalize the draft MOU highlighting consensus development and joint lead roles. Final review and signatures are expected soon.
- November 15, 2021: The MOU was finalized and signed by both BLM and FWS. The MOU outlines our intent for consensus decisions as Joint Lead Agencies and integrates the FWS Coastal Plain Coordinator as an equal Project Lead. A final scoping report was completed by the project contractor that summarizes substantive comments received through the scoping period. BLM is finalizing a performance work statement for the post-scoping phase.
- November 22, 2021: We received the final public scoping report today (not yet 508 compliant). Due to the holiday on 11/25, we plan to publish the final 508 compliant version of the Scoping Report along with the public comments and scoping meeting transcripts to the BLM's NEPA Register (a.k.a. ePlanning) on 11/29. We anticipate the new contractor that will assist for the duration of the process will be selected in December, and we will resume the next steps of the process in mid-January.
- November 29, 2021: No new update.
- December 6, 2021: The final SEIS scoping Report has been published on BLM's e-Planning website, where it is accessible to the public. Two cooperating agency MOU's are circulating for signature; one is with the Alaska Department of Natural Resources, and the other is with three Tribal entities (i.e., Native Village of Venetie Tribal Government, Venetie Village Council, and Arctic Village Council). The interagency-interdisciplinary team plans to meet on January 19<sup>th</sup> and 20<sup>th</sup> to kick off the next steps of the SEIS process.
- December 13, 2021: No new update.
- December 20, 2021: No new update.
- December 27, 2021: The BLM and USFWS, as co-lead agencies on the SEIS, are hosting a learning and listening session to kick off the Coastal Plain SEIS effort on January 19 and 20, 2022. The purpose of the meeting is to establish roles and responsibilities, set expectations for the SEIS process, and share expertise about issues on the Coastal Plain from different perspectives. Attendees will include cooperating agency representatives, as well as BLM, USFWS, and contractor ID Team members and associated staff. EMPSi Environmental Management and Planning Solutions, Inc. was awarded the contract to manage the remainder of the SEIS process.
- January 3, 2022: No new update.
- January 10, 2022: No new update.

- January 18, 2022: The Joint Lead Agencies (FWS and BLM) are hosting their SEIS kickoff meetings on January 19<sup>th</sup> and 20<sup>th</sup>. The first day features only DOI agency (BLM, FWS, SOL) staff. The second day features Cooperating Agencies, including the State of Alaska and the Native American Rights Foundation (representing the Native Village of Venetie Tribal Government, Venetie Village Council, and Arctic Village Council).
- January 24, 2022: Last week, the Service and BLM—as Joint Lead Agencies—hosted 2 successful and well attended kickoff meetings for the SEIS, which set the right tone for this process—one of consensus and collaboration. Day 1 was a shared learning opportunity and a meet-and-greet for the BLM-FWS Joint Leadership and Interdisciplinary Team. Day 2 was designed primarily for the Cooperating Agency representatives to introduce themselves and to get to know the Joint Lead Agencies. The next major step in this process will be the alternatives development workshop, which we plan to hold in the spring, involve BLM, FWS, and Cooperating Agencies.
- January 31, 2022: The Joint Lead Agency Project Managers are following up on tasks and questions that came up during the kick-off sessions including finalizing the State of Alaska Cooperating Agency MOU and developing Non-Disclosure Agreements for all participating cooperators and contractors.
- February 7, 2022: No new update.
- February 14, 2022: No new update.
- February 22, 2022: No new update.
- February 28, 2022: No new update.
- March 8, 2022: The Cooperating Agency MOU with the State of Alaska was finalized this week and signed. The Joint Lead Project Managers have been meeting with staff on a variety of topics including transboundary interests and engagement with Canada; inclusion of Indigenous and Traditional Ecological Knowledge (ITEK) into the process; and the legal deficiencies noted in SO 3401. The Joint Lead Project Managers are also working on a joint memo that outlines the many interpretations of the Tax Act and associated aspects of the EIS to ensure BLM and FWS are on the same page as we move forward into the Alternatives Development Workshop scheduled for late April.
- March 14, 2022: The SEIS process is ramping up to stay on schedule for a signed ROD by August 2023. The FWS Interdisciplinary Team (IDT) plans to meet March 30 and 31 to discuss alternatives, including those from the EIS and other alternatives that could provide a more “reasonable range” of alternatives in the SEIS. We hope to meet with NARF and Tribal representatives in early April to start discussions on how best to integrate ITEK into the SEIS process. We also recently met with DOI International Affairs staff to seek support and guidance on how best to interface with Canada.
- March 21, 2022: No new update.
- March 28, 2022: No new update.
- April 4, 2022: The FWS IDT met on March 30 and 31 to begin strategizing on resource considerations that can be built into the Stipulations and Required Operating Procedures for the SEIS. In addition, we spent time exploring and discussing Scoping comments related to key resource areas. On April 8, the Joint Lead Project Managers are meeting with NARF and other Tribal representative to begin discussions on how we will approach the inclusion of Indigenous and Tribal Ecological Knowledge (ITEK).
- April 11, 2022: No new update.

- April 18, 2022: The Joint Lead Project Managers had a very successful meeting with tribal representatives of Arctic Village and Venetie on April 8. The team agreed to continue meeting every two weeks to ensure forward momentum on identifying ways to integrate ITEK into the SEIS. The tribal representatives invited the Project Managers to their villages to meet with Elders and their people to “begin healing from the past”. They requested that we visit prior to any public comment period begins and to come prior to “pulling out the maps”. That trip is tentatively scheduled for June. The Alternatives Development Workshop is being held on April 25<sup>th</sup>-27<sup>th</sup> and will include the Joint Lead and Cooperating Agencies. This will begin the more involved part of the SEIS process.
- April 25, 2022: This week, BLM and FWS are hosting the Alternatives Development Workshop.
- May 2, 2022: Last week, approximately 70 participants (25 in-person and 45 on Zoom) from the Joint Lead Agencies and Cooperating Agencies—including the State, Venetie Tribal Council, and Arctic Refuge Tribal Council—met to begin SEIS alternatives development. This workshop primarily focused on the Stipulations (Stips) and Required Operating Procedures (ROPs) for each alternative. After this meeting, at least seven topics were identified for further discussion—including air; climate change; caribou; water resources and fish; permafrost, snow, and overland travel; polar bears and other wildlife; and the integration of Indigenous and Traditional Ecological Knowledge—and Resource Groups have been set up with agency representatives who will meet over the coming weeks to look at the Stips and ROPS for their area of expertise.
- May 9, 2022: No new update.
- May 16, 2022: Acting Arctic Refuge Manager met with Kaktovik community leaders Edward and Matthew Rexford on May 11, during which they shared a brief update and an estimated SEIS completion timeline. During that meeting, the Rexfords raised a specific question about the legal deficiencies with the first EIS. The Joint Lead Project Managers are scheduling follow-up Resource Group discussions to further refine the Stips and ROPS for SEIS alternatives the weeks of May 16 and May 23.
- May 23, 2022: The 6 Resource Groups met last week to provide input to the Stipulations and Required Operating Procedures. We anticipate having our group work completed by May 27 and will work with the Joint Lead Agency IDTs to synthesize the input to date into a master document for review and next steps. EPA has also reached out to become a Cooperating Agency, and the Cooperating Agency MOU is in EPA’s legal review process and should be signed soon.
- May 31, 2022: No new update.
- June 6, 2022: A Government-to-Government (G2G) consultation has been scheduled in Arctic Village for June 27, 2022. Both SEIS co-leads will have representatives present at this G2G meeting, including the Regional Directors of the two bureaus. The MOU with EPA has been signed and they are now a full Cooperating Agency in the process.
- June 14, 2022: No new update.
- June 21, 2022: No new update.
- June 27, 2022: BLM and the Service are conducting a Government-to-Government consultation in Arctic Village this week. Sara Boario is representing the Service at the consultation.
- July 5, 2022: The Joint Lead Agencies held a very successful Government-to-Government consultation last week with representatives of the Arctic Village and Venetie Tribal Councils. They have asked for another consultation in September. As of this



week, the EPA's MOU for Cooperating Agency status has been signed by all parties. The Joint Lead project managers will be finalizing the Stipulations and Required Operating Procedures this week so the EMPSi contractors can begin development of alternatives.

- July 11, 2022: No new update.
- July 18, 2022: No new update.
- July 26, 2022: No new update.
- August 1, 2022: A second round of Government-to-Government consultation is being planned for September 11-13. One day will be spent in Venetie and one day in Arctic Village. The Joint Lead Project Managers are finalizing the ROPs and STIPs and should be prepared for alternative development within the next 2 weeks.
- August 8, 2022: No new update.
- August 15, 2022: No new update.
- August 22, 2022: No new update.
- August 29, 2022: No new update.
- September 6, 2022: No new update.
- September 13, 2022: Over the past month, the Project Management Team has been working on elements of the SEIS including the Purpose and Need Statement, the Reasonably Foreseeable Development scenario and the 2,000-acre interpretation (as identified in Secretarial Order 3401) and the Stipulations and Required Operating Procedures. We have been holding regularly reoccurring Cooperating Agency meetings as well as reoccurring ITEK working group meetings. Current Cooperating Agencies include EPA, Native Village of Venetie Tribal Government, the Venetie Village Council, the Arctic Village Council, and the State of Alaska. The Inupiat Community of the Arctic Slope (ICAS), a regional Alaska Native tribal government, is interested in joining on as a cooperating agency; they represent a number of native communities across the North Slope. We are working on the MOU this week. The Native Village of Kaktovik has expressed interest in becoming more involved in the SEIS. They would like to set up a meeting with BLM/USFWS in October. We have received a formal request from the Kaktovik Inupiat Corporation for ANCSA consultation. We will be following up on this request. The Project Management Team is in Arctic Village for Government-to-Government consultation September 13<sup>th</sup>, 2022.
- September 20, 2022: The Project Management Team attended the Government-to-Government consultation on September 13 in Arctic Village. It was well attended by tribal members of the community and staff are now following up on next steps.
- September 27, 2022: Last week, the BLM and FWS Project Management Team met with FWS and BLM Alaska communications staff to develop a plan for coordinating regionally on proactive and reactive communication needs. (Note: Any external communications will be closely coordinated with FWS and BLM HQ and the Department.)
- October 3, 2022: No new update.
- October 11, 2022: The Project Management Team is continuing to refine the Stipulations and Required Operating Procedures this week and will send to the EMPSi contractor this Friday to begin the development of alternatives and maps. The Team is also hosting a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18<sup>th</sup> in Anchorage. Then Team is also hosting a Cooperating Agency meeting on October 19<sup>th</sup>.

- October 18, 2022: The Team is hosting a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18<sup>th</sup> in Anchorage and is hosting a Cooperating Agency meeting on October 19<sup>th</sup>.
- October 25, 2022: The Project Management Team held a G2G consultation with the Gwich'in Tribes (and associated NARF consultants) on October 18<sup>th</sup> in Anchorage and discussed a variety of topics, including a Gwich'in proposal for a new alternative that addresses protections for caribou calving and for climate change related changes to permafrost (ice-rich soils). The discussion went well and one representative said this was the "most meaningful consultation they have engaged in to date." The team also hosted a Cooperating Agency meeting on October 19<sup>th</sup> with pre-existing Cooperators (State of Alaska and the Gwich'in Tribal representatives from Arctic Village and Venetie and new Cooperators (Native Village of Kaktovik (NVK), EPA, and the Inupiat Council of the Arctic Slope (ICAS)). That meeting focused on bringing everyone up to speed and shared our updated Purpose and Need statement, our tentative schedule, and discussed how we are working towards a new alternative and associated Stipulations and Required Operating Procedures. The Project Management Team—including Regional Director, Sara Boario and BLM State Director Steve Cohn—is meeting in Kaktovik with the Native Village of Kaktovik on October 26<sup>th</sup> for a G2G consultation and on October 27<sup>th</sup> for an ANCSA consultation with the Kaktovik Inupiat Corporation.
- November 1, 2022: No new update.
- November 7, 2022: No new update.
- November 14, 2022: (b)(5)DPP  
[REDACTED]
- November 21, 2022: (b)(5)DPP  
[REDACTED]
- November 28, 2022: Regional Directors Boario (FWS) and Cohn (BLM) are working to schedule a joint briefing with Directors Williams (FWS) and Stone-Manning (BLM), and Deputy Directors for the week of 12/5.
- December 5, 2022: No new update.
- December 12, 2022: The Project Management Team and Regional Directors Boario (FWS) and Cohn (BLM) met with Directors Williams (FWS) and Stone-Manning (BLM), and Deputy Directors to discuss the current range of alternatives and other key aspects of the SEIS.
- December 19, 2022: No new update.
- January 10, 2023: The Project Management Team held a briefing on Friday, January 6<sup>th</sup> with Regional Directors Boario (FWS) and Cohn (BLM) to begin preparing for an upcoming (tentatively on 27 Jan.) Departmental Review Team briefing to gain concurrence on the Alternative E that has been under development.
- January 17, 2023: No new update.
- January 24, 2023: The Project Management Team is finalizing details for an upcoming Indigenous Traditional Ecological Knowledge (ITEK) and Science Integration Workshop tentatively scheduled for February 27<sup>th</sup> through March 4 at the Morris Thompson Center in Fairbanks. The workshop is designed to create a shared-learning opportunity and safe

space for cross cultural and interdisciplinary discussions on key resource topics putting ITEK on equal footing with Western science throughout the SEIS. The workshop will be co-managed and led by BLM/FWS staff and tribal representatives. Invitees include key agency staff and members (and their invited guests/contractors) of the Native Village of Kaktovik, the Inupiat Community of the Arctic Slope, Native Village of Venetie Tribal Government, Venetie Village Council, and Arctic Village Council.

- February 1, 2023: No new update.
- February 8, 2023: No new update.
- February 15, 2023: Regional Director Sara Boario will be joining virtually while the Project Management Team will be traveling to Kaktovik February 12-14 for a Government-to-Government consultation with the Native Village of Kaktovik as well as an ANCSA consultation with the Kaktovik Inupiat Corporation. The ITEK Workshop is confirmed for February 27-March 4, and the team is finalizing details for this first-of-its-kind effort. Confirmed attendees include highly respected elders and knowledge holders from Arctic Village, Venetie, and Fairbanks.
- March 8, 2023: No new update.
- March 15, 2023: Over the past week, the Joint Lead Project Management Team began working with the contractor and sub-contractors on the development of Chapter 3 and associated analysis for the SEIS. Over the course of three days, the team participated in 21 meetings with each of the Joint Lead Agency/Contractor resource teams to ensure alignment and coordination of the supplemental information and approach. The team anticipates that we will be on schedule for the Preliminary Draft sometime in early April. The project is now in high gear and will begin to meet many key milestones leading to a public draft in late June.

## VI. TIMELINE AND NEXT STEPS

Table 1 below.

**Prepared by:** Brian Glaspell, Refuge Chief, Alaska Region

☐ FYI   or   ☐ Requested by: *[name]*

☒ **Prepared for a meeting:** Weekly Alaska Policy Meeting

**Does this involve, directly or tangentially, any Director's Office recusals?** ☐ Yes ☐ No

**If yes, please identify:**

**Table 1. Schedule for Arctic Refuge Supplemental EIS**

| Start           | End             | # of Days | Description   |
|-----------------|-----------------|-----------|---|
| August 4, 2021  | August 4, 2021  | NA        | BLM's Notice of Intent for Supplemental EIS publishes in Federal Register.                            |
| August 12, 2021 | August 12, 2021 | NA        | Date of meeting between USFWS and BLM National and Regional leadership regarding preparation of SEIS. |

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|                    |                    |    |  |
|--------------------|--------------------|----|--|
| August 23, 2021    | August 23, 2021    | NA | FWS and BLM Regional Leadership meet regarding preparation of SEIS   |
| August 30, 2021    | August 30, 2021    | NA | FWS and BLM Regional Leadership met to continue conversations on SEIS coordination.  |
| September 13, 2021 | September 13, 2021 | NA | FWS Regional Director and BLM Alaska State Director and ARDs will meet to discuss FWS co-lead role in SEIS   |
| September 14, 2021 | September 16, 2021 | 3  | BLM has scheduled 6 virtual public meetings to assist in the preparation of the SEIS. Participants under consideration.                            |
| October 5, 2021    | October 5, 2021    | NA | BLM, FWS and the State of Alaska will meet with the contractor preparing the preliminary summary of written and oral scoping comments on the SEIS. |
| January 19, 2022   | January 20, 2022   | 2  | Joint Leadership and IDT Kick Off (Day 1), Cooperating Agency Kick Off (Day 2)   |
| April 25, 2022     | April 27, 2022     | 3  | Alternatives Development Workshop  |
| Summer/Fall 2022   |                    |    | Administrative Draft SEIS  |
| Late 2022          |                    |    | Minimum 45-Day Public Comment Period   |
| Early 2023         |                    |    | Develop Final SEIS   |
| Mid 2023 (August)  |                    |    | Record of Decision   |
|                    |                    |    |  |
|                    |                    |    |  |

**From:** [Hausman, Alyssa B](#)  
**To:** [Williams, Martha M](#)  
**Cc:** [Weber, Wendi](#)  
**Subject:** Re: arctic docs  
**Date:** Monday, July 17, 2023 6:34:02 AM  
**Attachments:** [070723\\_Section 7 consultation options memo\\_FINAL sent to SB.docx](#)  
[July 2023\\_FWS Briefing Range of Alternatives.docx](#)

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Wendi just shared the attached from a week or so ago

Alyssa Hausman  
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U.S. Fish and Wildlife Service  
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Mobile: (703) 785-3402  
[alyssa\\_hausman@fws.gov](mailto:alyssa_hausman@fws.gov)

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**From:** Hausman, Alyssa B <[alyssa\\_hausman@fws.gov](mailto:alyssa_hausman@fws.gov)>  
**Sent:** Monday, July 17, 2023 8:28 AM  
**To:** Williams, Martha M <[martha\\_williams@fws.gov](mailto:martha_williams@fws.gov)>  
**Cc:** Weber, Wendi <[wendi\\_weber@fws.gov](mailto:wendi_weber@fws.gov)>  
**Subject:** Re: arctic docs

Here is the latest Arctic SEIS bp, which is from March

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**From:** Hausman, Alyssa B  
**Sent:** Monday, July 17, 2023 8:25 AM  
**To:** Williams, Martha M <[martha\\_williams@fws.gov](mailto:martha_williams@fws.gov)>  
**Cc:** Weber, Wendi <[wendi\\_weber@fws.gov](mailto:wendi_weber@fws.gov)>  
**Subject:** arctic docs

these are all from the beginning of this year. will send you another email when I get something newer

Alyssa Hausman  
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# DELIBERATIVE INFORMATION MEMORANDUM

**DATE:** July 6, 2023

**SUBJECT:** Coastal Plain Supplemental Impact Statement (SEIS)  
Key Topics for FWS Leadership Consideration

## ➤ Introduction

The following memorandum provides a summary of key topics that are fundamental to understanding the current phase / status of the Supplemental Environmental Impact Statement process.

➤ **Schedule/Process Milestones (\*tentative and subject to change)**

- May 29-June 16, 2023: Preliminary Draft SEIS Cooperating Agency Review
- June 20-June 23, 2023: Joint Lead Agency review of comments
- June 26-July 21, 2023: Contractor develops Administrative Draft  
*\*We are currently working to clarify comments and provide direction to the contractor on how to incorporate. All input that will be included in public draft needs to be finalized by July 7<sup>th</sup> and sent to contractor.*
- July 24-July 27, 2023: HQ review of the Admin Draft
- July 28, 2023: Joint Lead Agency 1-day review
- July 31-August 11: Contractor prepares “camera ready” DSEIS
- August 14-August 16: Final HQ Approval
- August 17-August 21: Finalize Camera Ready (508 compliance version)
- August 25, 2023- Notice of Availability published/Comment period begins
- August 25-October 9, 2023: 45-day public comment period
- February 2024: Final SEIS
- April 2024: ROD

**\*This schedule is tentative and is subject to change.**

➤ **Range of Alternatives:**

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Memorandum – **INTERNAL DRAFT NOT TO BE RELEASED**

Date: July 7, 2023

Subject: Coastal Plain Oil and Gas Leasing Program SEIS- Options for Section. 7 Consultation

***Issue Statement***

Section 7 of the Endangered Species Act (ESA) requires federal agencies to ensure that actions they undertake, authorize, or fund are not likely to jeopardize threatened or endangered species (i.e., listed species) or adversely modify designated critical habitat of listed species. To satisfy this mandate, Section 7 generally requires action agencies to consult with the U.S. Fish Wildlife Service (FWS) or the National Marine Fisheries Service (NMFS) when their proposed actions may affect listed species or critical habitat.

The Section 7 consultation process formally begins when FWS/NMFS receive a request for formal consultation and the Biological Assessment (BA) is determined to be completed. The BA must describe and analyze the action agency's proposed action, which typically corresponds to one of the alternatives in its NEPA analysis. During formal consultation, the action agency and FWS/NMFS will share information about the proposed project and the species or critical habitat likely to be affected. Formal consultation may last up to 135 days and concludes with the issuance of a final Biological Opinion (BO) which generally must be completed prior to the action agency's issuance of a Record of Decision (ROD).

***Current Status***

The Joint Lead Agencies (BLM and FWS) are continuing development the Coastal Plain Oil and Gas Leasing Program Supplemental Environmental Impact Statement (SEIS). The Draft EIS, scheduled for release by September 2023 will not specify a "preferred alternative", but the Final SEIS must do so. Meanwhile, BLM will engage in formal consultation with FWS prior to issuing a ROD and holding a lease sale.

***Expected Timeframes for the Formal Consultation:***

- Contractor prepares draft BA: 30 days
- BLM/FWS review draft BA: 30 days (iterative process between BLM and FWS)
- Contractor revises draft BA: 10 days
- BLM/FWS review and approve revised BA: 5 days
- Final BA submitted to FWS: 1 day
- Formal consultation: 135 days
- FWS issues final BO (ROD can then be signed): 1 day

**Section 7 Consultations Options:**

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**Prepping Baseline (Applies to All Options):**

The following items can be “prepped” prior to knowing the preferred alternative under any of the options stated above.

- *Status of the species for:*
  - spectacled eider
  - spectacled eider critical habitat
  - steller's eider
  - polar bear
  - polar bear critical habitat
- *Environmental baseline for:*
  - listed eiders within the action area
  - polar bears within the action area
  - critical habitat within the action area
- *Cumulative effects section* (under ESA these are the effects of future State, tribal, local, or private actions that are reasonably certain to occur in the Action Area)

## Next Steps

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DRAFT

**From:** [Boario, Sara D](#)  
**To:** [Cady, Thomas A](#); [Lor, Socheata](#)  
**Cc:** [Glaspell, Brian](#)  
**Subject:** Re: Arctic SEIS concern  
**Date:** Friday, June 9, 2023 7:10:42 PM

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And thank you for helping with canyon village! Monday is just fine! Enjoy the weekend :) - sb

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**From:** Boario, Sara D <sara\_boario@fws.gov>  
**Sent:** Friday, June 9, 2023 5:05 PM  
**To:** Cady, Thomas A <thomas\_cady@fws.gov>; Lor, Socheata <socheata\_lor@fws.gov>  
**Cc:** Glaspell, Brian <brian\_glaspell@fws.gov>  
**Subject:** Re: Arctic SEIS concern

Thanks tom, yes we can discuss more next week. At our joint briefing on SEIS progress this week this came up, and the (b)(5)AC [REDACTED]. I'll take a closer look early next week and we can connect with SOL. Thx - sb

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**From:** Cady, Thomas A <thomas\_cady@fws.gov>  
**Sent:** Friday, June 9, 2023 4:22 PM  
**To:** Boario, Sara D <sara\_boario@fws.gov>; Lor, Socheata <socheata\_lor@fws.gov>  
**Cc:** Glaspell, Brian <brian\_glaspell@fws.gov>  
**Subject:** Fw: Arctic SEIS concern

Hi Sara and Soch - Just an FYI to add to your overflowing cups. In speaking with Shane, FWS concerns arise from potential for BLM to overstep their authority for items like mods to leases/plans and associated activities that would fall under FWS SUPs. Can discuss further with you on Monday.

BTW - I'm attempting to find an update for you on the Canyon Village item, too. May not be available Monday.

Have a great weekend. -tom

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**From:** Mollnow, Ryan <ryan\_mollnow@fws.gov>  
**Sent:** Friday, June 9, 2023 1:04 PM  
**To:** Glaspell, Brian <brian\_glaspell@fws.gov>; Cady, Thomas A <thomas\_cady@fws.gov>  
**Cc:** Sanchez, Ronnie <ronnie\_sanchez@fws.gov>; Walker, Shane <shane\_walker@fws.gov>;

Trawicki, John JT <john\_trawicki@fws.gov>; Wagener, Ella <ella\_wagener@fws.gov>; Cebrian, Merben R <merben\_cebrian@fws.gov>

**Subject:** Arctic SEIS concern

Hi Brian and Tom,

We have a cautionary concern that may require addressing at a higher level with BLM on the Arctic NWR oil and gas draft SEIS. The text below comes from the latest version of the draft SEIS. We fear the NWRS responsibilities have been suppressed to a mere coordination role and only if BLM chooses to do so. This is not consistent with our NWRS responsibilities to manage Arctic NWR appropriately. BLM should provide a higher level of consideration and cooperation in managing the oil and gas aspects of this effort. See my underlined areas for emphasis.

(b)(5)DPP



It is my understanding these concerns have been brought forward previously by members of the FWS SEIS team. It could be this is as simply misuse of words and if so, revising the draft SEIS for stronger language will be helpful. We fear this is an early reflection of troubling times ahead for Arctic NWR. We are open to your thoughts and considerations on how best to handle this situation.

Thank you,

Ryan Mollnow

Division Lead of Natural Resources

USFWS-NWRS, Alaska Region

c.907-223-6381

[Division of Natural Resources SharePoint Site](#)

**From:** [Hausman, Alyssa B](#)  
**To:** [Williams, Martha M](#)  
**Cc:** [Weber, Wendi](#)  
**Subject:** arctic docs  
**Date:** Monday, July 17, 2023 6:25:45 AM  
**Attachments:** [Arctic NWR \(02.27.23\) \(1\).docx](#)  
(b)(5)DPP withheld in full  
[CP SEIS Leadership Briefing Memo 12-6-22 Final Sent to HQ.docx](#)  
(b)(5)DPP withheld in full

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these are all from the beginning of this year. will send you another email when I get something newer

Alyssa Hausman  
Head of Staff  
U.S. Fish and Wildlife Service  
Desk: (202) 742-0688  
Mobile: (703) 785-3402  
[alyssa\\_hausman@fws.gov](mailto:alyssa_hausman@fws.gov)



## **DELIBERATIVE INFORMATION MEMORANDUM**

**-THIS DOCUMENT CONTAINS ATTORNEY-CLIENT PRIVILEGED INFORMATION-**

**DATE:** December 6, 2022

**SUBJECT:** Coastal Plain SEIS Briefing Materials for FWS and BLM Leadership

### **BACKGROUND:**

On June 1, 2021, Secretary's Order 3401 placed a temporary halt on all activities in the Arctic National Wildlife Refuge relating to the Coastal Plain Oil and Gas Leasing Program. The Secretary of the Interior's review of the Final Environmental Impact Statement (FEIS) *identified multiple legal deficiencies in the underlying record supporting the leases, including, but not limited to: (1) insufficient analysis under the National Environmental Policy Act (NEPA), including failure to adequately analyze a reasonable range of alternatives in the environmental impact statement; and (2) failure in the August 17, 2020, Record of Decision (ROD) to properly interpret Section 20001 of Public Law 115-97 (Tax Act).*

Also on June 1, 2021, the Principal Deputy Assistant Secretary for Land and Minerals Management issued lease suspension letters to lessees, which further explained the two legal errors and identified the potential for additional legal defects. On August 19, 2022, the Principal Deputy Assistant Secretary issued an addendum to the lease suspension for the only remaining lessee that identified an additional legal error in that *the Coastal Plain EIS did not give a quantitative estimate of the downstream GHG emissions that would result from changes in consumption of oil abroad due to the foreseeable production of Coastal Plain oil nor did it sufficiently explain why BLM could not do so and provide a more thorough discussion of how changes in foreign oil consumption might change the GHG emissions analysis.*

### **DISCUSSION:**

#### Joint Lead Agencies

To ensure that BLM's administration of the oil and gas program continues to benefit from FWS's expertise concerning the four original purposes and environmental resources of the Arctic National Wildlife Refuge, the agencies have been working together as Joint Lead Agencies since October 2021. We believe it is paramount to continue this relationship through the post-ROD implementation phase while also working closely with our Tribal Government partners and Cooperating Agencies.

#### Tentative Schedule

- 1Q 2023: Preliminary Draft SEIS Cooperating Agency Review
- 2Q 2023: Draft SEIS Public Comment Period (minimum 45-days)
- 4Q 2023: Final SEIS
- 1Q 2024: ROD

\*This schedule is tentative and is subject to change.

#### Cooperating Agencies

- Native Village of Venetie Tribal Government, Venetie Village Council, and Arctic Village Council (Shared MOU and represented by Native American Rights Fund (NARF))
- State of Alaska
- Environmental Protection Agency
- Native Village of Kaktovik

- Inupiat Community of the Arctic Slope

#### Ongoing/Pending Consultations

- Native Village of Venetie Tribal Government, Venetie Village Council, and Arctic Village Council (Government-to-Government consultation)
- Native Village of Kaktovik (Government-to-Government consultation)
- Inupiat Community of the Arctic Slope (Government-to-Government consultation)
- Kaktovik Inupiat Corporation (ANCSA consultation)

#### Purposes of the Arctic National Wildlife Refuge

On December 6, 1960, the Arctic National Wildlife Range was established through Public Land Order (PLO) 2214. The Alaska National Interest Lands Conservation Act (ANILCA) established the Arctic National Wildlife Refuge, incorporating the Range and additional lands, and defined the purposes to: (i) to conserve fish and wildlife populations and habitats in their natural diversity; (ii) to fulfill the international fish and wildlife treaty obligations of the United States; (iii) to provide the opportunity for continued subsistence uses by local residents; and (iv) to ensure water quality and necessary water quantity within the refuge. Tax Act Section 20001(b)(2)(B) added the following purpose: (v) to provide for an oil and gas program on the Coastal Plain.

#### Updated Purpose and Need Statement for SEIS

The Purpose and Need (P&N) statement provided in the 2019 Coastal Plain FEIS remains accurate yet verbose. (b)(5)DPP (b)(5)DPP (b)(5)DPP (b)(5)DPP (b)(5)DPP (b)(5)DPP (b)(5)DPP (b)(5)DPP

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#### Leases, Total Acreage

According to the Tax Act, at least 400,000 acres must be offered for lease in each of at least two lease sales. The BLM conducted its first lease sale in the Coastal Plain on Jan. 6, 2021. After two leases (tract numbers 25 and 29) were subsequently cancelled, there are currently a total of seven lease tracts (numbers 16, 17, 24, 26, 27, 30 and 31) that are under lease. (b)(5)DPP (b)(5)DPP

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#### Voluntary Carbon Avoidance Program Concept

The Project Management Team has been exploring alternative leasing program scenarios that balance the four original purposes of the Refuge while generating leasing revenues to achieve the purposes of the Tax Act (i.e., revenue generation to meet the budget reconciliation target). (b)(5)DPP

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We propose to address seismic exploration and its associated impacts across the range of alternatives in the SEIS as shown in Table 1 below.

### Range of Alternatives

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| Alternative Component | (b)(5) DPP |
| Stips/ROPs            | (b)(5) DPP |
| Seismic Exploration   | (b)(5) DPP |
| RFD                   | (b)(5) DPP |

[illegible]

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## Attachment 1: 2019 Final EIS RFD Scenario Summary

This attachment provides a summary of the September 2019 Coastal Plain Final EIS RFD. The BLM prepared this hypothetical development scenario to account for the impacts of potential leases to comply with the National Environmental Policy Act [40 CFR 1508.1(g)].

**Table B-4**  
**Estimated Surface Disturbance by Facility**

| Estimated Facility Sizes <sup>11</sup> | Acres of Estimated Surface Disturbance |
|--|--|
| CPF, airstrip, anchor well pad         | 50                                     |
| Satellite pads                         | 12                                     |
| Gravel roads                           | 7.5 per mile                           |
| VSMs                                   | 0.04 per mile                          |
| Seawater treatment plant               | 15                                     |
| Barge landing and equipment storage    | 10                                     |

Sources: BLM 2004, 2012; USACE 2017

**Table B-5**  
**Hypothetical Projected Facilities and Estimated Surface Disturbance by Alternative<sup>1</sup>**

| Facility Type                           | Alternative B                  |                                | Alternative C                  |                                | Alternatives D1 and D2         |                                |
|---|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
|   | Number of Potential Facilities | Estimated Acres of Disturbance | Number of Potential Facilities | Estimated Acres of Disturbance | Number of Potential Facilities | Estimated Acres of Disturbance |
| CPF, airstrip, anchor well pad          | 4                              | 200                            | 3                              | 150                            | 2                              | 100                            |
| Satellite pads                          | 14                             | 168                            | 15                             | 180                            | 16                             | 192                            |
| Roads                                   | 174 miles                      | 1,305                          | 180 miles                      | 1,350                          | 185 miles                      | 1,388                          |
| VSMs (pipeline miles)                   | 212 miles                      | 8                              | 214 miles                      | 9                              | 217 miles                      | 9                              |
| Seawater treatment plant                | 1                              | 15                             | 1                              | 15                             | 1                              | 15                             |
| Barge landing and storage               | 1                              | 10                             | 1                              | 10                             | 1                              | 10                             |
| Gravel pits and stockpiles <sup>2</sup> | —                              | 296                            | —                              | 292                            | —                              | 288                            |
| <b>Total (approximate)</b>              | —                              | <b>2,000</b>                   | —                              | <b>2,000</b>                   | —                              | <b>2,000</b>                   |

<sup>1</sup>All potential facility numbers and surface disturbance acreages are general hypothetical estimates and are not based on specific project proposals. Acreages are approximate and rounded to the nearest acre.

<sup>2</sup>The number of gravel pits is dependent on the locations of gravel resources in relation to project components and thus is unknown at this time.

— = not applicable

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**BUREAU:** U.S. Fish and Wildlife Service (FWS)  
**MEMBER:** Murkowski, Peltola  
**ISSUE:** Oil and Gas Development in the Arctic National Wildlife Refuge

## **ISSUE BACKGROUND**

- In 1980, the 19-million-acre Arctic National Wildlife Refuge (Arctic Refuge) was established by the Alaska National Interest Lands Conservation Act (ANILCA). This was a re-designation of the 8-million-acre Arctic National Wildlife Range created in 1960.
- The Tax Cuts and Jobs Act of 2017 (Tax Act), signed into law in Dec. 2017, directs the Secretary of the Interior through the Bureau of Land Management (BLM) to establish and administer a competitive oil and gas program in the coastal plain (1002 area), to be managed similar to BLM's program in the National Petroleum Reserve - Alaska. A maximum of 2,000 surface acres may be authorized.
- The Tax Act requires two oil and gas lease sales within ten years of enactment with revenue receipts split evenly between the State of Alaska and the U.S. Treasury.
- The Arctic Refuge's Comprehensive Conservation Plan, issued in 1988 and updated in 2015, recognizes the 1002 area as important habitat for numerous subsistence and internationally significant species, including polar bear, the Porcupine caribou herd, and over 100 bird species.
- The Alaska Delegation, State of Alaska, development interests, and the Iñupiat people support leasing the 1002 area for oil and gas development.
- The Gwich'in people and many conservation groups oppose oil and gas development in the 1002 area.
- On August 17, 2020, BLM released a final EIS and ROD for the Coastal Plain Oil and Gas Leasing Program.
- In late 2020, the Gwich'in Steering Committee, conservation groups, and 15 states filed multiple lawsuits to block the oil and gas program.
- On June 1, 2021, DOI announced that it suspended all activities related to the implementation of the Coastal Plain Oil and Gas Program in Arctic Refuge pending completion of a comprehensive NEPA analysis.
- BLM began working on a Supplemental Environmental Impact Statement (SEIS) in August 2021, and FWS become a joint lead agency on the SEIS in November 2021.

## **CURRENT STATUS**

- BLM and FWS are collaborating as Joint Lead Agencies on the development of the SEIS for the oil and gas program to fulfill the need for a comprehensive NEPA analysis.
- Public meetings were held in Fall 2021, resulting in the publication of a final SEIS Scoping Report in November 2021.
- BLM and FWS anticipate publishing a draft SEIS during the first half of 2023.

## **TALKING POINTS**

- FWS and BLM are working together to prepare the draft SEIS. I will keep you apprised of its status.

Prepared by: Katie Pritchard, (202) 527-2652

Date: February 23, 2023

**From:** [Deam, Seth R](#)  
**To:** [Skibo, Bobbie Jo](#); [Sweet, Serena E](#); [r7rdomeetings, FW7](#); [Boario, Sara D](#); [Kuhns, Stephanie L](#); [Lor, Socheata](#); [Cribley, Bud C](#); [Pendergast, Kevin J](#); [Amy Lewis](#); [Cohn, Steven M](#); [Loya, Wendy M](#)  
**Cc:** [Gieryic, Michael S](#); [Routhier, Michael P](#)  
**Subject:** RE: FOLLOW UP: 4/21/23 Coastal Plain SEIS Joint BLM/FWS Meeting  
**Date:** Monday, April 24, 2023 5:32:48 PM  
**Attachments:** [CP SEIS Key Topics Memo for Cooperators \(4.24.23\).srd.docx](#) 6 pgs withheld in full, (b)(5) DPP-AC-AWP

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*Attorney-client privileged / attorney work product / deliberative, predecisional*

Thanks Bobbie Jo,

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Best, Seth

---

**From:** Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>  
**Sent:** Monday, April 24, 2023 2:34 PM  
**To:** Sweet, Serena E <:ssweet@blm.gov>; r7rdomeetings, FW7 <R7rdomeetings@fws.gov>; Boario, Sara D <sara\_boario@fws.gov>; Kuhns, Stephanie L <skuhns@blm.gov>; Lor, Socheata <socheata\_lor@fws.gov>; Cribley, Bud C <bud\_cribley@fws.gov>; Pendergast, Kevin J <kpendergast@blm.gov>; Amy Lewis <amy.lewis@empesi.com>; Cohn, Steven M <scohn@blm.gov>; Loya, Wendy M <wendy\_loya@fws.gov>  
**Cc:** Deam, Seth R <seth.deam@sol.doi.gov>; Gieryic, Michael S <Mike.Gieryic@sol.doi.gov>; Routhier, Michael P <michael.routhier@sol.doi.gov>  
**Subject:** FOLLOW UP: 4/21/23 Coastal Plain SEIS Joint BLM/FWS Meeting  
**Importance:** High

Hello Team,

This email serves as a recap of our meeting held on 4/21 and the associated next steps that were agreed to. If I missed or mischaracterized anything, please let me know.

**Recap:**

- We discussed the Key Topics Memo and agreed that once updates were made to a few sections (*including removing the existing lease section and section about seismic, and generalized the Stips/ROPs sections*) that we would be ready to share with Cooperating Agencies. Thank you to the SOLs who weighed in on sensitive topics and agreed that the remaining key topics have been vetted internally and could be ready to be discussed with our Cooperators.
  - The updated version is attached.
- We agreed that this Memo would be shared with HQ TODAY (via Steve with cc to Sara) for AWARENESS instead of a thumbs up. We would ask for any fatal red flags within one week (in hopes to get any red flags, if any, prior to the Cooperating Agency meeting).
  - A sample email to HQ is below.

- We flagged the need for a follow up meeting with this team ASAP (Michael Hayes and Michelle are coordinating schedules) to discuss miscellaneous topics:
  - Tribal Relations with Gwich'in (DOE, Section 106 Timing, Translation Services, ITEK)
  - Voluntary Carbon Avoidance Concept
  - Canada "Good Neighbor" Letter

\*\*\*\*\*Sample Email for HQ\*\*\*\*\*

Hello,

Please find the attached Key Topics Memo that the Coastal Plain Oil and Gas Leasing Program SEIS Project Management Team is planning to use in an upcoming Cooperating Agency meeting. We are sharing this with HQ as AWARENESS but if anything contained in this memo triggers a red flag from anyone in HQ, please let us know (in one week) by May 1<sup>st</sup>. We anticipate scheduling the Cooperating Agency meeting that same week.

Cooperating Agencies have expressed their desire to understand some of the underlying assumptions and approaches we are taking prior to their preliminary Draft SEIS review. We feel this will help them in their review and will show our desire to be inclusive and as transparent as possible in this process. While there are more details to share, we are being conservative at this time and will not be sharing details or any maps related to the new alternative under development, as an example.

We also wanted to flag that the team is now in full gear in the development of the SEIS and is following the condensed schedule below. This schedule will ensure that we meet the critical legal timeframes associated to the Tax Act. We understand the schedule and review timeframes are not ideal and appreciate everyone's commitment to dates suggested. As you can see, the HQ/DOI review of the Preliminary Draft is set for 5/26-5/31.

Schedule (tentative and subject to change):

- 4/19/23-5/1/23: Draft PDSEIS Chapter 3 review by BLM/FWS IDT Members (comments due by 5pm Alaska time on 5/1)
- 5/1/23-5/5/23: BLM/FWS PM review and consideration of IDT comments
- 5/5/23-5/26/23: EMPSi prepare comprehensive Preliminary Draft SEIS (PDSEIS)
- 5/26/23-5/31/23: HQ/DOI opportunity to review PDSEIS
- 6/1/23-6/16/23: Cooperating Agency review of PDSEIS (pending approval by HQ/DOI to release)
- 9/1-10/15: Draft SEIS Public Comment Period (minimum 45-days)
- 4Q 2023-1Q 2024: Final SEIS
- 2Q 2024: ROD

---

**From:** Sweet, Serena E <[ssweet@blm.gov](mailto:ssweet@blm.gov)>

**Sent:** Thursday, April 20, 2023 5:38 PM

**To:** r7rdomeetings, FW7 <[R7rdomeetings@fws.gov](mailto:R7rdomeetings@fws.gov)>; Boario, Sara D <[sara\\_boario@fws.gov](mailto:sara_boario@fws.gov)>; Kuhns, Stephanie L <[skuhns@blm.gov](mailto:skuhns@blm.gov)>; Skibo, Bobbie Jo <[bobbiejo\\_skibo@fws.gov](mailto:bobbiejo_skibo@fws.gov)>; Lor, Socheata <[socheata\\_lor@fws.gov](mailto:socheata_lor@fws.gov)>; Cribley, Bud C

<[bud\\_cribley@fws.gov](mailto:bud_cribley@fws.gov)>; Pendergast, Kevin J <[kpendergast@blm.gov](mailto:kpendergast@blm.gov)>; Amy Lewis <[amy.lewis@emp.si](mailto:amy.lewis@emp.si)>; Cohn, Steven M <[scohn@blm.gov](mailto:scohn@blm.gov)>; Loya, Wendy M <[wendy\\_loya@fws.gov](mailto:wendy_loya@fws.gov)>  
Cc: Deam, Seth R <[seth.deam@sol.doi.gov](mailto:seth.deam@sol.doi.gov)>; Gieryic, Michael S <[Mike.Gieryic@sol.doi.gov](mailto:Mike.Gieryic@sol.doi.gov)>; Routhier, Michael P <[michael.routhier@sol.doi.gov](mailto:michael.routhier@sol.doi.gov)>  
Subject: AGENDA: 4/21/23 Coastal Plain SEIS Joint BLM/FWS Meeting

Hello All,

Below is the AGENDA items for our check-in tomorrow on the Coastal Plain SEIS. The items marked with "Decision" below must be resolved during our time tomorrow to remain on track with our process as currently planned.

- Topics:
  - Review Key Topic Memo (see attached)– **Decision**
  - What portions of the Key Topics memo can be shared with Cooperators – **Decision**
  - Schedule postponed Cooperating Agency meeting – **Decision**
- 
- Current Schedule (subject to changes):
  - 4/19-5/1: Draft PDSEIS Chapter 3 review by BLM/FWS IDT Members (comments due by 5pm Alaska time on 5/1)
  - 5/1-5/5: BLM/FWS PM review and consideration of comments
  - 5/5-5/26: EMPSi prepare comprehensive Preliminary Draft SEIS (PDSEIS)
  - 5/26-5/31: HQ/DOI opportunity to review PDSEIS
  - 6/1-6/16: Cooperating Agency review of PDSEIS (pending approval by HQ/DOI to release)
- 
- Reminder of upcoming court report deadline: April 28th
  - Key update is date for Draft SEIS comment period- now 2023 3Q and include other dates that lead up to 8/30 planned release of Draft SEIS for public comment period
- 
- Other Misc. Topics - Discussion (as time allows)
  - Determination of Eligibility/Roles & Responsibilities (funding needed)
  - Sec. 106 kick off timing
  - Translation of FSEIS (funding needed)
  - Carbon avoidance concept
  - Canadian “Good Neighbor” Letter
  - ITEK de-brief from Gwich’in Tribes
  - Comms strategy overview

Serena Sweet



## Supervisory Planning & Environmental Coordinator

BLM-Alaska, Resources Division

Desk: 907-271-4543

Cell: 907-223-3267

---

**From:** r7rdomeetings, FW7

**Sent:** Tuesday, December 13, 2022 9:54 AM

**To:** r7rdomeetings, FW7 <[R7rdomeetings@fws.gov](mailto:R7rdomeetings@fws.gov)>; Boario, Sara D <[sara\\_boario@fws.gov](mailto:sara_boario@fws.gov)>; Kuhns, Stephanie L <[skuhns@blm.gov](mailto:skuhns@blm.gov)>; Sweet, Serena E <[ssweet@blm.gov](mailto:ssweet@blm.gov)>; Skibo, Bobbie Jo <[bobbiejo\\_skibo@fws.gov](mailto:bobbiejo_skibo@fws.gov)>; Lor, Socheata <[socheata\\_lor@fws.gov](mailto:socheata_lor@fws.gov)>; Cribley, Bud C <[bud\\_cribley@fws.gov](mailto:bud_cribley@fws.gov)>; Pendergast, Kevin J <[kpendergast@blm.gov](mailto:kpendergast@blm.gov)>; Amy Lewis <[amy.lewis@empai.com](mailto:amy.lewis@empai.com)>; Cohn, Steven M <[scohn@blm.gov](mailto:scohn@blm.gov)>; Loya, Wendy M <[wendy\\_loya@fws.gov](mailto:wendy_loya@fws.gov)>

**Cc:** Deam, Seth R <[seth.deam@sol.doi.gov](mailto:seth.deam@sol.doi.gov)>; Gieryic, Michael S <[Mike.Gieryic@sol.doi.gov](mailto:Mike.Gieryic@sol.doi.gov)>; Routhier, Michael P <[michael.routhier@sol.doi.gov](mailto:michael.routhier@sol.doi.gov)>

**Subject:** Coastal Plain SEIS monthly joint meetings

**When:** Friday, April 21, 2023 1:30 PM-3:30 PM.

**Where:** Microsoft Teams Meeting

Joint monthly lead meetings for discussions regarding the SEIS.

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Microsoft Teams meeting

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[\(833\) 436-1163,460004435#](tel:(833)436-1163,460004435#) United States (Toll-free)

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