

**From:** [Kuhns, Stephanie L](#)  
**To:** [Skibo, Bobbie Jo](#); [Boario, Sara D](#); [Loya, Wendy M](#)  
**Cc:** [Sweet, Serena E](#); [Pendergast, Kevin J](#)  
**Subject:** CP SEIS - response to NVK  
**Date:** Tuesday, March 21, 2023 12:32:42 PM  
**Attachments:** [CPSEIS Response to NVK 3.17.23.pdf](#)  
[CP Lease Suspension - AIDEA.pdf](#)

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Hi Bobbie Jo,

Please see attached the response letter which is currently being routed through DTS. Steve requested that we cut it down a bit and determined it would be best for him and Sara to sign, rather than the project management team. A copy of the AIDEA lease suspension letter (also attached) will be included in the letter to Kaktovik to better explain the legal deficiencies.

Thanks,

Stephanie

Stephanie Kuhns ([she/her](#))  
Planning and Environmental Specialist  
Alaska State Office  
USDOI - Bureau of Land Management  
(907)271-4208 (office)  
**(b) (6)** (cell)

*“A desk is a dangerous place from which to view the world.” – John LeCarré*



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
U.S. FISH & WILDLIFE SERVICE

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Thank you,

Steve Cohn

Sara Boario



United States Department of the Interior  
OFFICE OF THE SECRETARY  
Washington, DC 20240

June 1, 2021

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

DECISION

Alaska Industrial Development	:	Oil and Gas Leases
and Export Authority	:	AA095889
813 West Northern Lights Blvd.	:	AA095890
Anchorage, Alaska 99503	:	AA095893
	:	AA095897
	:	AA095898
	:	AA095900
	:	AA095901

Suspension of Operations and Production

On January 20, 2021, Executive Order 13990 directed that the Secretary of the Interior “place a temporary moratorium on activities of the Federal Government relating to the Coastal Plain Oil and Gas Leasing Program” and “review the program and ... conduct a new, comprehensive analysis of the potential environmental impacts of the oil and gas program.”

After conducting the required review of the program, the Department identified defects in the underlying record supporting the leases, including, but not limited to: insufficient analysis under the National Environmental Policy Act (NEPA), including failure to adequately analyze a reasonable range of alternatives in the environmental impact statement (EIS); and failure in the August 17, 2020, Record of Decision (ROD) to properly interpret Section 20001 of Public Law 115-97 (Tax Act). In addition to these specific defects, the Department has identified several areas for which additional analysis may either address a potential legal defect or, at a minimum, serve NEPA’s purpose to meaningfully inform the decisionmaker as to the environmental consequences of federal action. These include, but are not limited to, the EIS’s treatment of foreign greenhouse gas (GHG) emissions and compliance with section 810 of the Alaska National Interest Lands Conservation Act (ANILCA). Further, any new NEPA analysis involving an additional alternative may also involve connected reviews, such as under section 106 of the National Historic Preservation Act and consultation under section 7 of the Endangered Species Act.

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.”<sup>1</sup> However, inclusion of the phrase “up to” indicates that less than 2,000 acres may be authorized in appropriate circumstances, such as for alternatives that make large areas unavailable for leasing or surface development and thus may require fewer production and support facilities. The explanation in the ROD for not considering such an alternative – that the Tax Act provides a *mandate* to the BLM requiring it to approve production and support facilities up to that limit – is both implausible and contrary to Congressional intent, which is itself a legal error.

While not identified as a legal defect at this point, the Department recognizes that the recent Ninth Circuit opinion involving the Liberty Project in Alaska, *Center for Biological Diversity v. Bernhardt*, issued on December 7, 2020, has implications for the analysis of foreign greenhouse gas emissions in many of its programs and projects, including those already in litigation, like the Coastal Plain Oil and Gas Leasing Program. The Department is carefully evaluating its approach to this issue and may later identify this issue as an additional specific legal error depending on the resolution of pending court cases involving similar issues.

Based on the identified defects noted above with the NEPA documents underlying the competitive lease sale that resulted in the issuance of the lease(s) referenced above, and in exercise of the Department’s inherent authority to correct legal errors, the Department has concluded that it is necessary to suspend the above-referenced lease(s) and complete further environmental analysis under NEPA, consistent with the direction provided in Executive Order 13990 and Secretarial Order 3401. The BLM will undertake this additional NEPA analysis to determine whether the leases should be reaffirmed, voided or subject to additional mitigation measures. The BLM will publish a notice of intent to begin this process to undertake additional analysis, complete necessary consultation, and correct defects in the EIS and ROD. When complete, the BLM will issue a new decision concerning this suspension of operations and production (SOP) of the above-referenced leases.

This SOP is effective the first day of June 2021. While this SOP is in place, no lease operations may transpire on the leases, the terms of the leases are tolled, and lease rentals are suspended. If you have any questions, please contact Nada Wolff Culver at [nculver@blm.gov](mailto:nculver@blm.gov).

Sincerely,

Laura Daniel-Davis  
Principal Deputy Assistant Secretary  
Land and Minerals Management

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<sup>1</sup> Section 20001(c)(3) of the Tax Act provides: “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 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.”

**Table 2-1  
Lease Stipulations, Required Operating Procedures, and Lease Notices by Alternative<sup>1</sup>**

<b>Alternative B (FEIS Preferred Alternative)</b>	<b>Alternative C (FEIS Alternative D1)</b>	<b>Alternative D (New SEIS Alternative)</b>
<b>LEASE STIPULATIONS</b>		
<b>PROTECTIONS THAT APPLY IN SELECT BIOLOGICALLY SENSITIVE AREAS</b>		
<p><b><i>Lease Stipulation 1—Rivers and Streams (Map 2-2)</i></b></p> <p><u>Objective:</u> Minimize the disruption of natural flow patterns and changes to water quality; the disruption of natural functions resulting from the loss or change to vegetative and physical characteristics of floodplain and riparian areas, springs, and aufeis; the loss of spawning, rearing, or overwintering fish habitat; the loss of cultural and paleontological resources; the loss of raptor habitat; impacts on subsistence cabins and campsites; and the disruption of subsistence activities.</p> <p><u>Requirement/Standard:</u> (NSO) Permanent oil and gas facilities, including gravel pads, roads, airstrips, and pipelines, are prohibited in the streambed and within the described setback distances outlined below, from the southern boundary of the Coastal Plain to the stream mouth. For streams that are entirely in the Coastal Plain, the setback</p>	<p><b><i>Lease Stipulation 1—Rivers and Streams (Map 2-6 and Map 2-8)</i></b></p> <p><u>Objective:</u> Minimize the disruption of natural flow patterns and changes to water quality; the disruption of natural functions from the loss or change to vegetative and physical characteristics of floodplain and riparian areas, springs, and aufeis; the loss of spawning, rearing, or overwintering habitat for fish; the loss of cultural and paleontological resources; the loss of raptor habitat; impacts on subsistence cabins and campsites; the disruption of subsistence activities; impacts on hunting and recreation; and impacts on scenic and other resource values. Protect the water quality, quantity, and diversity of fish and wildlife habitats and populations associated with springs and aufeis across the Coastal Plain.</p> <p><u>Requirement/Standard:</u> (NSO) Same NSO requirements as Alternative B. River setback distances under Alternative D are the following:</p>	<p><b><i>Lease Stipulation 1 – Rivers and Streams (Map XX)</i></b></p> <p><u>Objective:</u> Minimize the disruption of natural flow patterns and changes to water quality; the disruption of natural functions resulting from the loss or change to vegetative and physical characteristics of floodplain and riparian areas, springs, and aufeis; the loss of spawning, rearing, or overwintering fish habitat; the loss of cultural and paleontological resources; the loss of raptor habitat; impacts on subsistence cabins and campsites; and the disruption of subsistence activities.</p> <p><u>Requirement/Standard:</u> (NSO) Permanent oil and gas facilities, including gravel pads, roads, airstrips, and pipelines, are prohibited in the streambed and within the described setback distances outlined below, from the southern boundary of the Coastal Plain to the stream mouth. For streams that are entirely in the Coastal Plain, the setback extends to the head of the stream, as identified in the National</p>

<sup>1</sup>While the language here refers often only to the BLM or its Authorized Officer, it is understood that all activities, including plan development, study development, and consideration of modifications, or waivers would include appropriate coordination and concurrence with the USFWS as the surface management agency, and, if necessary, consultation under the ESA would coordinate with other appropriate federal, state, and NSB agencies, Tribal Governments, ANCSA corporations, and other Native organizations as appropriate.

<p align="center"><b>Alternative B (FEIS Preferred Alternative)</b></p>	<p align="center"><b>Alternative C (FEIS Alternative D1)</b></p>	<p align="center"><b>Alternative D (New SEIS Alternative)</b></p>
<p>extends to the head of the stream, as identified in the National Hydrography Dataset. Essential pipelines and road crossings would be permitted through setback areas in accordance with Section 20001(c)(2) of PL 115-97, which requires issuance of rights-of-way or easements across the Coastal Plain, including access to private land used in support of the federal oil and gas leasing program, for the exploration, development, production, or transportation necessary to carry out Section 20001. Gravel mines could be permitted in setback areas. Setbacks may not be practical in river deltas; in these situations, an exception may be granted by the Authorized Officer if the operator can demonstrate: (1) there are no practical alternatives to locating facilities in these areas; (2) the proposed actions would maintain or enhance resource functions; and (3) permanent facilities are designed to withstand a 100-year flood.</p> <p>a. Canning River: from the western boundary of the Coastal Plain to 1 mile east of the eastern edge of the active floodplain</p> <p>b. Hulahula River: 1 mile in all directions from the active floodplain</p> <p>c. Aichilik River: 1 mile from the eastern edge of the Coastal Plain boundary</p> <p>d. Okpilak River: 1 mile from the banks' ordinary high-water mark</p> <p>e. Jago River: 1 mile from the banks' ordinary high-water mark</p>	<p>a. Canning River: From the western boundary of the Coastal Plain to 3 miles east of the eastern edge of the active floodplain</p> <p>b. Hulahula River: 4 miles in all directions from the active floodplain</p> <p>c. Aichilik River: 3 miles from the eastern edge of the Coastal Plain boundary</p> <p>d. Okpilak River: 3 miles from the banks' ordinary high-water mark</p> <p>e. The following rivers would have a 1-mile setback from the banks' ordinary high-water mark:</p> <ul style="list-style-type: none"> <li>i. Sadlerochit River</li> <li>ii. Jago River</li> </ul> <p>f. The following rivers and creeks would have a 0.5-mile setback from the banks' ordinary high-water mark:</p> <ul style="list-style-type: none"> <li>i. Tamayariak River</li> <li>ii. Katakaturuk River</li> <li>iii. Nularvik River</li> <li>iv. Okerokovik River</li> <li>v. Niguanak River</li> <li>vi. Sikrelurak River</li> <li>vii. Angun River</li> <li>viii. Kogotpak River</li> <li>ix. Marsh Creek</li> <li>x. Carter Creek</li> <li>xi. Itkilyariak Creek</li> </ul>	<p>Hydrography Dataset. Essential pipelines and road crossings would be permitted through setback areas in accordance with Section 20001(c)(2) of PL 115-97, which requires issuance of rights-of-way or easements across the Coastal Plain for the exploration, development, production, or transportation necessary to carry out Section 20001. Gravel mines could be permitted in setback areas near rivers and streams that do not support resident, anadromous, or endemic fish populations. Setbacks may not be practical in river deltas; in these situations, an exception may be granted by the Authorized Officer if the operator can demonstrate: (1) there are no practical alternatives to locating facilities in these areas; (2) the proposed actions would maintain resource functions; and (3) permanent facilities are designed to withstand a 100-year flood.</p> <p>A. Canning/Staines River: From the western boundary of the Coastal Plain to 3 miles east of the eastern edge of the active floodplain</p> <p>B. Hulahula River: 4 miles in all directions from the active floodplain</p> <p>C. Sadlerochit Spring Creek: 3 miles in all directions from the active floodplain</p> <p>D. Aichilik River: 3 miles from the eastern edge of the Coastal Plain boundary</p> <p>E. The following rivers and creeks would have a 1-mile setback from the active floodplain:</p> <ul style="list-style-type: none"> <li>i. Sadlerochit River</li> <li>ii. Jago River</li> <li>iii. Itkilyariak Creek</li> </ul> <p>F. The following rivers and creeks would have a 0.5-mile setback from the active floodplain:</p> <ul style="list-style-type: none"> <li>i. West Fork Tamayariak River</li> </ul>

<p align="center"><b>Alternative B (FEIS Preferred Alternative)</b></p>	<p align="center"><b>Alternative C (FEIS Alternative D1)</b></p>	<p align="center"><b>Alternative D (New SEIS Alternative)</b></p>
<p>f. The following rivers and creeks will have a 0.5-mile setback from the banks' ordinary high-water mark:</p> <ul style="list-style-type: none"> <li>i. Sadlerochit River</li> <li>ii. Tamayariak River</li> <li>iii. Okerokovik River</li> <li>iv. Katakturuk River</li> <li>v. Marsh Creek</li> </ul>		<ul style="list-style-type: none"> <li>ii. Middle Fork Tamayariak River</li> <li>iii. Tamayariak River</li> <li>iv. Katakturuk River</li> <li>v. Nularvik River</li> <li>vi. Okerokovik River</li> <li>vii. Niguanak River</li> <li>viii. Angun River</li> <li>ix. Kogotpak River</li> <li>x. Okpilak River</li> </ul> <p>G. The following rivers and creeks would have a 0.25-mile setback from the active floodplain:</p> <ul style="list-style-type: none"> <li>a. Kajutaakrok River</li> <li>b. Nataroatuk River</li> <li>c. Akutotuk River</li> <li>d. Okpirourak Creek</li> <li>e. Marsh Creek</li> <li>f. Carter Creek</li> <li>g. Sikrelurak River</li> <li>h. Igilatvik River</li> <li>i. John River</li> <li>j. Pokok River</li> <li>k. Kimikpaurauk River</li> <li>l. Siksik River</li> <li>m. Any other unnamed river</li> </ul>
<p><b><i>Lease Stipulation 2—Canning River Delta and Lakes</i></b></p> <p><u>Objective:</u> Protect and minimize adverse effects on the water quality, quantity, and diversity of fish and wildlife habitats and populations, subsistence resources, and cultural resources; protect and minimize the disruption of natural flow patterns and changes to water quality, the disruption of natural functions resulting from the loss or change to vegetation and physical</p>	<p><b><i>Lease Stipulation 2—Canning River Delta and Lakes (Map 2-6 and Map 2-8)</i></b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> (NSO) Permanent oil and gas facilities, including gravel pads, roads, airstrips, and pipelines, are prohibited within 0.5 miles of the ordinary high-water mark of any</p>	<p><b><i>Lease Stipulation 2—Canning River Delta and Lakes (Map XX)</i></b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> (NSO) Permanent oil and gas facilities, including gravel pads, roads, airstrips, and pipelines, are prohibited within 0.5 miles of the active floodplain of any waterbody in T9N R24E, T9N R25E, T8N, R24E, T8N R25E, T8N R26E, T8N R27E within the Canning and Tamayariak watersheds. Essential pipelines and</p>



<p><b>Lease Stipulation 3—Springs/Aufeis</b></p> <p><u>Objective:</u> Protect the water quality, quantity, and diversity of fish and wildlife habitats and populations associated with springs and aufeis across the Coastal Plain. River systems with springs provide year-round habitat and host the most diverse and largest populations of fish, aquatic invertebrates, and wildlife; they are associated with major subsistence activity and cultural resources. An aufeis is a unique feature associated with perennial springs. It helps sustain river flow during summer and provides insect relief for caribou. Because the subsurface flow paths to perennial springs are unknown and could be disturbed by drilling, use buffer areas around the major perennial springs that support fish populations in which no leasing is permitted.</p> <p><u>Requirement/Standard:</u></p> <p>a. Before drilling, the lessee/operator/permittee would conduct studies to ensure drilling would not disrupt flow to or from the perennial springs and waste injection wells will not contaminate any perennial springs. Study plans would be developed in consultation with the BLM, USFWS, and other agencies, as appropriate.</p> <p>See <b>Lease Stipulation 1</b> for additional requirements/standards.</p>	<p><b>Lease Stipulation 3—Springs/Aufeis (Map 2-6)</b></p> <p><u>Objective:</u> Same as Alternatives B.</p> <p>This spring supports an isolated, dwarf population of Dolly Varden, unique plant and invertebrate communities, and an extensive aufeis field that persists through much of the summer, providing insect relief habitat for caribou. The Fish Hole 1 spring provides overwintering habitat for arctic grayling and a large population of anadromous Dolly Varden. Residents of Kaktovik routinely harvest Dolly Varden in Fish Hole 1 during winter. The spring produces an extensive aufeis field that persists through much of the summer. The Canning River is the largest river crossing the Coastal Plain. It has several perennial springs originating upstream of the Coastal Plain that provide steady flow under ice across the Coastal Plain. The river supports several fish species, including arctic grayling and a large population of anadromous Dolly Varden. Aufeis fills the river corridor across the Coastal Plain and extends well into the delta, providing insect relief to caribou during the early summer.</p> <p><u>Requirement/Standard:</u> Same as Alternative B, with the addition of the following areas identified that would not be offered for lease sale or identified as NSO:</p> <p>a. <u>No leasing</u> and no new non-subsistence infrastructure would be permitted within 3 miles adjacent to or above Sadlerochit Spring (04N031E) nor within a 1-mile buffer below the spring to where it enters the Sadlerochit River and along the aufeis formation (04N031E and 05N031E). <u>No leasing</u> would be permitted within 3 miles adjacent to or above the perennial spring at</p>	<p><b>Lease Stipulation 3—Springs/Aufeis (Map XX)</b></p> <p><u>Objective:</u> Protect the water quality, quantity, and diversity of fish and wildlife habitats and populations associated with springs and aufeis across the Coastal Plain. River systems with springs provide year-round habitat and host the most diverse and largest populations of fish, aquatic invertebrates, and wildlife; they are associated with major subsistence activity and cultural resources. An aufeis is a unique feature associated with perennial springs. It helps sustain river flow during summer and provides insect relief for caribou. Because the subsurface flow paths to perennial springs are unknown and could be disturbed by drilling, use buffer areas around the major perennial springs that support fish populations in which no leasing is permitted.</p> <p><u>Requirement/Standard:</u></p> <p>a. <u>No leasing</u> and no new non-subsistence infrastructure would be permitted within 3 miles adjacent to or above Sadlerochit Spring (04N031E) nor within a 1-mile buffer in all directions from the active floodplain from Sadlerochit Spring to its confluence with Itkilyariak Creek and downstream to a location 1 mile below the point at which Itkilyariak Creek enters the Sadlerochit River and along the associated aufeis formation (04N031E and 05N031E).</p> <p>b. <u>No leasing</u> and no new non-subsistence infrastructure would be permitted within 4 miles adjacent to or above the perennial spring at Fish Hole 1 on the Hulahula River (05N032E) nor within 1 mile of the associated aufeis field (05N032E and 06N032E).</p> <p>c. <u>No leasing</u> and no new non-subsistence infrastructure would be permitted within 3 miles</p>
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	<p>Fish Hole 1 on the Hulahula River (05N032E). Further, no new non-subsistence infrastructure would be permitted within 4 miles of the perennial spring at Fish Hole 1 on the Hulahula River (05N032E), per <b>Lease Stipulation 1</b>, nor within 1 mile of the aufeis field (05N032E and 06N032E).</p> <p>b. <u>No leasing</u> would be permitted within 3 miles adjacent to or above the perennial Tamayariak Spring, and no new non-subsistence infrastructure would be permitted within 1 mile of the associated aufeis field (07N026E).</p> <p>c. <u>No leasing</u> would be permitted within 3 miles adjacent to or above the perennial Okerokavik Spring (04N036E), and no new non-subsistence infrastructure would be permitted within 1 mile of the associated aufeis field in the Jago River drainage (05N035E and 05N036E).</p> <p>d. <u>NSO</u> from the western boundary of the Coastal Plain to 3 miles east of the eastern edge of the active floodplain.</p>	<p>adjacent to or above the perennial Tamayariak Spring, and no new non-subsistence infrastructure would be permitted within 1 mile of the associated aufeis field (07N026E).</p> <p>d. <u>No leasing</u> and no new non-subsistence infrastructure would be permitted within 3 miles adjacent to or above the perennial Okerokavik Spring (04N036E) and associate aufeis field.</p> <p>e. Before drilling, the lessee/operator/permittee would conduct studies to ensure drilling would not disrupt flow to or from the perennial springs and waste injection wells would not contaminate any perennial springs. Study plans would be developed in consultation with the BLM, USFWS, Tribal Governments, and other agencies, as appropriate and incorporate local indigenous knowledge, when available.</p>
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<p align="center"><b>Alternative B (FEIS Preferred Alternative)</b></p>	<p align="center"><b>Alternative C (FEIS Alternative D1)</b></p>	<p align="center"><b>Alternative D (New SEIS Alternative)</b></p>
<p><i>Lease Stipulation 4—Nearshore marine, lagoon, and barrier island habitats of the Southern Beaufort Sea within the boundary of the Arctic Refuge (Map 2-2 and Map 2-4)</i></p> <p><u>Objective:</u> Protect fish and wildlife habitat, including that for waterfowl and shorebirds, caribou insect relief, marine mammals, and polar bear summer and winter coastal habitat; preserve air and water quality; and minimize impacts on subsistence activities, recreation, historic travel routes, and cultural resources in the nearshore marine area.</p> <p><u>Requirement/Standard:</u> (NSO) Exploratory well drill pads, production well drill pads, or a CPF for oil or gas would not be permitted in nearshore marine waters, lagoons, or barrier islands within the boundaries of the Coastal Plain.</p> <p>a. The BLM Authorized Officer may approve infrastructure for oil and gas activities necessary to be located in these critical and sensitive habitats, such as barge landing, docks, spill response staging and storage areas, and pipelines.</p> <p>b. Before conducting open water activities, the lessee/operator/contractor would consult with the Alaska Eskimo Whaling Commission, the NSB, and local whaling captains' associations to minimize impacts on subsistence whaling and other subsistence activities of the communities of the North Slope. In a case in which the BLM authorizes</p>	<p><i>Lease Stipulation 4—Nearshore marine, lagoon, and barrier island habitats of the Southern Beaufort Sea within the boundary of the Arctic Refuge (Map 2-6 and Map 2-8)</i></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> (NSO) Same as Alternatives B and C, with the following additional requirements:</p> <p>a. The BLM Authorized Officer may approve infrastructure necessary for oil and gas activities in these critical and sensitive habitats, such as barge landing, docks, spill response staging and storage areas, and pipelines. Approval would be on a case-by-case basis, in consultation with the USFWS or NMFS or both, as appropriate.</p> <p>b. All lessees/operators/contractors involved in authorized activities in nearshore marine waters must coordinate construction and use infrastructure with all other prospective Arctic Refuge users or user groups, which may be accomplished through public notice and coordination with users in affected communities. Before conducting open water activities, the lessee/operator/contractor would consult with the Alaska Eskimo Whaling Commission, the NSB, and local whaling captains' associations to minimize impacts on subsistence whaling and other subsistence activities of the communities of the North Slope.</p> <p>(TL) Oil and gas exploration operations, such as drilling, seismic exploration, and testing, are not allowed on the major nearshore marine waters, lagoons, barrier islands, and coastal islands between May 15 and November 1 or when sea ice</p>	<p><i>Lease Stipulation 4—Nearshore marine, lagoon, and barrier island habitats of the Southern Beaufort Sea within the boundary of the Coastal Plain (Map XX)</i></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> (NSO) Exploratory well drill pads, production well drill pads, or a CPF for oil or gas would not be permitted in nearshore marine waters, lagoons, or barrier islands within the boundaries of the Coastal Plain.</p> <p>a. The BLM Authorized Officer, in coordination with Tribal Governments, may approve infrastructure necessary for oil and gas activities in these critical and sensitive habitats, such as barge landing, docks, spill response staging and storage areas, and seawater pipelines. Approval would be on a case-by-case basis, in consultation with the USFWS, NMFS both, subsistence users, and other Arctic Refuge users or user groups, as appropriate.</p> <p>b. All lessees/operators/contractors involved in authorized activities in nearshore marine waters must coordinate construction and use infrastructure with all other prospective Arctic Refuge users or user groups.</p> <p>c. Before conducting open water activities, the lessee/operator/contractor would consult with the Alaska Eskimo Whaling Commission, the NSB, Alaska Nanuut Co-management Council, the Inuvialuit-Inupiat Agreement, and local whaling captains' associations to minimize impacts on subsistence whaling and other subsistence activities of the communities of the North Slope. In a case in which the BLM authorizes</p>

<p align="center"><b>Alternative B (FEIS Preferred Alternative)</b></p>	<p align="center"><b>Alternative C (FEIS Alternative D1)</b></p>	<p align="center"><b>Alternative D (New SEIS Alternative)</b></p>
<p>permanent oil and gas infrastructure in the nearshore marine area, the lessee/operator/contractor would develop and implement an impact and conflict avoidance and monitoring plan. This would be used to assess, minimize, and mitigate the effects of the infrastructure and its use on these nearshore marine area habitats and their use by wildlife and people, including the following:</p> <ul style="list-style-type: none"> <li>i. Design and construct facilities to minimize impacts on subsistence uses, travel corridors, and seasonally concentrated fish and wildlife resources.</li> <li>ii. Daily operations, including use of support vehicles, watercraft, and aircraft, alone or in combination with other past, present, and reasonably foreseeable activities, would be conducted to minimize impacts on subsistence and other public uses, travel corridors, and seasonally concentrated fish and wildlife resources.</li> <li>iii. The location of oil and gas facilities, including artificial islands, platforms, associated pipelines, ice or other roads, and bridges or causeways, would be sited and constructed to not pose a hazard to public navigation, using traditional high-use subsistence-related travel routes into and through the major coastal lagoons and bays, as</li> </ul>	<p>edge (as defined by Fetterer et al. 2017) is 10 miles distant or greater from the coast each season, whichever is later. Requests for approval of any activities must be submitted in advance and must be accompanied by evidence and documentation that demonstrates to the satisfaction of the BLM Authorized Officer that the actions or activities meet all the following criteria:</p> <ul style="list-style-type: none"> <li>a. Exploration would not unreasonably conflict with subsistence uses or significantly affect seasonally concentrated fish and wildlife resources. The location of exploration and related activities would be sited to not pose a hazard to navigation by the public using high-use, subsistence-related travel routes into and through the nearshore marine waters, as identified by the NSB and the Native Village of Kaktovik, recognizing that marine and nearshore travel routes change over time and are subject to shifting environmental conditions.</li> </ul>	<p>permanent oil and gas infrastructure in the nearshore marine area, the lessee/operator/contractor shall develop and implement an impact and conflict avoidance and monitoring plan which would utilize a monitoring and adaptive management approach. This plan would be used to assess, minimize, and mitigate the effects of the infrastructure and its use on these nearshore marine area habitats and their use by wildlife and people.</p> <ul style="list-style-type: none"> <li>c. (TL) Oil and gas exploration operations, such as drilling, seismic exploration, and testing, are not allowed on the major nearshore marine waters, lagoons, barrier islands, and coastal islands between May 15 and November 1 or when sea ice edge (as defined by Fetterer et al. 2017) is 10 miles distant or greater from the coast each season, whichever is later. Requests for approval of any activities must be submitted in advance and must be accompanied by evidence and documentation that demonstrates to the satisfaction of the BLM Authorized Officer that the actions or activities meet all the following criteria: Exploration would not unreasonably conflict with subsistence uses or significantly affect seasonally concentrated fish and wildlife resources. The location of exploration and related activities would be sited to not pose a hazard to navigation by the public using high-use, subsistence-related travel routes into and through the nearshore marine waters, as identified by the NSB and the Native Village of Kaktovik, recognizing that marine and nearshore travel routes change over time and are subject to shifting environmental conditions.</li> </ul>

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<p>identified by the community of Kaktovik and the NSB.</p> <p>iv. Operators would be responsible for developing comprehensive prevention and response plans, including Oil Discharge Prevention and Contingency Plans and Spill Prevention, Control, and Countermeasure plans and maintain adequate oil spill response capability to effectively respond during periods of ice, broken ice, or open water, based on the statutes, regulations, and guidelines of the USFWS, EPA, Alaska Department of Environmental Conservation (ADEC), and the Bureau of Safety and Environmental Enforcement (BSEE), as well as ROPs, stipulations, and policy guidelines of the BLM.</p>	<p align="center">CONFIDENTIAL: IDT</p>	<p>Design and construct facilities to minimize impacts on subsistence uses, travel corridors, and seasonally concentrated fish and wildlife resources.</p> <p>ii. Daily operations, including use of support vehicles, watercraft, and aircraft, alone or in combination with other past, present, and reasonably foreseeable activities, would be conducted to minimize impacts on subsistence and other public uses, travel corridors, and seasonally concentrated fish and wildlife resources.</p> <p>iii. The location of oil and gas facilities, including artificial islands, platforms, associated pipelines, ice or other roads, and bridges or causeways, would be sited and constructed to not pose a hazard to public navigation, using traditional high-use subsistence-related travel routes into and through the major coastal lagoons and bays, as identified by the community of Kaktovik and the NSB.</p> <p>iv. Operators would be responsible for developing comprehensive prevention and response plans, including Oil Discharge Prevention and Contingency Plans and Spill Prevention, Control, and Countermeasure plans and maintain adequate oil spill response capability to effectively respond during periods of ice, broken ice, or open water, based on the statutes, regulations, and guidelines of the USFWS, EPA, Alaska Department of Environmental Conservation (ADEC), and the Bureau of Safety and Environmental Enforcement (BSEE), as well as ROPs, stipulations, and policy guidelines of the BLM.</p>

<p><b>Lease Stipulation 5—Coastal Polar Bear Denning River Habitat</b></p> <p><u>Objective:</u> Minimize disturbance to denning polar bears, and disturbance or alteration of key river and creek maternal denning habitat areas.</p> <p><u>Requirement/Standard:</u> Comply with ESA and Marine Mammal Protection Act (MMPA) requirements.</p>	<p><b>Lease Stipulation 5—Coastal Polar Bear Denning River Habitat (Map 2-6 and Map 2-8)</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> The following requirements/standards apply from the coastline to 5 miles inland within the program area boundary.</p> <p>a. (NSO) From the coastline to 5 miles inland, no permanent oil and gas infrastructure would be within 1 mile of potential polar bear denning habitat on the Niguanak River, Katakaturuk River, Marsh Creek, Carter Creek, and Sadlerochit River, and all associated tributaries as defined by Durner et al. (2006), unless the BLM Authorized Officer approves alternative protective measures.</p> <p>b. (TL) From the coastline to 5 miles inland, between October 30 and April 15 of any year, the lessee/operator/contractor would not conduct oil and gas activities within 1 mile of potential polar bear denning habitat on the Niguanak River, Katakaturuk River, Marsh Creek, Carter Creek, and Sadlerochit River, and all associated tributaries as defined by Durner et al. (2006), unless the BLM Authorized Officer approves alternative protective measures.</p>	<p><b>Lease Stipulation 5—Coastal Polar Bear Denning River Habitat (Map XX)</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> Comply with ESA and Marine Mammal Protection Act (MMPA) requirements, with the following additional requirements/standards applying from the coastline to 5 miles inland within the program area boundary.</p> <p>a) (NSO) From the coastline to 5 miles inland, no permanent oil and gas infrastructure would be permitted within 1 mile of potential polar bear denning habitat on the Canning River, Niguanak River, Katakaturuk River, Marsh Creek, Carter Creek, and Sadlerochit River, and all associated tributaries as defined by Durner et al. (2006).</p> <p>b) Any infrastructure permitted within 5 miles inland of the coastline must be designed to avoid impeding polar bears seeking to establish or leave dens inland.</p> <p>c) (TL) From the coastline to 5 miles inland, between October 30 and April 30 of any year, the lessee/operator/contractor would not conduct oil and gas activities within 1 mile of potential polar bear denning habitat on the Niguanak River, Katakaturuk River, Marsh Creek, Carter Creek, and Sadlerochit River, and all associated tributaries as defined by Durner et al. (2006), unless the BLM Authorized Officer approves alternative protective measures.</p>
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<p align="center"><b>Alternative B (FEIS Preferred Alternative)</b></p>	<p align="center"><b>Alternative C (FEIS Alternative D1)</b></p>	<p align="center"><b>Alternative D (New SEIS Alternative)</b></p>
<p><b>Lease Stipulation 6—Caribou Summer Habitat</b></p> <p><i>Note: All lands in the Arctic Refuge Coastal Plain are recognized as habitat of the PCH and CAH and would be managed to allow for unhindered movement of caribou through the area.</i></p> <p><u>Objective:</u> Minimize disturbance and hindrance of caribou or alteration of caribou movements.</p> <p><u>Requirement/Standard:</u> See ROP 23.</p>	<p><b>Lease Stipulation 6—Caribou Summer Habitat (Map 2-8)</b></p> <p><i>Note: Same as Alternative B.</i></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> Same as Alternative B.</p>	<p><b>Lease Stipulation 6— Caribou Calving, Post-calving, and Insect Relief</b></p> <p><i>Note: All lands in the Arctic Refuge Coastal Plain are recognized as habitat of the PCH and CAH and would be managed to allow for unhindered movement and use by caribou.</i></p> <ul style="list-style-type: none"> <li>• <b>PCH projected calving and post-calving habitat areas</b> are defined following those identified by Severson et al. (2021) for the projected 2050-2059 ranges.</li> <li>• <b>PCH comprehensive calving habitat area</b> is inclusive of <u>current</u> PCH calving habitat, defined as the area used in the 2019 FEIS (BLM 2019) for calving (based on annual 95 percent contours calculated using kernel density estimation of parturient female caribou locations May 26-June 10 during more than 40 percent of the years surveyed), <u>plus</u> the addition of PCH projected calving habitat area (Severson et al. 2021).</li> <li>• <b>PCH comprehensive post-calving habitat area</b> is inclusive of <u>current</u> PCH post-calving habitat, defined as the area used in the 2019 FEIS (BLM 2019) for post-calving (based on annual 95 percent contours calculated using kernel density estimation of parturient female caribou locations May 26-June 10 during more than 40 percent of the years surveyed), <u>plus</u> the addition of</li> </ul>

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		<p><i>PCH projected post-calving habitat area (Severson et al. 2021).</i></p> <p><u>Objective:</u> Minimize disturbance and hindrance of caribou to allow for unhindered movement and use by caribou within the 1002 Area, particularly during the sensitive calving, post-calving, and insect relief periods, and maintain caribou access to summer habitats, including calving and post-calving. Avoid disrupting or breaking up caribou aggregations during calving, post-calving and insect-relief periods.</p> <p><u>Requirement/Standard:</u></p> <p>(No leasing) No leasing would be allowed in the PCH comprehensive calving habitat area.</p> <p>(CSU) No CPFs would be allowed in the PCH comprehensive post-calving habitat area. Well pads, roads, airstrips, and pipelines would be permitted, in accordance with <b>ROP 23</b> and <b>ROP 23.1</b>. Infrastructure would be limited across the area to 100 acres per township, not to exceed 510 acres total in this area.</p> <p>(TL) Construction activities using heavy equipment, excluding drilling from existing production pads, would be suspended in the PCH comprehensive post-calving habitat area no later than May 15 through no earlier than July 28, unless approved by the BLM Authorized Officer, in consultation with the appropriate federal (including Arctic Refuge staff, USFWS,</p>

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		<p>and BLM), state, and NSB regulatory and resource agencies.</p> <p>The intent of this requirement is to restrict activities that would disturb caribou during calving, post-calving, and insect-relief periods. If caribou arrive on the Coastal Plain before May 15, or if they remain in the area past July 28 in significant numbers (greater than approximately 10 percent of the estimated calving cow population or 1,000 during insect-relief periods), construction activities using heavy equipment would be suspended. The lessee shall submit with the development proposal a stop work plan that considers this, and any other mitigation related to caribou early arrival or late departure. The intent of this latter requirement is to provide flexibility to adapt to changing climate conditions that may occur during the life of fields in the region.</p> <p>The lessee/operator/contractor would develop an Adaptive Management Plan (AMP) to identify research needs, carry out monitoring and research efforts, evaluate existing/ongoing management and mitigation efforts, quantify impacts, and identify management changes when necessary. This plan would be submitted to USFWS (including Arctic Refuge staff), BLM, and the International Porcupine Caribou Herd Technical Committee for review and approval. The lessee would provide adequate funds to implement this monitoring program. BLM and USFWS would hire an organization or agency to carry out this monitoring program.</p>

Alternative B (FEIS Preferred Alternative)	Alternative C (FEIS Alternative D1)	Alternative D (New SEIS Alternative)
		<p>As part of the AMP, caribou occupancy and movement would be monitored from May 15 through August 20. Also, the permittee or contractor would coordinate with Tribal governments to involve Tribal observers in these observation efforts. The details of how this coordination would occur must be outlined in the AMP. Based on these observations, traffic would be stopped temporarily to allow crossing by 10 or more caribou. Sections of road would be evacuated whenever a large number of caribou (approximately 100 or more) approach the road within 2 miles (May 15-July 28). The permittee shall submit with the development proposal a vehicle use plan consistent with or exceeding provisions in the AMP (see <b>ROP 23.1</b>) that considers these and any other mitigation to minimize or prevent caribou/vehicle interactions during the post-calving period.</p> <p>a. The following ground and air traffic restrictions would apply to permanent oil and gas-related roads in the areas and time periods indicated:</p> <p>i. (TL) Within the PCH comprehensive calving and post-calving habitat areas, from May 15 through July 28, traffic speed shall not exceed 15 miles per hour when caribou are within 2.0 mile of the road. Additional strategies may include limiting trips and using convoys and different vehicle types, to the extent practicable. The lessee shall submit with the development proposal for review and approval by BLM Authorized Officer in consultation with the</p>

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		<p>USFWS a vehicle use plan consistent with or exceeding provisions in the AMP (see <b>ROP 23.1</b>) that considers these and any other mitigation. The plan shall include collection of data on vehicle traffic (counts, times, speed, etc.) and caribou interactions. The BLM Authorized Officer, in coordination with Tribal Governments, the USFWS, and the International PCH Technical Committee would require adjustments if resulting disturbance is determined to be unacceptable.</p> <p>a. Major equipment, materials, and supplies to be used at oil and gas work sites in the PCH projected post-calving habitat area should be stockpiled prior to the period of May 15 through July 28 to minimize road traffic during that period.</p> <p>ii. Operators of aircraft used for permitted activities would maintain an altitude of at least 2,000 feet above ground level over both the PCH comprehensive calving calving and post-calving habitat areas, unless doing so would endanger human life or violate safe flying practices. See <b>ROP 34</b> for additional conditions.</p>
<p><b>Lease Stipulation 7—Porcupine Caribou Primary Calving Habitat Area (Map 2-2)</b></p> <p><i>Note: PCH primary calving habitat area was defined as the area used for calving (based on annual 95 percent contours calculated using kernel density estimation of parturient female caribou locations May 26-June 10) during more than 40 percent of the years surveyed.</i></p>	<p><b>Lease Stipulation 7—Porcupine Caribou Primary Calving Habitat Area (Map 2-6)</b></p> <p><i>Note: Same as Alternative B.</i></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u></p> <p>a. (No leasing) Approximately <b>XX</b> acres of the PCH primary calving habitat area would not be offered for lease and would not be available for surface occupancy.</p>	<p><b>Lease Stipulation 7—Porcupine Caribou Primary Calving Habitat Area</b></p> <p>See Lease Stipulation 6.</p>

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<p><u>Objective:</u> Minimize disturbance and hindrance of caribou or alteration of their movements in the south-southeast portion of the Coastal Plain, which has been identified as important caribou habitat during calving.</p> <p><u>Requirement/Standard:</u> (TL) Construction activities using heavy equipment, excluding drilling from existing production pads, would be suspended in the PCH primary calving habitat area from May 20 through June 20. These areas encompass approximately <b>XX</b> acres. If caribou arrive on the Coastal Plain before May 20, construction activities using heavy equipment would be suspended. The lessee shall submit with the development proposal a stop work plan that considers this, and any other mitigation related to caribou early arrival. The intent of this latter requirement is to provide flexibility to adapt to changing climate conditions that may occur during the life of fields in the region. The Authorized Officer may waive this stipulation if the operator, through coordination with appropriate federal, state, and local regulatory agencies can demonstrate calving is not occurring in the lease area; or may grant an exception if the operator can demonstrate their action would not hinder caribou or alter their movements.</p>	<p>b. (NSO) Approximately <b>XX</b> acres may be offered for lease but subject to NSO.</p>	
<p>a. The following ground and air traffic restrictions would apply to permanent oil and gas-related roads in the areas and time periods indicated:</p> <ul style="list-style-type: none"> <li>i. Within the calving habitat area, from May 20 through June 20, traffic</li> </ul>		

<b>Alternative B (FEIS Preferred Alternative)</b>	<b>Alternative C (FEIS Alternative D1)</b>	<b>Alternative D (New SEIS Alternative)</b>
<p>speed shall not exceed 15 miles per hour when caribou are within 0.5 mile of the road. Additional strategies may include limiting trips and using convoys and different vehicle types, to the extent practicable. The lessee shall submit with the development proposal a vehicle use plan that considers these and any other mitigation. The plan shall include a vehicle-use monitoring plan. The BLM Authorized Officer would require adjustments if resulting disturbance is determined to be unacceptable.</p> <ul style="list-style-type: none"> <li>a. Major equipment, materials, and supplies to be used at oil and gas work sites in the calving habitat area should be stockpiled prior to the period of May 20 through June 20 to minimize road traffic during that period.</li> <li>ii. Operators of aircraft used for permitted activities would maintain an altitude of at least 1,500 feet above ground level (except for takeoffs and landings) over caribou calving range, unless doing so would endanger human life or violate safe flying practices. See <b>Required Operating Procedure 34</b> for additional conditions.</li> </ul>		
<p><b>Lease Stipulation 8—Porcupine Caribou Post-Calving Habitat Area</b></p> <p><i>Note: The PCH post-calving area was defined as the area used by female caribou</i></p>	<p><b>Lease Stipulation 8—Porcupine Caribou Post-Calving Habitat Area (Map 2-6 and Map 2-8)</b></p> <p><i>Note: Same as Alternative B.</i></p>	<p><b>Lease Stipulation 8—Porcupine Caribou Post-Calving Habitat Area</b></p> <p>See Lease Stipulation 6.</p>

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<p><i>(based on annual 95 percent contours calculated using kernel density estimation of female caribou locations June 11-30) during more than 40 percent of the years surveyed.</i></p> <p><u>Objective:</u> To protect key surface resources and subsistence resources/activities from permanent oil and gas development and associated activities in areas used by caribou during post-calving and insect-relief periods.</p> <p><u>Requirement/Standard:</u> See <b>ROP 23.</b></p>	<p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> (CSU) No CPFs would be allowed in the PCH post-calving habitat area. Well pads, roads, airstrips, and pipelines would be permitted, in accordance with <b>ROP 23.</b> Infrastructure would be limited across the area to 100 acres per township, not to exceed 510 acres total in this area.</p> <p>(TL) The permittee or a contractor shall observe caribou movement from May 20 through August 20, or earlier if caribou are present prior to May 20. Based on these observations, traffic would be stopped temporarily to allow crossing by 10 or more caribou. Sections of road would be evacuated whenever an attempted crossing by a large number of caribou (approximately 100 or more) appears to be imminent (June 15–July 20). The permittee shall submit with the development proposal a vehicle use plan that considers these and any other mitigation to minimize or prevent caribou/vehicle interactions during the post-calving period.</p>	
<p><b>Lease Stipulation 9—Coastal Area</b></p> <p><u>Objective:</u> Protect nearshore marine waters, lagoons, barrier islands, coastlines, and their value as fish and wildlife habitat, including for waterfowl, shorebirds, and marine mammals; minimize the hindrance or alteration of caribou movement in caribou coastal insect-relief areas; minimize hindrance or alteration of polar bear use and movement in coastal habitats; protect and minimize disturbance from oil and gas activities to nearshore marine habitats for polar bears and seals; prevent loss and</p>	<p><b>Lease Stipulation 9—Coastal Area (Map 2-6 and Map 2-8)</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> Same as Alternative C, plus: (NSO) Exploratory well drill pads, production well drill pads, or CPFs for oil or gas would not be permitted within 2 miles inland of the coastline. In a case in which the BLM authorizes permanent oil and gas infrastructure in the nearshore marine area, the lessee/operator/contractor would develop and implement an impact and conflict</p>	<p><b>Lease Stipulation 9—Coastal Area</b></p> <p><u>Objective:</u> Protect nearshore marine waters, lagoons, barrier islands, coastlines, and their value as fish and wildlife habitat, including for waterfowl, loons, shorebirds, and marine mammals; minimize the hindrance or alteration of caribou movement in caribou coastal insect-relief areas; minimize hindrance or alteration of polar bear use and movement in coastal habitats; protect and minimize disturbance from oil and gas activities to nearshore marine habitats for polar bears and seals; prevent loss and alteration of important coastal bird habitat; prevent impacts</p>

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<p>alteration of important coastal bird habitat; and prevent impacts on nearshore marine subsistence resources and activities.</p> <p><u>Requirement/Standard:</u> Before beginning exploration or development within 2 miles inland of the coastline, the lessee/operator/contractor would develop and implement an impact and conflict avoidance and monitoring plan to assess, minimize, and mitigate the effects of the infrastructure and its use on these coastal habitats and their use by wildlife and people. Operators would be responsible for developing comprehensive prevention and response plans, including Oil Discharge Prevention and Contingency Plans and spill prevention, control, and countermeasure plans and maintain adequate oil spill response capability to effectively respond during periods of broken ice or open water, based on the statutes, regulations, and guidelines of the EPA, ADEC, and the BSEE, as well as ROPs, stipulations, and policy guidelines of the BLM.</p>	<p>avoidance and monitoring plan. This would be used to assess, minimize, and mitigate the effects of the infrastructure and its use on these coastal area habitats and their use by wildlife and people, including the following:</p> <ol style="list-style-type: none"> <li>i. Design and construct facilities to minimize impacts on subsistence uses, travel corridors, and seasonally concentrated fish and wildlife resources.</li> <li>ii. Daily operations, including use of support vehicles, watercraft, and aircraft, alone or in combination with other past, present, and reasonably foreseeable activities, would be conducted to minimize impacts on subsistence and other public uses, travel corridors, and seasonally concentrated fish and wildlife resources.</li> <li>iii. The location of oil and gas facilities, including artificial islands, platforms, associated pipelines, ice or other roads, bridges or causeways, would be sited and constructed to not pose a hazard to public navigation, using traditional high-use subsistence-related travel routes into and through the major coastal lagoons and bays, as identified by the community of Kaktovik and the NSB.</li> <li>iv. Operators would be responsible for developing comprehensive prevention and response plans, including Oil Discharge Prevention and Contingency Plans and spill prevention, control, and countermeasure plans and maintain adequate oil spill response capability to effectively respond during periods of broken ice or open water, based on the statutes, regulations, and guidelines of the EPA, Alaska Department of Environmental Conservation (ADEC), and</li> </ol>	<p>on nearshore marine subsistence resources and activities; and minimize impacts on historic travel routes and cultural resources in coastal areas.</p> <p><u>Requirement/Standard:</u> Before beginning exploration or development within 2 miles inland of the coastline, the lessee/operator/contractor, with local traditional knowledge experts, would develop and implement an impact and conflict avoidance and monitoring plan to assess, minimize, and mitigate the effects of the infrastructure and its use on these coastal habitats and their use by wildlife and people. The impact and conflict avoidance and monitoring plan would utilize a monitoring and adaptive management approach. Operators would be responsible for developing comprehensive prevention and response plans, including Oil Discharge Prevention and Contingency Plans and spill prevention, control, and countermeasure plans and maintain adequate oil spill response capability to effectively respond during periods of broken ice or open water, based on the statutes, regulations, and guidelines of the EPA, ADEC, and the BSEE, as well as ROPs, stipulations, and policy guidelines of the BLM.</p>

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	the BSEE, as well as ROPs, stipulations, and policy guidelines of the BLM.	
<p><b>Lease Stipulation 10—Wilderness Boundary</b></p> <p>No similar objective or requirement/standard.</p>	<p><b>Lease Stipulation 10—Wilderness Boundary (Map 2-6)</b></p> <p><u>Objective:</u> Protect wilderness values in the Mollie Beattie Wilderness Area.</p> <p><u>Requirement/Standard:</u> (NSO) Surface occupancy, including exploratory and production well drill pads, structures and facilities, and gravel and ice roads, would not be allowed within 3 miles of the southern and eastern boundaries of the Coastal Plain where they are near designated wilderness.</p> <p>To the extent practicable, aircraft operations would be planned to minimize flights below 2,000 feet when flying within 3 miles of the Mollie Beattie Wilderness Area boundary.</p>	<p><b>Lease Stipulation 10—Wilderness Boundary</b></p> <p><u>Objective:</u> Same as Alternative C.</p> <p><u>Requirement/Standard:</u></p> <ol style="list-style-type: none"> <li>(No leasing) Areas north of the Mollie Beattie Wilderness Area would not be offered for lease and would not be available for surface occupancy.</li> <li>(NSO) Same as Alternative C, where not otherwise closed to leasing.</li> </ol> <p>To the extent practicable, aircraft operations would be planned to minimize flights below 2,000 feet when flying within 3 miles of the Mollie Beattie Wilderness Area boundary.</p>
<p><b>Lease Stipulation 11—Native Allotments</b></p> <p><u>Objective:</u> Ensure Native allotment owners maintain control over use of their land.</p> <p><u>Requirement/Standard:</u> Use of the surface of Native allotments for the construction and maintenance of improvements is prohibited unless written consent is obtained from the allotment owner.</p>	<p><b>Lease Stipulation 11—Native Allotments</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> Use of the surface of Native allotments for the construction and maintenance of improvements is prohibited unless written consent is obtained from the allotment owner.</p>	<p><b>Lease Stipulation 11—Native Allotments</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> Use of the surface of Native allotments for the construction and maintenance of improvements is prohibited unless written consent <b>to transverse the allotment</b> is obtained from the allotment owner.</p>
<p><b>Lease Stipulation 12—Ice-rich Soils and Yedoma Deposits</b></p> <p>No similar lease stipulation.</p>	<p><b>Lease Stipulation 12—Ice-rich Soils and Yedoma Deposits</b></p> <p>No similar lease stipulation.</p>	<p><b>Lease Stipulation 12—Ice-rich Soils and Yedoma Deposits</b></p> <p><u>Objective:</u> Prevent additional heat input to ice-rich soils and yedoma deposits which are thawing and melting due to climate change</p>

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		<p>generating unstable landforms (i.e., thermokarst) and surface disturbances such as subsidence and hydrologic changes.</p> <p><u>Requirement/Standard:</u> (NSO) Prohibit permanent oil and gas facilities, wells, pipelines, and gravel roads and pads from areas of thawed unstable ice-rich soils and yedoma deposits.</p>
<p><b><i>Lease Stipulation 13—Master Development Plan</i></b></p> <p>No similar lease stipulation.</p>	<p><b><i>Lease Stipulation 13—Master Development Plan</i></b></p> <p>No similar lease stipulation.</p>	<p><b><i>Lease Stipulation 13—Master Development Plan</i></b></p> <p><u>Objective:</u> Minimize the areal extent of development and redundant infrastructure by a single operator and among multiple operators.</p> <p><u>Requirement/Standard:</u> BLM/USFWS Authorized Officers must approve a Master Development Plan for each field development. Master Plans shall address:</p> <ul style="list-style-type: none"> <li>· Compact design – Operators shall design all surface infrastructure with the smallest possible practical footprint.</li> <li>· Joint use of surface infrastructure – Operators shall develop comprehensive facility sharing agreements to maximize co-use of: <ul style="list-style-type: none"> <li>• construction infrastructure including barge landing docks, gravel pads for material storage, gravel mines, construction water sources, and construction service centers.</li> <li>• all permanent surface facilities including gravel roads, gravel drill sites, central production facility (CPF) pads, processing facilities, gravel airstrips, pipelines, power generating facilities and transmission lines, sea water treatment plants,</li> </ul> </li> </ul>

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		<p>base camps, and oil field service centers.</p> <p>Standardized facility sharing agreements for future use by others shall be required as a condition of development. Subsequent development shall utilize these agreements to minimize the overall development footprint. Where two or more parties are developing on the same timeline, joint construction and co-use of surface facilities shall be required as a design basis for each party to minimize the overall development footprint.</p>
<b>REQUIRED OPERATING PROCEDURES</b>		
<b>WASTE PREVENTION, HANDLING, DISPOSAL, SPILLS, AND PUBLIC SAFETY</b>		
<p><b>Required Operating Procedure 1</b></p> <p><u>Objective:</u> Protect public health, safety, and the environment by disposing of solid and waste and garbage, in accordance with applicable federal, State, and local laws and regulations.</p> <p><u>Requirement/Standard:</u> Areas of operation would be left clean of all debris.</p>	<p><b>Required Operating Procedure 1</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 1</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> Areas of operation would be left clean of all debris. All solid waste and industry-derived trash originating from permitted activities are required to be properly containerized while on-site or removed from the area of operation and activity.</p>
<p><b>Required Operating Procedure 2</b></p> <p><u>Objective:</u> Minimize impacts on the environment from nonhazardous and hazardous waste generation. Encourage continuous environmental improvement. Protect the health and safety of oil and gas field workers, local communities, Coastal Plain subsistence users, Coastal Plain recreationists, and the general public. Avoid</p>	<p><b>Required Operating Procedure 2</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 2</b></p> <p><u>Objective:</u> Minimize impacts on the environment from nonhazardous and hazardous waste generation. Encourage procedures, processes and a cultural environment which foster continuous improvement of environmental stewardship. Protect the health and safety of oil and gas field workers, local communities, Coastal Plain subsistence users, Coastal Plain</p>

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<p>human-caused changes in predator populations. Minimize attracting predators, particularly bears, to human use areas.</p> <p><u>Requirement/Standard:</u> The lessee/operator/contractor would prepare and implement a comprehensive waste management plan for all phases of exploration, development, and production, including seismic activities. The plan would include methods and procedures to use bear resistant containers for all waste materials and classes. The plan would be submitted to the BLM Authorized Officer for approval, in consultation with federal, State, and NSB regulatory and resource agencies, as appropriate (based on agency legal authority and jurisdictional responsibility), as part of a plan of operations or other similar permit application.</p> <p>Management decisions affecting waste generation would be addressed in the following order of priority: (1) prevention and reduction, (2) recycling, (3) treatment, and (4) disposal. The plan would consider and take into account the following requirements:</p> <p>a. <u>Methods to avoid attracting wildlife to food and garbage:</u> The plan would identify precautions that are to be taken to avoid attracting wildlife to food and garbage. The use of bear-resistant containers for all waste would be required.</p> <p>b. <u>Disposal of rotting waste:</u> Requirements prohibit burying garbage. Lessees/operators/contractors would</p>		<p>recreationists, and the general public. Avoid human-caused changes in predator populations. Minimize attracting predators, particularly bears, to human use areas.</p> <p><u>Requirement/Standard:</u> The lessee/operator/contractor would prepare and implement a comprehensive waste management plan for all phases of exploration, development, and production, including seismic activities. The plan would include methods and procedures to use bear resistant containers for all waste materials and classes. The plan would be submitted to the BLM Authorized Officer for approval, in consultation with federal, State, and NSB regulatory and resource agencies, as appropriate (based on agency legal authority and jurisdictional responsibility), as part of a plan of operations or other similar permit application.</p> <p>Management decisions affecting waste generation would be addressed in the following order of priority: (1) prevention and reduction, (2) recycling, (3) treatment, and (4) disposal. The plan would consider and take into account the following requirements:</p> <p>a. <u>Methods to avoid attracting wildlife to food and garbage:</u> The plan would identify precautions that are to be taken to avoid attracting wildlife to food and garbage. The use of bear-resistant containers for all waste would be required.</p> <p>b. <u>Disposal of rotting waste:</u> Requirements prohibit burying garbage. Lessees/operators/contractors would have a written procedure to ensure that rotting waste would be handled and disposed of in a manner</p>

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<p>have a written procedure to ensure that rotting waste would be handled and disposed of in a manner that prevents the attraction of wildlife. All rotting waste would be incinerated, backhauled, or composted in a manner approved by the BLM Authorized Officer. All solid waste, including incinerator ash, would be disposed of in an approved waste-disposal facility, in accordance with EPA and ADEC regulations and procedures. Burying human waste is prohibited, except as authorized by the BLM Authorized Officer. The use of bear-resistant containers for all waste would be required.</p> <p>c. <u>Disposal of pumpable waste products:</u> Except as specifically provided, the BLM requires that all pumpable solid, liquid, and sludge waste be disposed of by injection, in accordance with the applicable regulations and procedures. On-pad temporary muds and cuttings storage, as approved by the ADEC, would be allowed as necessary to facilitate annular injection and backhaul operations.</p> <p>d. <u>Disposal of wastewater and domestic wastewater:</u> The BLM prohibits wastewater discharges or disposal of domestic wastewater into bodies of fresh, estuarine, and marine water, including wetlands, unless authorized by an Alaska Pollutant Discharge Elimination System (APDES) or State permit.</p> <p>e. <u>Prevention of the release of poly- and</u></p>	<p style="text-align: center; opacity: 0.5; font-size: 2em; transform: rotate(-45deg);">CONFIDENTIAL: IDT</p>	<p>that prevents the attraction of wildlife. All rotting waste would be incinerated, backhauled, or composted in a manner approved by the BLM Authorized Officer. All solid waste, including incinerator ash, would be disposed of in an approved waste-disposal facility, in accordance with EPA and ADEC regulations and procedures.</p> <p>c. <u>Disposal of human waste:</u> Burying human waste is prohibited, except as authorized by the BLM Authorized Officer. The use of human waste receptacles should be used when possible and remain bear resistant to minimize attraction.</p> <p>d. <u>Disposal of pumpable waste products:</u> Except as specifically provided, the BLM requires that all pumpable solid, liquid, and sludge waste be disposed of by injection, in accordance with the applicable regulations and procedures. On-pad temporary muds and cuttings storage, as approved by the ADEC, would be allowed as necessary to facilitate annular injection and backhaul operations. See <b>Lease Stipulation 3</b> for additional requirement/standard.</p> <p>e. <u>Disposal of wastewater and domestic wastewater:</u> The BLM prohibits wastewater discharges or disposal of domestic wastewater into bodies of fresh, estuarine, and marine water, including wetlands, unless authorized by an Alaska Pollutant Discharge Elimination System (APDES) or State permit. See <b>Lease Stipulation 3</b> for additional requirement/standard.</p> <p>f. <u>Prevention of the release of poly- and perfluoroalkyl substances:</u> At facilities where fire-fighting foam is required, use fluorine-free foam unless other state or federal regulations require aqueous film-forming foam (AFFF) use. If AFFF use is required, contain, collect, treat, and</p>

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<p><u>perfluoroalkyl substances</u>: At facilities where fire-fighting foam is required, use fluorine-free foam unless other state or federal regulations require aqueous film-forming foam (AFFF) use. If AFFF use is required, contain, collect, treat, and properly dispose of all runoff, wastewater from training events, and, to the greatest extent possible, from any emergency response events. All discharges must be reported to the ADEC Spill Response Division, Contaminated Sites Program. Measures should also be taken to fully inform workers/trainees of the potential health risks of fluorinated foams and to specify appropriate personal protective equipment to limit exposure during training and use. Training events shall be conducted in lined areas or basins to prevent the release of poly- and perfluoroalkyl substances associated with AFFF.</p>		<p>properly dispose of all runoff, wastewater from training events, and, to the greatest extent possible, from any emergency response events. All discharges must be reported to the ADEC Spill Response Division, Contaminated Sites Program. Measures should also be taken to fully inform workers/trainees of the potential health risks of fluorinated foams and to specify appropriate personal protective equipment to limit exposure during training and use. Training events shall be conducted in lined areas or basins to prevent the release of poly- and perfluoroalkyl substances associated with AFFF.</p>
<p><b>Required Operating Procedure 3</b></p> <p><u>Objective</u>: Minimize the impact of contaminants from refueling operations on fish, wildlife, and the environment.</p> <p><u>Requirement/Standard</u>: Refueling equipment within 100 feet of the active floodplain of any waterbody is prohibited. Fuel storage stations would be located at least 100 feet from any waterbody, except for small caches (up to 210 gallons) for motor boats, float planes, and ski planes, and for small equipment, such as portable generators and water pumps. The BLM</p>	<p><b>Required Operating Procedure 3</b></p> <p><u>Objective</u>: Same as Alternatives B.</p> <p><u>Requirement/Standard</u>: Refueling equipment within 500 feet of the active floodplain of any waterbody is prohibited. Fuel storage stations would be at least 500 feet from any waterbody, except for small caches (up to 210 gallons) for motor boats, float planes, ski planes, and small equipment, such as portable generators and water pumps. The BLM Authorized Officer may allow storage and operations at areas closer than the stated distances if properly designed and</p>	<p><b>Required Operating Procedure 3</b></p> <p><u>Objective</u>: Same as Alternative B.</p> <p><u>Requirement/Standard</u>: Permanent fuel storage stations within the setback distances identified in <b>Lease Stipulation 1</b> is prohibited. Refueling equipment within 500 feet of the active floodplain of any waterbody is prohibited. Temporary or seasonal fuel storage stations would be at least 500 feet from any waterbody, except for small caches (up to 220 gallons) for motor boats, float planes, ski planes, and small equipment, such as portable generators and water pumps. The BLM</p>

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<p>Authorized Officer may allow storage and operations at areas closer than the stated distances if properly designed and maintained to account for local hydrologic conditions.</p>	<p>maintained to account for local hydrologic conditions.</p>	<p>Authorized Officer may allow storage and operations at areas closer than the stated distances if properly designed and maintained to account for local hydrologic conditions.</p>
<p><b>Required Operating Procedure 4</b></p> <p><u>Objective:</u> Minimize conflicts from the interaction between humans and bears during oil and gas activities.</p> <p><u>Requirement/Standard:</u></p> <ul style="list-style-type: none"> <li>● Implement policies and procedures to conduct activities in a manner that minimizes adverse impacts on polar bears, their habitat, and their availability for subsistence uses.</li> <li>● Implement adaptive management practices, such as temporal or spatial activity restrictions, in response to the presence of polar bears or polar bears engaged in a biologically significant activity, must be used to avoid interactions with and minimize impacts to them and their availability for subsistence uses.</li> <li>● Cooperate with the USFWS and other designated federal, state, and local agencies to monitor and mitigate the impacts of Industry activities on polar bears.</li> <li>● Designate trained and qualified personnel to monitor for the presence of polar bears, initiate mitigation measures, and monitor, record, and report the effects of Industry activities on polar bears.</li> </ul>	<p><b>Required Operating Procedure 4</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 4</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u></p> <ul style="list-style-type: none"> <li>● Implement policies and procedures to conduct activities in a manner that minimizes adverse impacts on polar bears, their habitat, and their availability for subsistence uses.</li> <li>● Implement adaptive management practices, such as temporal or spatial activity restrictions, in response to the presence of polar bears or polar bears engaged in a biologically significant activity, must be used to avoid interactions with and minimize impacts to them and their availability for subsistence uses.</li> <li>● Cooperate with the BLM, USFWS and other designated federal, state, and local agencies to monitor and mitigate the impacts of Industry activities on polar bears through reporting the monitoring data to BLM and USFWS.</li> <li>● Designate trained and qualified personnel (hired locally whenever possible) to monitor for the presence of polar bears, initiate mitigation measures, and monitor, record, and report the effects of Industry activities on polar bears.</li> <li>● Provide polar bear awareness training that incorporates Indigenous knowledge, when</li> </ul>

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<ul style="list-style-type: none"> <li>• Provide polar bear awareness training to personnel.</li> <li>• Contact affected subsistence communities and hunter organizations to discuss potential conflicts.</li> <li>• <u>Polar bears:</u> The lessee/operator/contractor, as a part of lease operation planning, would prepare and implement polar bear-interaction plans to minimize conflicts between polar bears and humans. These polar bear interaction plans would be developed in consultation with and approved by the USFWS and the ADFG. The plans would include specific measures identified by the USFWS for petroleum activities on the Coastal Plain, which may include updated measures and/or may include similar measures identified in the current USFWS Incidental Take Regulations (81 CFR 52318; § 18.128) that have been promulgated and applied to petroleum activities to the west of the Coastal Plain. If the USFWS issues Incidental Take Regulations for petroleum activities in the Coastal Plain, those would be followed instead. These plans must include: <ul style="list-style-type: none"> <li>○ The type of activity and where and when the activity will occur (i.e., a plan of operation);</li> <li>○ A food, waste, and other “bear attractants” management plan;</li> <li>○ Personnel training policies,</li> </ul> </li> </ul>		<p>available, to personnel.</p> <ul style="list-style-type: none"> <li>• Contact affected subsistence communities and hunter organizations including the Alaska Nannut Co-Management Commission to discuss potential conflicts.</li> <li>• <u>Polar bears:</u> The lessee/operator/contractor, as a part of lease operation planning, would prepare and implement polar bear-interaction plans to minimize conflicts between polar bears and humans. These polar bear interaction plans would be developed in consultation with Tribal Governments and the community of Kaktovik and approved by the BLM and USFWS. The plans would include specific measures identified by the BLM and USFWS for petroleum activities on the Coastal Plain, which may include updated measures and/or may include similar measures identified in the current USFWS Incidental Take Regulations (81 CFR 52318; § 18.128) that have been promulgated and applied to petroleum activities to the west of the Coastal Plain. If the USFWS issues Incidental Take Regulations for petroleum activities in the Coastal Plain, those would be followed instead. These plans must include: <ul style="list-style-type: none"> <li>○ The type of activity and where and when the activity would occur (i.e., a plan of operation);</li> <li>○ A food, waste, and other “bear attractants” management plan;</li> <li>○ Personnel training policies, procedures, and materials;</li> <li>○ Site-specific polar bear interaction risk evaluation and mitigation measures;</li> <li>○ Polar bear avoidance and</li> </ul> </li> </ul>

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<p>procedures, and materials;</p> <ul style="list-style-type: none"> <li>○ Site-specific polar bear interaction risk evaluation and mitigation measures;</li> <li>○ Polar bear avoidance and encounter procedures; and</li> <li>○ Polar bear observation and reporting procedures.</li> </ul> <ul style="list-style-type: none"> <li>● Grizzly bears: The lessee/operator/contractor would prepare and implement a grizzly bear interaction plan as necessary, in consultation with and approved by the ADFG.</li> </ul>		<p>encounter procedures; and</p> <ul style="list-style-type: none"> <li>○ Polar bear observation and reporting procedures.</li> </ul> <ul style="list-style-type: none"> <li>● <u>Grizzly bears</u>: The lessee/operator/contractor would prepare and implement a grizzly bear interaction plan as necessary, in consultation with, and approved by the ADFG. The interaction plans would include appropriate Traditional knowledge on bear/human interactions, when available.</li> </ul>
<p><b>Required Operating Procedure 5</b></p> <p><u>Objective</u>: Reduce air quality impacts.</p> <p><u>Requirement/Standard</u>: All oil and gas operations (vehicles and equipment) that burn diesel fuels must use ultra-low sulfur diesel, as defined by the EPA.</p>	<p><b>Required Operating Procedure 5</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 5</b></p> <p>Same as Alternative B.</p>
<p><b>Required Operating Procedure 6</b></p> <p><u>Objective</u>: Prevent unnecessary or undue degradation of the air and lands and protect health.</p> <p><u>Requirement/Standard</u>:</p> <ol style="list-style-type: none"> <li>a. All projects and permitted uses will comply with all applicable National and State Ambient Air Quality Standards (NAAQS/AAAQS) and ensure Air Quality Related Values (AQRVs) are protected under the Clean Air Act, or other applicable statutes.</li> <li>b. Prior to initiation of a NEPA analysis for an application to develop a CPF,</li> </ol>	<p><b>Required Operating Procedure 6</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 6</b></p> <p><u>Objective</u>: Same as Alternative B</p> <p><u>Requirement/Standard</u>:</p> <ol style="list-style-type: none"> <li>A. All <b>relevant</b> projects and permitted uses would comply with all applicable National and State Ambient Air Quality Standards (NAAQS/AAAQS) and ensure Air Quality Related Values (AQRVs) are protected under the Clean Air Act, or other applicable statutes.</li> <li>B. Prior to initiation of a NEPA analysis for an application to develop a CPF, production pad/well, airstrip, road, gas compressor station, or other potential air pollutant emission source (hereafter called project), the BLM Authorized</li> </ol>

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<p>production pad/well, airstrip, road, gas compressor station, or other potential air pollutant emission source (hereafter called project), the BLM Authorized Officer may require the project proponent to provide a minimum of 1 year of baseline ambient air monitoring data for pollutants of concern, as determined by the BLM. This would apply if no representative air monitoring data are available for the project area or if existing representative ambient air monitoring data are insufficient, incomplete, or do not meet minimum air monitoring standards set by the ADEC or the EPA. If the BLM determines that baseline monitoring is required, this pre-analysis data must meet ADEC and EPA air monitoring standards and cover the year before the submittal. Pre-project monitoring may not be appropriate where the life of the project is less than 1 year.</p> <p>c. For an application to develop a CPF, production pad/well, airstrip, road, gas compressor station, or other potential substantial air pollutant emission source:</p> <p>i. The project proponent shall prepare and submit for BLM approval an emissions inventory that includes quantified emissions of regulated air pollutants from all direct and indirect sources related to the proposed project, including reasonably foreseeable air pollutant emissions of criteria air pollutants, volatile organic compounds (VOCs), hazardous air</p>		<p>Officer may require the project proponent to provide a minimum of 1 year of baseline ambient air monitoring data for pollutants of concern. Such a determination would be made in consultation with the EPA/ADEC and with the permittee, to assess the technical practicability of any new data collection. This would apply if no representative air monitoring data are available for the project area or if existing representative ambient air monitoring data are insufficient, incomplete, or do not meet minimum air monitoring standards set by the ADEC or the EPA. If it is determined that baseline monitoring is required, this pre-analysis data must meet ADEC and EPA air monitoring standards and cover the year before the submittal. Pre-project monitoring would not be required when the life of the project is less than 1 year.</p> <p>C. For an application to develop a CPF, production pad/well, airstrip, road, gas compressor station, or other potential substantial air pollutant emission source:</p> <p>i. The project proponent shall prepare and submit for approval an emissions inventory that includes quantified emissions of regulated air pollutants from all direct and indirect sources related to the proposed project, including reasonably foreseeable air pollutant emissions of criteria air pollutants, volatile organic compounds (VOCs), hazardous air pollutants, and GHGs estimated for each year for the life of the project. The estimated emissions inventory would be used to identify pollutants of concern and to determine the appropriate form of air analysis to be conducted for the proposed project.</p> <p>ii. Air quality modeling may be required for the purposes of analyzing project direct, indirect,</p>

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<p>pollutants, and GHGs estimated for each year for the life of the project. The BLM uses this estimated emissions inventory to identify pollutants of concern and to determine the appropriate form of air analysis to be conducted for the proposed project.</p> <p>ii. The BLM may require air quality modeling for purposes of analyzing project direct, indirect, or cumulative impacts on air quality. The BLM may require air quality modeling depending on:</p> <ol style="list-style-type: none"> <li>1) the magnitude of potential air emissions from the project;</li> <li>2) proximity to a federally mandated Class I area;</li> <li>3) proximity to a population center;</li> <li>4) location within or proximity to a nonattainment or maintenance area;</li> <li>5) meteorological or geographic conditions;</li> <li>6) existing air quality conditions;</li> <li>7) magnitude of existing development in the area; or</li> <li>8) issues identified during the NEPA process.</li> </ol> <p>The BLM will determine the information required for a project-specific modeling analysis through the development of a modeling protocol for each analysis. The BLM will consult with appropriate federal (including federal land managers), State, and/or local agencies</p>		<p>or cumulative impacts on air quality. The BLM would base its determination to require air quality modeling on:</p> <ul style="list-style-type: none"> <li>• the magnitude of potential air emissions from the project;</li> <li>• proximity to a federally mandated Class I area;</li> <li>• proximity to a population center;</li> <li>• location within or proximity to a nonattainment or maintenance area;</li> <li>• meteorological or geographic conditions;</li> <li>• existing air quality conditions;</li> <li>• magnitude of existing development in the area; or</li> <li>• issues identified during the NEPA process.</li> </ul> <p>The BLM would determine the information required for a project-specific modeling analysis through the development of a modeling protocol for each analysis. The BLM would consult with appropriate federal (including federal land managers), State, and/or local agencies regarding modeling to inform its modeling decision and avoid duplication of effort.</p> <p>iii. The BLM may require the proponent to provide an emissions reduction plan that includes a detailed description of operator-committed measures to reduce project-related air pollutant emissions, including, but not limited to, criteria pollutants, GHGs, heavy metals, mercury, and fugitive dust.</p> <p>iv. Air monitoring or air modeling reports will be provided to the BLM; federal land managers; federal, state, local community, or affected Tribal governments; and other interested parties, as appropriate.</p>

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<p>regarding modeling to inform its modeling decision and avoid duplication of effort. The modeling shall compare predicted impacts to all applicable local, State, and federal air quality standards and increments, as well as other scientifically defensible significance thresholds (such as impacts on air quality related values, incremental cancer risks, etc.).</p> <p>iii. The BLM may require the proponent to provide an emissions reduction plan that includes a detailed description of operator-committed measures to reduce project-related air pollutant emissions, including, but not limited to, criteria pollutants, GHGs, heavy metals, mercury, and fugitive dust.</p> <p>d. Air monitoring or air modeling reports will be provided to the BLM; federal land managers; federal, state, local community, or Tribal governments; and other interested parties, as appropriate.</p> <p>e. The BLM may require monitoring for the life of the project depending on:</p> <ol style="list-style-type: none"> <li>1) the magnitude of potential air emissions from the project;</li> <li>2) proximity to a federally mandated Class I area;</li> <li>3) proximity to a population center;</li> <li>4) location within or proximity to a nonattainment or maintenance area;</li> <li>5) meteorological or geographic conditions;</li> </ol>		<p>v. The BLM may require monitoring for the life of the project based on:</p> <ul style="list-style-type: none"> <li>• the magnitude of potential air emissions from the project;</li> <li>• proximity to a federally mandated Class I area;</li> <li>• proximity to a population center;</li> <li>• location within or proximity to a nonattainment or maintenance area;</li> <li>• meteorological or geographic conditions;</li> <li>• existing air quality conditions;</li> <li>• magnitude of existing development in the area; or</li> <li>• issues identified during the NEPA process.</li> </ul> <p>vi. If ambient air monitoring or air quality modeling indicates that project-related emissions cause or contribute to impacts, unnecessary or undue degradation of the lands including AQRVs, exceedances of the NAAQS/AAQS, or fails to protect health (either directly or through use of subsistence resources), then the BLM may require changes to a project proposal or propose mitigation to reduce air impacts. Project changes and mitigation measures will be analyzed through appropriate NEPA analysis to determine effectiveness.</p> <p>vii. Publicly available reports on air quality baseline monitoring, emissions inventory, and modeling results developed in conformance with this ROP shall be provided by the project proponent to the NSB and to local communities and <b>Tribal Governments</b> in a timely manner</p>

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<p>6) existing air quality conditions;  7) magnitude of existing development in the area; or  8) issues identified during the NEPA process.</p> <p>f. If ambient air monitoring or air quality modeling indicates that project-related emissions cause or contribute to impacts, unnecessary or undue degradation of the lands, exceedances of the NAAQS/AAQs, or fails to protect health (either directly or through use of subsistence resources), then the BLM may require changes or additional emission control strategies. To reduce or minimize emissions from proposed activities, in order to comply with the NAAQS/AAQs and/or minimize impacts to AQRVs, the BLM shall consider air quality mitigation measure(s) within its authority in addition to regulatory requirements and proponent-committed emission reduction measures, and also for emission sources not otherwise regulated by ADEC or EPA. Mitigation measures will be analyzed through the appropriate form of NEPA analysis to determine effectiveness. The BLM will consult with the federal land managers and other appropriate federal, state, and/or local agencies to determine potential mitigation options for any predicted significant impacts from the proposed project development.</p> <p>g. Publicly available reports on air quality baseline monitoring, emissions</p>		

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<p>inventory, and modeling results developed in conformance with this ROP shall be provided by the project proponent to the NSB and to local communities and tribes in a timely manner.</p>		
<p><b>Required Operating Procedure 7</b></p> <p>No similar objective or requirement/standard.</p>	<p><b>Required Operating Procedure 7</b></p> <p><u>Objective:</u> Ensure that permitted activities do not create human health risks by contaminating subsistence foods.</p> <p><u>Requirement/Standard:</u> A lessee/operator/contractor proposing a permanent oil and gas development would design and implement a monitoring study of contaminants in locally used subsistence foods. The monitoring study preparers would examine subsistence foods for all contaminants that could be associated with the proposed development. The study would identify the level of contaminants in subsistence foods before the proposed permanent oil and gas development and would monitor the level of these contaminants throughout the operation and abandonment phases. If ongoing monitoring detects a measurable and persistent increase in a contaminant in subsistence foods, the operator would design and implement a study to determine how much, if any, of the increase originates from the operator's activities. If the study preparers determine that a portion of the increase in contamination is caused by the operator's activities, the BLM Authorized Officer may require changes in the operator's processes to reduce or eliminate emissions of the contaminant. The design of the study must meet the approval of the BLM Authorized Officer, who may coordinate with appropriate entities before approving the study</p>	<p><b>Required Operating Procedure 7</b></p> <p><u>Objective:</u> Same as Alternative C.</p> <p><u>Requirement/Standard:</u> A lessee/operator/contractor proposing a permanent oil and gas development would design and implement a monitoring study of contaminants in locally used subsistence foods. The monitoring study preparers would examine subsistence foods for all contaminants that could be associated with the proposed development. The study would identify the level of contaminants in subsistence foods before the proposed permanent oil and gas development and would monitor the level of these contaminants throughout the operation and abandonment phases. <b>The study would include coordinating with Tribal Governments to include Indigenous knowledge of contaminants to subsistence foods, when available.</b> If ongoing monitoring detects a measurable and persistent increase in a contaminant in subsistence foods, the operator would design and implement a study to determine how much, if any, of the increase originates from the operator's activities. If the study preparers determine that a portion of the increase in contamination is caused by the operator's activities, the BLM Authorized Officer may require changes in the operator's processes to reduce or eliminate emissions of the</p>

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	design. The BLM Authorized Officer may require or authorize changes in the design of the studies throughout the operations and abandonment period or terminate or suspend studies if results warrant.	contaminant. The design of the study must meet the approval of the BLM Authorized Officer and Tribal Governments, who may coordinate with appropriate entities before approving the study design. The BLM Authorized Officer, in coordination with Tribal Governments, may require or authorize changes in the design of the studies throughout the operations and abandonment period or terminate or suspend studies if results warrant.
<b>WATER USE FOR PERMITTED ACTIVITIES</b>		
<p><b>Required Operating Procedure 8</b></p> <p><u>Objective:</u> In flowing waters (rivers, springs, and streams), ensure water of sufficient quality and quantity to conserve fish, waterbirds, and wildlife populations and habitats in their natural diversity.</p> <p><u>Requirement/Standard:</u> Withdrawal of unfrozen water from springs, rivers and streams during winter (onset of freeze-up to break-up) is prohibited. The removal of ice aggregate from grounded areas 4 feet deep or less may be authorized from rivers on a site-specific basis.</p>	<p><b>Required Operating Procedure 8</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 8</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> The removal of ice aggregate from aufeis fields identified in Lease Stipulation 3 and aufeis fields along the Canning River is prohibited. The removal of ice aggregate from grounded areas 4 feet deep or less may be authorized from rivers on a site-specific basis.</p> <p>Winter Water Use</p> <p>A. Withdrawal of unfrozen water from springs, rivers, and streams during winter (onset of freeze-up to break-up) is prohibited.</p> <p>Summer Water Use</p> <p>B. Water withdrawals from springs identified in <b>Lease Stipulation 3</b> would be prohibited. Withdrawal of unfrozen water would be prohibited from the following rivers that support resident, anadromous, or endemic fish populations:</p> <p>i. Canning/Staines River</p>

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		<ul style="list-style-type: none"> <li>ii. West Fork Tamayariak River</li> <li>iii. Middle Fork Tamayariak River</li> <li>iv. Tamayariak River</li> <li>v. Itkilyariak Creek</li> <li>vi. Hulahula River</li> <li>vii. Aichilik River</li> <li>viii. Sadlerochit River</li> <li>ix. Sadlerochit Spring Creek</li> <li>C. Requests for summer water use from rivers and streams that do not support populations of resident, anadromous, or endemic fish must be made separately, and the volume allowance would be evaluated on a case-by-case basis. Approval from the BLM Authorized Officer is required.</li> <li>D. Additional modeling or monitoring may be required to assess water level and water quality conditions before, during, and after water use from any river in summer.</li> </ul>
<p><b>Required Operating Procedure 9</b></p> <p><u>Objective:</u> Maintain natural hydrologic regimes in soils surrounding lakes and ponds, and maintain populations of, and adequate habitat for, fish, birds, and aquatic invertebrates.</p> <p><u>Requirement/Standard:</u> Withdrawal of unfrozen water from lakes and the removal of ice aggregate from grounded areas 4 feet deep or less during winter (onset of freeze-up to break-up) and withdrawal of water from lakes during the summer may be authorized on a site-specific basis, depending on water volume and depth, the fish community, and connectivity to other lakes or streams and adjacent bird nesting sites. Current water use guidelines are as</p>	<p><b>Required Operating Procedure 9</b></p> <p><u>Objective:</u> Same as Alternatives B.</p> <p><u>Requirement/Standard:</u> Same as Alternatives B with the following additional requirement:</p> <ul style="list-style-type: none"> <li>a. Additional modeling and monitoring of lake recharge may be required to ensure natural hydrologic regime, water quality, and aquatic habitat for birds.</li> </ul>	<p><b>Required Operating Procedure 9</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> Withdrawal of unfrozen water from lakes or artificial water reservoirs and the removal of ice aggregate from grounded areas 4 feet deep or less during winter (onset of freeze-up to break-up) and withdrawal of water from lakes or artificial water reservoirs during the summer may be authorized on a site-specific basis, depending on water volume and depth, the fish community, and connectivity to other lakes or streams and adjacent bird nesting habitat. Current water use guidelines are as follows:</p> <p><u>Winter Water Use</u></p>

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<p>follows:</p> <p><u>Winter Water Use</u></p> <p>a. Lakes with fish except ninespine stickleback or Alaska blackfish: unfrozen water available for withdrawal is limited to 15 percent of calculated volume deeper than 7 feet; only ice aggregate may be removed from lakes that are 7 feet deep or less.</p> <p>b. Lakes with only ninespine stickleback or Alaska blackfish: unfrozen water available for withdrawal is limited to 30 percent of calculated volume deeper than 5 feet; only ice aggregate may be removed from lakes that are 5 feet deep or less.</p> <p>c. Lakes with no fish, regardless of depth: water available for use is limited to 20 percent of total lake volume.</p> <p>d. In lakes where unfrozen water and ice aggregate are both removed, the total use would not exceed the respective 15 percent, 20 percent, or 30 percent volume calculations above, unless recharge calculations, river overbank flooding, or a connection to a stream or river indicate recharge will replenish full water withdrawal plus additional ice aggregate withdrawal amounts above these limits.</p> <p>e. Compacting snow cover or removing snow from fish-bearing water bodies would be prohibited, except at approved ice road crossings, water pumping stations on lakes, or areas of grounded ice.</p> <p><u>Summer Water Use</u></p>	<p align="center">CONFIDENTIAL: IDT</p>	<ul style="list-style-type: none"> <li>• Lakes with sensitive fish (i.e., any fish except ninespine stickleback or Alaska blackfish): unfrozen water available for withdrawal is limited to 15 percent of calculated volume deeper than 7 feet.</li> <li>• Lakes with only nonsensitive fish (i.e., ninespine stickleback or Alaska blackfish): unfrozen water available for withdrawal is limited to 30 percent of calculated volume deeper than 5 feet.</li> <li>• Lakes with no fish, regardless of depth: water available for use is limited to 20 percent of total lake volume.</li> <li>• Ice aggregate may be removed from grounded areas 4 feet deep or less on any lake. In lakes where unfrozen water and ice aggregate are both removed, the total use would not exceed the respective 15 percent, 20 percent, or 30 percent volume calculations above, unless recharge calculations, river overbank flooding, or a connection to a stream or river indicate recharge will replenish full water withdrawal plus additional ice aggregate withdrawal amounts above these limits.</li> <li>• Compacting snow cover or removing snow from fish-bearing water bodies would be prohibited, except at approved ice road crossings, water pumping stations on lakes, or areas of grounded ice.</li> </ul> <p><u>Summer Water Use</u></p> <ul style="list-style-type: none"> <li>• Requests for summer water use must be made separately, and the volume allowance would be evaluated on a</li> </ul>

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<p>f. Requests for summer water use must be made separately, and the volume allowance would be evaluated on a case-by-case basis. Approval from the BLM Authorized Officer is required.</p> <p><u>All Water Use</u></p> <p>g. Any water intake structures in fish-bearing or non-fish-bearing waters would be designed, operated, and maintained to prevent fish entrapment, entrainment, or injury. <b>Note:</b> All water withdrawal equipment must be equipped with and use fish screening devices approved by the ADFG, Division of Habitat.</p> <p>h. Additional modeling or monitoring may be required to assess water level and water quality conditions before, during, and after water use from any fish-bearing lake or lake of special concern.</p>		<p>case-by-case basis. Approval from the BLM Authorized Officer is required.</p> <p><u>All Water Use</u></p> <ul style="list-style-type: none"> <li>• Any water intake structures in fish-bearing or non-fish-bearing waters would be designed, operated, and maintained to prevent fish entrapment, entrainment, or injury. <b>Note:</b> All water withdrawal equipment must be equipped with and use fish screening devices approved by the ADFG, Division of Habitat.</li> <li>• Additional modeling or monitoring may be required to assess water level and water quality conditions before, during, and after water use from any fish-bearing lake or lake of special concern.</li> <li>• Local Traditional knowledge will be used, when available, in monitoring and modeling efforts.</li> </ul> <p>Additional modeling and monitoring of lake recharge may be required to ensure natural hydrologic regime, water quality, and aquatic habitat for birds.</p> <ul style="list-style-type: none"> <li>• A daily record of water removed as unfrozen water or ice aggregate (separately) must be maintained and submitted to the BLM with the weekly report of activities. Submitting water and ice use in the format specified by the BLM is required. These modeling and monitoring efforts must include local traditional knowledge, when available, to define the natural hydrologic regime, water quality, and aquatic habitat for birds to understand impacts.</li> </ul>

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		<ul style="list-style-type: none"> <li>The BLM must be notified within 48 hours of any observation of dead or injured fish on water source intake screens, in the hole being used for pumping, or within any portion of ice roads or pads. If observed at a particular lake, pumping must cease temporarily from that hole until additional preventative measures are taken to avoid further impacts on fish.</li> <li>The BLM must be notified within 48 hours if water removal exceeds the volume approved at any lake.</li> </ul>
<p><b>WINTER OVERLAND MOVES AND SEISMIC WORK</b>  The following ROPs apply to overland and over-ice moves, seismic work, and any similar cross-country vehicle use and heavy equipment on surfaces without roads during winter. These restrictions do not apply to the use of such equipment on ice roads after they are constructed.</p>		
<p><b>Required Operating Procedure 10</b></p> <p><u>Objective:</u> Protect grizzly bear, polar bear, and seal denning and birthing locations.</p> <p><u>Requirement/Standard:</u></p> <p>a. Grizzly bear dens: Cross-country use of all vehicles, equipment, and oil and gas activity is prohibited within 0.5 mile of occupied grizzly bear dens identified by the ADF&amp;G or the USFWS, unless alternative protective measures are approved by the BLM Authorized Officer, in consultation with the ADF&amp;G.</p> <p>b. Polar bear dens: Cross-country use of vehicles, equipment, oil and gas activity, and seismic survey activity is prohibited within 1 mile of known or observed polar bear dens, unless alternative protective measures are approved by the BLM</p>	<p><b>Required Operating Procedure 10</b></p> <p><u>Objective:</u> Same as Alternatives B</p> <p><u>Requirement/Standard:</u> Same as Alternatives B with the following additional requirements:</p> <p>a. In addition to NMFS MMPA requirements: Prior to operating in the nearshore areas (<math>\leq 3</math> m water depth) during the ice-covered season (between approximately November-June of any year), a lessee/operator/contractor working in seal lair habitat would conduct a survey to detect seal lairs, in consultation with the NMFS, throughout the planned area of activities.</p>	<p><b>Required Operating Procedure 10</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u></p> <p>1. Grizzly bear dens: Cross-country use of all vehicles, equipment, and oil and gas activity is prohibited within 0.5 mile of occupied grizzly bear dens identified by the ADF&amp;G or the USFWS, unless alternative protective measures are approved by the BLM Authorized Officer, in consultation with the ADF&amp;G and Tribal Governments.</p> <p>2. Polar bear dens: Cross-country use of vehicles, equipment, oil and gas activity, and seismic survey activity is prohibited within 1 mile of known, observed, or suspected polar bear dens, unless alternative protective measures are approved by the BLM Authorized Officer, in</p>

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<p>Authorized Officer and are consistent with the MMPA and the ESA.</p> <p><u>Polar bear and seal mitigation measures for onshore activities.</u></p> <p>c. In order to limit disturbance around known polar bear dens:</p> <ul style="list-style-type: none"> <li>o <i>Attempt to locate polar bear dens.</i> Operators seeking to carry out onshore activities in known or suspected polar bear denning habitat during the denning season (approximately November–April) must make efforts to locate occupied polar bear dens within and near areas of operation, utilizing appropriate tools, such as infrared imagery and/or polar bear scent-trained dogs. All observed or suspected polar bear dens must be reported to the USFWS prior to the initiation of activities.</li> <li>o <i>Observe the exclusion zone around known polar bear dens.</i> Operators must observe a 1.6-km (1-mi) operational exclusion zone around all known polar bear dens during the denning season (approximately November–April, or until the female and cubs leave the areas). Should previously unknown occupied dens be discovered within 1 mi of activities, work must cease and the USFWS contacted for guidance. The USFWS would evaluate these instances on a case-by-case basis to recommend the appropriate action. Potential actions may range</li> </ul>		<p>coordination with Tribal Governments, and are consistent with the MMPA and the ESA.</p> <p><b><i>Polar bear and seal mitigation measures for onshore activities.</i></b></p> <p>3. In order to limit disturbance around known polar bear dens:</p> <ul style="list-style-type: none"> <li>a. <i>Attempt to locate polar bear dens.</i> Operators seeking to carry out onshore activities in known or suspected polar bear denning habitat during the denning season (approximately November–April) must make efforts to locate occupied polar bear dens within and near areas of operation, utilizing appropriate tools, such as infrared imagery and/or polar bear scent-trained dogs. All observed or suspected polar bear dens must be reported to the BLM and USFWS prior to the initiation of activities.</li> <li>b. <i>Observe the exclusion zone around known polar bear dens.</i> Operators must observe a 1.6-km (1-mi) operational exclusion zone around all known polar bear dens during the denning season (approximately November–April, or until the female and cubs leave the areas). Should previously unknown occupied dens be discovered within 1 mi of activities, work must cease and the BLM and USFWS contacted for guidance. The BLM and USFWS would evaluate these instances on a case-by-case basis to recommend the appropriate action. Potential actions may range from cessation or modification of work to conducting additional monitoring, and the holder of the authorization must comply with any additional measures specified.</li> <li>c. <i>Use the den habitat map developed by the US Geological Survey (USGS).</i></li> </ul>

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<p>from cessation or modification of work to conducting additional monitoring, and the holder of the authorization must comply with any additional measures specified.</p> <ul style="list-style-type: none"> <li>○ <i>Use the den habitat map developed by the US Geological Survey (USGS).</i> This measure ensures that the location of potential polar bear dens is considered when conducting activities in the coastal areas of the Beaufort Sea.</li> <li>○ <i>Polar bear den restrictions.</i> Restrict the timing of the activity to limit disturbance around dens.</li> </ul> <p>d. In order to limit disturbance of activities to seal lairs in the nearshore area (<math>\leq 3</math> m water depth):</p> <p>Specific to seismic operations:</p> <ul style="list-style-type: none"> <li>i. Before the seismic survey begins, the operator would conduct a sound source verification test to measure the distance of vibroseis<sup>3</sup> sound levels through grounded ice to the 120 decibels (dB) re 1 <math>\mu</math>Pa threshold in open water and water within ungrounded ice . Once that distance is determined, it would be shared with the BLM and NMFS. The distance would be used to buffer all on-ice seismic survey activity operations from any open water or ungrounded ice throughout the project area. The operator would</li> </ul>		<p>This product will help locate potential polar bear dens when conducting activities in the coastal areas of the Beaufort Sea. This measure helps identify the location of potential polar bear dens and ensures they are considered when conducting activities in the coastal areas of the Beaufort Sea.</p> <p style="padding-left: 40px;">d. <i>Polar bear den restrictions.</i> Restrict the timing of the activity to range from cessation or modification of work to conducting additional monitoring, and the holder of the authorization must comply with any additional measures specified.</p> <p>In order to limit disturbance around known polar bear dens:</p> <p><i>Monitoring requirements</i></p> <ul style="list-style-type: none"> <li>a. Develop and implement a site-specific, USFWS-approved marine mammal monitoring and mitigation plan to monitor and evaluate the effectiveness of mitigation measures and the effects of activities on polar bears, and the subsistence use of this species.</li> <li>b. Provide trained, qualified, and USFWS-approved onsite observers to carry out monitoring and mitigation activities identified in the marine mammal monitoring and mitigation plan.</li> <li>c. For offshore activities, provide trained, qualified, and USFWS-approved observers on board all operational and support vessels to carry out monitoring and mitigation activities identified in the marine mammal monitoring and mitigation plan.</li> </ul>

<sup>3</sup>Vibroseis is a truck-mounted system that uses a large oscillating mass to put a range of frequencies into the earth.

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<p>draft a formal study proposal that would be submitted to the BLM and NMFS for review and approval before the activity begins.</p> <p>For all activities:</p> <ul style="list-style-type: none"> <li>ii. Maintain airborne sound levels of equipment below 100 dB re 20 <math>\mu</math>Pa at 66 feet. If different equipment would be used than was originally proposed, the applicant must inform the BLM Authorized Officer and share sound levels and air and water attenuation information for the new equipment.</li> <li>iii. On-ice operations after May 1 would employ a full-time trained protected species observer (PSO) on vehicles to ensure all basking seals are avoided by vehicles by at least 500 feet and would ensure that all equipment with airborne noise levels above 100 dB re 20 <math>\mu</math>Pa were operating at distances from observed seals that allowed for the attenuation of noise to levels below 100 dB. All sightings of seals would be reported to the BLM using a NMFS-approved observation form.</li> <li>iv. Ice paths must not be greater than 12 feet wide. No driving beyond the shoulder of the ice path or off planned routes unless necessary to avoid ungrounded ice or for other human or marine mammal safety reasons. On-ice driving routes should minimize travel over</li> </ul>		<ul style="list-style-type: none"> <li>d. Cooperate with the USFWS and other designated Federal, State, and local agencies to monitor the impacts of Industry activities on polar bears. Where information is insufficient to evaluate the potential effects of activities on polar bears, and the subsistence use of this species, operators may be required to participate in joint monitoring and/or research efforts to address these information needs and ensure the least practicable impact to these resources.</li> </ul> <p><i>Reporting requirements</i> Operators must report the results of monitoring and mitigation activities to the USFWS.</p> <ul style="list-style-type: none"> <li>• In-season monitoring reports <ul style="list-style-type: none"> <li>○ Activity progress reports. Notify the USFWS at least 48 hours prior to the onset of activities; provide the USFWS weekly progress reports of any significant changes in activities and/or locations; and notify the USFWS within 48 hours after ending of activities.</li> <li>○ Polar bear observation reports. Report all observations of polar bears and potential polar bear dens, during any Industry activity. Information in the observation report must include, but is not limited to: (1) Date, time, and location of observation; (2) Number of bears; (3) Sex and age; (4) Observer name and contact information; (5) Weather, visibility, sea state, and sea-ice conditions at the time of observation; (6) Estimated closest</li> </ul> </li> </ul>

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<p>snow/ice/topographical features that lead to birthing lair development.</p> <p>v. No unnecessary equipment or operations (e.g., camps) would be placed or used on sea ice.</p>		<p>distance of bears from personnel and facilities; (7) Industry activity at time of sighting; (8) Possible attractants present; (9) Bear behavior; (10) Description of the encounter; (11) Duration of the encounter; and (12) Mitigation actions taken.</p> <ul style="list-style-type: none"> <li>• Notification of LOA incident report. Report all bear incidents during any Industry activity. Reports must include: (1) All information specified for an observation report; (2) A complete detailed description of the incident; and (3) Any other actions taken.</li> <li>• Final report. The results of monitoring and mitigation efforts identified in the marine mammal monitoring and mitigation plan must be submitted to the USFWS for review within 90 days of the expiration of an authorization. Information in the final report must include: (1) Copies of all observation reports submitted under an authorization; (2) A summary of the observation reports; (3) A summary of monitoring and mitigation efforts, including areas, total hours, total distances, and distribution; (4) Analysis of factors affecting the visibility and detectability of polar bears during monitoring; (5) Analysis of the effectiveness of mitigation measures; (6) Analysis of the distribution, abundance, and behavior of polar bears observed; and (7) Estimates of take in relation to the specified activities.</li> </ul>

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		<p>In order to limit disturbance of activities to seal lairs in the nearshore area (&lt;3 m water depth):</p> <p>Specific to seismic operations:</p> <ul style="list-style-type: none"> <li>• Before the seismic survey begins, the operator would conduct a sound source verification test to measure the distance of vibroseis sound levels through grounded ice to the 120 decibels (dB) re 1 µPa threshold in open water and water within ungrounded ice . Once that distance is determined, it would be shared with the BLM and NMFS. The distance would be used to buffer all on-ice seismic survey activity operations from any open water or ungrounded ice throughout the project area. The operator would draft a formal study proposal that would be submitted to the BLM and NMFS for review and approval before the activity begins.</li> </ul> <p>For all activities:</p> <ul style="list-style-type: none"> <li>• Maintain airborne sound levels of equipment below 100 dB re 20 µPa at 66 feet. If different equipment would be used than was originally proposed, the applicant must inform the BLM Authorized Officer and share sound levels and air and water attenuation information for the new equipment.</li> <li>• On-ice operations after May 1 would employ a full-time trained protected species observer (PSO) on vehicles to ensure all basking seals are avoided by vehicles by at least 500 feet and would ensure that all equipment with airborne</li> </ul>

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		<p>noise levels above 100 dB re 20 µPa were operating at distances from observed seals that allowed for the attenuation of noise to levels below 100 dB. All sightings of seals would be reported to the BLM using a NMFS-approved observation form.</p> <ul style="list-style-type: none"> <li>• Ice paths must not be greater than 12 feet wide. No driving beyond the shoulder of the ice path or off planned routes unless necessary to avoid ungrounded ice or for other human or marine mammal safety reasons. On-ice driving routes should minimize travel over snow/ice/topographical features that lead to birthing lair development. <ul style="list-style-type: none"> <li>○ No unnecessary equipment or operations (e.g., camps) would be placed or used on sea ice.</li> </ul> </li> </ul>
<p><b>Required Operating Procedure 11</b></p> <p><u>Objective:</u> Protect stream banks and freshwater sources, minimize soils compaction and the breakage, abrasion, compaction, or displacement of vegetation.</p> <p><u>Requirement/Standard:</u></p> <p>a. Ground operation would be allowed when soil temperatures at 12 inches below the tundra surface (defined as the top of the organic layer) reaches 23 degrees Fahrenheit (°F) and snow depths are an average of 9 inches, or 3 inches over the highest tussocks. Ground operations would cease when the spring snowmelt begins. The dates</p>	<p><b>Required Operating Procedure 11</b></p> <p><u>Objective:</u> Same as Alternatives B.</p> <p><u>Requirement/Standard:</u></p> <p>a. Ground operation would be allowed when soil temperature at 12 inches below the tundra surface (defined as the top of the organic layer) reaches 23 °F and snow depth and density amounts to no less than a snow water equivalent of 3 inches over the highest tussocks. Ground operations would cease when the spring snowmelt begins (approximately May 5 in the foothills, where elevations reach or exceed 500 feet, and approximately May 15 in the northern coastal</p>	<p><b>Required Operating Procedure 11</b></p> <p><u>Objective:</u> Protect stream banks and freshwater sources, <b>existing vegetations and hydrology</b>, minimize soils compaction and the breakage, abrasion, compaction, or displacement of vegetation.</p> <p><u>Requirement/Standard:</u></p> <p>a. Ground operation would be allowed when soil temperature at 12 inches below the tundra surface (defined as the top of the organic layer) reaches 23 °F and 3 inches measured SWE. Ground operations would cease when the spring snowmelt begins (approximately May 5 in the foothills, where elevations reach or exceed</p>

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<p>would be determined by the BLM Authorized Officer.</p> <p>b. Low ground pressure vehicles used for off-road travel would be defined by the BLM Authorized Officer. These vehicles would be selected and operated in a manner that eliminates direct impacts on the tundra caused by shearing, scraping, or excessively compacting the tundra. <b>Note:</b> This provision does not include the use of heavy equipment required during ice road construction; however, heavy equipment would not be allowed on the tundra until conditions in “a,” above, are met.</p> <p>c. Bulldozing tundra mat and vegetation, trails, or seismic lines is prohibited. Clearing or smoothing drifted snow is allowed to the extent that the tundra mat is not disturbed. Only smooth pipe snow drags would be allowed for smoothing drifted snow.</p> <p>d. To reduce the possibility of excessive compaction, vehicle operators would avoid using the same routes for multiple trips, unless necessitated by serious safety or environmental concerns and approved by the BLM Authorized Officer. This provision does not apply to hardened snow trails or ice roads.</p> <p>e. Ice roads would be designed and located to avoid the most sensitive and easily damaged tundra types as much as practicable. Ice roads may not use the same route each year; offsets may be required to avoid using the same route or track in subsequent years.</p>	<p>areas). The exact dates would be determined by the BLM Authorized Officer.</p> <p>b. Low ground pressure vehicles used for off-road travel would be defined by the BLM Authorized Officer. These vehicles would be selected and operated in a manner that eliminates direct impacts on the tundra caused by shearing, scraping, or excessively compacting it. <b>Note:</b> This provision does not include the use of heavy equipment required during ice road construction; however, heavy equipment would not be allowed on the tundra until conditions in “a,” above, are met.</p> <p>c. Bulldozing tundra mat and vegetation, trails, or seismic lines is prohibited. Clearing or smoothing drifted snow is allowed, to the extent that the tundra mat is not disturbed. Only smooth pipe snow drags would be allowed for smoothing drifted snow.</p> <p>d. To reduce the possibility of excessive compaction, vehicle operators would avoid using the same routes for multiple trips unless necessitated by serious safety or environmental concerns and approved by the BLM Authorized Officer. This provision does not apply to hardened snow trails or ice roads.</p> <p>e. Ice roads would be designed and located to avoid the most sensitive and easily damaged tundra types as much as practicable. Ice roads may not use the same route each year; they would be offset to avoid portions of an ice road route from the previous 2 years.</p> <p>f. Conventional ice road construction may not begin until off-road travel conditions are met (as described in “a,” above) within the ice road route and approval to begin construction is given by the BLM Authorized Officer.</p>	<p>500 feet, and approximately May 15 in the northern coastal areas). The exact dates would be determined by the BLM Authorized Officer. FWS/BLM would release a weekly tundra travel report online.</p> <p>b. Low ground pressure vehicles used for off-road travel would be defined by the BLM Authorized Officer. These vehicles would be selected and operated in a manner that eliminates direct impacts on the tundra caused by shearing, scraping, or excessively compacting it. <b>Note:</b> This provision does not include the use of heavy equipment required during ice road construction; however, heavy equipment would not be allowed on the tundra until conditions in “a,” above, are met.</p> <p>c. Bulldozing tundra mat and vegetation, trails, or seismic lines is prohibited. Clearing or smoothing drifted snow is allowed, to the extent that the tundra mat is not disturbed. Only smooth pipe snow drags would be allowed for smoothing drifted snow.</p> <p>d. To reduce the possibility of excessive compaction, vehicle operators would avoid using the same routes for multiple trips if excessive tundra disturbance is detected, or necessitated by serious safety or environmental concerns and approved by the BLM Authorized Officer. It may be environmentally preferred to use the same travel corridor in sequential years. This provision does not apply to hardened snow trails or ice roads.</p> <p>e. Ice roads would be designed and located to avoid the most sensitive and easily damaged tundra types as much as practicable.</p> <p>f. Conventional ice road construction may not begin until off-road travel conditions are met</p>

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<p>f. Conventional ice road construction may not begin until off-road travel conditions are met (as described in "a," above) within the ice road route and approval to begin construction is given by the BLM Authorized Officer.</p> <p>g. Snow fences may be used in areas of low snow to increase snow depths within an ice road or snow trail route. Excess snow accumulated by snow fences must be excavated or pushed to decrease snow depths to that found in surrounding tundra at the end of road use.</p> <p>h. Seismic operations and winter overland travel may be monitored by agency representatives, and the operator may be required to accommodate the representative during operations.</p> <p>i. Incidents of damage to the tundra would be reported to the BLM Authorized Officer within 72 hours of occurrence. Follow-up corrective actions would be determined in consultation with and approved by the BLM Authorized Officer.</p>	<p>g. To minimize changes in snow distribution resulting from oil and gas activities that could affect bear denning habitat and water quality and quantity, snow fences may be used in areas of low snow to increase snow depths within an ice road or snow trail route, with the approval of the BLM Authorized Officer.</p> <p>h. Seismic operations and winter overland travel may be monitored by agency representatives, and the operator may be required to accommodate the representative during operations.</p> <p>i. Incidents of damage to the tundra would be reported to the BLM Authorized Officer within 72 hours of occurrence. Follow-up corrective actions would be determined in consultation with and approved by the BLM Authorized Officer and the USFWS.</p> <p>j. Provide the BLM with an as-built of all ice roads, snow trails, and ice pads after the infrastructure is completed. Data must be in the form of Environmental Systems Research Institute shapefiles referencing the North American Datum of 1983.</p>	<p>(as described in "a," above) within the ice road route and approval to begin construction is given by the BLM Authorized Officer.</p> <p>g. Seismic operations and winter overland travel may be monitored by agency representatives, and the operator may be required to accommodate the representative during operations.</p> <p>h. Incidents of damage to the tundra would be reported to the BLM Authorized Officer within 72 hours of occurrence using a standardized incident report form [this needs to be developed]. Follow-up corrective actions would be determined in consultation with and approved by the BLM Authorized Officer and the USFWS.</p> <p>i. Provide the BLM with an as-built of all ice roads, snow trails, and ice pads after the infrastructure is completed. Data must be in the form of Environmental Systems Research Institute shapefiles referencing the North American Datum of 1983</p> <p>(b)(5)DPP (b)(5)DPP (b)(5)DPP  (b)(5)DPP (b)(5)DPP (b)(5)DPP (b)(5)DPP  (b)(5)DPP (b)(5)DPP (b)(5)DPP (b)(5)DPP  (b)(5)DPP (b)(5)DPP (b)(5)DPP  6 (b)(5)DPP (b)(5)DPP (b)(5)DPP  (b)(5)DPP (b)(5)DPP (b)(5)DPP  (b)(5)DPP (b)(5)DPP (b)(5)DPP (b)(5)DPP  (b)(5)DPP (b)(5)DPP (b)(5)DPP</p>
<p><b>Required Operating Procedure 12</b></p> <p>Objective: Maintain natural spring (breakup) runoff patterns and fish passage, minimize flooding from human-made obstructions, prevent streambed sedimentation and scour, and protect water quality and stream banks.</p>	<p><b>Required Operating Procedure 12</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u></p> <p>a. The permittee shall provide the BLM any ice thickness and water depth data collected at ice road or snow trail stream crossings during the pioneering stage of road/trail construction.</p>	<p><b>Required Operating Procedure 12</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u></p> <p>1. Crossing of waterway courses shall be made using a low-angle approach. Crossings that are reinforced with additional snow or ice</p>

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<p>Requirement/Standard: No similar requirements</p>	<p>b. At the end of operations in spring, the permittee must provide the BLM with photographs of all stream crossings that have been removed, breached, or slotted.</p>	<p>("bridges") shall be removed, breached, or slotted before spring breakup. Ramps shall be removed to the extent possible without damaging stream banks. Ramps and bridges shall be substantially free of soil and debris.  2. The permittee shall provide the BLM with any ice thickness and water depth data collected at ice road or snow trail stream crossings during the pioneering stage of road/trail construction.  3. At the end of operations in spring, the permittee must provide the BLM with photographs of all stream crossings that have been removed, breached, or slotted.</p>
<p><b>Required Operating Procedure 13</b></p> <p><u>Objective:</u> Avoid additional freeze-down of aquatic habitat harboring overwintering fish and aquatic invertebrates that fish prey on.</p> <p><u>Requirement/Standard:</u> Travel up and down streambeds is prohibited unless it can be demonstrated that there would be no additional impacts from such travel on overwintering fish, the aquatic invertebrates they prey on, and water quality. Rivers, streams, and lakes would be crossed at areas of grounded ice or with the approval of the BLM Authorized Officer and when it has been demonstrated that no additional impacts would occur on fish or aquatic invertebrates.</p>	<p><b>Required Operating Procedure 13</b></p> <p><u>Objective:</u> Same as Alternative B.</p>	<p><b>Required Operating Procedure 13</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> Construction of the primary ice road or snow trail route along streambeds without grounded ice is prohibited unless it can be demonstrated (by collection of ice thickness and liquid water depths) that there will be no additional impacts from such travel to over-wintering fish. Rivers, streams, and lakes shall be crossed at areas of grounded ice whenever possible.</p> <p>Some travel up and down streambeds would be allowed by the individual vehicles collecting snow from river drifts or ice aggregate from the channel (where snow is less than 4 feet deep).</p>
<p><b>Required Operating Procedure 14</b></p> <p><u>Objective:</u> Minimize the effects of high-intensity acoustic energy from seismic</p>	<p><b>Required Operating Procedure 14</b></p> <p><u>Objective:</u> Same as Alternatives B.</p>	<p><b>Required Operating Procedure 14</b></p> <p><u>Objective:</u> Same as Alternative B.</p>

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<p>surveys on fish.</p> <p><u>Requirement/Standard:</u> When conducting vibroseis-based surveys above potential fish overwintering areas (water 6 feet deep or greater, ice plus liquid depth), lessees/operators/ contractors would follow recommendations by Morris and Winters (2005): only a single set of vibroseis shots would be conducted if possible; if multiple shot locations are required, these would be conducted with minimal delay; multiple days of vibroseis activity above the same overwintering area would be avoided, if possible.</p>	<p><u>Requirement/Standard:</u> Seismic surveys would not be conducted over unfrozen water with fish overwintering potential.</p>	<p><u>Requirement/Standard:</u> Seismic surveys would not be conducted over unfrozen water with fish overwintering potential (water 6 feet deep or greater, ice plus liquid depth). Proposed actions should include local traditional knowledge, when available, to help define potential overwintering areas.</p>
<p><b>Required Operating Procedure 15</b></p> <p><u>Objective:</u> Reduce changes in snow distribution associated with the use of snow fences to protect water quantity and wildlife habitat, including snow drifts used by denning polar bears.</p> <p><u>Requirement/Standard:</u> The use of snow fences to reduce or increase snow depth requires permitting by the BLM Authorized Officer.</p>	<p><b>Required Operating Procedure 15</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 15</b></p> <p>Same as Alternative B.</p>
<p align="center"><b>OIL AND GAS EXPLORATORY DRILLING</b></p>		
<p><b>Required Operating Procedure 16</b></p> <p><u>Objective:</u> Protect water quality in fish-bearing water bodies and minimize alteration of riparian habitat.</p> <p><u>Requirement/Standard:</u> Exploratory drilling is prohibited in fish-bearing rivers and streams and other fish-bearing water bodies. On a case-by-case basis, the BLM</p>	<p><b>Required Operating Procedure 16</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 16</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> Exploratory drilling is prohibited in fish-bearing rivers and streams and other fish-bearing water bodies. On a case-by-case basis, the BLM Authorized Officer may consider exploratory drilling in floodplains of</p>

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Authorized Officer may consider exploratory drilling in floodplains of fish-bearing rivers and streams.		rivers and streams that do not support resident, anadromous, or endemic fish populations.
<p><b>Required Operating Procedure 17</b></p> <p><u>Objective:</u> Minimize surface impacts from exploratory drilling.</p> <p><u>Requirement/Standard:</u> Construction of gravel roads would be prohibited for exploratory drilling. Use of a previously constructed road or pad may be permitted if it is environmentally preferred.</p>	<p><b>Required Operating Procedure 17</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 17</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> Construction of gravel roads and pads would be prohibited for exploratory drilling. Use of a previously constructed road or pad may be permitted if it is environmentally preferred.</p>
<b>FACILITY DESIGN AND CONSTRUCTION</b>		
<p><b>Required Operating Procedure 18</b></p> <p><u>Objective:</u> Protect subsistence use and access to subsistence hunting and fishing areas.</p> <p><u>Requirement/Standard:</u> All roads must be designed, constructed, maintained, and operated to create minimal environmental impacts and to avoid or minimize impacts on subsistence use and access to subsistence hunting and fishing areas. The BLM Authorized Officer would consult with appropriate entities before approving construction of roads. Subject to approval by the BLM Authorized Officer, the construction, operation, and maintenance of oil and gas field roads is the responsibility of the lessee/operator/contractor, unless the construction, operation, and maintenance of roads are assumed by the appropriate governing entity.</p>	<p><b>Required Operating Procedure 18</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 18</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> All roads (snow, ice, or gravel) must be designed, constructed, maintained, and operated to create minimal environmental impacts and to avoid or minimize impacts on subsistence use and access to subsistence hunting and fishing areas. The BLM Authorized Officer would consult with appropriate entities before approving construction of roads. Subject to approval by the BLM Authorized Officer, the construction, operation, and maintenance of oil and gas field roads would be the responsibility of the lessee/operator/contractor, unless the construction, operation, and maintenance of roads are assumed by the appropriate governing entity.</p>
<b>Required Operating Procedure 19</b>	<b>Required Operating Procedure 19</b>	<b>Required Operating Procedure 19</b>

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<p><u>Objective:</u> Protect water quality and the diversity of fish, aquatic invertebrates, and wildlife populations and habitats.</p> <p><u>Requirement/Standard:</u></p> <ul style="list-style-type: none"> <li>a. Permanent oil and gas facilities, including roads, airstrips, and pipelines, are prohibited within 500 feet, as measured from the ordinary high-water mark, of fish-bearing water bodies, unless further setbacks are stipulated under <b>Lease Stipulations 1, 2, or 3</b>. Pipeline and road crossings would be permitted by the BLM Authorized Officer in accordance with PL 115-97, following coordination with the appropriate entities.</li> <li>b. Temporary winter exploration and construction camps are prohibited on frozen lakes and river ice.</li> <li>c. Siting temporary winter exploration and construction camps on river sand and gravel bars is allowed and encouraged. Where trailers or modules must be leveled and the surface is vegetation, they would be leveled using blocking in a way that preserves the vegetation.</li> </ul>	<p>Same as Alternative B.</p>	<p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u></p> <ul style="list-style-type: none"> <li>1. Permanent oil and gas facilities, including roads, airstrips, and pipelines, are prohibited within 500 feet, as measured from the active floodplain of any waterbody, unless further setbacks are stipulated under <b>Lease Stipulations 1, 2, or 3</b>. <b>Essential pipeline and road crossings in setback areas outlined in Lease Stipulation 3 would be prohibited.</b> Essential pipeline and road crossings would be permitted by the BLM Authorized Officer in accordance with PL 115-97 in setback areas outlined in <b>Lease Stipulations 1 and 2</b>, following coordination with the appropriate entities.</li> <li>2. Temporary winter exploration and construction camps are prohibited on frozen lakes and river ice. Siting temporary winter exploration and construction camps on river sand and gravel bars is allowed. Where trailers or modules must be leveled and the surface is vegetation, they would be leveled using blocking in a way that preserves the vegetation.</li> </ul>
<p><b>Required Operating Procedure 20</b></p> <p><u>Objective:</u> Maintain free passage of marine and anadromous fish, protect subsistence use and access to subsistence hunting and fishing and anadromous fish, and protect subsistence use and access to subsistence and non-subsistence hunting and fishing.</p> <p><u>Requirement/Standard:</u></p>	<p><b>Required Operating Procedure 20</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 20</b></p> <p>Same as Alternative B.</p>

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<p>a. Causeways and docks are prohibited in river mouths and deltas. Artificial gravel islands and permanent bottom-founded structures are prohibited in river mouths and active stream channels on river deltas.</p> <p>b. Causeways, docks, artificial islands, and bottom-founded drilling structures would be designed to ensure free passage of marine and anadromous fish and to prevent significant changes to nearshore oceanographic circulation patterns and water quality characteristics. A monitoring program, developed in coordination with appropriate entities (e.g., USFWS, NMFS, State of Alaska, or NSB), would be required to address the objectives of water quality and free passage of fish.</p>		
<p><b><i>Required Operating Procedure 21</i></b></p> <p><u>Objective:</u> Minimize impacts of the development footprint.</p> <p><u>Requirement/Standard:</u> Facilities would be designed and located to minimize the development footprint and impacts on other purposes of the Arctic Refuge. Issues and methods that are to be considered, as appropriate, are as follows:</p> <p>a. Using extended-reach drilling for production drilling to minimize the number of pads and the network of roads between pads</p> <p>b. Sharing facilities with existing development</p> <p>c. Collocating all oil and gas facilities with drill pads, except airstrips, docks, base</p>	<p><b><i>Required Operating Procedure 21</i></b></p> <p>Same as Alternative B.</p>	<p><b><i>Required Operating Procedure 21</i></b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> <b>Permanent</b> facilities would be designed and located to minimize the development footprint and impacts on other purposes of the Arctic Refuge. Issues and methods that are to be considered, as appropriate, are as follows:</p> <p>a. Using extended-reach drilling for production drilling to minimize the number of pads and the network of roads between pads</p> <p>b. Sharing facilities with existing development</p> <p>c. Collocating all oil and gas facilities with drill pads, except airstrips, docks, base camps, and seawater treatment plants (STPs)</p>

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<p>camps, and seawater treatment plants (STPs)</p> <p>d. Using gravel-reduction technologies, e.g., insulated or pile-supported pads</p> <p>e. Using approved impermeable liners under gravel infrastructure to minimize the potential for hydrocarbon and other hazardous materials spills to migrate to underlying ground.</p> <p>f. Harvesting the tundra organic layer within gravel pad footprints for use in rehabilitation</p> <p>g. Coordinating facilities with infrastructure in support of adjacent development</p> <p>h. Locating facilities and other infrastructure outside areas identified as important for wildlife habitat, subsistence uses, and recreation</p> <p>i. Where aircraft traffic is a concern, balancing gravel pad size and available supply storage capacity with potential reductions in the use of aircraft to support oil and gas operations</p> <p>j. Facilities and infrastructure will be designed to minimize alteration of sheetflow/overland flow</p> <p>k. Where gravel is brought in from outside of the Coastal Plain, require the use of Certified Weed-Free Gravel</p>	<p align="center"><i>Required Operating Procedure 22</i></p> <p>Same as Alternative B.</p>	<p>d. Using gravel-reduction technologies, e.g., insulated or pile-supported pads</p> <p>e. Using approved impermeable liners under gravel infrastructure to minimize the potential for hydrocarbon and other hazardous materials spills to migrate to underlying ground.</p> <p>f. Harvesting and properly maintaining the tundra organic layer within gravel pad footprints for use in rehabilitation</p> <p>g. Coordinating facilities with infrastructure in support of adjacent development</p> <p>h. Locating facilities and other infrastructure outside areas identified as important for wildlife habitat, subsistence uses, and recreation at distances needed to protect from disturbance.</p> <p>i. Where aircraft traffic is a concern, balancing gravel pad size and available supply storage capacity with potential reductions in the use of aircraft to support oil and gas operations</p> <p>j. Where gravel is brought in from outside of the Coastal Plain, require the use of Certified Weed-Free Gravel</p> <p>k. Avoid road construction for the sole purpose of ensuring pipeline integrity or other types of monitoring (e.g., lakes, air quality), to the greatest extent practical.</p>
<p><i>Required Operating Procedure 22</i></p> <p><u>Objective:</u> Reduce the potential for ice-jam flooding, damage from aufeis, impacts on wetlands and floodplains, erosion, alteration of natural drainage patterns, and restriction of fish passage.</p> <p><u>Requirement/Standard:</u></p>	<p><i>Required Operating Procedure 22</i></p> <p>Same as Alternative B.</p>	<p><i>Required Operating Procedure 22</i></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u></p> <ul style="list-style-type: none"> <li>To allow for sheet flow and floodplain dynamics and to ensure passage of fish and other organisms, single-span bridges</li> </ul>

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<p>a. To allow for sheet flow and floodplain dynamics and to ensure passage of fish and other organisms, single-span bridges are preferred over culverts, if technically feasible. When necessary, culverts could be constructed on smaller streams, if they are large enough to avoid restricting fish passage or adversely affecting natural stream flow.</p> <p>b. To ensure that crossings provide for fish passage, all proposed crossing designs would adhere to the Best Management Practices (BMPs) outlined in Fish Passage Design Guidelines, developed by the USFWS Alaska Fish Passage Program, McDonald &amp; Associates (1994), Stream Simulation: An Ecological Approach to Providing Passage for Aquatic Organisms at Road-Stream Crossings (USFS 2008), and other generally accepted best management procedures prescribed by the BLM Authorized Officer, in consultation with the USFWS.</p> <p>c. In addition to the BMPs outlined in the aforementioned documents for stream simulation design, the design engineer would ensure that crossing structures are designed for aufeis, permafrost, sheet flow, additional freeboard during breakup, and other unique conditions of the arctic environment.</p>		<p>are preferred over culverts, if technically feasible. When necessary, culverts could be constructed on smaller streams, if they are large enough to avoid restricting fish passage or adversely affecting natural stream flow.</p> <ul style="list-style-type: none"> <li>• The BLM would require fish sampling at any stream crossing where flow is channelized. The permittee would be required to gather these data, or this requirement may be waived if an acceptable dataset already exists and is approved by the AO. Alternatively, the permittee may assume fish presence and design accordingly.</li> <li>• A minimum of one year of hydrologic data (i.e., permanent stage data and discharge measurements) must be collected at stream and marsh crossings. Additional years of hydrologic data collection may be required if further information is needed to inform the crossing structure design.</li> <li>• To ensure that crossings provide for fish passage, all proposed crossing designs would adhere to the Best Management Practices (BMPs) outlined in Fish Passage Design Guidelines, developed by the USFWS Alaska Fish Passage Program, USFWS Culvert Design Guidelines for Ecological Function (USFWS 2020), McDonald &amp; Associates (1994), Stream Simulation: An Ecological Approach to Providing Passage for Aquatic Organisms at Road-Stream Crossings (USFS 2008), and other generally accepted best management</li> </ul>

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		<p>procedures prescribed by the BLM Authorized Officer, in consultation with the USFWS. When available, crossing design and construction would include local traditional knowledge of fish, erosion, natural drainage, ice-jamming, aufeis, wetlands, floodplains, and stream flow.</p> <ul style="list-style-type: none"> <li>To maintain natural flow regimes, construction of in-river training structures would be prohibited in rivers that support resident, anadromous, or endemic fish populations.</li> <li>In addition to the BMPs outlined in the aforementioned documents for stream simulation design, the design engineer would ensure that crossing structures are designed for aufeis, permafrost, sheet flow, additional freeboard during breakup, and other unique conditions of the arctic environment.</li> </ul>
<p><b>Required Operating Procedure 23</b></p> <p><u>Objective:</u> Minimize disruption of caribou movement and subsistence use.</p> <p><u>Requirement/Standard:</u> Pipelines and roads would be designed to allow the free movement of caribou and the safe, unimpeded passage of those participating in subsistence activities. Listed below are the accepted design practices.</p> <p>a. Aboveground pipelines would be elevated a minimum of 7 feet, as measured from the ground to the bottom of the pipeline at vertical support members (VSMs).</p>	<p><b>Required Operating Procedure 23</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 23</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> Pipelines and roads will be designed to allow the free movement and habitat use of caribou and the safe, unimpeded passage of those participating in subsistence activities. Listed below are the accepted design practices.</p> <p>a. Aboveground pipelines would be elevated a minimum of 7 feet, as measured from the ground to the bottom of the pipeline at vertical support members (VSMs).</p> <p>b. In areas where facilities or terrain would funnel caribou movement or impede subsistence</p>

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<p>b. In areas where facilities or terrain would funnel caribou movement or impede subsistence or public access, ramps of appropriate angle and design over pipelines, buried pipelines, or pipelines buried under roads may be required by the BLM Authorized Officer, in coordination with the appropriate entity.</p> <p>c. A minimum distance of 500 feet between pipelines and roads would be maintained. Where it is not feasible, alternative pipeline routes, designs, and possible burial under the road for pipeline road crossings would be considered by the BLM Authorized Officer.</p> <p>d. Aboveground pipelines would have a nonreflective finish.</p> <p>e. When laying out oil and gas field developments, lessees would orient infrastructure to avoid impeding caribou migration and to avoid corralling effects.</p> <p>f. Before the construction of permanent facilities is authorized, the lessee would design and implement and report a study of caribou movement, unless an acceptable study specific to the PCH and CAH has been completed within the last 10 years and approved by the BLM Authorized Officer.</p> <p>g. A vehicle use management plan would be developed by the lessee/operator/contractor and approved by the BLM Authorized Officer, in consultation with the appropriate federal, State, and NSB regulatory and resource agencies. The management plan would</p>		<p>or public access, ramps of appropriate angle and design over pipelines, buried pipelines, or pipelines buried under roads may be required by the BLM Authorized Officer and USFWS, in coordination with Tribal Governments.</p> <p>c. A minimum distance of 500 feet between pipelines and roads would be maintained. Where it is not feasible, alternative pipeline routes, designs, and possible burial under the road for pipeline road crossings would be considered by the BLM Authorized Officer and USFWS, in coordination with Tribal Governments.</p> <p>d. Aboveground pipelines would have a nonreflective finish.</p> <p>e. When laying out oil and gas field developments, lessees would orient infrastructure to avoid impeding caribou migration and to avoid corralling effects.</p> <p>f. Before the construction of permanent facilities is authorized, the lessee would provide funding to USFWS to design and carry out a study of caribou movement and spatial use. The lessee/operator/contractor would develop an AMP to identify research needs, carry out monitoring and research, evaluate existing/ongoing management and mitigation efforts, quantify impacts, and identify management changes when necessary. This plan will be submitted to USFWS, BLM, Marine Mammals, and the International Porcupine Caribou Herd Technical Committee for review and approval. The lessee will provide adequate funds to implement this monitoring program. BLM/USFWS will hire a consulting company to carry out this monitoring program (see <b>ROP 23.1</b>).</p>

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<p>minimize or mitigate displacement during calving and would avoid, to the extent feasible, delays to caribou movements and vehicle collisions during the midsummer insect season, with traffic management following industry practices. By direction of the BLM Authorized Officer, traffic may be stopped throughout a defined area for up to 4 weeks, to prevent displacement of calving caribou. If required, a monitoring plan could include collection of data on vehicle counts and caribou interaction.</p>	<p align="center">CONFIDENTIAL: IDT</p>	<p>g. Facilities will be sited to avoid local traditional caribou harvesting areas through coordination with Tribal Governments. Where avoidance of traditional harvesting areas is not possible, agencies, companies, and harvesters will negotiate a compensation agreement to acknowledge loss of harvest opportunities as a result of lack of traditional access.</p> <p>h. In recognition of the uncertainty around the formation, movements and dispersion of large aggregations (&gt;5,000) of caribou, satellite location data would be evaluated daily by the Porcupine Caribou Technical Committee and Canadian agency counterparts who monitor PCH movements and locations. If a large aggregation of caribou is within 30 km of any infrastructure, associated activity related to identified infrastructure would be subject to the provisions of the Emergency Closure Plans (see <b>ROP 23.1</b>).</p> <p>i. A vehicle use management plan would be developed by the lessee/operator/contractor and approved by the BLM Authorized Officer, USFWS, in consultation with Tribal Governments, the appropriate federal, State, and NSB regulatory and resource agencies. The management plan would minimize or mitigate displacement during calving, post-calving and insect-relief periods and would avoid disruptions to caribou movements and vehicle collisions. By direction of the BLM Authorized Officer and USFWS, traffic may be stopped throughout a defined area for up to 4 weeks, to prevent displacement of caribou. The monitoring plan will include collection of data on vehicle traffic (counts, times, speed, etc.) and caribou interaction.</p>

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		<p>j. Pipeline and road constructors will study and produce a report in coordination with BLM, USFWS, and Tribal Governments on Gwich'in and Iñupiaq knowledge of road and pipeline impacts to caribou movement and subsistence use. BLM, USFWS, and Tribal Governments must review and approve this report prior to road and pipeline construction to inform best design practices.</p>
<p><b>Required Operating Procedure 23.1</b></p> <p>No similar objective or requirement/standard.</p>	<p><b>Required Operating Procedure 23.1</b></p> <p>No similar objective or requirement/standard.</p>	<p><b>Required Operating Procedure 23.1</b></p> <p><u>Objective:</u> To ensure monitoring and research in place to implement a caribou Adaptive Management Plan (AMP)</p> <p><u>Requirement/Standard:</u>  The lessee/operator/contractor would develop an AMP to identify research needs, evaluate existing/ongoing management and mitigation efforts, quantify impacts, and identify management changes when necessary. This plan would be submitted to USFWS, BLM, and the International Porcupine Caribou Herd Technical Committee (PCTC) for review and approval. The lessee would provide adequate funds to implement this monitoring program. BLM and USFWS would hire an organization or agency to carry out this monitoring program. The AMP would be initiated after leasing and before the facility planning stage and will include but not be limited to:</p> <p>a. Formation of an AMP Steering Committee, including staff from the BLM, USFWS, the PCTC, and Tribal representatives, to oversee the AMP and its implementation,</p> <p>i. The PCTC would prioritize projects that address research questions,</p>

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		<p>b. Development of an AMP monitoring program with full industry engagement,</p> <p>c. Development of an accessible and comprehensive data repository,</p> <p>d. Annual monitoring and evaluation program,</p> <p>e. In consultation with BLM, USFWS, the PCTC, industry representatives, and Tribal Governments, develop, standardize, and modify as necessary operational mitigation plans and procedures, including but not limited to:</p> <p>i. Traffic management plans</p> <p>ii. Emergency closure plans (stop work plans)</p>
<p><b>Required Operating Procedure 24</b></p> <p><u>Objective:</u> Minimize the impact of mineral materials mining on air, land, water, fish, and wildlife resources.</p> <p><u>Requirement/Standard:</u> Gravel mine site design, construction, and reclamation would be done in accordance with a plan approved by the BLM Authorized Officer. The plan would take into consideration the following:</p> <ol style="list-style-type: none"> <li>a. Locations inside or outside the active floodplain, depending on potential site-specific impacts</li> <li>b. Design and construction of gravel mine sites in active floodplains to serve as water reservoirs for future use</li> <li>c. Potential use of the site for enhancing fish and wildlife habitat</li> <li>d. Potential storage and reuse of sod/overburden for the mine site or at other disturbed sites on the North Slope</li> </ol>	<p><b>Required Operating Procedure 24</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> Gravel mine site design, construction, and reclamation would be done in accordance with a plan approved by the BLM Authorized Officer. The plan would take into consideration the following:</p> <ol style="list-style-type: none"> <li>a. Construction of gravel mine sites or water reservoirs may not be considered within the active floodplains of the four rivers that support populations of freshwater, anadromous, or endemic fish (Canning, Sadlerochit, Hulahula, and Aichilik Rivers)</li> <li>b. Design and construction of gravel mine sites may be considered at locations inside or outside of the active floodplain</li> <li>c. Design and construction of gravel mine sites that may also serve as water reservoirs may be considered in active floodplains, except for waters identified in “a,” above</li> </ol>	<p><b>Required Operating Procedure 24</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> Gravel mine site design, construction, and reclamation would be done in accordance with a plan approved by the BLM Authorized Officer. The plan would take into consideration the following:</p> <ul style="list-style-type: none"> <li>• Construction of gravel mine sites would be prohibited from the following rivers that support resident, anadromous, or endemic fish populations: <ul style="list-style-type: none"> <li>▪ Canning/Staines River</li> <li>▪ West Fork Tamayariak River</li> <li>▪ Middle Fork Tamayariak River</li> <li>▪ Tamayariak River</li> <li>▪ Itkilyariak Creek</li> <li>▪ Hulahula River</li> <li>▪ Aichilik River</li> <li>▪ Sadlerochit River</li> <li>▪ Sadlerochit Spring Creek</li> </ul> </li> </ul>

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	<p>d. Potential storage and reuse of sod/overburden for the mine site or at other disturbed sites on the North Slope</p> <p>e. All constructed water storage reservoirs should be a sufficient distance from drill sites, fueling stations, or other temporary or permanent site that generates or maintains more than 220 gallons of fuel, drilling fluids, or other hazardous materials to avoid contamination via surface or groundwater of the storage reservoir; the lessee should implement a water quality and contaminants monitoring program for any constructed water storage facility</p>	<ul style="list-style-type: none"> <li>• Design and construction of gravel mine sites may be considered at locations inside or outside of the active floodplain</li> <li>• Design and construction of gravel mine sites that may also serve as water reservoirs may be considered in active floodplains, except for rivers or creeks that support resident, anadromous, or endemic fish populations as outlined in <b>Lease Stipulation 1</b> and identified above.</li> <li>• Potential storage and reuse of sod/overburden for the mine site or at other disturbed sites on the North Slope</li> <li>• All constructed water storage reservoirs should be a sufficient distance from drill sites, fueling stations, or other temporary or permanent site that generates or maintains more than 220 gallons of fuel, drilling fluids, or other hazardous materials to avoid contamination via surface or groundwater of the storage reservoir; the lessee should implement a water quality and contaminants monitoring program for any constructed water storage facility. The monitoring program would be described in the Mine Plan.</li> <li>• If any sand or gravel mining is proposed at outcrops or cliffs, the lessee/permittee/operator would map suitable raptor nesting habitat and conduct surveys for known raptor nest sites prior to submitting a Plan of Operations. This information would be used in the development of Mine Plans to show how mine sites would be located and designed to minimize impacts to suitable raptor nesting habitat and nesting raptors.</li> </ul>
<p><b>Required Operating Procedure 25</b></p> <p>Objective: Avoid human-caused changes in</p>	<p><b>Required Operating Procedure 25</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 25</b></p> <p>Same as Alternative B.</p>

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<p>predator populations on ground-nesting birds.</p> <p><u>Requirement/Standard:</u></p> <p>a. Lessee/operator/contractor would use best available technology to prevent facilities from providing nesting, denning, or shelter sites for ravens, raptors, and foxes. The lessee/operator/contractor would provide the BLM Authorized Officer with an annual report on the use of oil and gas facilities by ravens, raptors, and foxes as nesting, denning, and shelter sites.</p> <p>b. Feeding of wildlife and allowing wildlife to access human food or odor-emitting waste would be prohibited.</p>		
<p><b>Required Operating Procedure 26</b></p> <p><u>Objective:</u> Reduction of risk of attraction and collisions between migrating birds and oil and gas and related facilities during low light conditions.</p> <p><u>Requirement/Standard:</u> All structures would be designed to direct artificial exterior lighting, from August 1 to October 31, inward and downward, rather than upward and outward, unless otherwise required by the Federal Aviation Administration (FAA).</p>	<p><b>Required Operating Procedure 26</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 26</b></p> <p><u>Objective:</u> Minimize the risk of migrating birds being attracted to and colliding with oil and gas related infrastructure during low light conditions.</p> <p><u>Requirement/Standard:</u> Same as Alternative B.</p>
<p><b>Required Operating Procedure 27</b></p> <p><u>Objective:</u> Minimize the impacts to bird species from direct interaction with oil and gas facilities.</p> <p><u>Requirement/Standard:</u></p> <p>a. To reduce the possibility of birds</p>	<p><b>Required Operating Procedure 27</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 27</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u></p> <p>iii. To reduce the possibility of birds colliding with aboveground utility lines (power and communication), such lines would be limited in</p>

<p style="text-align: center;"><b>Alternative B (FEIS Preferred Alternative)</b></p>	<p style="text-align: center;"><b>Alternative C (FEIS Alternative D1)</b></p>	<p style="text-align: center;"><b>Alternative D (New SEIS Alternative)</b></p>
<p>colliding with aboveground utility lines (power and communication), such lines would either be buried in access roads or would be suspended on VSMs, except in rare cases, limited in extent. Exceptions are limited to the following situations:</p> <ul style="list-style-type: none"> <li>i. Overhead power or communication lines may be allowed when located entirely within the boundaries of a facility pad;</li> <li>ii. Overhead power or communication lines may be allowed when engineering constraints at the specific and limited location make it infeasible to bury or connect the lines to a VSM; or</li> <li>iii. Overhead power or communication lines may be allowed in situations when human safety would be compromised by other methods. If exceptions are granted allowing overhead wires, overhead wires would be clearly marked along their entire length to improve visibility to low-flying birds. Such markings would be developed through consultation with the USFWS.</li> <li>b. To reduce the likelihood of birds colliding with them, communication towers would be located, to the extent practicable, on existing pads and as close as possible to buildings or other structures and on the east or west side of buildings or other structures. Towers would be designed to reduce bird strikes and raptor nesting. Support wires associated with</li> </ul>		<p>extent and exceptions would be rare. Exceptions would be limited to the following situations:</p> <ul style="list-style-type: none"> <li>d. Overhead power or communication lines may be allowed when located entirely within the boundaries of a facility pad;</li> <li>e. Overhead power or communication lines may be allowed when engineering constraints at a specific location make it infeasible to bury or connect the lines to a VSM; or</li> <li>f. Overhead power or communication lines may be allowed in situations when human safety would be compromised by other methods. If exceptions are granted allowing overhead wires, overhead wires would be clearly marked along their entire length to improve visibility to low-flying birds. Such markings would be developed through consultation with the USFWS.</li> <li>iv. To reduce the likelihood of birds colliding with them, communication towers would be located, to the extent practicable, on existing pads and as close as possible to buildings or other structures and on the east or west side of buildings or other structures. Towers would be designed to reduce both bird strikes and raptor nesting. Support wires associated with communication towers, radio antennas, and other similar facilities, would be avoided to the extent practicable. If support wires are deemed necessary, they would be clearly marked along their entire length to improve visibility to low-flying birds. Such markings would be developed through consultation with the USFWS.</li> </ul>

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<p>communication towers, radio antennas, and other similar facilities, would be avoided to the extent practicable. If support wires are necessary, they would be clearly marked along their entire length to improve visibility to low-flying birds. Such markings would be developed through consultation with the USFWS.</p>		
<p><b>Required Operating Procedure 28</b></p> <p><u>Objective:</u> Use ecological mapping as a tool to assess wildlife habitat before developing permanent facilities to conserve important habitat types.</p> <p><u>Requirement/Standard:</u> An ecological land classification map of the area would be developed before approval of facility construction. The map would integrate geomorphology, surface form, and vegetation at a scale and level of resolution and position accuracy adequate for detailed analysis of development alternatives. The map would be prepared in time to plan an adequate number of seasons of ground-based wildlife surveys needed, if deemed necessary by the BLM Authorized Officer, before the exact facility location and facility construction is approved.</p>	<p><b>Required Operating Procedure 28</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 28</b></p> <p><u>Objective:</u> Use ecological mapping (or equivalent) as a tool to assess wildlife habitat before developing permanent facilities to conserve important habitat types.</p> <p><u>Requirement/Standard:</u> An ecological land classification map (or similar instrument) that incorporates available Traditional knowledge of the area would be developed before approval of facility construction. The map would integrate geomorphology, surface form, and vegetation including BLM sensitive plant species and habitat for BLM sensitive wildlife species, local Traditional knowledge when available, and ice rich soils and locations of yedoma deposits, at a scale and level of resolution and position accuracy adequate for detailed analysis of development alternatives. The map would be prepared in time to inform siting of facilities and to plan an adequate number of seasons of ground-based wildlife surveys needed, if deemed necessary by the BLM Authorized Officer. A separate map shall be developed displaying detailed water flowlines and small-scale delineation of drainage catchments based on LIDAR (or other high-accuracy surface imaging)</p>

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		to inform facility location. Consider climate change modeling of ecosystem changes and key ecological regions before the exact facility location and facility construction is approved.
<p><b>Required Operating Procedure 29</b></p> <p><u>Objective:</u> Protect cultural and paleontological resources.</p> <p><u>Requirement/Standard:</u> The lessee/operator/contractor would conduct a cultural and paleontological resources survey before any ground-disturbing activity, based on a study designed by the lessee/operator/contractor and approved by the BLM Authorized Officer. If any potential cultural or paleontological resource is found, the lessee/operator/contractor would notify the BLM Authorized Officer and would suspend all operations in the immediate area until she or he issues a written authorization to proceed.</p>	<p><b>Required Operating Procedure 29</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 29</b></p> <p><u>Objective:</u> Protect cultural resources.</p> <p><u>Requirement/Standard:</u> The lessee/operator/contractor shall adhere to the conditions and stipulations of the Coastal Plain's Section 106 Programmatic Agreement or otherwise assist BLM with carrying out the PA's requirements.</p>
<p><b>Required Operating Procedure 29.1</b></p> <p>See ROP 29.</p>	<p><b>Required Operating Procedure 29.1</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 29.1</b></p> <p><u>Objective:</u> Protect paleontological resources.</p> <p><u>Requirement/Standard:</u> The lessee/operator/contractor shall avoid impacting areas known to contain, or likely to contain, paleontological resources. If any potential paleontological resource is found, the lessee/operator/contractor would notify the BLM Authorized Officer and would suspend all operations in the immediate area until she or he issues a written authorization to proceed.</p>
<p><b>Required Operating Procedure 30</b></p>	<p><b>Required Operating Procedure 30</b></p>	<p><b>Required Operating Procedure 30</b></p>

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<p><u>Objective:</u> Prevent or minimize the loss of nesting habitat for cliff-nesting raptors.</p> <p><u>Requirement/Standard:</u></p> <ul style="list-style-type: none"> <li>a. Removing greater than 100 cubic yards of bedrock outcrops, sand, or gravel from cliffs shall be prohibited.</li> <li>b. Any extraction of sand or gravel from an active river or stream channel would be prohibited, unless preceded by a hydrological study that indicates no potential impact on the integrity of the river bluffs.</li> </ul>	<p>Same as Alternative B.</p>	<p>See ROP 24.</p>
<p><b>Required Operating Procedure 31</b></p> <p><u>Objective:</u> Prevent or minimize the loss of raptors due to electrocution by power lines.</p> <p><u>Requirement/Standard:</u> Comply with the most up-to-date, industry-accepted, suggested practices for raptor protection on power lines. Current accepted standards were published in Reducing Avian Collisions with Power Lines: The State of the Art in 2012, by the Avian Power Line Interaction Committee (APLIC 2012) and are updated as needed.</p>	<p><b>Required Operating Procedure 31</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 31</b></p> <p>Same as Alternative B.</p>
<p><b>Required Operating Procedure 32</b></p> <p><u>Objective:</u> Avoid and reduce temporary impacts on productivity from disturbance near Steller's or spectacled eider nests.</p> <p><u>Requirement/Standard:</u> Ground-level vehicle or foot traffic within 200 meters (656 feet) of occupied Steller's or spectacled eider nests, from June 1 through July 31, would be restricted to existing</p>	<p><b>Required Operating Procedure 32</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 32</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> Ground-level vehicle or foot traffic within 200 meters (656 feet) of occupied Steller's or spectacled eider nests, from June 1 through July 31, would be restricted to existing thoroughfares, such as pads and roads. Construction of permanent facilities, placement of fill, alteration of habitat, and introduction of</p>

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<p>thoroughfares, such as pads and roads. Construction of permanent facilities, placement of fill, alteration of habitat, and introduction of high noise levels within 200 meters (656 feet) of occupied Steller's or spectacled eider nests would be prohibited. Between June 1 and August 15, support/construction activity must occur off existing thoroughfares, and USFWS-approved nest surveys must be conducted during mid-June before the activity is approved. Collected data would be used to evaluate whether the action could occur based on a 200-meter (656-foot) buffer around nests or if the activity would be delayed until after mid-August once ducklings are mobile and have left the nest site. The BLM would also work with the USFWS to conduct nest surveys or oil spill response training in riverine, marine, and intertidal areas that is within 200 meters (656 feet) of shore outside sensitive nesting/brood-rearing periods. The protocol and timing of nest surveys for Steller's or spectacled eiders would be determined in cooperation with and must be approved by the USFWS. Surveys would be supervised by biologists who have previous experience with Steller's or spectacled eider nest surveys.</p>		<p>high noise levels within 200 meters (656 feet) of occupied Steller's or spectacled eider nests would be prohibited. Between June 1 and August 15, support/construction activity that must occur off existing thoroughfares, require USFWS-approved nest surveys to be conducted during mid-June before the activity is approved. Data collected from Steller's or spectacled eider nesting habitats would be used to evaluate whether the action could occur based on a 200-meter (656-foot) buffer around known nests or if the activity would be delayed until after mid-August once ducklings are mobile and have left the nest site. The BLM would also work with the USFWS to conduct oil spill response training in riverine, marine, and intertidal areas outside sensitive nesting/brood-rearing periods. If these activities must take place during the nesting and brood-rearing periods surveys for nesting and/or brood-rearing eiders would be required. The protocol and timing of nest or brood surveys for Steller's or spectacled eiders would be determined in cooperation with, and must be approved by, the USFWS. Surveys would be supervised by biologists who have previous experience with Steller's or spectacled eider nest surveys.</p>
<p><b>Required Operating Procedure 33</b></p> <p><u>Objective:</u> Provide information to be used in monitoring and assessing wildlife movements during and after construction.</p> <p><u>Requirement/Standard:</u> A representation, in the form of ArcGIS-compatible shapefiles,</p>	<p><b>Required Operating Procedure 33</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 33</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> A representation, in the form of ArcGIS-compatible shapefiles, of the footprint of all temporary and new permanent</p>

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<p>of the footprint of all new infrastructure construction would be provided to the BLM Authorized Officer, the USFWS Arctic Refuge Manager, State of Alaska, and NSB by the operator. During the planning and permitting phase, GIS shape files representing proposed footprint locations would be provided. Within 6 months of construction completion, shapefiles of all new infrastructure footprints would be provided. Infrastructure includes all gravel roads and pads, facilities built on pads, pipelines, and independently constructed power lines (as opposed to those incorporated in pipeline design). Gravel pads would be included as polygon features. Roads, pipelines, and power lines may be represented as line features but must include ancillary data to denote such data as width and number of pipes. Poles for power lines may be represented as point features. Ancillary data would include construction beginning and ending dates.</p>		<p>infrastructure construction would be provided to the BLM Authorized Officer, the USFWS Arctic Refuge Manager, State of Alaska, <b>appropriate Tribal Governments</b>, and NSB by the operator. During the planning and permitting phase, GIS shape files representing proposed footprint locations would be provided. Within 6 months of construction completion, shapefiles of all <b>temporary and new permanent infrastructure footprints</b> would be provided. <b>Infrastructure includes all ice, snow and gravel roads, ice and gravel pads, facilities built on pads, pipelines, mines, reservoirs, islands, docks, and independently constructed power lines (as opposed to those incorporated in pipeline design). ArcGIS compatible shapefiles would also be provided for all proposed water sources.</b> Gravel pads would be included as polygon features. Roads, pipelines, and power lines may be represented as line features but must include ancillary data to denote such data as width and number of pipes. Poles for power lines may be represented as point features. Ancillary data would include construction beginning and ending dates.</p>
<p><b>USE OF AIRCRAFT FOR PERMITTED ACTIVITIES</b></p>		
<p><b>Required Operating Procedure 34</b></p> <p><u>Objective:</u> Minimize the effects of low-flying aircraft on wildlife, subsistence activities, local communities, and recreationists of the area, including hunters and anglers.</p> <p><u>Requirement/Standard:</u> The operator would ensure that operators of aircraft used for permitted oil and gas activities and associated studies maintain altitudes</p>	<p><b>Required Operating Procedure 34</b></p> <p><u>Objective:</u> Same as Alternatives B.</p> <p><u>Requirement/Standard:</u> Same as Alternative B, except:</p> <ul style="list-style-type: none"> <li>● Requirement “c” adjusts the altitude to 2,000 feet above ground level;</li> <li>● Requirements “c” and “d” include the caribou post-calving and calving range; and</li> <li>● Requirement “d” minimizes the number of</li> </ul>	<p><b>Required Operating Procedure 34</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> The operator would ensure that operators of aircraft used for permitted oil and gas activities and associated studies maintain altitudes according to the following guidelines (<b>Note:</b> This ROP is not intended to restrict flights necessary to survey wildlife to gain information necessary to meet the</p>

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<p>according to the following guidelines (<b>Note:</b> This ROP is not intended to restrict flights necessary to survey wildlife to gain information necessary to meet the stated objectives of the lease stipulations and ROPs; however, such flights would be restricted to the minimum necessary to collect such data and should consider other technologies, such as remote sensing and drones, in order to minimize impacts from aircraft):</p> <p>a. Land users would submit an aircraft use plan as part of an oil and gas exploration or development proposal, which includes a plan to monitor flights and includes a reporting system for subsistence hunters to easily report flights that disturb subsistence harvest. The plan would address strategies to minimize impacts on subsistence hunting and associated activities, including the number of flights, type of aircraft, and flight altitudes and routes, and would also include a plan to monitor flights. Proposed aircraft use plans would be reviewed by the appropriate Alaska Native or subsistence organization. Consultations with these same agencies would be required if unacceptable disturbance is identified by subsistence users. Adjustments, including possible suspension of all flights, may be required by the BLM Authorized Officer, if resulting disturbance is determined to be unacceptable. The number of takeoffs and landings to support oil and gas</p>	<p>helicopter landings in caribou calving and post-calving ranges from May 20 through July 20.</p>	<p>stated objectives of the lease stipulations and ROPs; however, such flights would be restricted to the minimum necessary to collect such data and should consider other technologies, such as remote sensing and drones, in order to minimize impacts from aircraft):</p> <p>h. The lessee/operator/contractor would review and report on local Traditional knowledge, as available, of the effects of low-flying aircraft on wildlife, subsistence activities, and local communities prior to construction to inform best operations principles. The lessee/operator/contractor would consult with Tribal Governments, BLM, and USFWS throughout the review. Tribal Governments, BLM, and USFWS would review, request changes, or finalize the report prior to operation.</p> <p>i. Land users would submit an aircraft use plan as part of an oil and gas exploration or development proposal, which includes a plan to monitor flights and includes a reporting system for subsistence hunters to easily report flights that disturb subsistence harvest. The plan would address strategies to minimize impacts on subsistence hunting and associated activities, including the number of flights, type of aircraft, and flight altitudes and routes, and would also include a plan to monitor flights. Proposed aircraft use plans would be reviewed by the appropriate Alaska Native or subsistence organization. Consultations with these same agencies would be required if unacceptable disturbance is identified by subsistence users. Adjustments, including possible suspension of all flights, may be required by the BLM</p>

<p style="text-align: center;"><b>Alternative B (FEIS Preferred Alternative)</b></p>	<p style="text-align: center;"><b>Alternative C (FEIS Alternative D1)</b></p>	<p style="text-align: center;"><b>Alternative D (New SEIS Alternative)</b></p>
<p>operations with necessary materials and supplies would be limited to the maximum extent practical.</p> <p>b. Use of aircraft, especially rotary wing aircraft, would be kept to a minimum near known subsistence camps and cabins or during sensitive subsistence hunting periods (e.g., spring goose hunting, summer caribou) and when recreationists are present.</p> <p>c. Operators of aircraft used for permitted activities would maintain an altitude of at least 1,500 feet above ground level (except for takeoffs and landings) within 0.5 miles of cliffs identified as raptor nesting sites, and over caribou calving range, unless doing so would endanger human life or violate safe flying practices. An exception to flight altitudes may be approved by the Authorized Officer after coordination and review of the aircraft use plan to accommodate requirements to fly lower for some required activities (e.g., archaeological clearance).</p> <p>d. Minimize the number of helicopter landings in caribou calving ranges from May 20 through June 20.</p> <p>e. Pursuing running wildlife is hazing. Hazing wildlife by aircraft pilots is prohibited, unless otherwise authorized. If wildlife begins to run as an aircraft approaches, the aircraft is too close, and the operator must break away.</p> <p>f. Avoid operation of aircraft over snow goose staging areas between August 15 and September 30. Necessary</p>		<p>Authorized Officer, in coordination with Tribal Governments, if resulting disturbance is determined to be unacceptable. The number of takeoffs and landings to support oil and gas operations with necessary materials and supplies would be limited to the maximum extent practical.</p> <p>j. Use of aircraft, especially rotary wing aircraft, would be kept to a minimum near known subsistence camps and cabins or during sensitive subsistence hunting periods (e.g., spring goose hunting, summer caribou) and when recreationists are present.</p> <p>k. Operators of aircraft used for permitted activities would maintain an altitude of at least 2,000 feet above ground level (except for takeoffs and landings) within 0.5 miles of cliffs identified as raptor nesting sites, and over PCH comprehensive caribou calving and post-calving areas, or within 1 mile of polar bear denning habitat (as identified by USGS polar bear den habitat maps) between 30 October and 30 April, unless doing so would endanger human life or violate safe flying practices. An exception to flight altitudes may be approved by the BLM Authorized Officer, in coordination with Tribal Governments, after coordination and review of the aircraft use plan to accommodate requirements to fly lower for some required activities (e.g., archaeological clearance).</p> <p>i. Avoid operation of aircraft over parturient caribou and caribou calves between May 20 and July 20. This window may be shifted earlier if parturient caribou move towards calving grounds before May 20 due to warming climate conditions.</p>

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<p>overflights during this timeframe should avoid areas of heavy snow goose concentrations.</p> <p>g. When polar bears are present:</p> <ul style="list-style-type: none"> <li>● Operators of support aircraft should conduct their activities at the maximum distance possible from concentrations of polar bears.</li> <li>● Aircraft will not operate at an altitude lower than 457 m (1,500 ft) within 805 m (0.5 mi) of polar bears observed on ice or land. Helicopters may not hover or circle above such areas or within 805 m (0.5 mile) of such areas. When weather conditions do not allow a 457-m (1,500-ft) flying altitude, operators will take precautions to avoid flying directly over or within 805 m (0.5 mile) of these areas.</li> <li>● Plan all aircraft routes to minimize any potential conflict with known subsistence polar bear hunting activity.</li> </ul>		<p>m. Prohibit landing helicopters in PCH comprehensive calving and post-calving habitat areas from May 20 through July 20 to avoid disturbing cow-calf pairs unless doing so would endanger human life or violate safe flying practices. .</p> <p>n. Pursuing running wildlife is hazing. Hazing wildlife by aircraft pilots is prohibited, unless otherwise authorized. If wildlife begins to run as an aircraft approaches, the aircraft is too close, and the operator must break away.</p> <p>o. Avoid operation of aircraft over snow goose staging areas between August 15 and September 30. Necessary overflights during this timeframe should avoid areas of heavy snow goose concentrations.</p> <p>p. To avoid impacts on productivity of breeding birds, aircraft take-offs and landings must be minimized at unimproved sites during the nesting season</p> <p>q. When polar bears are present:</p> <ul style="list-style-type: none"> <li>● Operators of support aircraft should conduct their activities at the maximum distance (<b>greater than 1 mile</b>) possible from polar bears.</li> <li>● Aircraft would not operate at an altitude lower than 457 m (2,000 ft) within 805 m (0.5 mi) of polar bears observed on ice or land. Helicopters may not hover or circle above such areas or within 805 m (0.5 mile) of such areas. When weather conditions do not allow a 457-m (2000-ft) flying altitude, operators would take precautions to avoid flying directly over or within 805 m (0.5 mile) of these areas.</li> <li>● Operators would avoid flying over areas where polar bears are known to</li> </ul>

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		<p>congregate during different seasons (for example., along the coastline from August to October) when practicable.</p> <ul style="list-style-type: none"> <li>Plan all aircraft routes to minimize any potential conflict with known subsistence polar bear hunting activity.</li> </ul>
<b>OIL AND GAS FIELD ABANDONMENT</b>		
<p><b>Required Operating Procedure 35</b></p> <p><u>Objective:</u> Ensure ongoing and long-term reclamation of land to its previous condition and use.</p> <p><u>Requirement/Standard:</u> Before final abandonment, land used for oil and gas infrastructure—including well pads, production facilities, access roads, and airstrips—would be reclaimed. The leaseholder would develop and implement a BLM-approved abandonment and reclamation plan. The plan would describe short-term stability, visual, hydrological, and productivity objectives and steps to be taken to ensure eventual rehabilitation to the land’s previous hydrological, vegetation, and habitat functions. The BLM Authorized Officer may grant exceptions to satisfy stated environmental or public purposes.</p>	<p><b>Required Operating Procedure 35</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u></p> <ol style="list-style-type: none"> <li>Oil and gas infrastructure, including gravel pads, roads, airstrips, wells and production facilities, would be removed and the land restored on an ongoing basis, as extraction is complete.</li> <li>Before final abandonment, land used for oil and gas infrastructure—including well pads, production facilities, access roads, and airstrips—would be restored to ensure eventual restoration of ecosystem function and to restore general wilderness characteristics. The leaseholder would develop and implement a BLM-approved abandonment and reclamation plan. The plan would describe short-term stability, visual, hydrological, and productivity objectives and steps to be taken to ensure eventual ecosystem restoration to the land’s previous hydrological, vegetation, and habitat condition, wild and scenic river (WSR) eligibility/suitability, and intent to restore general wilderness characteristics of the area. The BLM Authorized Officer may grant exceptions to satisfy stated environmental or public purposes.</li> <li>Reclamation shall include but not be limited to:</li> </ol>	<p><b>Required Operating Procedure 35</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u></p> <ol style="list-style-type: none"> <li>Oil and gas infrastructure, including gravel pads, roads, airstrips, wells and production facilities, would be removed and the land restored on an ongoing basis, starting as soon as possible after extraction is completed.</li> <li>Before final abandonment, land used for oil and gas infrastructure—including well pads, production facilities, access roads, and airstrips—would be reclaimed to ensure eventual restoration of ecosystem function and to restore general wilderness characteristics. The leaseholder would develop and implement a BLM and USFWS-approved abandonment and reclamation plan. The plan would describe short-term stability, visual, hydrological, and productivity objectives and steps to be taken to ensure timely ecosystem restoration to the land’s previous hydrological, vegetation, and habitat condition, wild and scenic river (WSR) eligibility/suitability, and intent to restore general wilderness characteristics of the area. The BLM Authorized Officer may grant</li> </ol>

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	<ul style="list-style-type: none"> <li>● Saving of topsoil for final application after reshaping of disturbed areas have been completed;</li> <li>● Measures to control erosion, landslides, and water runoff;</li> <li>● Measures to isolate, remove, or control toxic materials;</li> <li>● Reshaping the area disturbed, application of the topsoil, and revegetation of disturbed areas, where reasonably practicable; and</li> <li>● Rehabilitation of fisheries and wildlife habitat.</li> </ul> <p>When reclamation of the disturbed area has been completed, the Authorized Officer shall be notified so that an inspection of the area can be made.</p>	<p>exceptions to satisfy stated environmental or public purposes.</p> <p>f. Reclamation shall include but not be limited to:</p> <ul style="list-style-type: none"> <li>● Saving and properly maintaining topsoil to ensure seed source remains viable of topsoil for final application after reshaping of disturbed areas have been completed;</li> <li>● Adequate and approved measures to control erosion, landslides, and water runoff;</li> <li>● Adequate and approved measures to isolate, remove, or control toxic materials, including soil testing where applicable;</li> <li>● Reshaping the area disturbed, application of viable topsoil, and revegetation of disturbed areas, where reasonably practicable; and</li> <li>● Rehabilitation of fisheries and wildlife habitat.</li> </ul> <p>When reclamation of each of the disturbed area has been completed, the Authorized Officer shall be notified so that an inspection of the area can be made.</p>
<b>SUBSISTENCE CONSULTATION FOR PERMITTED ACTIVITIES</b>		
<p><b>Required Operating Procedure 36</b></p> <p><u>Objective:</u> Provide opportunities for subsistence users to participate in planning and decision-making to prevent unreasonable conflicts between subsistence uses and other activities.</p> <p><u>Requirement/Standard:</u> The lessee/operator/contractor would coordinate</p>	<p><b>Required Operating Procedure 36</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 36</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> The lessee/operator/contractor would coordinate directly with affected communities, using the following guidelines:</p> <p>a. Before submitting an application to the BLM for exploration or development, the</p>

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<p>directly with affected communities, using the following guidelines:</p> <p>a. Before submitting an application to the BLM, the applicant would work with directly affected subsistence communities, the Native Village of Kaktovik, NSB, and the North Slope and Eastern Interior Alaska Subsistence Regional Advisory Councils. They would discuss the siting, timing, and methods of their proposed operations to help discover local traditional and scientific knowledge. This is to minimize impacts on subsistence uses. Through this coordination, the applicant would make every reasonable effort, including such mechanisms as conflict avoidance agreements (CAAs) and mitigating measures, to ensure that proposed activities would not result in unreasonable interference with subsistence activities. In the event that no agreement is reached between the parties, the BLM Authorized Officer would work with the involved parties and determine which activities would occur, including the time frames.</p> <p>b. Applicants would submit documentation of coordination as part of operation plans to the North Slope and Eastern Interior Alaska Subsistence Regional Advisory Councils for review and comment. Applicants must allow time for the BLM to conduct formal government-to-government consultation with Native Tribal governments if the proposed action requires it.</p>	<p align="center">CONFIDENTIAL: IDT</p>	<p>applicant would work with directly affected subsistence communities, the Native Village of Kaktovik, NSB, and the North Slope and Eastern Interior Alaska Subsistence Regional Advisory Councils in the development of a subsistence access plan. They would discuss <b>access</b>, siting, timing, and methods of their proposed operations to help discover local traditional and scientific knowledge. This is to minimize impacts on subsistence uses. Through this coordination, the applicant would make every reasonable effort, including such mechanisms as conflict avoidance agreements (CAAs) and mitigating measures, to ensure that proposed activities would not result in unreasonable interference with subsistence activities. In the event that no agreement is reached between the parties, the BLM Authorized Officer would work with the involved parties and determine which activities would occur, including the time frames.</p> <p>b. Applicants would submit documentation of coordination as part of operation plans to the North Slope and Eastern Interior Alaska Subsistence Regional Advisory Councils for review and comment. Applicants must allow time for the BLM to conduct formal government-to-government consultation with Native Tribal governments if the proposed action requires it.</p> <p>c. A plan would be developed that shows how the activity, in combination with other activities in the area, would be scheduled and located to prevent unreasonable conflicts with subsistence activities. The plan would also describe the methods used to monitor the effects of the activity on subsistence use. The plan would be submitted to the BLM Authorized</p>

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<p>c. A plan would be developed that shows how the activity, in combination with other activities in the area, would be scheduled and located to prevent unreasonable conflicts with subsistence activities. The plan would also describe the methods used to monitor the effects of the activity on subsistence use. The plan would be submitted to the BLM Authorized Officer as part of the plan of operations. The plan would address the following items:</p> <ul style="list-style-type: none"> <li>i. A detailed description of the activities to take place (including the use of aircraft).</li> <li>ii. A description of how the applicant would minimize or address any potential impacts identified by the BLM Authorized Officer during the coordination process.</li> <li>iii. A detailed description of the monitoring to take place, including process, procedures, personnel involved, and points of contact both at the work site and in the local community.</li> <li>iv. Communication elements to provide information on how the applicant would keep potentially affected individuals and communities up-to-date on the progress of the activities and locations of possible, short-term conflicts (if any) with subsistence activities. Communication methods could include holding community open house meetings, workshops, newsletters, and radio and television</li> </ul>		<p>Officer as part of the plan of operations. The plan would address the following items:</p> <ul style="list-style-type: none"> <li>a. A detailed description of the activities to take place (including the use of aircraft).</li> <li>b. A description of how the applicant would minimize or address any potential impacts identified by the BLM Authorized Officer during the coordination process.</li> <li>c. A detailed description of the monitoring to take place, including process, procedures, personnel involved, and points of contact both at the work site and in the local community.</li> <li>d. Communication elements to provide information on how the applicant would keep potentially affected individuals and communities up-to-date on the progress of the activities and locations of possible, short-term conflicts (if any) with subsistence activities. Communication methods could include holding community open house meetings, workshops, newsletters, and radio and television announcements.</li> <li>e. Procedures necessary to facilitate access by subsistence users to conduct their activities.</li> <li>f. Barge operators requiring a BLM permit would be required to demonstrate that barging activities would not have unmitigable adverse impacts, as determined by NMFS, on the availability of marine mammals to subsistence hunters.</li> <li>g. All operators of vessels over 50 feet in length engaged in operations requiring a BLM permit must have an automatic identification system transponder system on the vessel.</li> <li>d. Permittees who propose transporting facilities, equipment, supplies, or other materials by barge to the Coastal Plain in support of oil and</li> </ul>

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<p>announcements.</p> <p>v. Procedures necessary to facilitate access by subsistence users to conduct their activities.</p> <p>vi. Barge operators requiring a BLM permit are required to demonstrate that barging activities will not have unmitigable adverse impacts, as determined by NMFS, on the availability of marine mammals to subsistence hunters.</p> <p>vii. All operators of vessels over 50 feet in length engaged in operations requiring a BLM permit must have an automatic identification system transponder system on the vessel.</p> <p>d. Permittees who propose transporting facilities, equipment, supplies, or other materials by barge to the Coastal Plain in support of oil and gas activities in the Arctic Refuge would notify and coordinate with the Alaska Eskimo Whaling Commission, the appropriate local community whaling captains' associations, and the NSB to minimize impacts from the proposed barging on subsistence whaling.</p> <p>e. For polar bears: Operators must minimize adverse impacts on the availability of polar bears for subsistence uses.</p> <ul style="list-style-type: none"> <li>• <i>Community consultation.</i> Applicants must consult with potentially affected communities and appropriate subsistence user organizations to discuss potential conflicts with subsistence polar</li> </ul>		<p>gas activities in the Arctic Refuge would notify and coordinate with the Alaska Eskimo Whaling Commission, the appropriate local community whaling captains' associations, and the NSB to minimize impacts from the proposed barging on subsistence whaling.</p> <p>e. For polar bears: Operators must minimize adverse impacts on the availability of polar bears for subsistence uses.</p> <ul style="list-style-type: none"> <li>○ <i>Community consultation.</i> Applicants must consult with potentially affected communities and appropriate subsistence user organizations to discuss potential conflicts with subsistence polar bear hunting caused by the location, timing, and methods of operations and support activities.</li> <li>○ <i>Plan of Cooperation (POC).</i> If conflicts arise, the applicant must address conflict avoidance through the development and implementation of a USFWS-approved POC.</li> </ul>

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<p>bear hunting caused by the location, timing, and methods of operations and support activities.</p> <ul style="list-style-type: none"> <li>• <i>Plan of Cooperation (POC)</i>. If conflicts arise, the applicant must address conflict avoidance issues through a POC, where an operator will be required to develop and implement a USFWS-approved POC.</li> </ul>		
<p><b><i>Required Operating Procedure 37</i></b></p> <p><u>Objective:</u> Avoid conflicts between subsistence activities and seismic exploration.</p> <p><u>Requirement/Standard:</u> In addition to the coordination process described in <b>ROP 36</b> for permitted activities, before seismic exploration begins, applicants would notify the local search and rescue organizations in proposed seismic survey locations for that operational season. For the purpose of this standard, a potentially affected cabin or campsite is defined as one used for subsistence purposes and located within the boundary of the area subject to proposed geophysical exploration or within 1 mile of actual or planned travel routes used to supply the seismic operations.</p> <p>a. Because of the large land area covered by typical geophysical operations and the potential to affect a large number of subsistence users during the exploration season, the permittee/operator would notify all potentially affected subsistence use cabin and campsite users.</p> <p>b. The official recognized list of</p>	<p><b><i>Required Operating Procedure 37</i></b></p> <p>Same as Alternative B.</p>	<p><b><i>Required Operating Procedure 37</i></b></p> <p>Same as Alternative B.</p>

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<p>subsistence users of cabins and campsites is the NSB's most current inventory of cabins and campsites, which have been identified by the subsistence users' names.</p> <p>c. A copy of the notification letter, a map of the proposed exploration area, and the list of potentially affected users would also be provided to the office of the appropriate Native Tribal government.</p> <p>d. The BLM Authorized Officer would prohibit seismic work within 1 mile of any known subsistence use cabin or campsite, unless an alternate agreement between the owner or user is reached through the consultation process and presented to the BLM Authorized Officer.</p> <p>e. Each week, the permittee would notify the appropriate local search and rescue of the operational location in the Coastal Plain. This notification would include a map indicating the extent of surface use and occupation, as well as areas previously used or occupied during the operation. The purpose of this notification is to give hunters up-to-date information regarding where seismic exploration is occurring and has occurred, so that they can plan their hunting trips and access routes accordingly. A list of the appropriate search and rescue offices to be contacted can be obtained from the coordinator of the North Slope and Eastern Interior Alaska Subsistence Regional Advisory Councils in the BLM's Arctic District Office.</p>		

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<p><b>Required Operating Procedure 38</b></p> <p><u>Objective:</u> Minimize impacts from non-local hunting, trapping, and fishing activities on subsistence resources.</p> <p><u>Requirement/Standard:</u> Hunting, trapping, and fishing by lessees/operators/contractors would be prohibited when persons are on work status. This is defined as the period during which an individual is under the control and supervision of an employer. Work status is terminated when workers' shifts ends, and they return to a public airport or community (e.g., Kaktovik, Utqiagvik, or Deadhorse). Use of operator/permittee facilities, equipment, or transport for personnel access or aid in hunting, trapping, and fishing would be prohibited.</p>	<p><b>Required Operating Procedure 38</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 38</b></p> <p>Same as Alternative B.</p>
<p><b>Required Operating Procedure 39</b></p> <p><u>Objective:</u> Prevent disruption of subsistence use and access.</p> <p><u>Requirement/Standard:</u> Before starting exploration or development, lessees/operators/contractors are required to develop a subsistence access plan, in coordination with the Native Village of Kaktovik and the City of Kaktovik, to be approved by the BLM Authorized Officer.</p>	<p><b>Required Operating Procedure 39</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 39</b></p> <p>See ROP 36.</p>
<p align="center"><b>ORIENTATION PROGRAMS ASSOCIATED WITH PERMITTED ACTIVITIES</b></p>		
<p><b>Required Operating Procedure 40</b></p> <p><u>Objective:</u> Minimize cultural and resource conflicts.</p>	<p><b>Required Operating Procedure 40</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 40</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> All personnel involved in</p>

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<p><u>Requirement/Standard:</u> All personnel involved in oil and gas and related activities would be provided with information concerning applicable lease stipulations, ROPs, standards, and specific types of environmental, social, traditional, and cultural concerns that relate to the region. The operator would ensure that all personnel involved in permitted activities would attend an orientation program at least once a year. The proposed orientation program would be submitted to the BLM Authorized Officer for review and approval and would accomplish the following:</p> <ol style="list-style-type: none"> <li>a. Provide sufficient detail to notify personnel of applicable lease stipulations and ROPs and to inform individuals working on the project of specific types of environmental, social, traditional, and cultural concerns that relate to the region.</li> <li>b. Address the importance of not disturbing archaeological and biological resources and habitats, including endangered species, fisheries, bird colonies, and marine mammals, and provide guidance on how to avoid disturbance, including on the preparation, production, and distribution of information cards on endangered or threatened species.</li> <li>c. Be designed to increase sensitivity and understanding of personnel to community values, customs, and lifestyles in areas in which personnel would be operating.</li> <li>d. Include information concerning</li> </ol>		<p>oil and gas and related activities would be provided with information concerning applicable lease stipulations, ROPs, standards, and specific types of environmental, social, traditional, and cultural concerns that relate to the region. The operator would ensure that at least once each year, all personnel involved in permitted activities would attend an orientation program designed in coordination with local traditional knowledge experts. The proposed orientation program would be submitted to the BLM Authorized Officer for review and approval and would accomplish the following:</p> <ol style="list-style-type: none"> <li>a. Provide sufficient detail to notify personnel of applicable lease stipulations and ROPs and to inform individuals working on the project of specific types of environmental, social, traditional, and cultural concerns that relate to the region.</li> <li>b. Address the importance of not disturbing archaeological, paleontological, and biological resources and habitats, including endangered species, fisheries, bird colonies, and marine mammals, and provide guidance on how to avoid disturbance, including on the preparation, production, and distribution of information cards on endangered or threatened species.</li> <li>c. Be designed to increase personnel's sensitivity and understanding of community values, customs, and lifestyles in areas in which personnel</li> </ol>

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<p>avoidance of conflicts with subsistence and pertinent mitigation.</p> <p>e. Include information for aircraft personnel concerning subsistence activities and areas and seasons that are particularly sensitive to disturbance by low-flying aircraft; of special concern is aircraft use near traditional subsistence cabins and campsites, flights during spring goose hunting and fall caribou and moose hunting seasons, and flights near potentially affected communities.</p> <p>f. Provide that individual training is transferable from one facility to another, except for elements of the training specific to a site.</p> <p>g. Include on-site records of all personnel who attend the program for so long as the site is active, though not to exceed the 5 most recent years of operations; this record would include the name and dates of attendance of each attendee.</p> <p>h. Include a module discussing bear interaction plans to minimize conflicts between bears and humans.</p> <p>i. Provide a copy of 43 CFR 3163 regarding noncompliance assessment and penalties to on-site personnel.</p> <p>j. Include training designed to ensure strict compliance with local and corporate drug and alcohol policies; this training would be offered to the NSB Health Department for review and comment.</p> <p>k. Include employee training on how to prevent transmission of communicable diseases, including sexually transmitted diseases, to the local communities; this</p>	<p></p>	<p>would be operating.</p> <p>d. Include information concerning avoidance of conflicts with subsistence and pertinent mitigation.</p> <p>e. Include information for aircraft personnel concerning subsistence activities and areas and seasons that are particularly sensitive to disturbance by low-flying aircraft; of special concern is aircraft use near traditional subsistence cabins and campsites, flights during spring goose hunting and fall caribou and moose hunting seasons, and flights near potentially affected communities.</p> <p>f. Provide that individual training would be transferable from one facility to another, except for elements of the training specific to a site.</p> <p>g. Include on-site records of all personnel who attend the program for so long as the site is active, though not to exceed the 5 most recent years of operations; this record would include the name and dates of attendance of each attendee.</p> <p>h. Include a module discussing bear interaction plans to minimize conflicts between bears and humans.</p> <p>i. Provide a copy of 43 CFR 3163 regarding noncompliance assessment and penalties to on-site personnel.</p> <p>j. Include training designed to ensure strict compliance with local and corporate drug</p>

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<p>training would be offered to the NSB Health Department for review and comment.</p> <p>In order to limit disturbance around known polar bear dens: <i>Monitoring requirements.</i></p> <ul style="list-style-type: none"> <li>● Develop and implement a site-specific, USFWS-approved marine mammal monitoring and mitigation plan to monitor and evaluate the effectiveness of mitigation measures and the effects of activities on polar bears, and the subsistence use of this species.</li> <li>● Provide trained, qualified, and USFWS-approved onsite observers to carry out monitoring and mitigation activities identified in the marine mammal monitoring and mitigation plan.</li> <li>● For offshore activities, provide trained, qualified, and USFWS-approved observers on board all operational and support vessels to carry out monitoring and mitigation activities identified in the marine mammal monitoring and mitigation plan.</li> <li>● Cooperate with the USFWS and other designated Federal, State, and local agencies to monitor the impacts of Industry activities on polar bears. Where information is insufficient to evaluate the potential effects of activities on polar bears, and the subsistence use of this species,</li> </ul>		<p>and alcohol policies; this training would be offered to the NSB Health Department for review and comment.</p> <p>k. Include employee training on how to prevent transmission of communicable diseases, including sexually transmitted diseases, to the local communities; this training would be offered to the NSB Health Department for review and comment.</p>

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<p>operators may be required to participate in joint monitoring and/or research efforts to address these information needs and ensure the least practicable impact to these resources.</p> <p><i>Reporting requirements.</i> Operators must report the results of monitoring and mitigation activities to the USFWS.</p> <ul style="list-style-type: none"> <li>● <i>In-season monitoring reports</i> <ul style="list-style-type: none"> <li>○ <i>Activity progress reports.</i> Notify the USFWS at least 48 hours prior to the onset of activities; provide the USFWS weekly progress reports of any significant changes in activities and/or locations; and notify the USFWS within 48 hours after ending of activities.</li> <li>○ <i>Polar bear observation reports.</i> Report all observations of polar bears and potential polar bear dens, during any Industry activity. Information in the observation report must include, but is not limited to: (1) Date, time, and location of observation; (2) Number of bears; (3) Sex and age; (4) Observer name and contact information; (5) Weather, visibility, sea state, and sea-ice conditions at the time of observation; (6) Estimated closest distance of bears from personnel and facilities; (7) Industry activity at time of sighting; (8) Possible attractants present; (9) Bear behavior; (10) Description of the</li> </ul> </li> </ul>		

<b>Alternative B (FEIS Preferred Alternative)</b>	<b>Alternative C (FEIS Alternative D1)</b>	<b>Alternative D (New SEIS Alternative)</b>
<p>encounter; (11) Duration of the encounter; and (12) Mitigation actions taken.</p> <ul style="list-style-type: none"> <li>• <i>Notification of LOA incident report.</i> Report all bear incidents during any Industry activity. Reports must include: (1) All information specified for an observation report; (2) A complete detailed description of the incident; and (3) Any other actions taken.</li> <li>• <i>Final report.</i> The results of monitoring and mitigation efforts identified in the marine mammal monitoring and mitigation plan must be submitted to the USFWS for review within 90 days of the expiration of an authorization. Information in the final report must include: (1) Copies of all observation reports submitted under an authorization; (2) A summary of the observation reports; (3) A summary of monitoring and mitigation efforts, including areas, total hours, total distances, and distribution; (4) Analysis of factors affecting the visibility and detectability of polar bears during monitoring; (5) Analysis of the effectiveness of mitigation measures; (6) Analysis of the distribution, abundance, and behavior of polar bears observed; and (7) Estimates of take in relation to the specified activities.</li> </ul>		
<b>SUMMER VEHICLE TUNDRA ACCESS</b>		
<i>Required Operating Procedure 41</i>	<i>Required Operating Procedure 41</i>	<i>Required Operating Procedure 41</i>

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<p><u>Objective:</u> Protect stream banks and water quality; minimize compaction and displacement of soils; minimize the breakage, abrasion, compaction, or displacement of vegetation; protect cultural and paleontological resources; maintain populations of and adequate habitat for birds, fish, and caribou and other terrestrial mammals; and minimize impacts on subsistence activities.</p> <p><u>Requirement/Standard:</u> On a case-by-case basis, the BLM Authorized Officer, in consultation with the USFWS, may permit low-ground-pressure vehicles to travel off gravel pads and roads during times other than those identified in <b>ROP 11</b>. Permission for such use would be granted only after an applicant has completed the following:</p> <ol style="list-style-type: none"> <li>a. Submitted studies satisfactory to the BLM Authorized Officer of the impacts on soils and vegetation of the specific low-ground-pressure vehicles to be used; these studies would reflect use of such vehicles under conditions like those of the route proposed and would demonstrate that the proposed use would have no more than minimal impacts on soils and vegetation. Alternatively, the most current list of summer off-road vehicles approved by the State may be used to fulfill this requirement.</li> <li>b. Submitted surveys satisfactory to the BLM Authorized Officer of subsistence uses of the area as well as of the soils, vegetation, hydrology, wildlife, and fish</li> </ol>	<p>Same as Alternative B.</p>	<p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u> On a case-by-case basis, the BLM Authorized Officer, in consultation with the USFWS and appropriate Tribal Governments, may permit low-ground-pressure vehicles to travel off gravel pads and roads during times other than those identified in <b>ROP 11</b>. Permission for such use would be granted only after an applicant has completed the following:</p> <ol style="list-style-type: none"> <li>a. Submitted studies of the impacts on soils and vegetation of the low-ground-pressure vehicle(s) as equipped. The AK-DNR off-road tundra vehicle certification qualifies as an acceptable study. Other studies satisfactory to both the BLM Authorized Officer and the USFWS would also be considered. These studies would reflect use of such vehicles under conditions like those of the route proposed and would demonstrate that the proposed use would have no more than minimal impacts on soils and vegetation. Alternatively, the most current list of summer off-road vehicles approved by the State may be used to fulfill this requirement.</li> <li>b. Submitted surveys satisfactory to the BLM Authorized Officer and USFWS, in coordination with the local community, of subsistence uses of the area as well as of the soils, vegetation, hydrology, wildlife, and fish (and their habitats), paleontological and archaeological resources, and other resources, as required by the BLM Authorized Officer.</li> <li>c. Designed or modified the use proposal to minimize impacts to the satisfaction of the BLM Authorized Officer and the USFWS; design steps to achieve the objectives and based on the</li> </ol>

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<p>(and their habitats), paleontological and archaeological resources, and other resources, as required by the BLM Authorized Officer.</p> <p>c. Designed or modified the use proposal to minimize impacts to the BLM Authorized Officer's satisfaction; design steps to achieve the objectives and based on the studies and surveys may include timing restrictions (generally it is considered inadvisable to conduct tundra travel before August 1 to protect ground-nesting birds), shifting work to winter, rerouting, and not proceeding when certain wildlife are present or subsistence activities are occurring.</p>		<p>studies and surveys may include timing restrictions (generally it is considered inadvisable to conduct tundra travel before August 1 to protect ground-nesting birds), shifting work to winter, rerouting, and not proceeding when certain wildlife are present or subsistence activities are occurring.</p>
<b>GENERAL WILDLIFE AND HABITAT PROTECTION</b>		
<p><b><i>Required Operating Procedure 42</i></b></p> <p><u>Objective:</u> Minimize disturbance of wildlife or alteration and hinderance of wildlife movements through the Coastal Plain.</p> <p><u>Requirement/Standard:</u></p> <p>a. Following wildlife with ground vehicles or aircraft is prohibited. Particular attention would be given to avoid disturbing caribou.</p> <p>b. Avoid and minimize the disturbance to loafing and nesting birds to the extent practicable.</p>	<p><b><i>Required Operating Procedure 42</i></b></p> <p>Same as Alternative B.</p>	<p><b><i>Required Operating Procedure 42</i></b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u></p> <p>a. Prior to vehicle use, the lessee/operator/contractor would consult with BLM, USFWS, and Tribal Governments to consider and understand vehicle caused disturbance of wildlife or alteration and hinderance of wildlife movements throughout the Coastal Plain.</p> <p>b. BLM, USFWS, and Tribal Governments would review and request changes to lessee/operator/contractor operations to minimize disturbance.</p> <p>c. Following wildlife with ground vehicles or aircraft is prohibited. Particular attention would be given to avoid disturbing caribou and polar bears.</p>

Alternative B (FEIS Preferred Alternative)	Alternative C (FEIS Alternative D1)	Alternative D (New SEIS Alternative)
		<p>d. Avoid and minimize the disturbance to loafing, brood-rearing and nesting birds to the extent practicable.</p> <p>Also see ROP 34.</p>
<p><b>Required Operating Procedure 43</b></p> <p><u>Objective:</u> Prevent the introduction or spread of nonnative, invasive species in the Coastal Plain.</p> <p><u>Requirement/Standard:</u></p> <ul style="list-style-type: none"> <li>a) Certify that all equipment, supplies (including gravel, lumber, erosion control material), and vehicles (including helicopters, planes, boats, off-road vehicles, trucks, tracked vehicles, and barges) intended for use either off or on roads are free of invasive species before transiting into the Coastal Plain.</li> <li>b) Survey annually along roads, drilling platforms, and barge access points for invasive species and begin effective eradication measures on evidence of their introduction.</li> <li>c) Before beginning operations into the Coastal Plain, submit a plan, for BLM approval, detailing the methods for: 1) cleaning equipment, supplies, and vehicles, including off-site disposal of cleaning fluids or materials and detected organisms, and 2) early detection surveys, and eradication response measures (including post treatment</li> </ul>	<p><b>Required Operating Procedure 43</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 43</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u></p> <ul style="list-style-type: none"> <li>a. Ensure that all equipment, supplies (including gravel, lumber, erosion control material), and vehicles (including helicopters, planes, boats, off-road vehicles, trucks, tracked vehicles, and barges) intended for use are free of invasive species, such as but not limited to BLM priority invasive plants as defined in BLM Instructional Memorandum (IM) 2022-008 (or current version of the related policy IM) and invasive vertebrates and invertebrates, before transiting into the Coastal Plain. Standard stipulations for invasive species management shall be required as applicable by permitted activities (Attachment 1, BLM IM 2022-08).</li> <li>b. Survey annually along roads, drilling platforms, and barge access points for invasive species and begin effective eradication measures on evidence of their introduction.</li> <li>c. Before beginning operations into the Coastal Plain, submit a plan, for BLM approval, detailing the methods for: 1) cleaning equipment, supplies, and vehicles, including off-site disposal of cleaning fluids or materials and detected organisms, and 2) early detection surveys, and eradication response measures (including post treatment monitoring) for all invasive species, noxious plants and animals, and weeds.</li> </ul>

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<p>monitoring) for all invasive species, noxious plants and animals, and weeds.</p>		
<p><b>Required Operating Procedure 44</b></p> <p><u>Objective:</u> Minimize loss of populations and habitat for plant species designated as sensitive by the BLM in Alaska.</p> <p><u>Requirement/Standard:</u> If a development is proposed in an area that provides potential habitat for a BLM sensitive plant species, the development proponent would conduct surveys at appropriate times of the summer season and in appropriate habitats for the sensitive plant species. The results of these surveys and plans to minimize impacts would be submitted to the BLM with the application for development.</p>	<p><b>Required Operating Procedure 44</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 44</b></p> <p><u>Objective:</u> Minimize loss of populations and habitat for plant species designated as sensitive by the BLM and USFWS Refuge Resources of Concern in Alaska.</p> <p><u>Requirement/Standard:</u> If a development is proposed in an area that provides potential habitat for a BLM sensitive plant species and USFWS Refuge Resources of Concern, the development proponent would conduct surveys at appropriate times of the summer season and in appropriate habitats for the sensitive plant species. The results of these surveys and plans to minimize impacts would be submitted to the BLM with the application for development.</p>
<p><b>Required Operating Procedure 45</b></p> <p><u>Objective:</u> Minimize loss of individuals and habitat for mammalian, avian, fish, and invertebrate species designated as sensitive by the BLM in Alaska.</p> <p><u>Requirement/Standard:</u> If a development is proposed in an area that provides potential habitat for BLM sensitive species, the development proponent would conduct surveys at appropriate times of the year and in appropriate habitats to detect the presence of BLM sensitive species. The results of these surveys and plans to minimize impacts would be submitted to the BLM with the application for development.</p>	<p><b>Required Operating Procedure 45</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 45</b></p> <p><u>Objective:</u> Minimize loss of individuals, populations, and habitat for species designated as sensitive by the BLM in Alaska and as USFWS Refuge Resources of Concern.</p> <p><u>Requirement/Standard:</u> If a development is proposed in an area that provides potential habitat for BLM sensitive species and USFWS Refuge Resources of Concern, the development proponent would conduct surveys at appropriate times of the year and in appropriate habitats to detect the presence of BLM sensitive species and the USFWS Refuge Resources of Concern. The results of these surveys and plans to</p>

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		minimize impacts would be submitted to the BLM with the application for development.
<b>MARINE VESSEL TRAFFIC-ASSOCIATED ACTIVITIES</b>		
<p><b>Required Operating Procedure 46</b></p> <p><u>Objective:</u> Minimize impacts on marine mammals from vessel traffic.</p> <p><u>Requirement/Standard:</u></p> <p><b>General Vessel Traffic</b></p> <ol style="list-style-type: none"> <li>Operational and support vessels would be staffed with dedicated PSOs to alert crew of the presence of marine mammals and to initiate adaptive mitigation responses.</li> <li>When weather conditions require, such as when visibility drops, support vessel operators must reduce speed and change direction, as necessary (and as operationally practicable), to avoid the likelihood of injuring marine mammals.</li> <li>The transit of operational and support vessels is not authorized before July 1. This operating condition is intended to allow marine mammals the opportunity to disperse from the confines of the spring lead system and minimize interactions with subsistence hunters. Exemption waivers to this operating condition may be issued by the NMFS and USFWS on a case-by-case basis, based on a review of seasonal ice conditions and available information on marine mammal distributions in the area of interest.</li> <li>Vessels may not be operated in such a way as to separate members of a group</li> </ol>	<p><b>Required Operating Procedure 46</b></p> <p>Same as Alternative B.</p>	<p><b>Required Operating Procedure 46</b></p> <p><u>Objective:</u> Same as Alternative B.</p> <p><u>Requirement/Standard:</u></p> <p><b>General Vessel Traffic</b></p> <ol style="list-style-type: none"> <li>Operational and support vessels would be staffed with dedicated PSOs, hired locally whenever possible, to alert crew of the presence of marine mammals and to initiate adaptive mitigation responses.</li> <li>When weather conditions require, such as when visibility drops, support vessel operators must reduce speed and change direction, as necessary (and as operationally practicable), to avoid the likelihood of injuring marine mammals.</li> <li>The transit of operational and support vessels is not authorized before July 1. This operating condition is intended to allow marine mammals the opportunity to disperse from the confines of the spring lead system and minimize interactions with subsistence hunters. Exemption waivers to this operating condition may be issued by the NMFS and USFWS, in coordination with local Tribal governments, on a case-by-case basis, based on a review of seasonal ice conditions and available information on marine mammal distributions in the area of interest.</li> <li>Vessels may not be operated in such a way as to separate members of a group of marine mammals from other members of the group.</li> </ol>

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<p>of marine mammals from other members of the group.</p> <p>e. Operators should take reasonable steps to alert other vessel operators in the vicinity of marine mammals.</p> <p>f. Operators should report any dead or injured listed marine mammals to NMFS and the USFWS.</p> <p>g. Vessels will not allow tow lines to remain in the water when not towing, all closed loops will be cut, and all trash will be retained on board for disposal in secure landfills, thereby reducing the potential for marine mammal entanglement.</p> <p>h. The lessees will implement measures to minimize risk of spilling hazardous substances. These measures will include: avoiding operation of watercraft in the presence of sea ice to the extent practicable and using fully operational vessel navigation systems composed of radar, chartplotter, sonar, marine communication systems, and satellite navigation receivers, as well as Automatic Identification System for vessel tracking.</p> <p><b>Vessels in Vicinity of Whales</b></p> <p>a. Vessel operators would avoid groups of three or more whales by staying at least 1 mile away. A group is defined as being three or more whales observed within a 1,641-foot (500 meter) area and displaying behaviors of directed or coordinated activity (e.g., group feeding).</p> <p>b. All boat and barge traffic will be scheduled to avoid periods when bowhead whales are migrating through</p>		<p>e. Operators should take reasonable steps to alert other vessel operators in the vicinity of marine mammals.</p> <p>f. Operators should report any dead or injured listed marine mammals to NMFS and the USFWS.</p> <p>g. Vessels will not allow tow lines to remain in the water when not towing, all closed loops will be cut, and all trash will be retained on board for disposal in secure landfills, thereby reducing the potential for marine mammal entanglement.</p> <p>h. The lessees will implement measures to minimize risk of spilling hazardous substances. These measures will include: avoiding operation of watercraft in the presence of sea ice to the extent practicable and using fully operational vessel navigation systems composed of radar, chartplotter, sonar, marine communication systems, and satellite navigation receivers, as well as Automatic Identification System for vessel tracking.</p> <p><b>Vessels in Vicinity of Whales</b></p> <p>i. Vessel operators would avoid groups of three or more whales by staying at least 1 mile away. A group is defined as being three or more whales observed within a 1,641-foot (500 meter) area and displaying behaviors of directed or coordinated activity (e.g., group feeding).</p> <p>ii. All boat and barge traffic will be scheduled to avoid periods when bowhead whales are migrating through the area. Boat, hovercraft, barge, and aircraft will remain at least 12 miles from Cross Island during the bowhead whale subsistence hunting consistent with the CAA.</p>

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<p>the area. Boat, hovercraft, barge, and aircraft will remain at least 12 miles from Cross Island during the bowhead whale subsistence hunting consistent with the CAA.</p> <p>c. The transit of operational and support vessels through the north Slope region is not authorized prior to July 1. This operating condition is intended to allow marine mammals the opportunity to disperse from the confines of the spring lead system and minimize interactions with subsistence hunters. Exemption waivers to this operating condition may be issued by NMFS and USFWS on a case-by-case basis, based upon a review of seasonal ice conditions and available information on marine mammal distributions in the area of interest.</p> <p>d. If the vessel approaches within 1 mile of observed whales, except when providing emergency assistance to whalers or in other emergency situations, the operator would take reasonable precautions to avoid potential interaction with the whales by taking one or more of the following actions, as appropriate:</p> <ol style="list-style-type: none"> <li>i. Reducing vessel speed to less than 5 knots within 900 feet of the whale</li> <li>ii. Steering around the whale if possible</li> <li>iii. Operating the vessel to avoid causing a whale to make multiple changes in direction, avoiding sudden or multiple course changes</li> <li>iv. Checking the waters around the vessel to ensure that no whales are</li> </ol>		<p>iii. The transit of operational and support vessels through the North Slope region is not authorized prior to July 1. This operating condition is intended to allow marine mammals the opportunity to disperse from the confines of the spring lead system and minimize interactions with subsistence hunters. Exemption waivers to this operating condition may be issued by NMFS and USFWS on a case-by-case basis, based upon a review of seasonal ice conditions and available information on marine mammal distributions in the area of interest.</p> <p>iv. If the vessel approaches within 1 mile of observed whales, except when providing emergency assistance to whalers or in other emergency situations, the operator would take reasonable precautions to avoid potential interaction with the whales by taking one or more of the following actions, as appropriate:</p> <ul style="list-style-type: none"> <li>• Reducing vessel speed to less than 5 knots within 900 feet of the whale</li> <li>• Steering around the whale if possible</li> <li>• Operating the vessel to avoid causing a whale to make multiple changes in direction, avoiding sudden or multiple course changes</li> <li>• Checking the waters around the vessel to ensure that no whales are within 164 feet of the vessel prior to engaging the propellers</li> <li>• Reducing vessel speed to 9 knots or less when weather conditions reduce visibility to avoid the likelihood of injury to whales</li> <li>• Vessels shall not exceed speeds of 10 knots in order to reduce potential whale strikes</li> <li>• If a whale approaches the vessel and if maritime conditions safely allow, the engine will be put in neutral and the whale will be allowed to pass beyond the vessel. If the vessel is taken out</li> </ul>

<p style="text-align: center;"><b>Alternative B (FEIS Preferred Alternative)</b></p>	<p style="text-align: center;"><b>Alternative C (FEIS Alternative D1)</b></p>	<p style="text-align: center;"><b>Alternative D (New SEIS Alternative)</b></p>
<p>within 164 feet of the vessel prior to engaging the propellers</p> <ul style="list-style-type: none"> <li>v. Reducing vessel speed to 9 knots or less when weather conditions reduce visibility to avoid the likelihood of injury to whales</li> <li>vi. Vessels shall not exceed speeds of 10 knots in order to reduce potential whale strikes</li> <li>vii. If a whale approaches the vessel and if maritime conditions safely allow, the engine will be put in neutral and the whale will be allowed to pass beyond the vessel. If the vessel is taken out of gear, vessel crew will ensure that no whales are within 50 m of the vessel when propellers are re-engaged, thus minimizing risk of marine mammal injury.</li> </ul> <p>e. Vessels will stay at least 984 feet away from cow-calf pairs, feeding aggregations, or whales that are engaged in breeding behavior. If the vessel is approached by cow-calf pairs, it will remain out of gear as long as whales are within 984 feet of the vessel (consistent with safe operations)</p> <p>f. Consistent with NMFS marine mammal viewing guidelines (<a href="https://alaskafisheries.noaa.gov/pr/mm-viewing-guide">https://alaskafisheries.noaa.gov/pr/mm-viewing-guide</a>), operators of vessels will, at all times, avoid approaching marine mammals within 300 feet. Operators will observe direction of travel and attempt to maintain a distance of 300 feet or greater between the animal and the</p>	<p style="text-align: center; opacity: 0.5; font-size: 2em; transform: rotate(-30deg);">CONFIDENTIAL: IDT</p>	<p>of gear, vessel crew will ensure that no whales are within 50 m of the vessel when propellers are re-engaged, thus minimizing risk of marine mammal injury.</p> <ul style="list-style-type: none"> <li>e. Vessels will stay at least 1000 feet away from cow-calf pairs, feeding aggregations, or whales that are engaged in breeding behavior. If the vessel is approached by cow-calf pairs, it will remain out of gear as long as whales are within 984 feet of the vessel (consistent with safe operations)</li> <li>f. Consistent with NMFS marine mammal viewing guidelines (<a href="https://alaskafisheries.noaa.gov/pr/mm-viewing-guide">https://alaskafisheries.noaa.gov/pr/mm-viewing-guide</a>), operators of vessels will, at all times, avoid approaching marine mammals within 300 feet. Operators will observe direction of travel and attempt to maintain a distance of 300 feet or greater between the animal and the vessel by working to alter course or slowing the vessel.</li> <li>g. Special consideration of North Pacific right whale and their critical habitat: <ul style="list-style-type: none"> <li>1. Vessel operators will avoid transit through North Pacific right whale critical habitat. If such transit cannot be avoided, operators must post a dedicated PSO on the bridge and reduce speed to 10 knots while in the North Pacific right whale critical habitat. Alternately, vessels may transit at no more than 5 knots without the need for a dedicated PSO.</li> <li>2. Vessel operators will remain at least 800 m from all North Pacific right whales and avoid approaching whales head-on, consistent with vessel safety.</li> <li>3. Operators will maintain a ship log indicating the time and geographic coordinates at</li> </ul> </li> </ul>

<p align="center"><b>Alternative B (FEIS Preferred Alternative)</b></p>	<p align="center"><b>Alternative C (FEIS Alternative D1)</b></p>	<p align="center"><b>Alternative D (New SEIS Alternative)</b></p>
<p>vessel by working to alter course or slowing the vessel.</p> <p>g. Special consideration of North Pacific right whale and their critical habitat:</p> <p>i. Vessel operators will avoid transit through North Pacific right whale critical habitat. If such transit cannot be avoided, operators must post a dedicated PSO on the bridge and reduce speed to 10 knots while in the North Pacific right whale critical habitat. Alternately, vessels may transit at no more than 5 knots without the need for a dedicated PSO.</p> <p>ii. Vessel operators will remain at least 800 m from all North Pacific right whales and avoid approaching whales head-on, consistent with vessel safety.</p> <p>iii. Operators will maintain a ship log indicating the time and geographic coordinates at which vessels enter and exit North Pacific right whale critical habitat.</p> <p><b>Vessels in Vicinity of Pacific Walruses and Polar Bears</b></p> <p>a. Operators should take all reasonable precautions, such as reduce speed or change course heading, to maintain a minimum operational exclusion zone of 0.5 mile around groups of feeding walruses.</p> <p>b. Except in an emergency, vessel operators would not approach within 0.5 mile of observed polar bears, within 0.5 mile of walrus observed on ice, or within</p>	<p align="center">CONFIDENTIAL: IDT</p>	<p>which vessels enter and exit North Pacific right whale critical habitat.</p> <p><b>Vessels in Vicinity of Pacific Walruses and Polar Bears</b></p> <p>a) Operators should take all reasonable precautions, such as reduce speed or change course heading, to maintain a minimum operational exclusion zone of 0.5 mile around groups of feeding walruses.</p> <p>b) Except in an emergency, vessel operators would not approach within 0.5 mile of observed polar bears, within 0.5 mile of walrus observed on ice, or within 1 mile of walrus observed on land.</p> <p>c) For Polar Bears:</p> <ul style="list-style-type: none"> <li>• Operational and support vessels must be staffed with dedicated marine mammal observers to alert crew of the presence of polar bears and initiate mitigation responses.</li> <li>• Vessels must maintain the maximum distance possible from polar bears. No vessel should approach within an 805-m (0.5-mi) radius of polar bears observed on land or ice.</li> <li>• Vessels must avoid areas of active or anticipated polar bear subsistence hunting activity as determined through community consultations.</li> <li>• The USFWS may require trained marine mammal monitors on the site of the activity or on board any vessel or vehicles to monitor the impacts of Industry's activity on polar bear.</li> </ul> <p><b>Vessels in Vicinity of Seals</b></p>

<p align="center"><b>Alternative B (FEIS Preferred Alternative)</b></p>	<p align="center"><b>Alternative C (FEIS Alternative D1)</b></p>	<p align="center"><b>Alternative D (New SEIS Alternative)</b></p>
<p>1 mile of walrus observed on land.</p> <p>c. For Polar Bears:</p> <ul style="list-style-type: none"> <li>● Operational and support vessels must be staffed with dedicated marine mammal observers to alert crew of the presence of polar bears and initiate mitigation responses.</li> <li>● Vessels must maintain the maximum distance possible from concentrations of polar bears. No vessel should approach within an 805-m (0.5-mi) radius of polar bears observed on land or ice.</li> <li>● Vessels must avoid areas of active or anticipated polar bear subsistence hunting activity as determined through community consultations.</li> <li>● The USFWS may require trained marine mammal monitors on the site of the activity or on board any vessel or vehicles to monitor the impacts of Industry's activity on polar bear.</li> </ul> <p><b>Vessels in Vicinity of Seals</b></p> <p>a. Vessels used as part of a BLM-authorized activity would be operated in a manner that minimizes disturbance to wildlife in the coastal area. Vessel operators would maintain a 1-mile buffer from the shore when transiting past an aggregation of seals (primarily spotted seals) when they have hauled out on land, unless doing so would endanger human life or violate safe boating practices.</p>	<p align="center">CONFIDENTIAL: IDT</p>	<p>a. Vessels used as part of a BLM-authorized activity would be operated in a manner that minimizes disturbance to wildlife in the coastal area. Vessel operators would maintain a 1-mile buffer from the shore when transiting past an aggregation of seals (primarily spotted seals) when they have hauled out on land, unless doing so would endanger human life or violate safe boating practices.</p> <p><b>Vessel Transit through Steller Sea Lion Critical Habitat/Near Major Rookeries and Haulouts</b></p> <p>Vessels will remain 3 nautical miles (nm) (5.5 km) from all Steller sea lion rookery sites listed in paragraph 50 CFR 224.103 (d)(1)(iii). The vessel operator will not purposely approach within 3 nm of any major Steller sea lion rookery or haulout unless doing so is necessary to maintain safe conditions.</p>

Alternative B (FEIS Preferred Alternative)	Alternative C (FEIS Alternative D1)	Alternative D (New SEIS Alternative)
<p><b>Vessel Transit through Steller Sea Lion Critical Habitat/Near Major Rookeries and Haulouts</b></p> <p>Vessels will remain 3 nautical miles (nm) (5.5 km) from all Steller sea lion rookery sites listed in paragraph 50 CFR 224.103 (d)(1)(iii). The vessel operator will not purposely approach within 3 nm of any major Steller sea lion rookery or haulout unless doing so is necessary to maintain safe conditions.</p>		
<p>(b)(5)DPP (b)(5)DPP</p>		
<p>[Redacted]</p>		

CONFIDENTIAL

IDT Copy

**From:** [Boario, Sara D](#)  
**To:** [Hayes, Michael E](#)  
**Subject:** Fw: CP SEIS - response to NVK  
**Date:** Wednesday, March 29, 2023 3:12:50 PM  
**Attachments:** [CPSEIS Response to NVK 3.17.23.pdf](#)  
[CP Lease Suspension - AIDEA.pdf](#)

---

I think they want a wet signature on this, can you print for me please?

sb

---

**From:** Kuhns, Stephanie L <skuhns@blm.gov>  
**Sent:** Tuesday, March 21, 2023 10:32 AM  
**To:** Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>; Boario, Sara D <sara\_boario@fws.gov>; Loya, Wendy M <wendy\_loya@fws.gov>  
**Cc:** Sweet, Serena E <ssweet@blm.gov>; Pendergast, Kevin J <kpendergast@blm.gov>  
**Subject:** CP SEIS - response to NVK

Hi Bobbie Jo,

Please see attached the response letter which is currently being routed through DTS. Steve requested that we cut it down a bit and determined it would be best for him and Sara to sign, rather than the project management team. A copy of the AIDEA lease suspension letter (also attached) will be included in the letter to Kaktovik to better explain the legal deficiencies.

Thanks,

Stephanie

Stephanie Kuhns ([she/her](#))  
Planning and Environmental Specialist  
Alaska State Office  
USDOI - Bureau of Land Management  
(907)271-4208 (office)  
**(b) (6)** (cell)

*“A desk is a dangerous place from which to view the world.” – John LeCarré*

(b) (5)





United States Department of the Interior  
OFFICE OF THE SECRETARY  
Washington, DC 20240

June 1, 2021

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

DECISION

Alaska Industrial Development	:	Oil and Gas Leases
and Export Authority	:	AA095889
813 West Northern Lights Blvd.	:	AA095890
Anchorage, Alaska 99503	:	AA095893
	:	AA095897
	:	AA095898
	:	AA095900
	:	AA095901

Suspension of Operations and Production

On January 20, 2021, Executive Order 13990 directed that the Secretary of the Interior “place a temporary moratorium on activities of the Federal Government relating to the Coastal Plain Oil and Gas Leasing Program” and “review the program and ... conduct a new, comprehensive analysis of the potential environmental impacts of the oil and gas program.”

After conducting the required review of the program, the Department identified defects in the underlying record supporting the leases, including, but not limited to: insufficient analysis under the National Environmental Policy Act (NEPA), including failure to adequately analyze a reasonable range of alternatives in the environmental impact statement (EIS); and failure in the August 17, 2020, Record of Decision (ROD) to properly interpret Section 20001 of Public Law 115-97 (Tax Act). In addition to these specific defects, the Department has identified several areas for which additional analysis may either address a potential legal defect or, at a minimum, serve NEPA’s purpose to meaningfully inform the decisionmaker as to the environmental consequences of federal action. These include, but are not limited to, the EIS’s treatment of foreign greenhouse gas (GHG) emissions and compliance with section 810 of the Alaska National Interest Lands Conservation Act (ANILCA). Further, any new NEPA analysis involving an additional alternative may also involve connected reviews, such as under section 106 of the National Historic Preservation Act and consultation under section 7 of the Endangered Species Act.

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.”<sup>1</sup> However, inclusion of the phrase “up to” indicates that less than 2,000 acres may be authorized in appropriate circumstances, such as for alternatives that make large areas unavailable for leasing or surface development and thus may require fewer production and support facilities. The explanation in the ROD for not considering such an alternative – that the Tax Act provides a *mandate* to the BLM requiring it to approve production and support facilities up to that limit – is both implausible and contrary to Congressional intent, which is itself a legal error.

While not identified as a legal defect at this point, the Department recognizes that the recent Ninth Circuit opinion involving the Liberty Project in Alaska, *Center for Biological Diversity v. Bernhardt*, issued on December 7, 2020, has implications for the analysis of foreign greenhouse gas emissions in many of its programs and projects, including those already in litigation, like the Coastal Plain Oil and Gas Leasing Program. The Department is carefully evaluating its approach to this issue and may later identify this issue as an additional specific legal error depending on the resolution of pending court cases involving similar issues.

Based on the identified defects noted above with the NEPA documents underlying the competitive lease sale that resulted in the issuance of the lease(s) referenced above, and in exercise of the Department’s inherent authority to correct legal errors, the Department has concluded that it is necessary to suspend the above-referenced lease(s) and complete further environmental analysis under NEPA, consistent with the direction provided in Executive Order 13990 and Secretarial Order 3401. The BLM will undertake this additional NEPA analysis to determine whether the leases should be reaffirmed, voided or subject to additional mitigation measures. The BLM will publish a notice of intent to begin this process to undertake additional analysis, complete necessary consultation, and correct defects in the EIS and ROD. When complete, the BLM will issue a new decision concerning this suspension of operations and production (SOP) of the above-referenced leases.

This SOP is effective the first day of June 2021. While this SOP is in place, no lease operations may transpire on the leases, the terms of the leases are tolled, and lease rentals are suspended. If you have any questions, please contact Nada Wolff Culver at [nculver@blm.gov](mailto:nculver@blm.gov).

Sincerely,

Laura Daniel-Davis  
Principal Deputy Assistant Secretary  
Land and Minerals Management

---

<sup>1</sup> Section 20001(c)(3) of the Tax Act provides: “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 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.”

**From:** [Kuhns, Stephanie L](#)  
**To:** [Boario, Sara D](#)  
**Cc:** [Sweet, Serena E](#); [Skibo, Bobbie Jo](#); [Cohn, Steven M](#); [Pendergast, Kevin J](#); [Loya, Wendy M](#)  
**Subject:** Word version of NVK response letter  
**Date:** Thursday, March 30, 2023 12:10:47 PM  
**Attachments:** [CPSEIS Response to NVK 3.17.23.docx](#)

---

Sara,

Per your request, please see attached the Word version of the response to NVK.

Thank you,

Stephanie

Stephanie Kuhns ([she/her](#))  
Planning and Environmental Coordinator  
Alaska State Office  
USDOI - Bureau of Land Management  
(907)271-4208 (office)  
**(b) (6)** (cell)

*“A desk is a dangerous place from which to view the world.” – John LeCarré*

(b) (5)



**From:** [Skibo, Bobbie Jo](#)  
**To:** [Lor, Socheata](#); [Boario, Sara D](#)  
**Cc:** [Sweet, Serena E](#); [Kuhns, Stephanie L](#); [Cohn, Steven M](#); [Pendergast, Kevin J](#); [Loya, Wendy M](#)  
**Subject:** FW: Word version of NVK response letter  
**Date:** Thursday, March 30, 2023 12:14:19 PM  
**Attachments:** [CPSEIS Response to NVK 3.17.23.docx](#)  
**Importance:** High

---

Adding Soch per Sara's request.

---

**From:** Kuhns, Stephanie L <skuhns@blm.gov>  
**Sent:** Thursday, March 30, 2023 10:11 AM  
**To:** Boario, Sara D <sara\_boario@fws.gov>  
**Cc:** Sweet, Serena E <ssweet@blm.gov>; Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>; Cohn, Steven M <scohn@blm.gov>; Pendergast, Kevin J <kpendergast@blm.gov>; Loya, Wendy M <wendy\_loya@fws.gov>  
**Subject:** Word version of NVK response letter

Sara,

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Thank you,

Stephanie

Stephanie Kuhns ([she/her](#))  
Planning and Environmental Coordinator  
Alaska State Office  
USDOI - Bureau of Land Management  
(907)271-4208 (office)  
**(b) (6)** (cell)

*"A desk is a dangerous place from which to view the world." – John LeCarré*

(b) (5)



**From:** [Lor, Socheata](#)  
**To:** [Skibo, Bobbie Jo](#); [Boario, Sara D](#)  
**Cc:** [Sweet, Serena E](#); [Kuhns, Stephanie L](#); [Cohn, Steven M](#); [Pendergast, Kevin J](#); [Loya, Wendy M](#)  
**Subject:** Re: Word version of NVK response letter  
**Date:** Thursday, March 30, 2023 12:40:27 PM  
**Attachments:** [CPSEIS Response to NVK 3.17.23\\_SL.docx](#)

---

Thank you, Bobbi Jo!

My edits are in the attachment. Sara was good with those edits, but please let's give her a chance to read it again.

She's meeting with the Dep Sec right now.

---

*Soch Lor, Ph.D (she/her)*  
*Acting 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.*

---

**From:** Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>  
**Sent:** Thursday, March 30, 2023 10:14 AM  
**To:** Lor, Socheata <socheata\_lor@fws.gov>; Boario, Sara D <sara\_boario@fws.gov>  
**Cc:** Sweet, Serena E <ssweet@blm.gov>; Kuhns, Stephanie L <skuhns@blm.gov>; Cohn, Steven M <scohn@blm.gov>; Pendergast, Kevin J <kpendergast@blm.gov>; Loya, Wendy M <wendy\_loya@fws.gov>  
**Subject:** FW: Word version of NVK response letter

Adding Soch per Sara's request.

---

**From:** Kuhns, Stephanie L <skuhns@blm.gov>  
**Sent:** Thursday, March 30, 2023 10:11 AM  
**To:** Boario, Sara D <sara\_boario@fws.gov>  
**Cc:** Sweet, Serena E <ssweet@blm.gov>; Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>; Cohn, Steven M <scohn@blm.gov>; Pendergast, Kevin J <kpendergast@blm.gov>; Loya, Wendy M <wendy\_loya@fws.gov>  
**Subject:** Word version of NVK response letter

Sara,

Per your request, please see attached the Word version of the response to NVK.

Thank you,

Stephanie

Stephanie Kuhns ([she/her](#))  
Planning and Environmental Coordinator  
Alaska State Office  
USDOI - Bureau of Land Management  
(907)271-4208 (office)  
**(b) (6)** (cell)

*“A desk is a dangerous place from which to view the world.” – John LeCarré*

(b) (5)



**From:** [Kuhns, Stephanie L](#)  
**To:** [Boario, Sara D](#); [Lor, Socheata](#); [Skibo, Bobbie Jo](#); [Hayes, Michael E](#)  
**Cc:** [Sweet, Serena E](#); [Cohn, Steven M](#); [Pendergast, Kevin J](#); [Loya, Wendy M](#); [Reed, Erika](#)  
**Subject:** RE: Word version of NVK response letter  
**Date:** Thursday, March 30, 2023 2:24:16 PM  
**Attachments:** [CPSEIS Response to NVK 3.30.2023.pdf](#)

---

All:

Please see attached. In addition to correcting the spacing errors, I did remove the word "Indigenous" before the last instance of "traditional knowledge" to maintain consistency throughout the document.

Once we have Sara's signature, we can route through BLM.

Thank you everyone for your help on this!

Stephanie

---

**From:** Boario, Sara D <sara\_boario@fws.gov>  
**Sent:** Thursday, March 30, 2023 11:54 AM  
**To:** Lor, Socheata <socheata\_lor@fws.gov>; Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>; Hayes, Michael E <michael\_hayes@fws.gov>  
**Cc:** Sweet, Serena E <ssweet@blm.gov>; Kuhns, Stephanie L <skuhns@blm.gov>; Cohn, Steven M <scohn@blm.gov>; Pendergast, Kevin J <kpendergast@blm.gov>; Loya, Wendy M <wendy\_loya@fws.gov>  
**Subject:** Re: Word version of NVK response letter

I'm good with this, thank you all! there may be some spacing issues, so if someone can double check that for final that would be good. Once you have this in PDF, please send to me, Soch, and Mike Hayes (copied). Mike can get my wet signature on this for you. I may be in a plane within the hour. Thanks! - sb

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

---

**From:** Lor, Socheata <[socheata\\_lor@fws.gov](mailto:socheata_lor@fws.gov)>  
**Sent:** Thursday, March 30, 2023 10:40 AM  
**To:** Skibo, Bobbie Jo <[bobbiejo\\_skibo@fws.gov](mailto:bobbiejo_skibo@fws.gov)>; Boario, Sara D <[sara\\_boario@fws.gov](mailto:sara_boario@fws.gov)>  
**Cc:** Sweet, Serena E <[ssweet@blm.gov](mailto:ssweet@blm.gov)>; Kuhns, Stephanie L <[skuhns@blm.gov](mailto:skuhns@blm.gov)>; Cohn, Steven M <[scohn@blm.gov](mailto:scohn@blm.gov)>; Pendergast, Kevin J <[kpendergast@blm.gov](mailto:kpendergast@blm.gov)>; Loya, Wendy M <[wendy\\_loya@fws.gov](mailto:wendy_loya@fws.gov)>  
**Subject:** Re: Word version of NVK response letter

Thank you, Bobbi Jo!

My edits are in the attachment. Sara was good with those edits, but please let's give her a chance to read it again.

She's meeting with the Dep Sec right now.

---

*Soch Lor, Ph.D (she/her)  
Acting 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.*

---

**From:** Skibo, Bobbie Jo <[bobbiejo\\_skibo@fws.gov](mailto:bobbiejo_skibo@fws.gov)>  
**Sent:** Thursday, March 30, 2023 10:14 AM  
**To:** Lor, Socheata <[socheata\\_lor@fws.gov](mailto:socheata_lor@fws.gov)>; Boario, Sara D <[sara\\_boario@fws.gov](mailto:sara_boario@fws.gov)>  
**Cc:** Sweet, Serena E <[ssweet@blm.gov](mailto:ssweet@blm.gov)>; Kuhns, Stephanie L <[skuhns@blm.gov](mailto:skuhns@blm.gov)>; Cohn, Steven M <[scohn@blm.gov](mailto:scohn@blm.gov)>; Pendergast, Kevin J <[kpendergast@blm.gov](mailto:kpendergast@blm.gov)>; Loya, Wendy M <[wendy\\_loya@fws.gov](mailto:wendy_loya@fws.gov)>  
**Subject:** FW: Word version of NVK response letter

Adding Soch per Sara's request.

---

**From:** Kuhns, Stephanie L <[skuhns@blm.gov](mailto:skuhns@blm.gov)>  
**Sent:** Thursday, March 30, 2023 10:11 AM  
**To:** Boario, Sara D <[sara\\_boario@fws.gov](mailto:sara_boario@fws.gov)>  
**Cc:** Sweet, Serena E <[ssweet@blm.gov](mailto:ssweet@blm.gov)>; Skibo, Bobbie Jo <[bobbiejo\\_skibo@fws.gov](mailto:bobbiejo_skibo@fws.gov)>; Cohn, Steven M <[scohn@blm.gov](mailto:scohn@blm.gov)>; Pendergast, Kevin J <[kpendergast@blm.gov](mailto:kpendergast@blm.gov)>; Loya, Wendy M <[wendy\\_loya@fws.gov](mailto:wendy_loya@fws.gov)>  
**Subject:** Word version of NVK response letter

Sara,

Per your request, please see attached the Word version of the response to NVK.

Thank you,

Stephanie

Stephanie Kuhns ([she/her](#))  
Planning and Environmental Coordinator  
Alaska State Office  
USDOI - Bureau of Land Management  
(907)271-4208 (office)  
**(b) (6)** (cell)

*“A desk is a dangerous place from which to view the world.” – John LeCarré*

(b) (5)



**From:** [Taylor, Sara M](#)  
**To:** [Thiele, Raina D](#); [Boario, Sara D](#)  
**Subject:** Fw: For awareness only: Letter re Porcupine Caribou  
**Date:** Tuesday, April 4, 2023 4:07:42 PM  
**Attachments:** [2023.03.29 Response Letter on Porcupine Caribou.docx](#)  
[2023-03-23 Joint LTR to U.S. Department of State re Roadmap for a Renewed U.S.-Canada Partnership.pdf](#)

---

For awareness only, letter from State Department responding to a joint request from the Vuntut Gwitchin Government, Tr'ondek Hwech'in Government, and Gwich'in Tribal Council for a renewed international commitment to safeguarding the Porcupine Caribou Herd. - ST

---

**From:** Close, Ryan <ryan\_close@ios.doi.gov>  
**Sent:** Tuesday, April 4, 2023 7:34 AM  
**To:** Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>; Sweet, Serena E <ssweet@blm.gov>; Taylor, Sara M <sara\_taylor@ios.doi.gov>; Tollefson, Christopher J <ctollefson@blm.gov>; Howell, David O <dohowell@blm.gov>  
**Cc:** Castellanos, Gilbert <gilbert\_castellanos@fws.gov>; Franco, Fabiano <fabiano\_franco@ios.doi.gov>; Downes, David R <David\_Downes@ios.doi.gov>  
**Subject:** For awareness only: Letter re Porcupine Caribou

Hi folks,

I hope everyone is well. I'm sharing the attached incoming letter to DOS, as well as DOS's planned response, for awareness only.

Ryan

[Ryan Close](#)

Senior Policy Advisor  
Office of International Affairs  
U.S. Department of the Interior  
(202) 510-2903

---

**From:** (b) (6) @state.gov>  
**Sent:** Wednesday, March 29, 2023 5:06 PM  
**To:** Franco, Fabiano <fabiano\_franco@ios.doi.gov>; Castellanos, Gilbert <gilbert\_castellanos@fws.gov>  
**Subject:** [EXTERNAL] Gwitchin letter re Porcupine Caribou

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Hi Fabiano, Gil,

I just wanted to flag that we received the attached letter from the Gwitchin re the Porcupine Caribou literally the day that POTUS landed in Canada. Attached also is our planned response in which we note that we will share the concerns with Interior.

Thanks, and I hope you're both doing well.

Best,

(b) (6)

(b) (6)

Energy and Environment Officer | Office of Canadian Affairs (WHA-CAN) | HST 3918

(office) (b) (6) | (cell) (b) (6)

March 29, 2023

Chief Pauline Frost, Vuntut Gwitchin Government  
Chief Roberta Joseph, Tr'ondëk Hwëch'in Government  
Chief Ken Kyikavichik, Gwich'in Tribal Council

Dear Chief Pauline Frost, Chief Roberta Joseph, and Grand Chief Ken Kyikavichik,

Thank you so much for your letter of March 23. I very much appreciate your Nations long history with the calving lands of the Porcupine Caribou Herd and want to thank you for sharing your concerns about drilling in the Arctic National Wildlife Refuge (ANWR). I know that my colleagues very much enjoyed meeting with you last May and we truly appreciate our close communication with you on this issue. We will certainly share your concerns with our colleagues at the Department of the Interior as the lead action agency on management of these leases. It is also valuable for us to understand your position on the U.S. Tax Cuts and Jobs Act, and we thank you for your comments. As an Executive Branch agency, we defer to Congress regarding changes to the mandates contained in the legislation.

I want to assure you that President Biden remains committed to delivering on the most ambitious land and water conservation agenda in American history, including the first-ever national conservation goal to conserve at least 30% of U.S. lands and waters by 2030.

Thank you again for sharing your concerns and please do let us know if you should be in Washington, DC, anytime soon as I would look forward to meeting you.

Best regards,

(b) (6)

(b) (6)

Office of Canadian Affairs, U.S. Department of State



March 23, 2023

(b) (6)

(b) (6) Office of Canadian Affairs

U.S. State Department

SENT VIA EMAIL

Dear Ms. (b) (6)

**RE: Roadmap for a Renewed U.S.-Canada Partnership and Commitment to safeguarding the Porcupine Caribou Herd calving grounds.**

We are writing today in advance of the meeting between President Joe Biden and Prime Minister Justin Trudeau to urge further progression toward permanent protection of the calving grounds of the Porcupine Caribou Herd on the Coastal Plain of the Arctic National Wildlife Refuge in accordance with commitments made in the 2021 Roadmap for a Renewed U.S.-Canada Partnership ("Roadmap").

Our Nations have been stewards of the lands of the Porcupine Caribou Herd for a millennia and protection of the herd is critical to the physical, cultural and spiritual survival of our people. We can tell you unequivocally as the people closest to these lands, that oil and gas drilling in the Coastal Plain of the Arctic National Wildlife Refuge, which are critical calving and post-calving grounds of the Porcupine Caribou Herd, will have devastating impacts to the sensitive arctic ecosystems that we belong to. This will inevitably jeopardize our food security, our health, our culture, and our way of life.

This is why as Nations we have worked in unity for decades seeking the permanent protection of the area we call Iizhik Gwats'an Gwandaii Goodlit (The Sacred Place Where Life Begins). Our work became even more urgent under the Trump Administration when drilling in the Arctic National Wildlife Refuge was imminent with the passing of the U.S. Tax Cuts and Jobs Act in 2017.

As discussed at a meeting between your predecessor and representatives of the Vuntut Gwitchin Government and the Gwich'in Tribal Council in May of last year, our Nations were able to breathe a sigh of relief knowing that the Government of Canada and the Government of the United States were united in recognizing the importance of the Arctic National Wildlife Refuge and the cross-border cooperation

---

*Vuntut Gwitchin Government*  
P.O. Box 94  
Old Crow, Yukon  
Tel: (867) 966-3261

*Tr'ondëk Hwëch'in Government*  
P.O. Box 599  
Dawson City, Yukon  
Tel: (867) 993-7100

*Gwich'in Tribal Council*  
P.O. Box 1509  
Inuvik, Northwest Territories  
Tel: (867) 777-7900

that is required to protect it. The acknowledgement that these lands are invaluable to our culture and subsistence way of life in the Northern Yukon and Northwest Territories of Canada, recognizes the magnitude that this area has on the sustainability of our Nations. It is also a testament that we have been heard, and honours our elders, our way of life and our future generations.

However, further action is urgently needed to protect the Arctic National Wildlife Refuge as more than 350,000 acres of the Coastal Plain are currently under lease for oil and gas development as the Tax Cuts and Jobs Act mandates a second oil and gas lease sale by 2024. These leases must be cancelled, and the mandate repealed.

The Government of the United States and the Government of Canada must progress on the commitments made within the Roadmap. Our Nations are aligned in knowing that only permanent protection of the calving grounds of the Porcupine Caribou Herd in the Arctic National Wildlife Refuge would uphold the visions of our ancestors and the promises and principles of our Final and Self-Government Agreements with the Government of Canada. Permanent protection would also support the intent of the 1987 Agreement Between the Government of Canada and the Government of the United States of America on the Conservation of the Porcupine Caribou Herd.

We recognize the work of your office in ensuring this commitment, and the partnership as laid out in the Roadmap, is upheld. We look forward to continuing to work with the Government of Canada and the Government of the United States to ensure the Arctic National Wildlife Refuge is permanently protected for future generations.

Mahsi',

---

Chief Pauline Frost  
Vuntut Gwitchin Government

---

Chief Roberta Joseph  
Tr'ondëk Hwëch'in Government

---

Grand Chief Ken Kyikavichik  
Gwich'in Tribal Council

cc. (b) (6) Deputy Director, Office of Canadian Affairs, U.S. State Department  
Chief Simon Mervyn, First Nation of Na-Cho Nyäk Dun

**From:** [Kuhns, Stephanie L](#)  
**To:** [Loya, Wendy M](#); [Lor, Socheata](#); [Boario, Sara D](#); [Pendergast, Kevin J](#); [Cohn, Steven M](#)  
**Subject:** FW: [EXTERNAL] RE: Coastal Plain SEIS: Submittal - Internal Review Draft Chapter 3  
**Date:** Monday, April 17, 2023 12:13:44 PM  
**Importance:** High

---

See links to access the Chapter 3 analysis (very drafty draft) and maps in chain below. Directly below are comments from Mike Gieryic, who reviewed over the weekend.

*Attorney-Client Privileged - Not For Release*

(b) (5)

[Redacted]

[Redacted]

---

**From:** Amy Lewis <amy.lewis@empsi.com>  
**Sent:** Monday, April 17, 2023 9:36 AM  
**To:** Sweet, Serena E <ssweet@blm.gov>; Kuhns, Stephanie L <skuhns@blm.gov>; Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>; Gieryic, Michael S <Mike.Gieryic@sol.doi.gov>  
**Cc:** Erin Hudson <erin.hudson@empsi.com>; Marcia Rickey <marcia.rickey@empsi.com>  
**Subject:** [EXTERNAL] RE: Coastal Plain SEIS: Submittal - Internal Review Draft Chapter 3  
**Importance:** High

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Good morning –

A **revised Chapter 3** has been uploaded to reflect the edits provided by Mike G. The new (correct) file has a “20230416” date and can be downloaded at the link below. The original 20230414 PDF file of Chapter 3 has been removed from this location and should not be distributed.

<https://personal.filesanywhere.com/fs/v.aspx?v=8e6e628c5d676dad9ba4>

**Amy Lewis** (*she/her/hers*)  
EMPSi Environmental Management and Planning Solutions, Inc.  
2175 NW Raleigh St., Suite 110  
Portland, OR 97210  
tel: 503-308-4667  
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---

**From:** Amy Lewis  
**Sent:** Sunday, April 16, 2023 10:19 PM  
**To:** Serena Sweet <[ssweet@blm.gov](mailto:ssweet@blm.gov)>; Kuhns, Stephanie L <[skuhns@blm.gov](mailto:skuhns@blm.gov)>; Skibo, Bobbie Jo <[bobbiejo\\_skibo@fws.gov](mailto:bobbiejo_skibo@fws.gov)>; Gieryic, Michael S <[mike.gieryic@sol.doi.gov](mailto:mike.gieryic@sol.doi.gov)>  
**Cc:** Erin Hudson <[erin.hudson@empsi.com](mailto:erin.hudson@empsi.com)>; Marcia Rickey <[marcia.rickey@empsi.com](mailto:marcia.rickey@empsi.com)>

**Subject:** RE: Coastal Plain SEIS: Submittal - Internal Review Draft Chapter 3

Hello everyone –

**Appendix A** (Maps and Figures for Chapters 1-3) has been uploaded and is available at the following link. I also updated the Comment Matrix file to include a tab for the maps – the correct file should have the 0416 date at the end of the filename.

<https://personal.filesanywhere.com/fs/v.aspx?v=8e6e628c5b6774a870a0>

Based on Mike G's email earlier, I would caution against downloading/distributing the Chapter 3 in the folder above. I will find out how quickly we can turn around a new draft in the morning.

**Amy Lewis** (*she/her/hers*)

EMPSi Environmental Management and Planning Solutions, Inc.

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tel: 503-308-4667

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---

**From:** Amy Lewis

**Sent:** Friday, April 14, 2023 5:33 PM

**To:** Serena Sweet <[ssweet@blm.gov](mailto:ssweet@blm.gov)>; Kuhns, Stephanie L <[skuhns@blm.gov](mailto:skuhns@blm.gov)>; Skibo, Bobbie Jo <[bobbiejo\\_skibo@fws.gov](mailto:bobbiejo_skibo@fws.gov)>; Gieryic, Michael S <[mike.gieryic@sol.doi.gov](mailto:mike.gieryic@sol.doi.gov)>

**Cc:** Erin Hudson <[erin.hudson@empsi.com](mailto:erin.hudson@empsi.com)>; Marcia Rickey <[marcia.rickey@empsi.com](mailto:marcia.rickey@empsi.com)>

**Subject:** Coastal Plain SEIS: Submittal - Internal Review Draft Chapter 3

**Importance:** High

Hello all –

This email marks the submittal of the **Coastal Plain SEIS – Internal Review Draft of Chapter 3** for review and comment by the BLM and USFWS ID Teams and cooperating agencies. Please provide consolidated review comments back by **COB May 5**. The documents are available for download here:

<https://personal.filesanywhere.com/fs/v.aspx?v=8e6e628c5a647679b197>

## **FILES**

There are three files in the folder:

- **Internal Draft Chapter 3** (PDF) – tracked changes are shown (additions in blue, deletions in red)
- **Internal Draft Stips and ROPs** (PDF) – note this file is for reference only (not accepting comments during this review)
- **Internal Draft Chapter 3 Comment Matrix** (Excel)

A PDF file of Internal Draft Chapter 2 and Chapter 3 maps will be sent by Monday morning (April 17).

### **REVIEWER NOTES**

A few notes for you as you pass along instructions to reviewers:

- The Chapter 3 document has a ‘cover letter’ that notes that this is a preliminary and internal draft. It has not gone through a complete technical review.
- Reviewers should **focus on the content** and whether the text included is accurate and/or needs to be edited, or if something is missing. Do not focus on edits to heading consistency, acronyms, references, table numbering, etc.
- If reviewers have questions, please instruct them to reach out to Serena/Stephanie/Bobbie Jo and not their EMPSi counterparts.

### **ANALYSIS NOTES**

As you’ll see in the cover letter and the document, there are a number of “notes to reviewers” highlighted in yellow where information is still being developed/finalized/tracked down.

In terms of the analysis of Alternative D, there is nothing unexpected.

- The biological resource section analyses have been greatly supplemented with new data and information, including the analyses under Alternatives B and C (particularly related to predicted future PCH calving).
- There are ITEK section placeholders for the resource topics identified by NARF. An approach to how to address the ITEK incorporation needs to be identified. You may want to think about how to message this to cooperating agencies.

### **COMMENT MATRIX**

Please provide edits back to us using the [MS Excel comment matrix](#). It might be easiest to put all files on Teams, particularly the comment matrix so multiple reviewers can work in the document at one time.

- There is one tab per resource section, as well as tabs for the intro/global comments and the end sections of Chapter 3

As you are compiling/reconciling comments from BLM and USFWS specialists, if there are conflicting comments or comments that the management team feels that we do not need to address, then please provide that direction in the “Response” column. You only need to fill anything in the response column if you see you need to provide direction; otherwise, please leave that column blank. Provide **one master version of the Excel matrix** at the end of your review period with all comments compiled and reconciled (as needed). This means BLM comments, USFWS comments, and Cooperating Agency comments in one file.

Please let us know if you have any questions, issues with downloading the documents, or if there is anything else we can do to help facilitate your review.

-Amy-

**Amy Lewis** (*she/her/hers*)

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**From:** [Skibo, Bobbie Jo](#)  
**To:** [Boario, Sara D](#); [Cohn, Steven M](#)  
**Cc:** [Loya, Wendy M](#); [Pendergast, Kevin J](#); [Sweet, Serena E](#); [Kuhns, Stephanie L](#); [Lor, Socheata](#)  
**Subject:** FW: Coastal Plain SEIS Process Flow for April 17 to 24  
**Date:** Monday, April 17, 2023 10:19:43 PM  
**Attachments:** [CP SEIS Process Flow for 4.17 to 4.24.docx](#)  
[CP SEIS Key Topics Memo.docx](#)  
**Importance:** High

---

Hello All (good evening),

I am consolidating two emails sent from Serena this evening and cc'ing Sara, Soch, and Wendy. We are needing guidance by 9am tomorrow morning to be prepared for our 10-12 Cooperating Agency meeting. Thank you, Bobbie Jo

\*\*\*\*\*

Hi Steve,

As discussed this morning, attached is updated information related to the Coastal Plain SEIS upcoming processes.

Attached are:

1. Our updated process flow for April 17 through April 24th.
2. Key Topics Memo - We intend to share the information in this document during our Cooperating Agency Meeting tomorrow, but would like your input on whether or not that appropriate.

I am free tonight or early tomorrow morning (before the scheduled Cooperating Agencies meeting at 10am) to discuss further if you have any questions.

Further, we had planned to share the draft Chapter 3 with BLM HQ today. I did intend to provide an update on this new approach during our Wednesday Alaska Check-in with HQ; however, that has been cancelled this week.

Serena Sweet  
Supervisory Planning & Environmental Coordinator

BLM-Alaska, Resources Division  
Desk: 907-271-4543  
Cell: (b) (6)

---

**From:** Sweet, Serena E <ssweet@blm.gov>  
**Sent:** Monday, April 17, 2023 8:12 PM  
**To:** Cohn, Steven M <scohn@blm.gov>  
**Cc:** Kuhns, Stephanie L <skuhns@blm.gov>; Pendergast, Kevin J <kpendergast@blm.gov>; Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>  
**Subject:** Re: Coastal Plain SEIS Process Flow for April 17 to 24

Here are the attachments.

Serena Sweet  
Supervisory Planning & Environmental Coordinator

BLM-Alaska, Resources Division  
Desk: 907-271-4543  
Cell: (b) (6)

---

**From:** Sweet, Serena E

**Sent:** Monday, April 17, 2023 9:11 PM

**To:** Cohn, Steven M <[scohn@blm.gov](mailto:scohn@blm.gov)>

**Cc:** Kuhns, Stephanie L <[skuhns@blm.gov](mailto:skuhns@blm.gov)>; Pendergast, Kevin J <[kpendergast@blm.gov](mailto:kpendergast@blm.gov)>; Skibo, Bobbie Jo <[bobbiejo\\_skibo@fws.gov](mailto:bobbiejo_skibo@fws.gov)>

**Subject:** Coastal Plain SEIS Process Flow for April 17 to 24

Hi Steve,

As discussed this morning, attached is updated information related to the Coastal Plain SEIS upcoming processes.

Attached are:

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Serena Sweet

Supervisory Planning & Environmental Coordinator

BLM-Alaska, Resources Division

Desk: 907-271-4543

Cell: (b) (6)

## Coastal Plain SEIS Process Flow: April 17 to April 24

### April 17: Update email to BLM/FWS HQs

- Share updated April 17<sup>th</sup> Coastal Plain SEIS Background and Key Topics Memo and schedule milestones
- Seek concurrence/approval on key topics to be discussed on 4/18 with Cooperating Agencies

### April 18: Cooperating Agency Meeting

- Overview of April 17<sup>th</sup> Coastal Plain SEIS Background and Key Topics Memo (depending approval to share as a PDF email or screen share)
- Discuss timeline for upcoming Cooperating Agency review:
  - 5/26-6/16: Cooperating Agency review of full PDSEIS with appendices, etc.

### April 18: Draft PDSEIS Chapter 3 review by BLM/FWS IDT Members

- Share Draft PDSEIS Chapter 3, updated ROPs/Stips table, updated Alternatives A-D Maps and Background and Key Topics Memo with IDTs
- Comments due by 5pm Alaska time on 5/1
- Comment table must be used

### April 21: Steve/Sara Briefing

- De-brief on HQ guidance and Cooperating Agency Meeting (summary of any potentially controversial items)
- Major milestone schedule overview
- Reminder of upcoming court report deadline: April 28<sup>th</sup> (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:
  - Determination of Eligibility/Roles & Responsibilities (funding needed)
  - Sec. 106 kick off timing
  - Translation of DSEIS (funding needed)
  - Carbon avoidance concept
  - Canadian "Good Neighbor" Letter
  - ITEK de-brief from Gwich'in Tribes

- Provide Comms strategy overview

April 24: Check-in with BLM/FWS IDTs

- Check-in on status of review
- Answer questions
- Remind IDT that comments are due by COB on 4/28













**From:** [Cohn, Steven M](#)  
**To:** [Boario, Sara D](#)  
**Subject:** updated Kaktovik letter  
**Date:** Wednesday, April 19, 2023 6:50:05 PM  
**Attachments:** [EDITED\\_CPSEIS\\_Response\\_to\\_NVK\\_3.8.23\\_in\\_3-15\\_email\\_from\\_Steve.docx](#)  
[NVK\\_KIC\\_Ltr\\_to\\_BLM\\_and\\_FWS\\_2.21.2023\\_FINAL\\_Signed.pdf](#)

---

Hi Sara,

Could you please take a look at this letter and let me know if you are OK signing on with me. I certainly welcome any edits too.

Thank you!

Steve

Steven M. Cohn  
Alaska State Director  
Bureau of Land Management  
[scohn@blm.gov](mailto:scohn@blm.gov)

Cell: (b) (6)

Office: 907-271-5080



**Native Village of Kaktovik**  
P.O. Box 52  
Kaktovik, AK 99747  
Phone # (907) 640-2042 or 2043  
Fax # (907) 640-2044  
E-mail: nvkaktovik@gmail.com

**SENT VIA EMAIL TO ALL PARTIES**

February 23, 2023

Mr. Steve Cohn  
State Director, Alaska  
Bureau of Land Management  
113 W 7th Ave  
Anchorage, AK 99501

Ms. Sara Boario  
Regional Director, Alaska  
U.S. Fish & Wildlife Service  
1011 E Tudor Rd Ste 200  
Anchorage, AK 99503

**RE: Coastal Plain Oil and Gas Leasing Supplemental EIS and Indigenous Traditional Ecological Knowledge**

Dear Ms. Boario and Mr. Cohn,

The Native Village of Kaktovik (NVK) is writing you today as a follow-up on the concerns raised by our Council and tribal members, including Mr. Charles Lampe, President of Kaktovik Iñupiat Corporation (KIC), at our Cooperative Agency meeting held at 3:30pm on February 13, 2023, in Kaktovik, Alaska on the Coastal Plain Oil and Gas Leasing Supplemental EIS (SEIS). It was unfortunate that neither of you could attend the meeting in person, however we understand the issues around COVID and just that you and your families have recovered.

As you are aware, and hopefully, were able to hear during the teleconference, we are very frustrated with the notion that a deficiency of the Coastal Plain Oil and Gas Leasing EIS is a lack of incorporated indigenous or traditional knowledge in that document. We have been trying to focus on the NEPA issues related to the 'legal' deficiencies stated in Secretarial Order. 3401 and in the August 4, 2021, Federal Register Notice Vol. 86, No. 147. As you are aware, both NVK and KIC prepared and submitted comments on the public notice asking what the legal specific legal deficiencies were in the prior EIS and did not receive an answer until after we entered into the Cooperative Agency Memorandum of Agreement (MOU) with both the Bureau of Land Management (BLM) and the U.S. Fish & Wildlife Service (FWS) in October 2022. Neither agency pointed to the results of the Final Scoping Report (Report) published on the BLM ePlanning site in November 2021 and we have still not received a sufficient explanation outlining the legal deficiencies of the EIS during our first Cooperative Agency meeting.

We are frustrated that the 'alleged legal deficiencies' as stated in S.O. 3401 were actually identified through an additional public process to find their way into the Report and weren't reported to our community prior to the publication of the Report nor at any time prior to NVK entering into the MOU. Please remember, NVK was a Cooperating Agency during the 2019-20 EIS process and therefore should have been afforded the benefit of that status during and following Scoping for the SEIS. Now, after reading the Report we are still **uncertain** what the actual legal deficiencies are. We feel that our presence, our desires, and our cultural are being erased throughout this process.



**Native Village of Kaktovik**

P.O. Box 52

Kaktovik, AK 99747

Phone # (907) 640-2042 or 2043

Fax # (907) 640-2044

E-mail: [nvkaktovik@gmail.com](mailto:nvkaktovik@gmail.com)

In reading the Report and in discussions under our MOU we *think* they are as follows: 1) there is not enough differences between the range of Reasonably Foreseeable Developments (RFDs); 2) how the 2,000 acres of gravel gets allocated across the 1002 leases; 3) greenhouse gas analysis; and 4) lack of indigenous or traditional knowledge throughout the EIS. We understand the general NEPA process, and we thought that we would be engaged on all 1 through 4 items listed above, however we find that we are caught in this continuous 'Indigenous Traditional Ecological Knowledge (ITEK)' knowledge loop outside of any discussion about items 1 through 3, which is how we can contribute and incorporate traditional knowledge into the dialogue, process, and outcomes.

We now feel that our tribe, through the current process, is not addressing the 'legal deficiencies' of the EIS but are now fighting a battle to retain our sovereign rights as the people of the coastal plain through actions allowed by the two agencies. Instead of responding to NVK's series of requests where we asked questions about the deficiencies found in the EIS, the agencies moved forward with executing Memorandums for Cooperative Agency status with tribes outside the coastal plain and starting the ITEK Working Group (WG) with those tribes and failed to keep us informed as to that effort. We are disturbed about the incorporation of the WG into the NEPA process. This is a brand-new concept and one that we are strenuously opposed to. Please take a second to review the choice of location for the workshop, the participants in attendance and their affiliations, the agenda, and the law firm that is funding these efforts and recognize how the balance of power has been completely corrupted. Your agencies are, at best, complicit in, and at worst, encouraging the erasure of our sovereign rights over our homelands and our hundreds of years of history as the people of the coastal plain. Throughout the NEPA process to develop the Coastal Plain Oil and Gas Leasing Program EIS, the BLM held multiple meetings in not only Kaktovik, but also Venetie, Fort Yukon, and Arctic Village where community members drew maps and shared knowledge of cultural sites, subsistence routes, and our unique understanding of our place in this ecosystem – in short, generously and expansively sharing our Traditional Ecological Knowledge. Your efforts in this WG to rewrite ITEK are totally dismissive of those efforts and the sacred knowledge we have shared with you leaves us feeling hopeless and unsure of our future engagements with your respective agencies and staff. **We are now asking that this Workshop be canceled.**

What is occurring through the WG process is, as was stated in our February 13 meeting, **CULTURAL TRESPASS** and we are now adding **CULTURAL ASSASSINATION**. This is being allowed and encouraged by your agencies. Both BLM and FWS seem to be putting an inordinate and unbalanced amount of the time into the WG, there have been monthly and sometimes bi-monthly meetings with the WG while NVK has had only two consultations. WG efforts have moved forward at a rapid pace despite our concerns about the purpose of the WG, participants that attend the WG, and potential outcomes of the WG by allowing tribes south of the continental divide provide their perspective of traditional uses of our **HOMELANDS**. We are appalled that the agencies are hosting 5-day workshop in Fairbanks without any sense of sensitivity that we may have on the chosen venue. We are dismayed that we are basically being shut out of the process due to our own lack of funding and financial ability to participate to defend our



**Native Village of Kaktovik**

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**HOMELANDS.** Who could look at the Workshop Agenda and understand that the area being discussed are the **KAKTOVIKMIUT HOMELANDS!** We are not only frustrated but we are very angry that this has gone this far with little to no input from NVK and can only conclude that there has been a serious lack of critical thought on the part of your staff over the precedent this sets and the message you are sending in moving forward so enthusiastically in this work with absolutely no regard to the nuances and sensitivities at play here.

We have been directed to review the Office of Science and Technology Policy (OSTP) and the Council on Environmental Policy (CEQ) issued on the November 30, 2022, White House Guidance for Federal Departments and Agencies on Indigenous Knowledge (Guidance). On several occasions the co-leads of the SEIS have referenced Executive Order 13999 on *Protecting Public Health and the Environment and Restoring Science To Tackle the Climate Crisis*, Presidential Memorandum on *Tribal Consultation and Strengthening Nation-to-Nation Relationships*, and Executive Order 13175 on *Consultation and Coordination with Indian Tribal Governments*. We acknowledge that guidelines on how to incorporate traditional knowledge into federal decision-making is generally a positive step, however it's not intended to pit one tribe against one another nor is it intended to allow tribes to overreach into another tribes' sovereign homelands. Remember the Guidance is guidance only; while the intent of the Guidance is good - to assist agencies in (1) understanding Indigenous Knowledge, (2) growing and maintaining the mutually beneficial relationships with Tribal Nations and Indigenous Peoples needed to appropriately include Indigenous Knowledge, and (3) considering, including, and applying Indigenous Knowledge in Federal research, policies, and decision making – its application in these efforts is damaging and antithetical to its intended purpose.

The Guidance has several key statements that are important for the BLM and USFWS to consider as part of the current SEIS and with the WG. We have also included areas where, in our experience, the agencies have fallen short of these statements in their recent work. We would like to draw your attention to the following:

- "...Indigenous Knowledge is often unique and specific to a Tribe or Indigenous People, and may exist in a variety of forms ..." (page 2);
- "Indigenous Knowledge is a body of observations, oral and written knowledge, innovations, practices, and beliefs developed by Tribes and Indigenous Peoples through interaction and experience with the environment." (page 3);
- "Indigenous Knowledge is inherently heterogeneous due to the cultural, geographic, and socioeconomic differences from which it is derived, and is shaped by the Indigenous Peoples' understanding of their history and the surrounding environment. Indigenous Knowledge is unique to each group of Indigenous Peoples and each may elect to utilize different terminology or express it in different ways. Indigenous Knowledge is deeply connected to the Indigenous Peoples holding that knowledge." (page 3);
- "Western science has been used as a tool to oppress Tribal Nations and Indigenous Peoples." (page 5)



## Native Village of Kaktovik

P.O. Box 52

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- NVK used this as an example of the treatment of setbacks for 'no surface occupancy' to industry around rivers, lakes, streams and the coastline; our input into the process resulted in greater setbacks around critical water resources. Since NVK was not quoted this is being treated as Western Science when instead this could be interpreted as a situation of **CULTURAL APPROPRIATION**.
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    - Whose Workshop, is it?
    - Who is funding the tribal members to travel from their villages to Fairbanks?
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      - if so, can this really be viewed as an objective effort by the agencies to participate in the Workshop? Especially when NARF is asking the results of the Workshop to be put into the public record.
- Further the Guidance states "Agencies should not initiate consultation with an assumption that the Tribal Nation will share its knowledge with the agency, but rather with an inclusive process that empowers the Tribal Nation to determine if, and how, Indigenous Knowledge may be included in the agency's process." (page 9)
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- "Agencies should recognize that Tribes and Indigenous Peoples face obstacles to equitable collaboration, including: (1) mistrust or skepticism; (2) lack of funding, personnel, and capacity among Tribes and Indigenous Peoples to respond to Federal requests to engage; (3) lack of coordination and communication between Agencies may result in duplicate requests, causing frustration and extra work for Tribes and Indigenous Peoples; (4) changes in political administrations, budgets, and leadership priorities may affect relationship continuity and collaborative efforts; and (5) telecommunications infrastructure and lack of broadband or internet in rural areas." (page 11)
  - This point in particular best summarizes our feelings towards these recent efforts of consultation with the agency – we are frustrated, skeptical, and rapidly losing our trust.

In summary, it seems to us that the current practice of the ITEK Working Group are in direct opposition to most of guidelines outlined in the Guidance.

The WG first met in August 2022 and have had monthly meetings through February 2023. We attended the November 2022 meeting, but we weren't provided the courtesy to fully express ourselves nor were we comfortable doing so with the majority of the attendees being composed of Native American Rights Fund (NARF) attorneys and consultants! AGAIN - ***THIS WHOLE PROCESS IS INEQUITABLE TO OUR PEOPLE.***

One only has to look at the proposed agenda to see why we are so offended. First, there is only one mention of the Coastal Plain in the entire document and that is in the title, but the erasure of our culture and presence here doesn't stop there - other examples are the artwork is Dena'ina not Iñupiat, the venue is the Morris Thompson Cultural Center, the facilitator is Gwich'in, the approach of 'Talking Circles' is non-Iñupiaq and is spurned as a style of communication within our region, need we say more? Furthermore, in an agenda item on Day 4, the 'Office of Subsistence Management RAC Coordinator' is scheduled to meet. Which RAC are we talking about here? It's obviously not the North Slope RAC as that group is meeting in Kaktovik the week before the Workshop. Further down the agenda, on Day 5, the theme is "Making Connections and Braiding Knowledge." In the information that we have received, we are aware that there are 16 tribal members from Arctic Village, Venetie, and Fairbanks attending along with 4 of their consultants, NARF included, while Kaktovik doesn't have the resources to even send one person to this Workshop. Even if we did, how can you reasonably expect a Kaktovikmiut tribal member to walk into a meeting with such an inequitable balance of power and feel comfortable to share honestly and earnestly as is their right? **HOW CAN YOUR AGENCIES ALLOW THIS?** How do you, as the agencies involved, manage the expectations that you are creating?

On top of the lack of cultural sensitivity identified above, there are 14 'topical' items that we were told were forwarded by NARF for discussion. They are:



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Caribou; Polar Bears; Migratory Birds; Anadromous Fish; Non-anadromous fish; Rivers; Springs; Aufies; Vegetation and Overland Travel Methods; Geographic, geological and hydrological features; Weather and climate conditions (including snow and ice and climate change); Cultural heritage; Subsistence; Environmental justice (including public health); Air and water quality; and Acoustic, olfactory, and visual environments. Wow, just wow! The people attending this Workshop live between 146 to 382 miles away and across a continental divide from the Coastal Plain - the geographic area that is the focus of the SEIS. We agree that we share caribou and migratory birds for subsistence purposes and those are the only items that should be discussed in this Workshop. We are asking that the following items be deleted from the Workshop and future consultation efforts in Fairbanks, Venetie, Fort Yukon, and Arctic Village in their entirety, as these subjects as they exist in the Coastal Plain cannot reasonably be considered relevant to the communities in Interior Alaska participating in this workshop : Polar Bear; Anadromous Fish; Non-anadromous Fish; Rivers; Springs; Aufies; Vegetation and Overland Travel Methods; Geographic and hydrological features; Weather and climate conditions; Cultural heritage; Environmental justice; Air and water quality; and Acoustic, olfactory, and visual environments.

The cultural missteps and topical list are not the only issues and concerns with how the Workshop is structured – we are deeply disturbed that the agencies know so little about the differences between our Iñupiat culture and the Gwich'in culture that you would pose these 'Overarching Questions' as part of the Workshop:

- *What do you understand to be the most critical aspects of taxonomic, spatial, temporal, or social frames of reference to be considered alongside of Western Science?*
- *What observations have you made that should be considered alongside Western Science?*
- *What oral history has been shared that could inform this process?*
- *What has changed in your lifetime that concerns you?*
- *What questions do our Scientists have that may be informed by ITEK?*
- *What are the interdisciplinary connections that we need to address as it relates to the SEIS from an ITEK perspective?*

Again, there is no mention of the geographic location that the Workshop is speaking to which are our **HOMELANDS**. Since none of the people attending the Workshop have any experience living in the Coastal Plain the above 'Overarching Questions' are totally irrelevant to gaining traditional knowledge insights into our region. This is unacceptable to us.

All of the questions need to be struck from the Workshop and dialogue because **we are concerned that any outcomes of this attempt to capture indigenous knowledge from culture outside from our own Iñupiat culture will be used as traditional knowledge evidence against the Kaktovikmiut and establish a Gwich'in footprint in our own homeland. The Kaktovikmiut will NOT stand by while your agencies are complicit in the erasure our sovereignty, our traditional knowledge, and our ancestral claims to our own homelands and culture. YOU MUST DO BETTER.**



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We reiterate that we would like to see the entire Workshop cancelled. We feel that through the process of working with the agencies on the deficiencies in the EIS that we will be able to provide substantial traditional knowledge and wisdom to be incorporated into the SEIS just like we did with the Coastal Plain Oil and Gas Leasing EIS. If the agencies feel that these efforts are insufficient, then they should work to come up with a format that is equitable, balanced, fair, and acknowledges our claims over our own homelands and knowledge of this land.

Thank you for your attention to this critically sensitive issue to our community and people.

Best regards,

Native Village of Kaktovik

Kaktovik Iñupiat Corporation and Tribal  
Member

CC: Alaska Senator Lisa Murkowski  
Alaska Senator Dan Sullivan  
Alaska Representative Mary Peltola



(b) (5)



**From:** [Boario, Sara D](#)  
**To:** [Hayes, Michael E](#)  
**Cc:** [Lor, Socheata](#)  
**Subject:** Fw: updated Kaktovik letter  
**Date:** Thursday, April 20, 2023 10:27:59 AM  
**Attachments:** [EDITED\\_CPSEIS\\_Response\\_to\\_NVK\\_3.8.23\\_in\\_3-15\\_email\\_from\\_Steve.docx](#)  
[NVK\\_KIC\\_Ltr\\_to\\_BLM\\_and\\_FWS\\_2.21.2023\\_FINAL\\_Signed.pdf](#)

---

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

---

**From:** Cohn, Steven M <[scohn@blm.gov](mailto:scohn@blm.gov)>  
**Sent:** Wednesday, April 19, 2023 4:50 PM  
**To:** Boario, Sara D <[sara\\_boario@fws.gov](mailto:sara_boario@fws.gov)>  
**Subject:** updated Kaktovik letter

Hi Sara,  
Could you please take a look at this letter and let me know if you are OK signing on with me. I certainly welcome any edits too.  
Thank you!  
Steve

Steven M. Cohn  
Alaska State Director  
Bureau of Land Management  
[scohn@blm.gov](mailto:scohn@blm.gov)  
Cell: (b) (6)  
Office: 907-271-5080



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**SENT VIA EMAIL TO ALL PARTIES**

February 23, 2023

Mr. Steve Cohn  
State Director, Alaska  
Bureau of Land Management  
113 W 7th Ave  
Anchorage, AK 99501

Ms. Sara Boario  
Regional Director, Alaska  
U.S. Fish & Wildlife Service  
1011 E Tudor Rd Ste 200  
Anchorage, AK 99503

**RE: Coastal Plain Oil and Gas Leasing Supplemental EIS and Indigenous Traditional Ecological Knowledge**

Dear Ms. Boario and Mr. Cohn,

The Native Village of Kaktovik (NVK) is writing you today as a follow-up on the concerns raised by our Council and tribal members, including Mr. Charles Lampe, President of Kaktovik Iñupiat Corporation (KIC), at our Cooperative Agency meeting held at 3:30pm on February 13, 2023, in Kaktovik, Alaska on the Coastal Plain Oil and Gas Leasing Supplemental EIS (SEIS). It was unfortunate that neither of you could attend the meeting in person, however we understand the issues around COVID and just that you and your families have recovered.

As you are aware, and hopefully, were able to hear during the teleconference, we are very frustrated with the notion that a deficiency of the Coastal Plain Oil and Gas Leasing EIS is a lack of incorporated indigenous or traditional knowledge in that document. We have been trying to focus on the NEPA issues related to the 'legal' deficiencies stated in Secretarial Order. 3401 and in the August 4, 2021, Federal Register Notice Vol. 86, No. 147. As you are aware, both NVK and KIC prepared and submitted comments on the public notice asking what the legal specific legal deficiencies were in the prior EIS and did not receive an answer until after we entered into the Cooperative Agency Memorandum of Agreement (MOU) with both the Bureau of Land Management (BLM) and the U.S. Fish & Wildlife Service (FWS) in October 2022. Neither agency pointed to the results of the Final Scoping Report (Report) published on the BLM ePlanning site in November 2021 and we have still not received a sufficient explanation outlining the legal deficiencies of the EIS during our first Cooperative Agency meeting.

We are frustrated that the 'alleged legal deficiencies' as stated in S.O. 3401 were actually identified through an additional public process to find their way into the Report and weren't reported to our community prior to the publication of the Report nor at any time prior to NVK entering into the MOU. Please remember, NVK was a Cooperating Agency during the 2019-20 EIS process and therefore should have been afforded the benefit of that status during and following Scoping for the SEIS. Now, after reading the Report we are still **uncertain** what the actual legal deficiencies are. We feel that our presence, our desires, and our cultural are being erased throughout this process.



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In reading the Report and in discussions under our MOU we *think* they are as follows: 1) there is not enough differences between the range of Reasonably Foreseeable Developments (RFDs); 2) how the 2,000 acres of gravel gets allocated across the 1002 leases; 3) greenhouse gas analysis; and 4) lack of indigenous or traditional knowledge throughout the EIS. We understand the general NEPA process, and we thought that we would be engaged on all 1 through 4 items listed above, however we find that we are caught in this continuous 'Indigenous Traditional Ecological Knowledge (ITEK)' knowledge loop outside of any discussion about items 1 through 3, which is how we can contribute and incorporate traditional knowledge into the dialogue, process, and outcomes.

We now feel that our tribe, through the current process, is not addressing the 'legal deficiencies' of the EIS but are now fighting a battle to retain our sovereign rights as the people of the coastal plain through actions allowed by the two agencies. Instead of responding to NVK's series of requests where we asked questions about the deficiencies found in the EIS, the agencies moved forward with executing Memorandums for Cooperative Agency status with tribes outside the coastal plain and starting the ITEK Working Group (WG) with those tribes and failed to keep us informed as to that effort. We are disturbed about the incorporation of the WG into the NEPA process. This is a brand-new concept and one that we are strenuously opposed to. Please take a second to review the choice of location for the workshop, the participants in attendance and their affiliations, the agenda, and the law firm that is funding these efforts and recognize how the balance of power has been completely corrupted. Your agencies are, at best, complicit in, and at worst, encouraging the erasure of our sovereign rights over our homelands and our hundreds of years of history as the people of the coastal plain. Throughout the NEPA process to develop the Coastal Plain Oil and Gas Leasing Program EIS, the BLM held multiple meetings in not only Kaktovik, but also Venetie, Fort Yukon, and Arctic Village where community members drew maps and shared knowledge of cultural sites, subsistence routes, and our unique understanding of our place in this ecosystem – in short, generously and expansively sharing our Traditional Ecological Knowledge. Your efforts in this WG to rewrite ITEK are totally dismissive of those efforts and the sacred knowledge we have shared with you leaves us feeling hopeless and unsure of our future engagements with your respective agencies and staff. **We are now asking that this Workshop be canceled.**

What is occurring through the WG process is, as was stated in our February 13 meeting, **CULTURAL TRESPASS** and we are now adding **CULTURAL ASSASSINATION**. This is being allowed and encouraged by your agencies. Both BLM and FWS seem to be putting an inordinate and unbalanced amount of the time into the WG, there have been monthly and sometimes bi-monthly meetings with the WG while NVK has had only two consultations. WG efforts have moved forward at a rapid pace despite our concerns about the purpose of the WG, participants that attend the WG, and potential outcomes of the WG by allowing tribes south of the continental divide provide their perspective of traditional uses of our **HOMELANDS**. We are appalled that the agencies are hosting 5-day workshop in Fairbanks without any sense of sensitivity that we may have on the chosen venue. We are dismayed that we are basically being shut out of the process due to our own lack of funding and financial ability to participate to defend our



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**HOMELANDS.** Who could look at the Workshop Agenda and understand that the area being discussed are the **KAKTOVIKMIUT HOMELANDS!** We are not only frustrated but we are very angry that this has gone this far with little to no input from NVK and can only conclude that there has been a serious lack of critical thought on the part of your staff over the precedent this sets and the message you are sending in moving forward so enthusiastically in this work with absolutely no regard to the nuances and sensitivities at play here.

We have been directed to review the Office of Science and Technology Policy (OSTP) and the Council on Environmental Policy (CEQ) issued on the November 30, 2022, White House Guidance for Federal Departments and Agencies on Indigenous Knowledge (Guidance). On several occasions the co-leads of the SEIS have referenced Executive Order 13999 on *Protecting Public Health and the Environment and Restoring Science To Tackle the Climate Crisis*, Presidential Memorandum on *Tribal Consultation and Strengthening Nation-to-Nation Relationships*, and Executive Order 13175 on *Consultation and Coordination with Indian Tribal Governments*. We acknowledge that guidelines on how to incorporate traditional knowledge into federal decision-making is generally a positive step, however it's not intended to pit one tribe against one another nor is it intended to allow tribes to overreach into another tribes' sovereign homelands. Remember the Guidance is guidance only; while the intent of the Guidance is good - to assist agencies in (1) understanding Indigenous Knowledge, (2) growing and maintaining the mutually beneficial relationships with Tribal Nations and Indigenous Peoples needed to appropriately include Indigenous Knowledge, and (3) considering, including, and applying Indigenous Knowledge in Federal research, policies, and decision making – its application in these efforts is damaging and antithetical to its intended purpose.

The Guidance has several key statements that are important for the BLM and USFWS to consider as part of the current SEIS and with the WG. We have also included areas where, in our experience, the agencies have fallen short of these statements in their recent work. We would like to draw your attention to the following:

- "...Indigenous Knowledge is often unique and specific to a Tribe or Indigenous People, and may exist in a variety of forms ..." (page 2);
- "Indigenous Knowledge is a body of observations, oral and written knowledge, innovations, practices, and beliefs developed by Tribes and Indigenous Peoples through interaction and experience with the environment." (page 3);
- "Indigenous Knowledge is inherently heterogeneous due to the cultural, geographic, and socioeconomic differences from which it is derived, and is shaped by the Indigenous Peoples' understanding of their history and the surrounding environment. Indigenous Knowledge is unique to each group of Indigenous Peoples and each may elect to utilize different terminology or express it in different ways. Indigenous Knowledge is deeply connected to the Indigenous Peoples holding that knowledge." (page 3);
- "Western science has been used as a tool to oppress Tribal Nations and Indigenous Peoples." (page 5)



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Native Village of Kaktovik

Kaktovik Iñupiat Corporation and Tribal  
Member

CC: Alaska Senator Lisa Murkowski  
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Alaska Representative Mary Peltola

(b) (5)





**From:** [Hayes, Michael E](#)  
**To:** [Cohn, Steven M](#); [Skibo, Bobbie Jo](#); [DiPinto, Mary \(Michelle\)](#)  
**Cc:** [Boario, Sara D](#)  
**Subject:** CPSEIS Response to NVK 3.8.23  
**Date:** Friday, April 28, 2023 6:07:25 PM  
**Attachments:** [EDITED CPSEIS Response to NVK 3.8.23 in 3-15 email from Steve \(002\).docx](#)

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Good afternoon Mr. Cohn,

The anticipated response letter, with Sara's edits is attached and ready for your review. When you have reviewed and approved the letter, please have one of your staff send me a PDF signature with your signature on and I can input Sara's "wet" signature as well. If you have any problems or questions, please let me know.

Respectfully,

Michael (Mike) Hayes  
Executive Assistant, Regional Director's Office  
Alaska Region (R7)  
U.S. Fish and Wildlife Service  
1011 East Tudor Road, MS-361  
Anchorage, AK 99503  
907-786-3542







**From:** [Sweet, Serena E](#)  
**To:** [Amy Lewis](#); [Pendergast, Kevin J](#); [Hawkaluk, Nathan](#); [Loya, Wendy M](#); [Gieryic, Michael S](#); [Routhier, Michael P](#); [Brumbaugh, Robert](#); [Boario, Sara D](#); [Cohn, Steven M](#); [ashlee.adoko@alaska.gov](mailto:ashlee.adoko@alaska.gov); [Matthew Newman](#); [Megan Condon](#); [boldrick.lauren@epa.gov](mailto:boldrick.lauren@epa.gov); [Matthew Rexford](mailto:Matthew.Rexford); [doreen.leavitt@icas-nsn.gov](mailto:doreen.leavitt@icas-nsn.gov); [Teresa-Imm@outlook.com](mailto:Teresa-Imm@outlook.com); [morrie.lemen@icas-nsn.gov](mailto:morrie.lemen@icas-nsn.gov); [Kuhns, Stephanie L](#); [Erin Hudson](#); [Skibo, Bobbie Jo](#)  
**Subject:** Re: [EXTERNAL] Coastal Plain SEIS: Coop. Agency Mtg  
**Date:** Wednesday, May 3, 2023 5:57:47 PM  
**Attachments:** [CPSEIS Coop Mtg 05032023 Slides.pdf](#)

---

Serena Sweet  
Supervisory Planning & Environmental Coordinator  
BLM-Alaska, Resources Division  
Desk: 907-271-4543  
Cell: (b) (6)

---

**From:** Sweet, Serena E <ssweet@blm.gov>  
**Sent:** Wednesday, May 3, 2023 3:56 PM  
**To:** Amy Lewis <amy.lewis@empci.com>; Pendergast, Kevin J <kpendergast@blm.gov>; Hawkaluk, Nathan <Nathan\_Hawkaluk@fws.gov>; Loya, Wendy M <wendy\_loya@fws.gov>; Gieryic, Michael S <Mike.Gieryic@sol.doi.gov>; Routhier, Michael P <michael.routhier@sol.doi.gov>; Brumbaugh, Robert <rbrumbau@blm.gov>; Boario, Sara D <sara\_boario@fws.gov>; Cohn, Steven M <scohn@blm.gov>; ashlee.adoko@alaska.gov <ashlee.adoko@alaska.gov>; Matthew Newman <mnewman@narf.org>; Megan Condon <mcondon@narf.org>; Rob Rosenfeld <robrosey@gmail.com>; boldrick.lauren@epa.gov <boldrick.lauren@epa.gov>; Matthew Rexford <nvkaktovik@gmail.com>; doreen.leavitt@icas-nsn.gov <doreen.leavitt@icas-nsn.gov>; Teresa-Imm@outlook.com <Teresa-Imm@outlook.com>; morrie.lemen@icas-nsn.gov <morrie.lemen@icas-nsn.gov>; Kuhns, Stephanie L <skuhns@blm.gov>; Erin Hudson <erin.hudson@empci.com>; Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>  
**Subject:** Re: [EXTERNAL] Coastal Plain SEIS: Coop. Agency Mtg

Hello Coastal Plain SEIS Cooperators,  
Please find attached the slides that were shared during our Cooperating Agency meeting earlier today.

If you have any questions please reach out to Bobbi Jo, Stephanie or myself.

Serena Sweet  
Supervisory Planning & Environmental Coordinator  
BLM-Alaska, Resources Division  
Desk: 907-271-4543  
Cell: (b) (6)

---

**From:** Amy Lewis  
**Sent:** Wednesday, April 26, 2023 1:18 PM  
**To:** Amy Lewis <amy.lewis@empci.com>; Sweet, Serena E <ssweet@blm.gov>; Pendergast, Kevin J <kpendergast@blm.gov>; Hawkaluk, Nathan <Nathan\_Hawkaluk@fws.gov>; Loya, Wendy M

<wendy\_loya@fws.gov>; Gieryic, Michael S <Mike.Gieryic@sol.doi.gov>; Routhier, Michael P <michael.routhier@sol.doi.gov>; Brumbaugh, Robert <rbrumbau@blm.gov>; Boario, Sara D <sara\_boario@fws.gov>; Cohn, Steven M <scohn@blm.gov>; ashlee.adoko@alaska.gov <ashlee.adoko@alaska.gov>; Matthew Newman <mnewman@narf.org>; Megan Condon <mcondon@narf.org>; Rob Rosenfeld <robrosey@gmail.com>; boldrick.lauren@epa.gov <boldrick.lauren@epa.gov>; Matthew Rexford <nvkaktovik@gmail.com>; doreen.leavitt@icas-nsn.gov <doreen.leavitt@icas-nsn.gov>; Teresa-Imm@outlook.com <Teresa-Imm@outlook.com>; morrie.lemen@icas-nsn.gov <morrie.lemen@icas-nsn.gov>; Kuhns, Stephanie L <skuhns@blm.gov>; Erin Hudson <erin.hudson@emp.si.com>; Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>

**Subject:** [EXTERNAL] Coastal Plain SEIS: Coop. Agency Mtg

**When:** Wednesday, May 3, 2023 11:00 AM-12:30 PM.

**Where:** Microsoft Teams Meeting

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

**[Teams meeting link included below]**

Hello all –

The BLM and USFWS would like to hold the next Coastal Plain SEIS cooperating agency meeting on **Wednesday, May 3 from 11:00am – 12:30pm** (Alaskan Time). [Please forward this information to key colleagues as appropriate.](#)

A preliminary meeting agenda is listed below. If you have items beyond those listed below that you would like to discuss with the group, please provide your suggestions to the Joint Lead Project Managers, Serena Sweet ([ssweet@blm.gov](mailto:ssweet@blm.gov)) and Bobbie Jo Skibo ([bobbiejo\\_skibo@fws.gov](mailto:bobbiejo_skibo@fws.gov)) no later than one day prior to the scheduled meeting. **NOTE:** There will be opportunities for question and answer throughout the meeting per topic.

### **Preliminary Agenda**

- Welcome/Opening Remarks
- Key Topics Overview
  - Update on Process and Timeline/Review Timeframes
  - Purpose and Need Statement
  - Reasonably Foreseeable Development (RFD) Scenario and 2,000 Acre Interpretation
  - Range of Alternatives (including new alternative)
  - Lease Stipulations (Stips) and Required Operating Procedures (ROPs)
  - Inclusion of Indigenous Knowledge Next Steps
- Wrap Up/Recap Next Steps

For questions, please reach out to Serena and Bobbie Jo.

---

# Microsoft Teams meeting

**Join on your computer, mobile app or room device**

[Click here to join the meeting](#)

Meeting ID: 242 416 635 852

Passcode: GNDz8H

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**Or call in (audio only)**

[+1 323-676-6713,,259120671#](#) United States, Los Angeles

Phone Conference ID: 259 120 671#

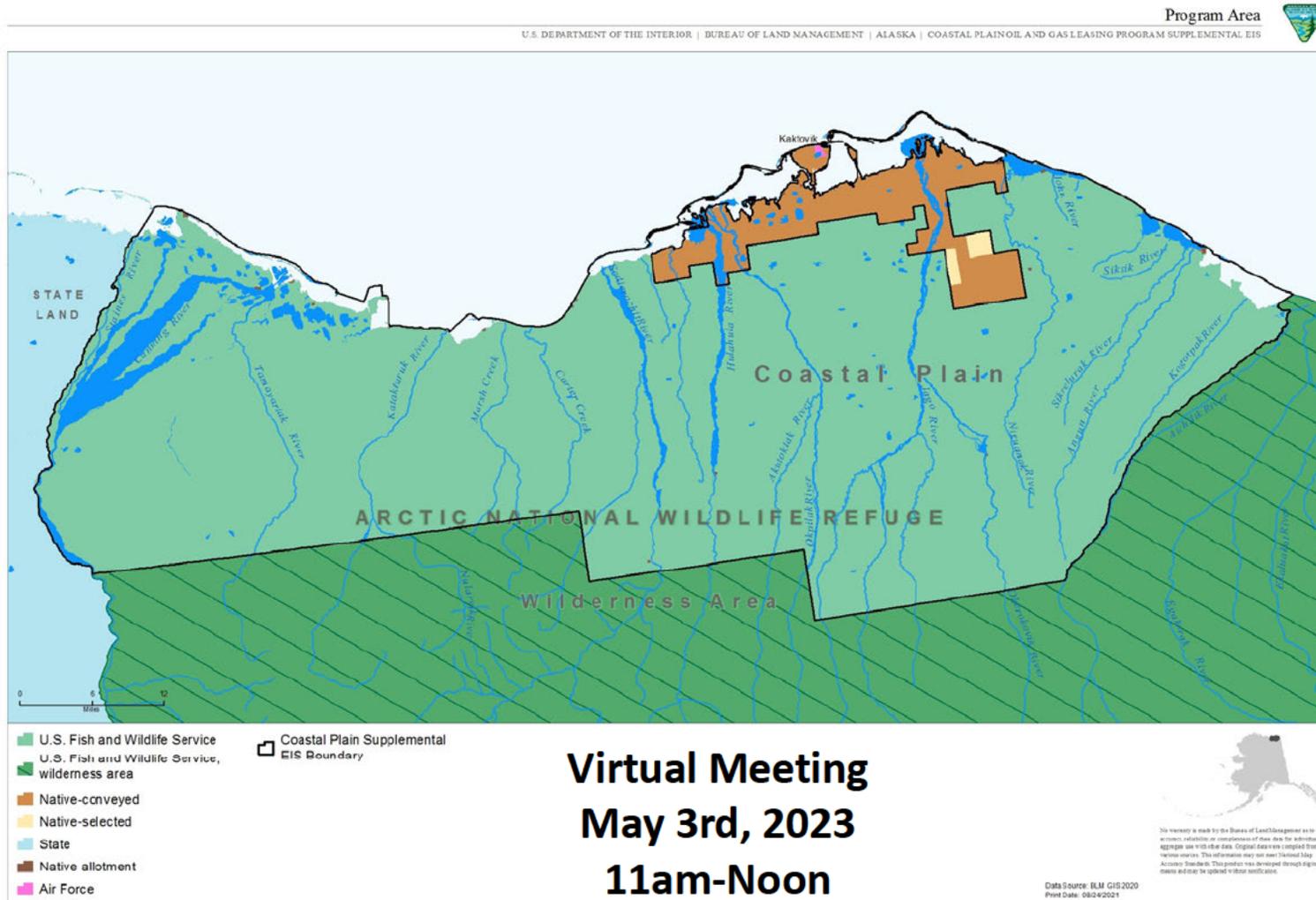
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---



# Coastal Plain Supplemental Environmental Impact Statement Cooperating Agency Meeting





# Agenda

- Welcome/Opening Remarks
- Key Topics Overview
  - Update on Process and Timeline/Review Timeframes
  - Legal Deficiencies
  - Purpose and Need Statement
  - Existing and Future Leases
  - Reasonably Foreseeable Development (RFD) Scenario and 2,000 Acre Interpretation
  - Range of Alternatives (including new alternative)
  - Lease Stipulations (Stips) and Required Operating Procedures (ROPs)
  - Inclusion of Indigenous Knowledge Next Steps
- Wrap Up/Recap Next Steps



# Updates/Anticipated Schedule\*

- **June 2023:** Cooperating agency review of preliminary draft SEIS
- **June – August 2023:** Contractor revises preliminary draft SEIS based on cooperating agency comments
- **August – October 2023:** Public comment period for draft SEIS

\* Tentative and subject to change



# Legal Deficiencies

The Department of the Interior Secretary's Order 3401, dated June 1, 2021, determined that:

1. The BLM did not adequately analyze a reasonable range of alternatives in the EIS, and
2. The Record of Decision (ROD) did not properly interpret Section 20001 of Public Law 115-97 (commonly known as the Tax Act).



# Legal Deficiencies

A subsequent letter also on June 1, from the Principal Deputy Assistant Secretary for Land and Minerals Management to leaseholders in the Coastal Plain, further clarified both of those deficiencies (Items 1 & 2 previously), identified other potential legal defects (Items 3 and 4), and addressed the potential need for further analysis and consultation (Item 5):

Clarification of 1 & 2:

1. 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.



# Legal Deficiencies

2. The Tax Act provides for authorization of *up to* 2,000 acres to be covered by “production and support facilities.” However, inclusion of the phrase “up to” indicates that less than 2,000 acres may be authorized in appropriate circumstances, such as for alternatives that make large areas unavailable for leasing or surface development and thus may require fewer production and support facilities.

The explanation in the ROD for not considering such an alternative – that the Tax Act provides a *mandate* to the BLM requiring it to approve production and support facilities up to that limit – is both implausible and contrary to Congressional intent, which is itself a legal error.



# Legal Deficiencies

3. The EIS's treatment of foreign greenhouse gas (GHG) emissions, and
4. Compliance with section 810 of the Alaska National Interest Lands Conservation Act (ANILCA).
5. Further, any new NEPA analysis involving an additional alternative may also result in connected reviews, such as under section 106 of the National Historic Preservation Act and consultation under Section 7 of the Endangered Species Act.



# 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 following updated P&N statement that includes previous language while adding the recognition of the FWS's role as a Joint Lead Agency and elevates the point that none of the five statutory purposes of the Arctic National Wildlife Refuge supersede one another. The remainder of the original P&N statement will be used as background or introductory language as appropriate.



# Purpose:

The Bureau of Land Management and the US Fish and Wildlife Service are undertaking this SEIS as Joint Lead Agencies to inform BLM's administration of the oil and gas leasing program consistent with PL 115-97.



# Need:

Section 20001 of PL 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.



# Need:

Further, Section 20001 of PL 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 HCP lands within the Coastal Plain, allowing for up to 2,000 surface acres of Federal land to be covered by production and support facilities.

Any oil and gas program alternative must consider all five statutory purposes of the Arctic National Wildlife Refuge, none of which are superseded by any other.



# Existing and Future 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. 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.

The Tax Act requires a second lease sale, offering not fewer than 400,000 acres, by December 2024.



# Reasonably Foreseeable Development (RFD) and 2,000 Acre Interpretation

To address the legal deficiencies related to the 2,000-acre interpretation and range of alternatives, the Joint Lead Agencies 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.



# Range of Alternatives

Alternative Component	Alternative A (No Action/ No Leasing Program; FEIS Alternative A)	Alternative B (FEIS Alternative B)	Alternative C (FEIS Alternative D1)	Alternative D (New)
Lease Stipulations/ Required Operating Procedures	N/A	No change from FEIS	No change from FEIS	New
Analysis	Update with new data/info	Update with new data/info	Update with new data/info	All new analysis



# Lease Stipulation Considerations

- Lease Stipulation: Rivers and Streams
- Lease Stipulation: Canning River Delta and Lakes
- Lease Stipulation: Springs/Aufeis
- Lease Stipulation: Nearshore marine, lagoon, and barrier island habitats of the Southern Beaufort Sea within the boundary of the Coastal Plain
- Lease Stipulation: Coastal Polar Bear Denning River Habitat
- Lease Stipulation: Caribou Calving, Post-calving, and Insect Relief
- Lease Stipulation: Porcupine Caribou Primary Calving Habitat Area
- Lease Stipulation: Coastal Area
- Lease Stipulation: Wilderness Boundary
- Lease Stipulation: Native Allotments
- Lease Stipulation: Ice-rich Soils and Yedoma Deposits
- Lease Stipulation: Master Development Plan



# Required Operating Procedures Considerations

- Waste Prevention, Handling, Disposal, Spills, & Public Safety
- Water Use for Permitted Activities
- Winter Overland Moves & Seismic Work
- Oil & Gas Exploratory Drilling
- Facility Design & Construction (Includes protections for fish and wildlife)
- Use of Aircraft for Permitted Activities
- Oil & Gas Field Abandonment
- Subsistence Consultation for Permitted Activities
- Orientation Programs Associated with Permitted Activities
- Summer Vehicle Tundra Access
- General Wildlife & Habitat Protection
- Marine Vessel Traffic-Associated Activities



# Indigenous Knowledge Next Steps

Discussion and Reflection...

Next Steps....



# Next Steps/Discussion



**From:** [DiPinto, Mary \(Michelle\)](#)  
**To:** [Hayes, Michael E](#)  
**Cc:** [Boario, Sara D](#); [Cohn, Steven M](#); [Skibo, Bobbie Jo](#)  
**Subject:** Re: CPSEIS Response to NVK 3.8.23  
**Date:** Wednesday, May 3, 2023 8:04:54 PM  
**Attachments:** [Outlook-fq40ksuc.png](#)  
[Outlook-5mz5j5mu.png](#)  
[Outlook-tsvwghs4.png](#)  
[Outlook-qsahobvf.png](#)  
[Outlook-ftov50ch.png](#)  
[Outlook-y414bq4v.png](#)  
[CPSEIS Response to NVK 5-3-23.pdf](#)

---

Greetings Michael,

We apologize for the delay! Please find a PDF copy of Steve's 'wet' signature on the attached letter. Once Sara signs would you mind giving the letter a date stamp and email back to me?

Thank you for your patience.

Respectfully,  
Michelle

**Michelle DiPinto**

Executive Assistant

State Director's Office

Alaska | Bureau of Land Management

w: 907-271-5076

c: (b) (6)

w: [www.blm.gov/alaska](http://www.blm.gov/alaska) e: [mdipinto@blm.gov](mailto:mdipinto@blm.gov)



---

**From:** Hayes, Michael E <[michael\\_hayes@fws.gov](mailto:michael_hayes@fws.gov)>

**Sent:** Friday, April 28, 2023 4:07 PM

**To:** Cohn, Steven M <[scohn@blm.gov](mailto:scohn@blm.gov)>; Skibo, Bobbie Jo <[bobbiejo\\_skibo@fws.gov](mailto:bobbiejo_skibo@fws.gov)>; DiPinto, Mary (Michelle) <[mdipinto@blm.gov](mailto:mdipinto@blm.gov)>

**Cc:** Boario, Sara D <[sara\\_boario@fws.gov](mailto:sara_boario@fws.gov)>

**Subject:** CPSEIS Response to NVK 3.8.23

Good afternoon Mr. Cohn,

The anticipated response letter, with Sara's edits is attached and ready for your review. When you have reviewed and approved the letter, please have one of your staff send me a PDF signature with your signature on and I can input Sara's "wet" signature as well. If you have any problems or questions, please let me know.

Respectfully,

Michael (Mike) Hayes  
Executive Assistant, Regional Director's Office  
Alaska Region (R7)  
U.S. Fish and Wildlife Service  
1011 East Tudor Road, MS-361  
Anchorage, AK 99503  
907-786-3542

(b) (5)



**From:** [Skibo, Bobbie Jo](#)  
**To:** [Loya, Wendy M](#); [Trawicki, John JT](#); [Crane, Drew](#); [Hawkaluk, Nathan](#); [Lemons, Patrick R](#); [Roach, Emma K](#); [Leonard, Paul B](#); [Boario, Sara D](#); [Conn, Sarah SC](#); [Glaspell, Brian](#); [Cribley, Bud C](#); [Lor, Socheata](#); [Fasbender, Peter](#); [Reed, Jennifer J](#)  
**Subject:** Cooperating Agency SEIS Update: 5/4/23  
**Date:** Thursday, May 4, 2023 1:10:01 PM  
**Attachments:** [CPSEIS Coop Mtg 05032023 Slides.pdf](#)  
[CP SEIS Key Topics Memo for Cooperators \(4.26.23\).docx](#)

---

Hello All,

I wanted to provide a brief recap of the CA meeting that was held yesterday, 5/3/23. We had a great showing of over 20 people mainly representing the state of Alaska and members of the Gwich'in from Arctic Village and Venetie (and their representatives). We will be meeting with NVK and ICAS separately on May 9<sup>th</sup>.

1. We highlighted the "key topics" via the attached PowerPoint (they are basic slides but we verbally discussed more of the detail that is contained in the accompanying memo. FYI, we did not share the memo with the CA's but did share the slide deck)
2. In addition to the CA meeting this week, our team is in deep reviewing 27 separate comment matrixes on Chapter 3. We will have our review complete and consolidated by COB Friday and then the contractor will be prepared to begin pulling the comprehensive preliminary together.
3. We are shooting for a June 1 release to Cooperators.

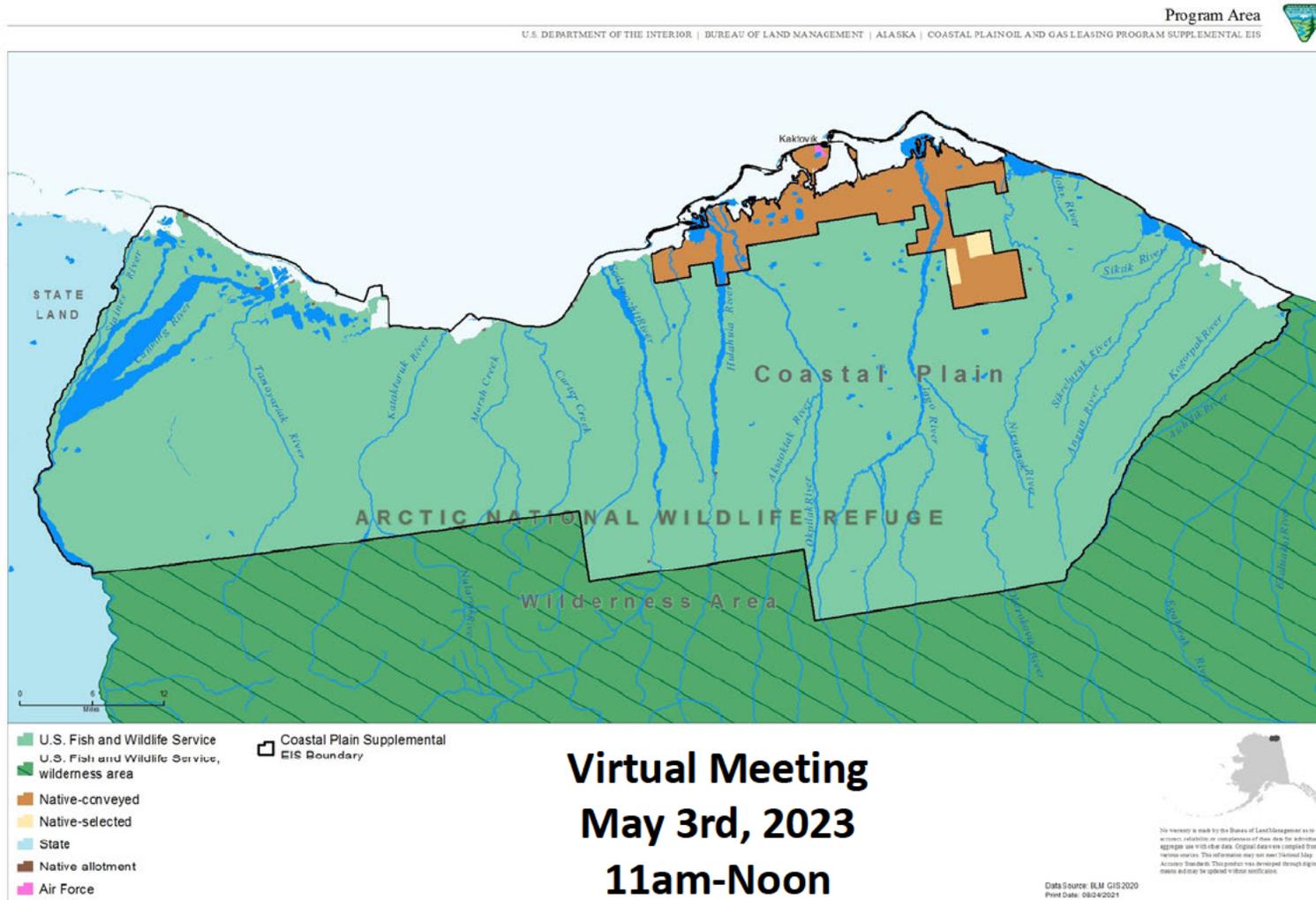
I felt like this update didn't warrant a full SEIS POC meeting this morning

\*\*\*\*\*

**Bobbie Jo Skibo, MS (she/her)**  
**Strategic Conservation and Coastal Plain Coordinator**  
**Science Applications Program**  
**US Fish and Wildlife Service**  
**907-441-1539**



# Coastal Plain Supplemental Environmental Impact Statement Cooperating Agency Meeting





# Agenda

- Welcome/Opening Remarks
- Key Topics Overview
  - Update on Process and Timeline/Review Timeframes
  - Legal Deficiencies
  - Purpose and Need Statement
  - Existing and Future Leases
  - Reasonably Foreseeable Development (RFD) Scenario and 2,000 Acre Interpretation
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2. The Tax Act provides for authorization of *up to* 2,000 acres to be covered by “production and support facilities.” However, inclusion of the phrase “up to” indicates that less than 2,000 acres may be authorized in appropriate circumstances, such as for alternatives that make large areas unavailable for leasing or surface development and thus may require fewer production and support facilities.

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Further, Section 20001 of PL 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 HCP lands within the Coastal Plain, allowing for up to 2,000 surface acres of Federal land to be covered by production and support facilities.

Any oil and gas program alternative must consider all five statutory purposes of the Arctic National Wildlife Refuge, none of which are superseded by any other.



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Analysis	Update with new data/info	Update with new data/info	Update with new data/info	All new analysis



# Lease Stipulation Considerations

- Lease Stipulation: Rivers and Streams
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- Lease Stipulation: Master Development Plan



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- Oil & Gas Field Abandonment
- Subsistence Consultation for Permitted Activities
- Orientation Programs Associated with Permitted Activities
- Summer Vehicle Tundra Access
- General Wildlife & Habitat Protection
- Marine Vessel Traffic-Associated Activities



# Indigenous Knowledge Next Steps

Discussion and Reflection...

Next Steps....



# Next Steps/Discussion



(b) (5)











**From:** [DiPinto, Mary \(Michelle\)](#)  
**To:** [nvkaktovik@gmail.com](mailto:nvkaktovik@gmail.com)  
**Cc:** [Cohn, Steven M](#); [Boario, Sara D](#)  
**Subject:** BLM and U.S. Fish & Wildlife Service Response to Native Village of Kaktovik Letter of February 23, 2023  
**Date:** Thursday, May 4, 2023 3:57:34 PM  
**Attachments:** [Outlook-2aqnde0d.png](#)  
[Outlook-33val02n.png](#)  
[Outlook-if2kdtcw.png](#)  
[Outlook-mefc14su.png](#)  
[Outlook-5v0fajlp.png](#)  
[Outlook-bivdpxuy.png](#)  
[BLM-FWS Response to NVK re CPSEIS.pdf](#)

---

***Sent on behalf of Sara Boario, U.S. Fish & Wildlife Service Regional Director, Region 7, and Steve Cohn, Bureau of Land Management - Alaska State Director.***

Greetings Mr. Rexford and Mr. Lampe,

Attached please find our response to your February 23, 2023, letter regarding Coastal Plain Oil and Gas Leasing Supplemental EIS and Indigenous Tradition Ecological Knowledge.

Feel free to contact me if I can be of further assistance.

Respectfully,  
Michelle DiPinto

**Michelle DiPinto**

**Executive Assistant**

State Director's Office

Alaska | Bureau of Land Management

w: 907-271-5076

c: (b) (6)

w: [www.blm.gov/alaska](http://www.blm.gov/alaska) e: [mdipinto@blm.gov](mailto:mdipinto@blm.gov)







**From:** [Kuhns, Stephanie L](#)  
**To:** [Skibo, Bobbie Jo](#); [Boario, Sara D](#); [Cohn, Steven M](#)  
**Cc:** [Sweet, Serena E](#)  
**Subject:** RE: PLEASE REVIEW: FW: Action/Response Needed: Cooperating Agency Recap  
**Date:** Thursday, May 11, 2023 2:35:20 PM  
**Attachments:** [CPSEIS Response to Gwich'in IK 5 4 23 SLK.docx](#)

---

Made a few small edits for clarity, consistency, and brevity.

---

**From:** Skibo, Bobbie Jo <[bobbiejo\\_skibo@fws.gov](mailto:bobbiejo_skibo@fws.gov)>  
**Sent:** Thursday, May 11, 2023 9:27 AM  
**To:** Boario, Sara D <[sara\\_boario@fws.gov](mailto:sara_boario@fws.gov)>; Cohn, Steven M <[scohn@blm.gov](mailto:scohn@blm.gov)>  
**Cc:** Kuhns, Stephanie L <[skuhns@blm.gov](mailto:skuhns@blm.gov)>; Sweet, Serena E <[ssweet@blm.gov](mailto:ssweet@blm.gov)>  
**Subject:** PLEASE REVIEW: FW: Action/Response Needed: Cooperating Agency Recap  
**Importance:** High

Hello,

I shared the Gwich'in letter with our Office of Comms and with Crystal Leonetti for support and Crystal's edits are contained in the attached document. She suggests a review deadline of COB Friday so we can get this out to representatives next week (Wednesday). Our team will work to get the list of email addresses for the Tribal Presidents of Venetie and Arctic Village as well as their NARF representatives that we interface with on this.

Thank you very much, Bobbie Jo

---

**From:** Leonetti, Crystal <[crystal\\_leonetti@fws.gov](mailto:crystal_leonetti@fws.gov)>  
**Sent:** Thursday, May 11, 2023 9:12 AM  
**To:** Skibo, Bobbie Jo <[bobbiejo\\_skibo@fws.gov](mailto:bobbiejo_skibo@fws.gov)>; Roach, Emma K <[emma\\_roach@fws.gov](mailto:emma_roach@fws.gov)>  
**Subject:** Re: Action/Response Needed: Cooperating Agency Recap

Bobbie Jo, I edited the letter a bit. I suggest that you send this back out to the group and recommend that they respond by COB Friday with any edits, in anticipation that this letter be send no later than Wednesday next week, given the timeline of draft SEIS.

I took a look at the path forward document and I don't have any specific recommendations at the moment. Just that we want to get Mic involved ASAP.

Crystal

---

**From:** Skibo, Bobbie Jo <[bobbiejo\\_skibo@fws.gov](mailto:bobbiejo_skibo@fws.gov)>  
**Sent:** Wednesday, May 10, 2023 12:11 PM  
**To:** Leonetti, Crystal <[crystal\\_leonetti@fws.gov](mailto:crystal_leonetti@fws.gov)>  
**Subject:** FW: Action/Response Needed: Cooperating Agency Recap

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**From:** Skibo, Bobbie Jo  
**Sent:** Thursday, May 4, 2023 1:04 PM  
**To:** Roach, Emma K <[emma\\_roach@fws.gov](mailto:emma_roach@fws.gov)>  
**Subject:** FW: Action/Response Needed: Cooperating Agency Recap

FYI

---

**From:** Skibo, Bobbie Jo  
**Sent:** Thursday, May 4, 2023 1:04 PM  
**To:** Boario, Sara D <[sara\\_boario@fws.gov](mailto:sara_boario@fws.gov)>; Cohn, Steven M <[scohn@blm.gov](mailto:scohn@blm.gov)>; Lor, Socheata <[Socheata\\_Lor@fws.gov](mailto:Socheata_Lor@fws.gov)>; Loya, Wendy M <[wendy\\_loya@fws.gov](mailto:wendy_loya@fws.gov)>; Pendergast, Kevin J <[kpendergast@blm.gov](mailto:kpendergast@blm.gov)>; Kuhns, Stephanie L <[skuhns@blm.gov](mailto:skuhns@blm.gov)>; Sweet, Serena E <[ssweet@blm.gov](mailto:ssweet@blm.gov)>; Cribley, Bud C <[bud\\_cribley@fws.gov](mailto:bud_cribley@fws.gov)>; 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)>  
**Cc:** Skibo, Bobbie Jo <[bobbiejo\\_skibo@fws.gov](mailto:bobbiejo_skibo@fws.gov)>  
**Subject:** Action/Response Needed: Cooperating Agency Recap

Steve/Sara,

We wanted to provide a brief recap of the CA meeting that was held yesterday, 5/3/23. We had a great showing of over 20 people mainly representing the state of Alaska and members of the Gwich'in from Arctic Village and Venetie (and their representatives). As a reminder, we will be meeting with NVK and ICAS separately on May 9<sup>th</sup> where we will go through the same presentation.

Highlights:

1. We presented the "key topics" via the attached PowerPoint. We did not share the memo but did share these slides with them.
2. The timing of the process, review timeframes, and the lack of inclusivity/communication around specifics were shared as major frustrations.
  - a. 45-60 days was requested for the preliminary review vs. 2 weeks
  - b. Gary Mendivil, SOA, wanted us to share to leadership that he was very disappointed and wanted us to send around the updated Stips/ROPs prior to the preliminary instead of burying them with thousands of pages in a two week review
  - c. Rob Rosenfeld expressed that he felt they are only Cooperating Agencies in name and we are not allowing them to meaningfully participate.
3. Section 106 consultation was a concern raised by differing parties. The State of Alaska SHPO representative was upset with the lack of communication on this topic and expressed that they didn't think we doing another Section 106 process while members of the group representing the Gwich'in shared that "waiting until the development of alternatives is contrary to regulations, which requires the agency to take historic properties into account" and asked us to start immediately.
  - a. We have set a meeting with Ashlee Adoko (State liaison) to learn more about their concerns

- b. We anticipate kicking off the Section 106 process once the preliminary draft is released.
4. Inclusion of Indigenous Knowledge was discussed. It was expressed that it feels like an afterthought and there was a great deal of frustration over not participating in the workshop.
- a. Rob Rosenfeld expressed that the “working group led to scheduling of a 5 -day workshop which BLM and USFW cancelled after 15-20 plane tickets were purchased. The workshop happened and BLM and USFW cancelled last minute. As per usual it appears you are placing all the responsibility on the tribes to do work that you are supposed to do in collaboration with the tribes. Big disappointment. We were told that the workshop would be rescheduled. Is that not going to happen?”

**ACTION:** Correspondence to the Gwich'in Representatives:

- I drafted a letter for the Gwich'in tribes (attached) that was mirrored off of the NVK letter. Sending that via email from Sara/Steve would be preferred (we will get all of the necessary email addresses) so we can get it out ASAP and begin discussions on next steps.
- I also have an accompanying document that outlines IK inclusion (guidance on inclusion through NEPA, etc.) and proposed next steps. Once we get the correspondence to them, we would then follow up to discuss a path forward as suggested in the attached “IK Path Forward” doc.
- Please respond to let us know if you'd prefer to send this as a formal letter or if email is ok. If formal letter, we can work through the surname process.

Please let us know if you have any follow up questions for us. Also, Mike and Mike, please add to the list if something stood out to you.

Thanks, Bobbie Jo

\*\*\*\*\*

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

(b) (5)



**From:** [Boario, Sara D](#)  
**To:** [Skibo, Bobbie Jo](#); [Loya, Wendy M](#)  
**Subject:** Fwd: Draft Deliberative and Attorney-Client Privileged -- Coastal Plain Preliminary Draft SEIS for HQ Review (Feedback requested by 5/31/23)  
**Date:** Friday, May 26, 2023 7:38:23 PM  
**Attachments:** [CP Lease Suspension - AIDEA 6 1 21.pdf](#)

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FYI

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**From:** Boario, Sara D <sara\_boario@fws.gov>  
**Sent:** Friday, May 26, 2023 5:36 PM  
**To:** Williams, Martha M <martha\_williams@fws.gov>; Weber, Wendi <wendi\_weber@fws.gov>  
**Cc:** Cribley, Bud C <bud\_cribley@fws.gov>; Lor, Socheata <socheata\_lor@fws.gov>  
**Subject:** Draft Deliberative and Attorney-Client Privileged -- Coastal Plain Preliminary Draft SEIS for HQ Review (Feedback requested by 5/31/23)

Martha and Wendi - As we discussed, below is the email with focused direction and links for your very rapid review of the Coastal Plain Preliminary Draft SEIS prior to sharing with cooperators. Thank you! - Sara

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---

**From:** Sweet, Serena E <:ssweet@blm.gov>  
**Sent:** Friday, May 26, 2023 5:24 PM  
**To:** Stone-Manning, Tracy M <tstonemanning@blm.gov>; Annatoyn, Travis J <travis.annatoyn@sol.doi.gov>; Deam, Seth R <seth.deam@sol.doi.gov>  
**Cc:** Culver, Nada L <nculver@blm.gov>; Cohn, Steven M <scohn@blm.gov>; Reed, Erika <e05reed@blm.gov>; Pendergast, Kevin J <kpendergast@blm.gov>; Kuhns, Stephanie L <skuhns@blm.gov>; Boario, Sara D <sara\_boario@fws.gov>; Loya, Wendy M <wendy\_loya@fws.gov>; Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>; Gieryic, Michael S <Mike.Gieryic@sol.doi.gov>; Routhier, Michael P <michael.routhier@sol.doi.gov>; Moody, Aaron G <Aaron.Moody@sol.doi.gov>  
**Subject:** Draft Deliberative and Attorney-Client Privileged -- Coastal Plain Preliminary Draft SEIS for HQ Review (Feedback requested by 5/31/23)

Hello,

Below you will find the link to the Coastal Plain Preliminary Draft SEIS (SEIS) for BLM/FWS HQ review. The purpose of this review is to provide awareness prior to releasing the Preliminary Draft SEIS to the cooperating agencies. Additionally, we look forward to any input that the BLM/FWS HQ may have on the Preliminary Draft SEIS.

**Document Location:** All Preliminary Draft SEIS documents have been uploaded to a SharePoint folder accessible via this link: [Coastal Plain PDSEIS – HQ Review](#) (note that this

folder is accessible to anyone with whom the link is shared). We request that you provide any edits/comments directly in the documents in this folder using "Comment" function within the PDF.

Note that this folder contains only the Coastal Plain Preliminary Draft SEIS. Other documents associated with the Coastal Plain SEIS process, can be accessed through the ePlanning project page: <https://eplanning.blm.gov/eplanning-ui/project/2015144/510>

We recommend that you focus your review on the following topics:

- Updated range of alternatives (same as those briefed in December 2022 with some minor tweaks)
- Updated ROPs/Stips
- Consideration of existing leases (June 2021 Lease suspension letter attached for reference)
- Analysis of seismic impacts

Please note if we are to maintain the schedule, any feedback would need to be received by **5pm Eastern on Wednesday, May 31st**. If there are no comments/edits from HQ, then we will be able to upload the separate watermarked PDFs for each cooperating agency in time for their reviews to begin on Thursday, June 1. However, if there are any comments/edits from HQ, we will need at least one day (but possibly longer depending on scope) to incorporate those changes and re-PDF deliverable documents. In that case, the cooperating agency review would not begin until Friday, June 2 or later.

**Upcoming milestones:**

- August 2023: Draft SEIS Notice of Availability (minimum 45-day public comment period)
- March 2024: Final SEIS Notice of Availability
- April 2024: ROD

As a reminder, there will be additional opportunities for BLM/FWS HQ reviews following incorporation of cooperating agency input and prior to the release to the public.

Please notify Serena Sweet at [ssweet@blm.gov](mailto:ssweet@blm.gov) when you have completed your review and thank you for supporting the quick turnaround.

Serena Sweet

Supervisory Planning & Environmental Coordinator

BLM-Alaska, Resources Division

Desk: 907-271-4543

Cell: (b) (6)



United States Department of the Interior  
OFFICE OF THE SECRETARY  
Washington, DC 20240

June 1, 2021

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

DECISION

Alaska Industrial Development	:	Oil and Gas Leases
and Export Authority	:	AA095889
813 West Northern Lights Blvd.	:	AA095890
Anchorage, Alaska 99503	:	AA095893
	:	AA095897
	:	AA095898
	:	AA095900
	:	AA095901

Suspension of Operations and Production

On January 20, 2021, Executive Order 13990 directed that the Secretary of the Interior “place a temporary moratorium on activities of the Federal Government relating to the Coastal Plain Oil and Gas Leasing Program” and “review the program and ... conduct a new, comprehensive analysis of the potential environmental impacts of the oil and gas program.”

After conducting the required review of the program, the Department identified defects in the underlying record supporting the leases, including, but not limited to: insufficient analysis under the National Environmental Policy Act (NEPA), including failure to adequately analyze a reasonable range of alternatives in the environmental impact statement (EIS); and failure in the August 17, 2020, Record of Decision (ROD) to properly interpret Section 20001 of Public Law 115-97 (Tax Act). In addition to these specific defects, the Department has identified several areas for which additional analysis may either address a potential legal defect or, at a minimum, serve NEPA’s purpose to meaningfully inform the decisionmaker as to the environmental consequences of federal action. These include, but are not limited to, the EIS’s treatment of foreign greenhouse gas (GHG) emissions and compliance with section 810 of the Alaska National Interest Lands Conservation Act (ANILCA). Further, any new NEPA analysis involving an additional alternative may also involve connected reviews, such as under section 106 of the National Historic Preservation Act and consultation under section 7 of the Endangered Species Act.

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.”<sup>1</sup> However, inclusion of the phrase “up to” indicates that less than 2,000 acres may be authorized in appropriate circumstances, such as for alternatives that make large areas unavailable for leasing or surface development and thus may require fewer production and support facilities. The explanation in the ROD for not considering such an alternative – that the Tax Act provides a *mandate* to the BLM requiring it to approve production and support facilities up to that limit – is both implausible and contrary to Congressional intent, which is itself a legal error.

While not identified as a legal defect at this point, the Department recognizes that the recent Ninth Circuit opinion involving the Liberty Project in Alaska, *Center for Biological Diversity v. Bernhardt*, issued on December 7, 2020, has implications for the analysis of foreign greenhouse gas emissions in many of its programs and projects, including those already in litigation, like the Coastal Plain Oil and Gas Leasing Program. The Department is carefully evaluating its approach to this issue and may later identify this issue as an additional specific legal error depending on the resolution of pending court cases involving similar issues.

Based on the identified defects noted above with the NEPA documents underlying the competitive lease sale that resulted in the issuance of the lease(s) referenced above, and in exercise of the Department’s inherent authority to correct legal errors, the Department has concluded that it is necessary to suspend the above-referenced lease(s) and complete further environmental analysis under NEPA, consistent with the direction provided in Executive Order 13990 and Secretarial Order 3401. The BLM will undertake this additional NEPA analysis to determine whether the leases should be reaffirmed, voided or subject to additional mitigation measures. The BLM will publish a notice of intent to begin this process to undertake additional analysis, complete necessary consultation, and correct defects in the EIS and ROD. When complete, the BLM will issue a new decision concerning this suspension of operations and production (SOP) of the above-referenced leases.

This SOP is effective the first day of June 2021. While this SOP is in place, no lease operations may transpire on the leases, the terms of the leases are tolled, and lease rentals are suspended. If you have any questions, please contact Nada Wolff Culver at [nculver@blm.gov](mailto:nculver@blm.gov).

Sincerely,

Laura Daniel-Davis  
Principal Deputy Assistant Secretary  
Land and Minerals Management

---

<sup>1</sup> Section 20001(c)(3) of the Tax Act provides: “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 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.”

**From:** [Cribley, Bud C](#)  
**To:** [Martinez, Cynthia T](#); [Frazer, Gary D](#)  
**Cc:** [Shultz, Gina](#); [LaVoie, Amy](#); [Boario, Sara D](#); [Williams, Martha M](#); [Weber, Wendi](#)  
**Subject:** Fw: Draft Deliberative and Attorney-Client Privileged -- Coastal Plain Preliminary Draft SEIS for HQ Review (Feedback requested by 5/31/23)  
**Date:** Tuesday, May 30, 2023 8:06:35 AM  
**Attachments:** [CP Lease Suspension - AIDEA 6 1 21.pdf](#)

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Good Morning!

I'm sharing with you as a FYI the copy of the preliminary draft SEIS for the Coastal Plain O&G Leasing plan up in Alaska. They have shared this with Martha and Wendi to give HQ leadership a very quick review before it is shared with the cooperating agencies on Thursday.

If you have any questions please reach out.

Bud

**Bud C Cribley (he/him/his)**  
**Senior Advisor for Energy for the US Fish & Wildlife Service**  
**Cell # [907-717-5141](tel:907-717-5141)**  
**email: [bud\\_cribley@fws.gov](mailto:bud_cribley@fws.gov)**  
**Class of 2017**

---

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**Sent:** Friday, May 26, 2023 9:36 PM  
**To:** Williams, Martha M <[martha\\_williams@fws.gov](mailto:martha_williams@fws.gov)>; Weber, Wendi <[wendi\\_weber@fws.gov](mailto:wendi_weber@fws.gov)>  
**Cc:** Cribley, Bud C <[bud\\_cribley@fws.gov](mailto:bud_cribley@fws.gov)>; Lor, Socheata <[socheata\\_lor@fws.gov](mailto:socheata_lor@fws.gov)>  
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**Cc:** Culver, Nada L <[nculver@blm.gov](mailto:nculver@blm.gov)>; Cohn, Steven M <[scohn@blm.gov](mailto:scohn@blm.gov)>; Reed, Erika <[e05reed@blm.gov](mailto:e05reed@blm.gov)>; Pendergast, Kevin J <[kpendergast@blm.gov](mailto:kpendergast@blm.gov)>; Kuhns, Stephanie L <[skuhns@blm.gov](mailto:skuhns@blm.gov)>; Boario, Sara D <[sara\\_boario@fws.gov](mailto:sara_boario@fws.gov)>; Loya, Wendy M <[wendy\\_loya@fws.gov](mailto:wendy_loya@fws.gov)>; Skibo, Bobbie Jo <[bobbiejo\\_skibo@fws.gov](mailto:bobbiejo_skibo@fws.gov)>; Gieryc, Michael S

<Mike.Gieryic@sol.doi.gov>; Routhier, Michael P <michael.routhier@sol.doi.gov>; Moody, Aaron G <Aaron.Moody@sol.doi.gov>

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Serena Sweet

Supervisory Planning & Environmental Coordinator

BLM-Alaska, Resources Division

Desk: 907-271-4543

Cell: (b) (6)



United States Department of the Interior  
OFFICE OF THE SECRETARY  
Washington, DC 20240

June 1, 2021

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

DECISION

Alaska Industrial Development	:	Oil and Gas Leases
and Export Authority	:	AA095889
813 West Northern Lights Blvd.	:	AA095890
Anchorage, Alaska 99503	:	AA095893
	:	AA095897
	:	AA095898
	:	AA095900
	:	AA095901

Suspension of Operations and Production

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Sincerely,

Laura Daniel-Davis  
Principal Deputy Assistant Secretary  
Land and Minerals Management

---

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**From:** [Skibo, Bobbie Jo](#)  
**To:** [Boario, Sara D](#); [Lor, Socheata](#); [Loya, Wendy M](#)  
**Cc:** [Cribley, Bud C](#); [Routhier, Michael P](#); [Deam, Seth R](#); [Sweet, Serena E](#); [Kuhns, Stephanie L](#); [Cohn, Steven M](#); [Pendergast, Kevin J](#); [Gieryic, Michael S](#)  
**Subject:** FW: [EXTERNAL] ANWR Coastal Plain - State Comments on SEIS Process  
**Date:** Wednesday, May 31, 2023 12:40:51 PM  
**Attachments:** [State Comments on SEIS Process.pdf](#)

---

Sara (all),

We wanted to share the letter that we received today from the State. We have not been responding to these type of letters throughout the process but can discuss the contents at our next meeting and any other steps you feel are necessary. Thanks, Bobbie Jo

---

**From:** Adoko, Ashlee K (DNR) <ashlee.adoko@alaska.gov>  
**Sent:** Tuesday, May 30, 2023 4:09 PM  
**To:** Sweet, Serena E <ssweet@blm.gov>; Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>  
**Cc:** Boyle, John C (DNR) <john.boyle@alaska.gov>; Brune, Jason W (DEC) <jason.brune@alaska.gov>; Vincent-Lang, Douglas S (DFG) <doug.vincent-lang@alaska.gov>; Crowther, John J (DNR) <john.crowther@alaska.gov>; Goodrum, Brent W (DNR) <brent.goodrum@alaska.gov>  
**Subject:** [EXTERNAL] ANWR Coastal Plain - State Comments on SEIS Process

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Dear Ms. Sweet and Ms. Skibo,

May you please find the attachment.

Ashlee



May 30, 2023

Serena Sweet  
Bureau of Land Management  
222 West 7th Avenue, #13  
Anchorage, Alaska 99513-7599

Bobbie Jo Skibo  
U.S. Fish and Wildlife Service  
3000 Vintage Boulevard, #201  
Juneau, Alaska 99801-7125

**Re: Arctic National Wildlife Refuge Coastal Plain Supplemental Environmental Impact Statement Process**

Dear Ms. Sweet and Ms. Skibo,

The State of Alaska (State) is concerned that the Arctic National Wildlife Refuge (ANWR) Coastal Plain Supplemental Environmental Impact Statement (SEIS) process (SEIS Process) is not providing Cooperating Agencies opportunities to substantively participate consistent with the Council on Environmental Quality's (CEQ) regulations that implement the National Environmental Policy Act (NEPA) at 40 C.F.R. parts 1500 through 1508. Particularly, section 1501.8 of these regulations "emphasize[s] agency cooperation early in the NEPA process."

To date, the Bureau of Land Management (BLM) and the Fish and Wildlife Service (FWS, Lead Agencies) have not provided any SEIS materials for Cooperating Agencies to review, despite the State devoting considerable time and resources to provide knowledge, expertise, scientific information, and input in initial scoping discussions. If Cooperating Agencies are not provided materials to review prior to their publication or are provided short and cursory periods for review that do not allow meaningful input, it calls into question the role of Cooperating Agencies, the appropriate execution of the SEIS Process, and potentially the basis for decisions subsequently based on the SEIS Process.

The State's technical and regulatory experts have significant knowledge in the prudent development and management of Alaska's resources. They have extensive responsibilities for these same tasks on State lands, and have remained ready since August 4, 2021,<sup>1</sup> to coordinate and collaborate with the Lead Agencies on the SEIS Process to achieve energy abundance, secure American jobs, spur economic renewal, and promote environmental stewardship.

The State maintains that changes to the 2019 Final Environmental Impact Statement (FEIS), including the lease stipulations and Required Operating Procedures (ROPs), are unnecessary because the 2019 FEIS and Record of Decision (ROD) are based on decades of reliable data, and followed a federal NEPA process that involved State, federal, and local agencies, and stakeholders. Changes to the FEIS through

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<sup>1</sup> The date of publication of the Notice of Intent to prepare an SEIS for the ANWR Coastal Plain Oil and Gas Leasing Program, 86 FR 41989.

the SEIS Process must similarly incorporate input, and particularly Cooperating Agency input, as the CEQ regulations expressly recognize.<sup>2</sup>

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- The 2019 FEIS did not include an adequate analysis of foreign greenhouse gas (GHG) emissions.
- There is not “compliance with Section 810” of ANILCA.
- The Lead Agencies also said any new NEPA analysis involving an additional alternative could trigger additional duties to consult under Section 106 of the National Historic Preservation Act and Section 7 of the Endangered Species Act.

However, the Lead Agencies provided no further analysis beyond these conclusory statements that there are “legal deficiencies.” The State continues to assert, especially without further articulation by the Lead Agencies, that these determinations are changed policy positions, not legal deficiencies. No court or administrative board has reached a decision, or even opined, on the 2019 FEIS’s range of alternatives, the ROD’s interpretation of the Tax Act, or compliance with Section 810 of ANILCA. This is especially pertinent as the legal mandate for development in the Coastal Plain is unique to the Tax Act and its articulation of what is, and is not, required for the development to proceed.

Similarly, no court or administrative board has reviewed the adequacy of the analysis in the 2019 FEIS. In fact, the Department of the Interior (DOI) defended the legality of the analysis in the 2019 FEIS and decisions in the ROD in *Gwich’in Steering Committee v. Bernhardt*, No. 3:20-cv-00204-SLG (D. Alaska). It appears that the purported “legal deficiencies” are a guise for the DOI to undo the decisions made in the ROD and effectuate new policy. Conducting a new SEIS with limited or no input from cooperating agencies and incomplete information may, in fact, introduce new legal deficiencies to BLM and USFWS’s decision making.

Moreover, the SEIS’s scope exceeds the changes necessary to remedy the purported legal deficiencies. For example, the Lead Agencies have also proposed to revise lease stipulations and ROPs. These changes are not necessary to address the purported legal deficiencies and actually seem to demonstrate that the Lead Agencies seek to revisit prior policy decisions.

The FWS appears to be taking the lead in the SEIS Process and to have taken the directive in Order No. 3401 from the Secretary of the Interior (SO 3401) to “conduct a new, comprehensive analysis” to move in a different direction from the 2019 FEIS and to focus their efforts on a predetermined outcome of

1. Having tribal input determine the direction of the SEIS, and
2. Reversing the outcome of the 2019 FEIS Process, despite having no regulatory authority to do so.

The State pointed out in its opening remarks in the April 25, 2022, meeting that, although the FWS is the manager of ANWR, the Tax Act authority clearly provides BLM authority to control the lease sale process. That means that when a conflict exists between BLM regulations and FWS regulations and conservation management plans, the BLM regulations control.

**The State strongly disagrees with a revision to the Purpose and Need Statement to assert that none of the five purposes of ANWR supersede one another.**

The Lead Agencies indicated in the May 3, 2023, meeting that the Purpose and Need Statement would be revised to highlight that none of the five purposes of ANWR supersede one another. The State has repeatedly objected to the possibility of revising the Purpose and Need Statement in letters dated May 31, 2022, and October 31, 2022. The State continues to stand by its positions set forth in these letters.

The State strongly disagrees with a revision to the Purpose and Need Statement to assert that none of the five purposes of ANWR supersede one another. This revision erroneously suggests that ANWR's statutory purposes are on equal footing with one another. In fact, Congress did not make the Coastal Plain Oil and Gas Leasing Program secondary or subject to other purposes, and the Purpose and Need Statement cannot suggest otherwise. Congress also did not make federal compliance with the development purpose for the Coastal Plain optional in any way – it must occur.

Moreover, Section 303(2)(B) of ANILCA puts certain purposes secondary to others. For example, Section 303(2)(B) of ANILCA states that ANWR should be managed to ensure water quality and necessary water quantity within it, but only in a manner consistent with the conservation of fish and wildlife populations and habitats.

BLM lacks any valid basis to revise the Purpose and Need Statement set forth in the 2019 FEIS. Neither Executive Order No. 13990 nor SO 3401 directs any revisions to the Purpose and Need Statement set forth in the 2019 FEIS. Instead, both call for additional analysis of environmental impacts of the Coastal Plain Oil and Gas Leasing Program.

**Consistent with the MOU, the Lead Agencies must respond in writing to the State's comments, and the State requests that they do so as soon as possible.**

The MOU, IV., E., says that the Lead Agencies “shall provide [the State] with written responses to the State's comments on preliminary documents, “including identifying any resulting changes to the SEIS and related documents.”

These written responses further the commitments of the Lead Agencies and the State to “work cooperatively and share information,” per the MOU, I.C. In a letter dated October 31, 2022, the State provided the Lead Agencies with comments on proposed revisions to the Purpose and Need Statement, the Lead Agencies' interpretation of the 2000-acre limitation, and impacts on analyzing seismic exploration in the SEIS. The State also raised these and other issues in its October 4, 2021, scoping comments on the SEIS Process and its May 31, 2022, letter addressing possible revisions to the Purpose and Need Statement.

Although more than six months have passed since the State submitted its October 31, 2022, letter, the Lead Agencies have not informally addressed any of the State's comments, let alone responded in writing. The Lead Agencies also have not identified changes to the SEIS resulting from the State's comments.

Consistent with the MOU, the Lead Agencies must respond in writing to the State's comments. With the additional delay of the SEIS, the State requests the Lead Agencies do so as soon as possible. Otherwise,

the State would remain entirely unaware of the Lead Agencies' decision-making on these issues during nearly the entire time they have been developing the SEIS.

**Conclusion.**

In conclusion, the State maintains that responsible leasing and development of the ANWR Coastal Plain would support our nation's energy security and economic growth, preserve the environment, and create certainty for Alaskans and businesses. Throughout administrations, Americans have enjoyed increased economic opportunity, strengthened national security, and enhanced energy affordability as a result of development of Alaska's natural resources. Oil and gas exploration and development has occurred for decades on the North Slope of Alaska, including in areas adjacent to the ANWR Coastal Plain, and remains the State's single most important economic engine.<sup>9</sup>

The State has been eager to inform decisions affecting energy development in the ANWR Coastal Plain and the environmental safeguards needed to ensure the vitality of Alaskans and Alaskan landscapes.

Sincerely,



Ashlee Adoko  
Executive Director, OPMP

Cc: John C. Boyle III, Commissioner, DNR  
Jason Brune, Commissioner, DEC  
Doug Vincent-Lange, Commissioner, DFG

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<sup>9</sup> McDowell Group, *The Role of the Oil and Gas Industry in Alaska's Economy*, <https://www.aoga.org/wp-content/uploads/2021/01/Reports-2020.1.23-Economic-Impact-Report-McDowell-Group-CORRECTED-2020.12.3.pdf>.

**From:** [Sweet, Serena E](#)  
**To:** [Cohn, Steven M](#); [Boario, Sara D](#)  
**Cc:** [Loya, Wendy M](#); [Pendergast, Kevin J](#); [Kuhns, Stephanie L](#); [Skibo, Bobbie Jo](#)  
**Subject:** Fw: [EXTERNAL] ANWR Coastal Plain - State Comments on SEIS Process  
**Date:** Friday, June 16, 2023 5:02:29 PM  
**Attachments:** [State Comments on SEIS Process.pdf](#)

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Hi Steve & Sara,

As discussed during our Coastal Plain SEIS leadership check-in on June 5th, below is information following-up on the points raised in the attached letter from the State of Alaska.

Please let us know if you have any questions.

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**The Lead Agencies have not met or followed through on timelines and commitments made to cooperators.**

- The SoA was actively engaged in providing input during Cooperating Agency meetings/discussions early in and throughout the SEIS process and. That input was considered and we amended Stips/ROPs accordingly.
- Due to the PDSEIS review process at all levels including HQ and DOI, it took time to gain alignment and approval prior to sharing information.

**Two weeks to review the entire preliminary draft SEIS is insufficient and unreasonable, especially given the extensive data and information provided by the State.**

- A 14-day review period is a very standard timeframe for a cooperating agency review of a Preliminary Draft or Final EIS phases.
- Cooperating Agencies will also be able to provide comments during the minimum 45-days Draft SEIS public comment period, as well as the Preliminary Final SEIS review period.

**The Lead Agencies are working in a vacuum.**

- The SEIS Team has been working in good faith throughout the process. The joint lead agency framework brings additional layers of reviews and discussions, and both agencies are working hard at becoming more efficient in navigating that dynamic.
- As of 6/2/23 the comprehensive Preliminary Draft is with the Cooperating Agencies (including the State of Alaska) for review.

**The Lead Agencies are not including the State in subsistence reviews, despite the unique data and information possessed by the State regarding the management of Fish and Game.**

- As of 6/2/23 the comprehensive Preliminary Draft is with the Cooperating Agencies (including the State of Alaska) for review. We invite exactly this sort of input from the State.

**The Lead Agencies have still not provided substantive rationale or explanation for the alleged “legal deficiencies” in the 2019 FEIS and ROD, although they are using these alleged “legal deficiencies” to drive the SEIS Process.**

- The legal deficiencies are outlined in SO 3401 and further defined in an associated Lease Suspension Letter that was sent to lessees and provided to the cooperators.

**The State strongly disagrees with a revision to the Purpose and Need Statement to assert that none of the five purposes of ANWR supersede one another.**

- The updated Purpose & Need statement was shared with the cooperating agencies early in the SEIS process and we discussed the reasoning for the changes from the previous FEIS language to the updated SEIS

language.

- Input previously provided by cooperating agencies was considered and incorporated as appropriate.

**Consistent with the MOU, the Lead Agencies must respond in writing to the State's comments, and the State requests that they do so as soon as possible.**

- The MOU language states in part IV.E. that "The Joint Lead Agencies shall... meet with the SoA to discuss the comments submitted during cooperating agency and public reviews and provide the SoA with written responses to the comments, including identifying any resulting changes to the SEIS and related documents."
- What has been agreed to in the MOU is that the joint lead agencies will provide written response to the comments provided on the Preliminary Draft SEIS and the Preliminary Final SEIS.
- As of 6/2/23 the comprehensive Preliminary Draft is with the Cooperating Agencies (including the State of Alaska) for review and the joint lead agencies will be provided a written response to all comments provided during this review period as well as comments provided during the future review of the Preliminary Final SEIS.

Serena Sweet  
Supervisory Planning & Environmental Coordinator  
BLM-Alaska, Resources Division  
Desk: 907-271-4543  
Cell: (b) (6)

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**From:** Adoko, Ashlee K (DNR) <ashlee.adoko@alaska.gov>  
**Sent:** Tuesday, May 30, 2023 4:09 PM  
**To:** Sweet, Serena E <ssweet@blm.gov>; Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>  
**Cc:** Boyle, John C (DNR) <john.boyle@alaska.gov>; Brune, Jason W (DEC) <jason.brune@alaska.gov>; Vincent-Lang, Douglas S (DFG) <doug.vincent-lang@alaska.gov>; Crowther, John J (DNR) <john.crowther@alaska.gov>; Goodrum, Brent W (DNR) <brent.goodrum@alaska.gov>  
**Subject:** [EXTERNAL] ANWR Coastal Plain - State Comments on SEIS Process

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Dear Ms. Sweet and Ms. Skibo,

May you please find the attachment.

Ashlee



May 30, 2023

Serena Sweet  
Bureau of Land Management  
222 West 7th Avenue, #13  
Anchorage, Alaska 99513-7599

Bobbie Jo Skibo  
U.S. Fish and Wildlife Service  
3000 Vintage Boulevard, #201  
Juneau, Alaska 99801-7125

**Re: Arctic National Wildlife Refuge Coastal Plain Supplemental Environmental Impact Statement Process**

Dear Ms. Sweet and Ms. Skibo,

The State of Alaska (State) is concerned that the Arctic National Wildlife Refuge (ANWR) Coastal Plain Supplemental Environmental Impact Statement (SEIS) process (SEIS Process) is not providing Cooperating Agencies opportunities to substantively participate consistent with the Council on Environmental Quality's (CEQ) regulations that implement the National Environmental Policy Act (NEPA) at 40 C.F.R. parts 1500 through 1508. Particularly, section 1501.8 of these regulations "emphasize[s] agency cooperation early in the NEPA process."

To date, the Bureau of Land Management (BLM) and the Fish and Wildlife Service (FWS, Lead Agencies) have not provided any SEIS materials for Cooperating Agencies to review, despite the State devoting considerable time and resources to provide knowledge, expertise, scientific information, and input in initial scoping discussions. If Cooperating Agencies are not provided materials to review prior to their publication or are provided short and cursory periods for review that do not allow meaningful input, it calls into question the role of Cooperating Agencies, the appropriate execution of the SEIS Process, and potentially the basis for decisions subsequently based on the SEIS Process.

The State's technical and regulatory experts have significant knowledge in the prudent development and management of Alaska's resources. They have extensive responsibilities for these same tasks on State lands, and have remained ready since August 4, 2021,<sup>1</sup> to coordinate and collaborate with the Lead Agencies on the SEIS Process to achieve energy abundance, secure American jobs, spur economic renewal, and promote environmental stewardship.

The State maintains that changes to the 2019 Final Environmental Impact Statement (FEIS), including the lease stipulations and Required Operating Procedures (ROPs), are unnecessary because the 2019 FEIS and Record of Decision (ROD) are based on decades of reliable data, and followed a federal NEPA process that involved State, federal, and local agencies, and stakeholders. Changes to the FEIS through

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the SEIS Process must similarly incorporate input, and particularly Cooperating Agency input, as the CEQ regulations expressly recognize.<sup>2</sup>

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- There is not “compliance with Section 810” of ANILCA.
- The Lead Agencies also said any new NEPA analysis involving an additional alternative could trigger additional duties to consult under Section 106 of the National Historic Preservation Act and Section 7 of the Endangered Species Act.

However, the Lead Agencies provided no further analysis beyond these conclusory statements that there are “legal deficiencies.” The State continues to assert, especially without further articulation by the Lead Agencies, that these determinations are changed policy positions, not legal deficiencies. No court or administrative board has reached a decision, or even opined, on the 2019 FEIS’s range of alternatives, the ROD’s interpretation of the Tax Act, or compliance with Section 810 of ANILCA. This is especially pertinent as the legal mandate for development in the Coastal Plain is unique to the Tax Act and its articulation of what is, and is not, required for the development to proceed.

Similarly, no court or administrative board has reviewed the adequacy of the analysis in the 2019 FEIS. In fact, the Department of the Interior (DOI) defended the legality of the analysis in the 2019 FEIS and decisions in the ROD in *Gwich’in Steering Committee v. Bernhardt*, No. 3:20-cv-00204-SLG (D. Alaska). It appears that the purported “legal deficiencies” are a guise for the DOI to undo the decisions made in the ROD and effectuate new policy. Conducting a new SEIS with limited or no input from cooperating agencies and incomplete information may, in fact, introduce new legal deficiencies to BLM and USFWS’s decision making.

Moreover, the SEIS’s scope exceeds the changes necessary to remedy the purported legal deficiencies. For example, the Lead Agencies have also proposed to revise lease stipulations and ROPs. These changes are not necessary to address the purported legal deficiencies and actually seem to demonstrate that the Lead Agencies seek to revisit prior policy decisions.

The FWS appears to be taking the lead in the SEIS Process and to have taken the directive in Order No. 3401 from the Secretary of the Interior (SO 3401) to “conduct a new, comprehensive analysis” to move in a different direction from the 2019 FEIS and to focus their efforts on a predetermined outcome of

1. Having tribal input determine the direction of the SEIS, and
2. Reversing the outcome of the 2019 FEIS Process, despite having no regulatory authority to do so.

The State pointed out in its opening remarks in the April 25, 2022, meeting that, although the FWS is the manager of ANWR, the Tax Act authority clearly provides BLM authority to control the lease sale process. That means that when a conflict exists between BLM regulations and FWS regulations and conservation management plans, the BLM regulations control.

**The State strongly disagrees with a revision to the Purpose and Need Statement to assert that none of the five purposes of ANWR supersede one another.**

The Lead Agencies indicated in the May 3, 2023, meeting that the Purpose and Need Statement would be revised to highlight that none of the five purposes of ANWR supersede one another. The State has repeatedly objected to the possibility of revising the Purpose and Need Statement in letters dated May 31, 2022, and October 31, 2022. The State continues to stand by its positions set forth in these letters.

The State strongly disagrees with a revision to the Purpose and Need Statement to assert that none of the five purposes of ANWR supersede one another. This revision erroneously suggests that ANWR's statutory purposes are on equal footing with one another. In fact, Congress did not make the Coastal Plain Oil and Gas Leasing Program secondary or subject to other purposes, and the Purpose and Need Statement cannot suggest otherwise. Congress also did not make federal compliance with the development purpose for the Coastal Plain optional in any way – it must occur.

Moreover, Section 303(2)(B) of ANILCA puts certain purposes secondary to others. For example, Section 303(2)(B) of ANILCA states that ANWR should be managed to ensure water quality and necessary water quantity within it, but only in a manner consistent with the conservation of fish and wildlife populations and habitats.

BLM lacks any valid basis to revise the Purpose and Need Statement set forth in the 2019 FEIS. Neither Executive Order No. 13990 nor SO 3401 directs any revisions to the Purpose and Need Statement set forth in the 2019 FEIS. Instead, both call for additional analysis of environmental impacts of the Coastal Plain Oil and Gas Leasing Program.

**Consistent with the MOU, the Lead Agencies must respond in writing to the State's comments, and the State requests that they do so as soon as possible.**

The MOU, IV., E., says that the Lead Agencies “shall provide [the State] with written responses to the State's comments on preliminary documents, “including identifying any resulting changes to the SEIS and related documents.”

These written responses further the commitments of the Lead Agencies and the State to “work cooperatively and share information,” per the MOU, I.C. In a letter dated October 31, 2022, the State provided the Lead Agencies with comments on proposed revisions to the Purpose and Need Statement, the Lead Agencies' interpretation of the 2000-acre limitation, and impacts on analyzing seismic exploration in the SEIS. The State also raised these and other issues in its October 4, 2021, scoping comments on the SEIS Process and its May 31, 2022, letter addressing possible revisions to the Purpose and Need Statement.

Although more than six months have passed since the State submitted its October 31, 2022, letter, the Lead Agencies have not informally addressed any of the State's comments, let alone responded in writing. The Lead Agencies also have not identified changes to the SEIS resulting from the State's comments.

Consistent with the MOU, the Lead Agencies must respond in writing to the State's comments. With the additional delay of the SEIS, the State requests the Lead Agencies do so as soon as possible. Otherwise,

the State would remain entirely unaware of the Lead Agencies' decision-making on these issues during nearly the entire time they have been developing the SEIS.

**Conclusion.**

In conclusion, the State maintains that responsible leasing and development of the ANWR Coastal Plain would support our nation's energy security and economic growth, preserve the environment, and create certainty for Alaskans and businesses. Throughout administrations, Americans have enjoyed increased economic opportunity, strengthened national security, and enhanced energy affordability as a result of development of Alaska's natural resources. Oil and gas exploration and development has occurred for decades on the North Slope of Alaska, including in areas adjacent to the ANWR Coastal Plain, and remains the State's single most important economic engine.<sup>9</sup>

The State has been eager to inform decisions affecting energy development in the ANWR Coastal Plain and the environmental safeguards needed to ensure the vitality of Alaskans and Alaskan landscapes.

Sincerely,



Ashlee Adoko  
Executive Director, OPMP

Cc: John C. Boyle III, Commissioner, DNR  
Jason Brune, Commissioner, DEC  
Doug Vincent-Lange, Commissioner, DFG

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<sup>9</sup> McDowell Group, *The Role of the Oil and Gas Industry in Alaska's Economy*, <https://www.aoga.org/wp-content/uploads/2021/01/Reports-2020.1.23-Economic-Impact-Report-McDowell-Group-CORRECTED-2020.12.3.pdf>.

**From:** [Cohn, Steven M](#)  
**To:** [Boario, Sara D](#)  
**Cc:** [Weber, Wendi](#); [Kuhns, Stephanie L](#)  
**Subject:** RE: Dear Reader letter  
**Date:** Friday, July 28, 2023 11:42:33 AM  
**Attachments:** [CoastalPlain Draft SEIS DR Letter 20230725\\_submitted.docx](#)

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Hi Sara,

Here is the most recent version. The team is still editing this in Share Point but should be finalized by this afternoon. Let us know any edits and we'll make sure they get incorporated into that version.

Steve

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**From:** Boario, Sara D <[sara\\_boario@fws.gov](mailto:sara_boario@fws.gov)>  
**Sent:** Friday, July 28, 2023 9:17 AM  
**To:** Cohn, Steven M <[scohn@blm.gov](mailto:scohn@blm.gov)>  
**Subject:** Re: Dear Reader letter

Martha and I in Arctic Refuge and heading for beaver on the Yukon river today - this will be my last cell service so if you have the letter and email it to me, Martha and I can see tomorrow/Sunday night when we return to Fairbanks. Also you could copy Wendi Weber - Martha's deputy - as well. - sb

---

**From:** Culver, Nada L <[nculver@blm.gov](mailto:nculver@blm.gov)>  
**Sent:** Friday, July 28, 2023 6:07 AM  
**To:** Cohn, Steven M <[scohn@blm.gov](mailto:scohn@blm.gov)>; Reed, Erika <[e05reed@blm.gov](mailto:e05reed@blm.gov)>; Hayes, Miriam (Nicole) <[mnhayes@blm.gov](mailto:mnhayes@blm.gov)>  
**Cc:** Pendergast, Kevin J <[kpendergast@blm.gov](mailto:kpendergast@blm.gov)>  
**Subject:** Dear Reader letter

Hi All- Just confirming that we're good to go with preparing the Coastal Plain SEIS Dear Reader letter for signature by Steve and Sara Boario. Thanks for checking.

Nada Wolff Culver  
Principal Deputy Director  
Bureau of Land Management  
[nculver@blm.gov](mailto:nculver@blm.gov)  
202-255-6979

(b) (5)

(b) (5)

Steven M. Cohn  
BLM Alaska State Director

Sara Boario  
USFWS Alaska Regional Director

**Commented [EH18]:** BLM/USFWS: Please confirm who will sign this letter, last time it was Joe Balash

**From:** [Roach, Emma K](#)  
**To:** [Boario, Sara D](#); [Skibo, Bobbie Jo](#); [Medeiros, Andrea AM](#); [Slaughter, Tobi J](#); [Loya, Wendy M](#)  
**Subject:** FW: For Review: Draft Coastal Plain SEIS Communications materials  
**Date:** Wednesday, August 2, 2023 7:40:32 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[DRAFT Qs and As for public review of draft SEIS.docx](#)  
[NR Announcing Release of Draft SEIS for Public Comment.docx](#)  
[CoastalPlain Draft SEIS DR Letter 20230725\\_submitted.docx](#)  
[CPSEIS\\_NOA\\_DRAFT.docx](#)  
[DRAFT Communications Plan for draft Coastal Plain SEIS 2023.docx](#)

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FYI, we just sent this up to our Director. Thanks for your help!



## Emma Roach

(She/Her)

### Communications Director

Alaska | Bureau of Land  
Management

w: 907-271-4418

e: [eroach@blm.gov](mailto:eroach@blm.gov)

[www.blm.gov/alaska](http://www.blm.gov/alaska)



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

---

**From:** Roach, Emma K  
**Sent:** Wednesday, August 2, 2023 5:39 PM  
**To:** Stone-Manning, Tracy M <tstonemanning@blm.gov>; Culver, Nada L <nculver@blm.gov>  
**Cc:** Cohn, Steven M <scohn@blm.gov>; Reed, Erika <e05reed@blm.gov>; Sweet, Serena E <ssweet@blm.gov>; Kuhns, Stephanie L <skuhns@blm.gov>; Hayes, Miriam (Nicole) <mnhayes@blm.gov>; Million, Bonnie M <bmillion@blm.gov>  
**Subject:** For Review: Draft Coastal Plain SEIS Communications materials

Tracy and Nada—

As requested, attached for your review are the draft Coastal Plain SEIS communications materials developed by the joint BLM-FWS team in Alaska, which has been reviewed up through the BLM State Director and FWS Regional Director.

This package includes the:

- Draft communications plan,
- Draft news release,

- Draft Q&A (intended to be publicly posted to head off basic questions),
- Draft BLM NOA, and
  - Dear Reader Letter.

Per our discussion earlier, we had expected higher-level interest in this as we were drafting these and hope the current materials provide a solid foundation for folks to build on as needed. Please don't hesitate to reach out to the BLM Alaska team if you have questions, have additions/changes we can help with, or otherwise want to discuss.

Thanks for your review, guidance, and leadership on this.

Best,

Emma



## Emma Roach

*(She/Her)*

### Communications Director

Alaska | Bureau of Land  
Management

w: 907-271-4418

e: [eroach@blm.gov](mailto:eroach@blm.gov)

[www.blm.gov/alaska](http://www.blm.gov/alaska)



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

(b) (5)































**From:** [Skibo, Bobbie Jo](#)  
**To:** [Boario, Sara D](#)  
**Cc:** [Leonetti, Crystal](#); [Sanchez, Ronnie](#)  
**Subject:** FW: [EXTERNAL] Re: Coastal Plain SEIS - cooperating agency meeting postponed  
**Date:** Wednesday, August 30, 2023 9:54:40 AM  
**Attachments:** [CP SEIS CA Mtg\\_05032023.pdf](#)

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FYI, response to recent NVK email below.

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**From:** Kuhns, Stephanie L <skuhns@blm.gov>  
**Sent:** Tuesday, August 29, 2023 4:59 PM  
**To:** Matthew Rexford <nvkaktovik@gmail.com>  
**Cc:** teresa-imm@outlook.com; Sweet, Serena E <ssweet@blm.gov>; Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>  
**Subject:** RE: [EXTERNAL] Re: Coastal Plain SEIS - cooperating agency meeting postponed

Good afternoon, Matthew,

Please see below for responses to each of your questions.

1. When do you expect to have the next Cooperating Agency meeting?
  - a. Can we get the notes of all prior Cooperative Agency meetings for our review and records? It seems we have the notes from the prior ITEK Working Group but only have notes from one Cooperating Agency meeting.
    - We do not have a date yet for the next cooperating agency meeting - we plan to hold a meeting once we know when the Draft SEIS will be published. We are still waiting for direction from our leadership as to when we will publish the Draft SEIS.
    - Notes from the May 3, 2023 Cooperating Agency meeting are attached. (Please note these are only Stephanie's notes and they are not comprehensive.)
2. Yes, it would be helpful to provide hard copies of the SEIS to us but we would want to make sure that we received them when the SEIS is made available.
  - Please let us know the best address to mail hard copies. They will be sent out when the Draft SEIS is published.
3. When you state you would be happy to schedule an individual Cooperating Agency meeting with Native Village of Kaktovik – what do you anticipate? What would be different about this meeting than a G2G meeting? Can you elaborate more on this idea?
  - An individual Cooperating Agency meeting would cover the same SEIS topics as the larger group Cooperating Agency meeting format, but would provide more time and space for the Native Village of Kaktovik to discuss your concerns and ideas directly with the project management team and to dive deeper into the

draft SEIS, if desired. Our interest is in ensuring that you have the opportunity to meaningfully participate in this process, and we are open to holding individual Cooperating Agency sessions with you if that format works better for you.

- In comparison, a G2G does not need to be limited to the SEIS and can be held at any time per your request. At a G2G, we can cover topics not specific to the SEIS, and BLM and USFWS Alaska leadership may attend.

4. Due to the delay for additional internal review, what is the new anticipated date for publishing the SEIS? We want to make sure that we are prepared for its release.

- We anticipate that the Draft SEIS will be published this fall. We do not have a set date at this time. The feedback you provided in your last email – such as the detailed information related to maps – was greatly appreciated and will be used to inform the final SEIS.

5. We understand that part of the NEPA process requires the ANILCA 810 consultation, however, we feel that since we have been mired down in meaningless ITEK discussions for the entire time we have been engaged on the SEIS, our community is a bit exhausted and somewhat reluctant of the agencies hosting any public meetings on either the SEIS or ANILCA 810 in Kaktovik. What happens if hearings in Kaktovik cannot be scheduled?

- Based on the preliminary findings in the ANILCA Section 810 subsistence evaluation, the BLM is legally required to hold a subsistence hearing in or near Kaktovik, in conjunction with the Draft SEIS public meetings. We will plan to work with the community to determine the best location to hold the hearing and public meeting so that the residents of your community can attend and participate. The public meeting and 810 hearing are separate from our regular Cooperating Agency meetings and G2G consultations – they are open to the wider public to attend and we hope that the Native Village of Kaktovik will participate.

Thank you,

Stephanie, Serena, and Bobbie Jo

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**From:** Matthew Rexford <[nykaktovik@gmail.com](mailto:nykaktovik@gmail.com)>

**Sent:** Tuesday, August 22, 2023 2:44 PM

**To:** Kuhns, Stephanie L <[skuhns@blm.gov](mailto:skuhns@blm.gov)>

**Cc:** [teresa-imm@outlook.com](mailto:teresa-imm@outlook.com); Sweet, Serena E <[ssweet@blm.gov](mailto:ssweet@blm.gov)>; Skibo, Bobbie Jo <[bobbiejo\\_skibo@fws.gov](mailto:bobbiejo_skibo@fws.gov)>

**Subject:** Re: [EXTERNAL] Re: Coastal Plain SEIS - cooperating agency meeting postponed

Thank you for the clarity you provided below on the “value” of our comments. Based on your note below we have a couple of questions on timing.

1. When do you expect to have the next Cooperating Agency meeting?
  - a. Can we get the notes of all prior Cooperative Agency meetings for our review and records? It seems we have the notes from the prior ITEK Working Group but only have notes from one Cooperating Agency meeting.
2. Yes, it would be helpful to provide hard copies of the SEIS to us but we would want to make sure that we received them when the SEIS is made available.
3. When you state you would be happy to schedule an individual Cooperating Agency meeting with Native Village of Kaktovik – what do you anticipate? What would be different about this meeting than a G2G meeting? Can you elaborate more on this idea?
4. Due to the delay for additional internal review, what is the new anticipated date for publishing the SEIS? We want to make sure that we are prepared for its release.
5. We understand that part of the NEPA process requires the ANILCA 810 consultation, however, we feel that since we have been mired down in meaningless ITEK discussions for the entire time we have been engaged on the SEIS, our community is a bit exhausted and somewhat reluctant of the agencies hosting any public meetings on either the SEIS or ANILCA 810 in Kaktovik. What happens if hearings in Kaktovik cannot be scheduled?

I look forward to the answers to our questions above.

Regards,

*Matthew Rexford*  
*Tribal Administrator*  
NATIVE VILLAGE OF KAKTOVIK  
*P.O. Box 52*  
*Kaktovik, AK 99747*  
*Phone: (907) 640-2042 or 2043*  
*Fax: (907) 640-2044*

On Fri, Aug 18, 2023 at 3:44 PM Kuhns, Stephanie L <[skuhns@blm.gov](mailto:skuhns@blm.gov)> wrote:

Good afternoon, Matthew,

Thank you for your feedback and for sharing your frustrations. We value your participation and input in this process and want to assure you that the feedback you've provided thus far, along with comments you provide through future forums (e.g., the upcoming public comment period) will be used to inform the development of the Final SEIS.

As we look forward, there will be additional opportunities for you to engage: as a Cooperating Agency, via the public comment period, and through Government-to-Government and/or ANCSA consultation. Through these processes, we want to ensure you have opportunities to engage in ways that work best for you within the broader NEPA context. If it is helpful to have hard copies of the Draft SEIS for your review, we would be happy to send copies to you.

While we had planned to hold the Cooperating Agency meeting that was scheduled for the 16<sup>th</sup> as a teleconference, we would be happy to schedule an individual Cooperating Agency meeting with the Native Village of Kaktovik. Let us know if that is something you would like, and if there is a date in the coming weeks that would work well for you and your team. Please note that when we hold the next full cooperating agency meeting, you will receive another notice and invitation to that meeting as well.

Once we publish the Draft SEIS, we will begin holding both in-person and virtual public meetings. This will allow more opportunities for the people of Kaktovik to provide testimonial and have their voices heard. Pending your approval, we are planning to hold a combined public meeting and ANILCA 810 hearing in the Native Village of Kaktovik. We would value your input on dates that would work best for the community.

We would also like to offer to hold a Government-to-Government consultation and an ANCSA consultation if that is of interest to the community. Again, please let us know if that is something you would like, and if so, some dates that would work.

Thank you again for your feedback and for your engagement in this process, and we look forward to hearing from you about how we can facilitate opportunities for your engagement and input that meet your needs.

Thank you,

Stephanie, Serena, and Bobbie Jo

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**From:** Matthew Rexford <[nykaktovik@gmail.com](mailto:nykaktovik@gmail.com)>

**Sent:** Friday, August 11, 2023 11:30 AM

**To:** Kuhns, Stephanie L <[skuhns@blm.gov](mailto:skuhns@blm.gov)>

**Cc:** [teresa-imm@outlook.com](mailto:teresa-imm@outlook.com)

**Subject:** [EXTERNAL] Re: Coastal Plain SEIS - cooperating agency meeting postponed

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Dear SEIS Team,

We can't help but find irony in your need to delay release of the SEIS for more internal review. When the Native Village of Kaktovik requested an extension to review the PDSEIS due to internet issues, including latency problems, that inhibited our ability to download the three volumes of the PDSEIS we were denied, even after we have repeatedly told you of this issue. You have continued to ignore this communication deficiency throughout our engagement and have repeatedly put NVK at a disadvantage throughout this process. That and your continuing focus on the need of incorporating our ITEK, in other words our 'intellectual property' into the SEIS while we have repeatedly stated our reluctance and your lack of definitively stating the reasons why you were focused on it have created a lack of trust with us with your approach. We also note that you now want to have a Cooperating Agency meeting which should have been recurring throughout the process. Our one attempt, back in November 2022, to participate as a Cooperating Agency along with the other Cooperating Agencies was a disaster for us because we could only attend via phone and were not able to effectively hear or participate meaningfully in the meeting, something we made you aware of.

It does appear to us that your continued focus on ITEK is continuing to lead to not only 'cultural trespass' as we stated in our February letter but also to 'cultural genocide' by you placing the Gwich'in phrase 'Sacred Place Where Life Begins' over our homelands on Map 3.44. How dare you take a slogan developed in the 1980's following passage of ANILCA as sincere traditional knowledge when the bulk of the map is covered with our Inupiat place names that reflect our occupancy and homelands. We are outraged by this and in fact we are questioning your ability to maintain neutrality and be objective, which is required by agencies conducting NEPA reviews, in this SEIS due to your continued push to usurp our existence and culture by a group from outside our region. When do animals replace the existence of humans – our people – who occupy these lands and have for centuries. WE ARE PART OF THE ENVIRONMENT TOO! We believe you have lost sight of this critical difference. Why don't you use your own data that has historical meaning for place names like what is used in your own BLM database [AK\\_NativePlaceNames - Visualization \(arcgis.com\)](#) which reflects that you are representing place names incorrectly because they are a place which is a location and generally not encompassing an arbitrary area like that of the 1002 Area which was defined under ANILCA. As you can see, in your own system, the Gwich'in place names are limited to two locations within the 1002 Area while there are approximately 100 Iñupiaq place names covering the same area. There is one Gwich'in place name along the Canning River, south of the 1002 Area, this dot in the GIS map does not make the entire Canning River a Gwich'in place. In fact, there are 5 locations along the Canning River that are Iñupiat locations. It also appears that you have not used all of the locations identified as Iñupiaq on your map even if they don't have a specific Iñupiaq name, however they are identified as Iñupiat in the description. Again, these are locations used by my people, both historically and in recent times. It is unconscionable to call the entire Canning River Gwich'in! We think you should show all the Iñupiat places on the map not just the ones that have a name associated with them because this is our traditional knowledge and reflects our locations across the area – by not doing so you are being selective with respect to our traditional knowledge that was provided to researchers in the 1970's and 80's. This again reflects the bias that we have witnessed under this SEIS process.

We are the people most impacted by the Porcupine Caribou Herd (PCH) movements, they are the

only herd that we can reliably use as a subsistence resource – Maps 3-35 and 3-36 show the limited movement of the Central Arctic Herd into our area. It is in our best interest to keep the population healthy for our community – does that make our homelands ‘sacred’? Our homelands are sacred to us as a people because our ancestors are buried throughout this area, our children are born in this region. Since time immemorial we have had campsites that were reused overtime and were located about a 1-day walk from each other – these were there because our people were migratory and followed the animals. Figure 3-6 reflects what native populations have historically taken animals and Alaska residents represent the second smallest percentage of takes – the story here is that the focus on the PCH is misguided because we have no authority in Canada where the bulk of the caribou are harvested. Map 3-45 reflects significant overlap between the Central Arctic Caribou Herd (CACH) and the PCH both in the 1002 Area and in the Yukon Flats, that the prior maps don’t really echo particularly in the 1002 Area but they do match for the Yukon Flats area. Map 3-62 reflects that hunting from Arctic Village only goes as far north as the Continental Divide.

I want to thank you for sending this as it provides NVK a means of expressing our frustrations yet again on the one-sided nature that you continue to portray because one indigenous group has the legal counsel to engage and we do not. We have been disadvantaged since engaging as a Cooperating Agency by having little to no support which basically means to us that your ability to follow the NEPA process is broken.

Best regards,

*Matthew Rexford*  
*Tribal Administrator*  
NATIVE VILLAGE OF KAKTOVIK  
*P.O. Box 52*  
*Kaktovik, AK 99747*  
*Phone: (907) 640-2042 or 2043*  
*Fax: (907) 640-2044*

On Wed, Aug 9, 2023 at 3:38 PM Kuhns, Stephanie L <[skuhns@blm.gov](mailto:skuhns@blm.gov)> wrote:

Hello,

Since we reached out on Monday, we have been directed to postpone the release of the SEIS so there is additional time for internal review. As such, we will delay our cooperating agency meeting until we have received further direction from our leadership. Additionally, we would still like to schedule a call with you to discuss a public meeting and ANILCA 810 hearing in Kaktovik.

We recognize that the SEIS is a priority for you and that the changes to the schedule may be burdensome. Thank you for your patience and flexibility with the ongoing process and changes.

Best,

Stephanie, Serena, and Bobbie Jo

Stephanie Kuhns ([she/her](#))  
Planning and Environmental Coordinator  
Alaska State Office  
USDOI - Bureau of Land Management  
(907)271-4208 (office)  
**(b) (6)** (cell)

*“A desk is a dangerous place from which to view the world.” – John LeCarré*

May 3, 2023

### Cooperating Agency Meeting

- Caitlin Roesler filling in for Lauren Boldrick while she's on detail (EPA)
- ANILCA 810 is tiered out of EIS analysis
  - Coordination and schedule TBA soon
- Mike Gieryic: 810 evaluation will track with and closely follow (in both scope and time) the subsistence analysis
- Section 106 – we waited until we had a range of alternatives – we need to have information before we were able to begin
- Sarah Meitl: thought that 106 was not a concern – frustrated that it is
- Monty Rogers: usually the agency will initiate 106 before alternatives to inform their development – feels that consultation is meaningless at this point
- Gary Mendivil: Sharing the frustration cooperating agencies want to work on pieces at a time, rather than the entire document all at once
- Gary Mendivil: Executive Orders are “window dressing” and not law
- Sarah Meitl: concerned there is too much work to do to achieve within the timeframe for a December 2024 lease sale
  - With these timeframes and the proposed Record of Decision – what discussions have occurred to incorporate local knowledge and allow Cooperating Agencies more review time?

**From:** [Skibo, Bobbie Jo](#)  
**To:** [Boario, Sara D](#); [Lor, Socheata](#); [Loya, Wendy M](#)  
**Cc:** [Cebrian, Merben R](#); [Sanchez, Ronnie](#); [Cribley, Bud C](#); [Routhier, Michael P](#); [Medeiros, Andrea AM](#)  
**Subject:** FW: [EXTERNAL] eNEPA receipt of Coastal Plain Oil and Gas Leasing Program Draft Supplemental EIS  
**Date:** Tuesday, September 5, 2023 11:30:11 AM

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\*\*\*\*\*CLOSE HOLD, DO NOT SHARE beyond this recipient group\*\*\*\*\*

This is a heads up that yesterday (yes, on the holiday), BLM's Director Tracy Stone Manning asked our team to upload the Draft SEIS for publication on this Friday, August 8<sup>th</sup>. Our team is now in over drive getting everything prepped for the release, Cooperating Agency meeting (we were asked specifically not to let them know its coming yet), and the public meetings/hearings.

I spoke with Sara last night and she is aware...stay tuned for further updates as I know them.  
~Bobbie Jo

---

**From:** EIS-Filing <EIS-Filing@epa.gov>  
**Sent:** Monday, September 4, 2023 2:33 PM  
**To:** Sweet, Serena E <ssweet@blm.gov>; Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>  
**Cc:** Kuhns, Stephanie L <skuhns@blm.gov>; EIS-Filing <EIS-Filing@epa.gov>; Roemele, Julie <Roemele.Julie@epa.gov>; Tomiak, Robert <tomiak.robert@epa.gov>; Barger, Cindy <Barger.Cindy@epa.gov>; Abrams, Nancy <Abrams.Nancy@epa.gov>  
**Subject:** [EXTERNAL] eNEPA receipt of Coastal Plain Oil and Gas Leasing Program Draft Supplemental EIS

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This email confirms receipt of your filed Draft Supplemental Environmental Impact Statement (EIS) titled, "Coastal Plain Oil and Gas Leasing Program" (EIS/CEQ no. 20230116). The filed EIS will be part of the Environmental Protection Agency's (EPA) Notice of Availability (NOA) and published in the **Friday, September 8, 2023** Federal Register. Your EIS comment period ends on **October 23, 2023**. If this date is incorrect, please contact the EPA immediately. Please note that the official minimum comment/review periods are calculated from the date of the EPA's published NOA and cannot end on a weekend or a Federal holiday.

Please contact [EIS-Filing@epa.gov](mailto:EIS-Filing@epa.gov) if changes need to be made to the EIS record such as correcting pdfs, withdrawing an EIS, or delaying, extending, or reopening a comment/review period. If your agency requires a comment/review period extension, please send an official notification making the request through *e-NEPA*. Official notification may be a signed letter on agency letterhead by an appropriate approving official or a copy of the agency's published Federal Register public notice detailing a comment/review period extension. An email is not a sufficient official notification. When your request is received, you will receive an email confirmation and an amended notice will be

published in the EPA's NOA. In addition, if your agency needs to withdraw the EIS, please send the EPA a letter on agency letterhead making the request.

For additional information, please visit: <https://www.epa.gov/nepa/environmental-impact-statement-filing-guidance>.

If you have additional questions on *e-NEPA* and EIS filings, please do not hesitate to contact me at 202-564-5632 or by email at [roemele.julie@epa.gov](mailto:roemele.julie@epa.gov) or [EIS-Filing@epa.gov](mailto:EIS-Filing@epa.gov) or Jonathan Simpson at 202-564-8168 or by email at [simpson.jonathan@epa.gov](mailto:simpson.jonathan@epa.gov).

Thanks,

Julie A. Roemele  
Office of Federal Activities  
NEPA Compliance Division  
Environmental Protection Agency  
Office: 202-564-5632  
Cell: 202-309-0141

**From:** [Kuhns, Stephanie L](#)  
**To:** [Cohn, Steven M](#); [Million, Bonnie M](#); [Sweet, Serena E](#); [Boario, Sara D](#)  
**Cc:** [Loya, Wendy M](#); [Pendergast, Kevin J](#); [Skibo, Bobbie Jo](#); [Jones, Nichelle \(Shelly\)](#); [Roach, Emma K](#); [Bolton, Melinda A](#)  
**Subject:** Re: Utqiagvik Coastal Plain SEIS Meeting Summary  
**Date:** Wednesday, September 27, 2023 1:26:14 AM

---

We will reach out in the morning. Thanks for the quick responses on this.

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---

**From:** Cohn, Steven M <scohn@blm.gov>  
**Sent:** Tuesday, September 26, 2023 4:22:46 PM  
**To:** Million, Bonnie M <bmillion@blm.gov>; Sweet, Serena E <ssweet@blm.gov>; Boario, Sara D <sara\_boario@fws.gov>  
**Cc:** Loya, Wendy M <>wendy\_loya@fws.gov>; Pendergast, Kevin J <kpendergast@blm.gov>; Kuhns, Stephanie L <skuhns@blm.gov>; Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>; Jones, Nichelle (Shelly) <njones@blm.gov>; Roach, Emma K <eroach@blm.gov>; Bolton, Melinda A <mbolton@blm.gov>  
**Subject:** RE: Utqiagvik Coastal Plain SEIS Meeting Summary

Let's reach out to these entities and see if that day will work.  
Steve

---

**From:** Million, Bonnie M <bmillion@blm.gov>  
**Sent:** Tuesday, September 26, 2023 4:07 PM  
**To:** Cohn, Steven M <scohn@blm.gov>; Sweet, Serena E <ssweet@blm.gov>; Boario, Sara D <sara\_boario@fws.gov>  
**Cc:** Loya, Wendy M <>wendy\_loya@fws.gov>; Pendergast, Kevin J <kpendergast@blm.gov>; Kuhns, Stephanie L <skuhns@blm.gov>; Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>; Jones, Nichelle (Shelly) <njones@blm.gov>; Roach, Emma K <eroach@blm.gov>; Bolton, Melinda A <mbolton@blm.gov>  
**Subject:** Re: Utqiagvik Coastal Plain SEIS Meeting Summary

If it's something you all would like to pursue - October 11 would be the target.

For the proposed NPR-A rule, we have the Anchorage mtg in the 10th, Atqasuk on the 12<sup>th</sup> and Nuiqsut on the 13<sup>th</sup>.

--  
Bonnie Million  
Congressional Liaison  
Bureau of Land Management - Alaska  
Email: [bmillion@blm.gov](mailto:bmillion@blm.gov)  
Office: 907-271-3335  
Cell: (b) (6)

---

**From:** Cohn, Steven M <[scohn@blm.gov](mailto:scohn@blm.gov)>

**Sent:** Tuesday, September 26, 2023 4:04 PM

**To:** Sweet, Serena E <[ssweet@blm.gov](mailto:ssweet@blm.gov)>; Boario, Sara D <[sara\\_boario@fws.gov](mailto:sara_boario@fws.gov)>

**Cc:** Loya, Wendy M <[wendy\\_loya@fws.gov](mailto:wendy_loya@fws.gov)>; Pendergast, Kevin J <[kpendergast@blm.gov](mailto:kpendergast@blm.gov)>; Kuhns, Stephanie L <[skuhns@blm.gov](mailto:skuhns@blm.gov)>; Skibo, Bobbie Jo <[bobbiejo\\_skibo@fws.gov](mailto:bobbiejo_skibo@fws.gov)>; Million, Bonnie M <[bmillion@blm.gov](mailto:bmillion@blm.gov)>; Jones, Nichelle (Shelly) <[njones@blm.gov](mailto:njones@blm.gov)>

**Subject:** RE: Utqiagvik Coastal Plain SEIS Meeting Summary

Thanks Serena. As we indicated in our response to ASRC, ICAS, Voice and the NSB prior to yesterday's meeting, we made the offer to host a second meeting in Utqiagvik. I reiterated this during the NPRA Working Group meeting just now, where this issue was raised again. Let's figure out times we can suggest to folks when to hold this meeting. One possibility may be to time a meeting corresponding to staging in Utqiagvik for rule-making meetings in Wainwright and Nuiqsut Oct 11-13.

Steve

---

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

**Sent:** Tuesday, September 26, 2023 3:10 PM

**To:** Cohn, Steven M <[scohn@blm.gov](mailto:scohn@blm.gov)>; Boario, Sara D <[sara\\_boario@fws.gov](mailto:sara_boario@fws.gov)>

**Cc:** Loya, Wendy M <[wendy\\_loya@fws.gov](mailto:wendy_loya@fws.gov)>; Pendergast, Kevin J <[kpendergast@blm.gov](mailto:kpendergast@blm.gov)>; Kuhns, Stephanie L <[skuhns@blm.gov](mailto:skuhns@blm.gov)>; Skibo, Bobbie Jo <[bobbiejo\\_skibo@fws.gov](mailto:bobbiejo_skibo@fws.gov)>; Million, Bonnie M <[bmillion@blm.gov](mailto:bmillion@blm.gov)>

**Subject:** Utqiagvik Coastal Plain SEIS Meeting Summary

Hello Steve and Sara,

Here is a summary the Coastal Plain SEIS public meeting in Utqiagvik last night:

- Approx. 10 people attended the meeting including representatives of the NSB, ICAS, ASRC and AIDEA.
- We received no testimony/comments directly related to the Coastal Plain SEIS NEPA process.
- Generally, the attendees were upset that the meeting was held as planned after multiple requests to reschedule were submitted to BLM/FWS.
- NSB, ICAS, ASRC and AIDEA each submitted a request for a comment period extension as well as an additional in-person public meeting and 810 hearing in Utqiagvik during the formal testimony portion of the meeting. It was further requested that both the BLM and FWS directors attend a future in-person meeting in Utqiagvik.
- The representative of AIDEA requested that a formal public meeting be held in Anchorage during the comment period, as there are several north slope shareholders residing in Anchorage.
- There were questions related to why the NPR-A IAP rulemaking and the lease cancellations were announced at the same time.
- AIDEA noted that Alternatives C and D appear be cost prohibitive and in violation of the Tax Cuts and Jobs Act.

Serena Sweet

Supervisory Planning & Environmental Coordinator

BLM-Alaska, Resources Division

Desk: 907-271-4543

Cell: (b) (6)

**From:** [Skibo, Bobbie Jo](#)  
**To:** [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:** [Deam, Seth R](#); [Gieryic, Michael S](#); [Routhier, Michael P](#)  
**Subject:** RE: AGENDA: 4/21/23 Coastal Plain SEIS Joint BLM/FWS Meeting  
**Date:** Friday, April 21, 2023 3:01:16 PM  
**Attachments:** [BP - Arctic NWR SEIS VCA \(04172023\).docx](#)

---

All,

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**Sent:** Thursday, April 20, 2023 5:38 PM  
**To:** r7rdomeetings, FW7 <R7rdomeetings@fws.gov>; Boario, Sara D <sara\_boario@fws.gov>; Kuhns, Stephanie L <skuhns@blm.gov>; Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>; Lor, Socheata <socheata\_lor@fws.gov>; Cribley, Bud C <bud\_cribley@fws.gov>; Pendergast, Kevin J <kpendergast@blm.gov>; Amy Lewis <amy.lewis@empai.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:** AGENDA: 4/21/23 Coastal Plain SEIS Joint BLM/FWS Meeting

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Serena Sweet  
Supervisory Planning & Environmental Coordinator

BLM-Alaska, Resources Division  
Desk: 907-271-4543  
Cell: (b) (6)

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**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@emp.si.com](mailto:amy.lewis@emp.si.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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**From:** [Boario, Sara D](#)  
**To:** [Skibo, Bobbie Jo](#); [Glaspell, Brian](#); [Loya, Wendy M](#)  
**Subject:** Fw: AGENDA: 4/21/23 Coastal Plain SEIS Joint BLM/FWS Meeting  
**Date:** Friday, April 21, 2023 3:09:44 PM  
**Attachments:** [BP - Arctic NWR SEIS VCA \(04172023\).docx](#)

---

Thanks Bobbie Jo - can the four of us discuss this a bit more? Thanks - sb

---

**From:** Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>  
**Sent:** Friday, April 21, 2023 1:01 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@empci.com>; Cohn, Steven M <scohn@blm.gov>; Loya, Wendy M <wendy\_loya@fws.gov>  
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Serena Sweet  
Supervisory Planning & Environmental Coordinator

BLM-Alaska, Resources Division  
Desk: 907-271-4543  
Cell: (b) (6)

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**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)>

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

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**From:** [Boario, Sara D](#)  
**To:** [Deam, Seth R](#)  
**Subject:** Fw: AGENDA: 4/21/23 Coastal Plain SEIS Joint BLM/FWS Meeting  
**Date:** Friday, April 21, 2023 3:09:58 PM  
**Attachments:** [BP - Arctic NWR SEIS VCA \(04172023\).docx](#)

---

fyi

---

**From:** Boario, Sara D <sara\_boario@fws.gov>  
**Sent:** Friday, April 21, 2023 1:09 PM  
**To:** Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>; Glaspell, Brian <brian\_glaspell@fws.gov>; Loya, Wendy M <wendy\_loya@fws.gov>  
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Serena Sweet

Supervisory Planning & Environmental Coordinator

BLM-Alaska, Resources Division

Desk: 907-271-4543

Cell: (b) (6)

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**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@empfi.com](mailto:amy.lewis@empfi.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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[\(833\) 436-1163,460004435#](tel:(833)4361163460004435) United States (Toll-free)

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(b) (5)







**DELIBERATIVE INFORMATION MEMORANDUM**

DO NOT DISCLOSE

**From:** [Skibo, Bobbie Jo](#)  
**To:** [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:** [Deam, Seth R](#); [Gieryic, Michael S](#); [Routhier, Michael P](#)  
**Subject:** FOLLOW UP: 4/21/23 Coastal Plain SEIS Joint BLM/FWS Meeting  
**Date:** Monday, April 24, 2023 4:34:22 PM  
**Attachments:** [CP SEIS Key Topics Memo for Cooperators \(4.24.23\).docx](#)  
**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>

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

**To:** r7rdomeetings, FW7 <R7rdomeetings@fws.gov>; Boario, Sara D <sara\_boario@fws.gov>; Kuhns, Stephanie L <skuhns@blm.gov>; Skibo, Bobbie Jo <bobbiejo\_skibo@fws.gov>; Lor, Socheata <socheata\_lor@fws.gov>; Cribley, Bud C <bud\_cribley@fws.gov>; Pendergast, Kevin J <kpendergast@blm.gov>; Amy Lewis <amy.lewis@emp.si.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:** 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: (b) (6)

---

**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

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**From:** [Cohn, Steven M](#)  
**To:** [Stone-Manning, Tracy M](#); [Culver, Nada L](#)  
**Cc:** [Deam, Seth R](#); [Boario, Sara D](#); [Sweet, Serena E](#)  
**Subject:** Deliberative, predecisional memo to cooperating agencies for Coastal Plain SEIS  
**Date:** Monday, April 24, 2023 6:23:48 PM  
**Attachments:** [CP SEIS Key Topics Memo for Cooperators \(4.24.23\).srd.docx](#)

---

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

Dear Tracy and Nada,

Please find the attached *Key Topics Memo* that the Coastal Plain oil and gas leasing program SEIS project management team is planning to use as a guide for an upcoming Cooperating Agency meeting. Please let us know if you see any red flags in this memo. We anticipate scheduling the Cooperating Agency meeting **the week of May 1**. The cooperating agencies include the State of Alaska, Inupiat Community of the Arctic Slope (ICAS), Native Village of Kaktovik, Venetie Tribal Council, Native Village of Venetie, Arctic Village, and EPA.

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- 9/1-10/15: Draft SEIS Public Comment Period (minimum 45-days)
- 4Q 2023-1Q 2024: Final SEIS
- 2Q 2024: ROD

Thank you in advance for your review!

Sincerely,  
Steve

Steven M. Cohn  
Alaska State Director  
Bureau of Land Management  
[scohn@blm.gov](mailto:scohn@blm.gov)  
Cell: (b) (6)  
Office: 907-271-5080



(b) (5)











**From:** [Boario, Sara D](#)  
**To:** [Williams, Martha M](#); [Weber, Wendi](#)  
**Subject:** Fwd: Deliberative, predecisional memo to cooperating agencies for Coastal Plain SEIS  
**Date:** Tuesday, April 25, 2023 11:26:39 AM  
**Attachments:** [CP SEIS Key Topics Memo for Cooperators \(4.24.23\).srd.docx](#)

---

You can see the highlighted dates we are hoping for HQ review and next brief. - sb

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**From:** Cohn, Steven M <[scohn@blm.gov](mailto:scohn@blm.gov)>  
**Sent:** Monday, April 24, 2023 4:24 PM  
**To:** Stone-Manning, Tracy M <[tstonemanning@blm.gov](mailto:tstonemanning@blm.gov)>; Culver, Nada L <[nculver@blm.gov](mailto:nculver@blm.gov)>  
**Cc:** Deam, Seth R <[seth.deam@sol.doi.gov](mailto:seth.deam@sol.doi.gov)>; Boario, Sara D <[sara\\_boario@fws.gov](mailto:sara_boario@fws.gov)>; Sweet, Serena E <[ssweet@blm.gov](mailto:ssweet@blm.gov)>  
**Subject:** Deliberative, predecisional memo to cooperating agencies for Coastal Plain SEIS

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

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- 4Q 2023-1Q 2024: Final SEIS
- 2Q 2024: ROD

Thank you in advance for your review!  
Sincerely,  
Steve

Steven M. Cohn  
Alaska State Director  
Bureau of Land Management  
[scohn@blm.gov](mailto:scohn@blm.gov)  
Cell: (b) (6)  
Office: 907-271-5080

(b) (5)











**From:** [Boario, Sara D](#)  
**To:** [Loya, Wendy M](#); [Skibo, Bobbie Jo](#)  
**Cc:** [Lor, Socheata](#)  
**Subject:** Fw: Deliberative, predecisional memo to cooperating agencies for Coastal Plain SEIS  
**Date:** Wednesday, April 26, 2023 7:42:15 AM  
**Attachments:** [CP SEIS Key Topics Memo for Cooperators \(4.24.23\).srd.docx](#)

---

FYI - sorry I thought Bobbie Jo was copied on Steve's email, just realizing she's not.

---

**From:** Boario, Sara D <sara\_boario@fws.gov>  
**Sent:** Tuesday, April 25, 2023 9:26 AM  
**To:** Williams, Martha M <martha\_williams@fws.gov>; Weber, Wendi <wendi\_weber@fws.gov>  
**Subject:** Fwd: Deliberative, predecisional memo to cooperating agencies for Coastal Plain SEIS

You can see the highlighted dates we are hoping for HQ review and next brief. - sb

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**Sent:** Monday, April 24, 2023 4:24 PM  
**To:** Stone-Manning, Tracy M <tstonemanning@blm.gov>; Culver, Nada L <nculver@blm.gov>  
**Cc:** Deam, Seth R <seth.deam@sol.doi.gov>; Boario, Sara D <sara\_boario@fws.gov>; Sweet, Serena E <ssweet@blm.gov>  
**Subject:** Deliberative, predecisional memo to cooperating agencies for Coastal Plain SEIS

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

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Sincerely,

Steve

Steven M. Cohn  
Alaska State Director  
Bureau of Land Management  
[scohn@blm.gov](mailto:scohn@blm.gov)

Cell: (b) (6)

Office: 907-271-5080

(b) (5)











**From:** [Skibo, Bobbie Jo](#)  
**To:** [Boario, Sara D](#); [Cohn, Steven M](#); [Lor, Socheata](#); [Loya, Wendy M](#); [Pendergast, Kevin J](#); [Kuhns, Stephanie L](#); [Sweet, Serena E](#); [Cribley, Bud C](#); [Deam, Seth R](#); [Gieryic, Michael S](#); [Routhier, Michael P](#)  
**Cc:** [Skibo, Bobbie Jo](#)  
**Subject:** Action/Response Needed: Cooperating Agency Recap  
**Date:** Thursday, May 4, 2023 3:03:42 PM  
**Attachments:** [CPSEIS Coop Mtg 05032023 Slides.pdf](#)  
[IK Path Forward and Overview.docx](#)  
[CPSEIS Response to Gwich'in IK 5 4 23.docx](#)

---

Steve/Sara,

We wanted to provide a brief recap of the CA meeting that was held yesterday, 5/3/23. We had a great showing of over 20 people mainly representing the state of Alaska and members of the Gwich'in from Arctic Village and Venetie (and their representatives). As a reminder, we will be meeting with NVK and ICAS separately on May 9<sup>th</sup> where we will go through the same presentation.

Highlights:

1. We presented the "key topics" via the attached PowerPoint. We did not share the memo but did share these slides with them.
2. The timing of the process, review timeframes, and the lack of inclusivity/communication around specifics were shared as major frustrations.
  - a. 45-60 days was requested for the preliminary review vs. 2 weeks
  - b. Gary Mendivil, SOA, wanted us to share to leadership that he was very disappointed and wanted us to send around the updated Stips/ROPs prior to the preliminary instead of burying them with thousands of pages in a two week review
  - c. Rob Rosenfeld expressed that he felt they are only Cooperating Agencies in name and we are not allowing them to meaningfully participate.
3. Section 106 consultation was a concern raised by differing parties. The State of Alaska SHPO representative was upset with the lack of communication on this topic and expressed that they didn't think we doing another Section 106 process while members of the group representing the Gwich'in shared that "waiting until the development of alternatives is contrary to regulations, which requires the agency to take historic properties into account" and asked us to start immediately.
  - a. We have set a meeting with Ashlee Adoko (State liaison) to learn more about their concerns
  - b. We anticipate kicking off the Section 106 process once the preliminary draft is released.
4. Inclusion of Indigenous Knowledge was discussed. It was expressed that it feels like an afterthought and there was a great deal of frustration over not participating in the workshop.
  - a. Rob Rosenfeld expressed that the "working group led to scheduling of a 5 -day workshop which BLM and USFW cancelled after 15-20 plane tickets were purchased. The workshop happened and BLM and USFW cancelled last minute. As per usual it appears you are placing all the responsibility on the tribes to do work that you are supposed to do in collaboration with the tribes. Big disappointment. We were told that the workshop would be rescheduled. Is that not going to happen?"

**ACTION:** Correspondence to the Gwich'in Representatives:

- I drafted a letter for the Gwich'in tribes (attached) that was mirrored off of the NVK letter. Sending that via email from Sara/Steve would be preferred (we will get all of the necessary email addresses) so we can get it out ASAP and begin discussions on next steps.
- I also have an accompanying document that outlines IK inclusion (guidance on inclusion through NEPA, etc.) and proposed next steps. Once we get the correspondence to them, we would then follow up to discuss a path forward as suggested in the attached "IK Path Forward" doc.
- Please respond to let us know if you'd prefer to send this as a formal letter or if email is ok. If formal letter, we can work through the surname process.

Please let us know if you have any follow up questions for us. Also, Mike and Mike, please add to the list if something stood out to you.

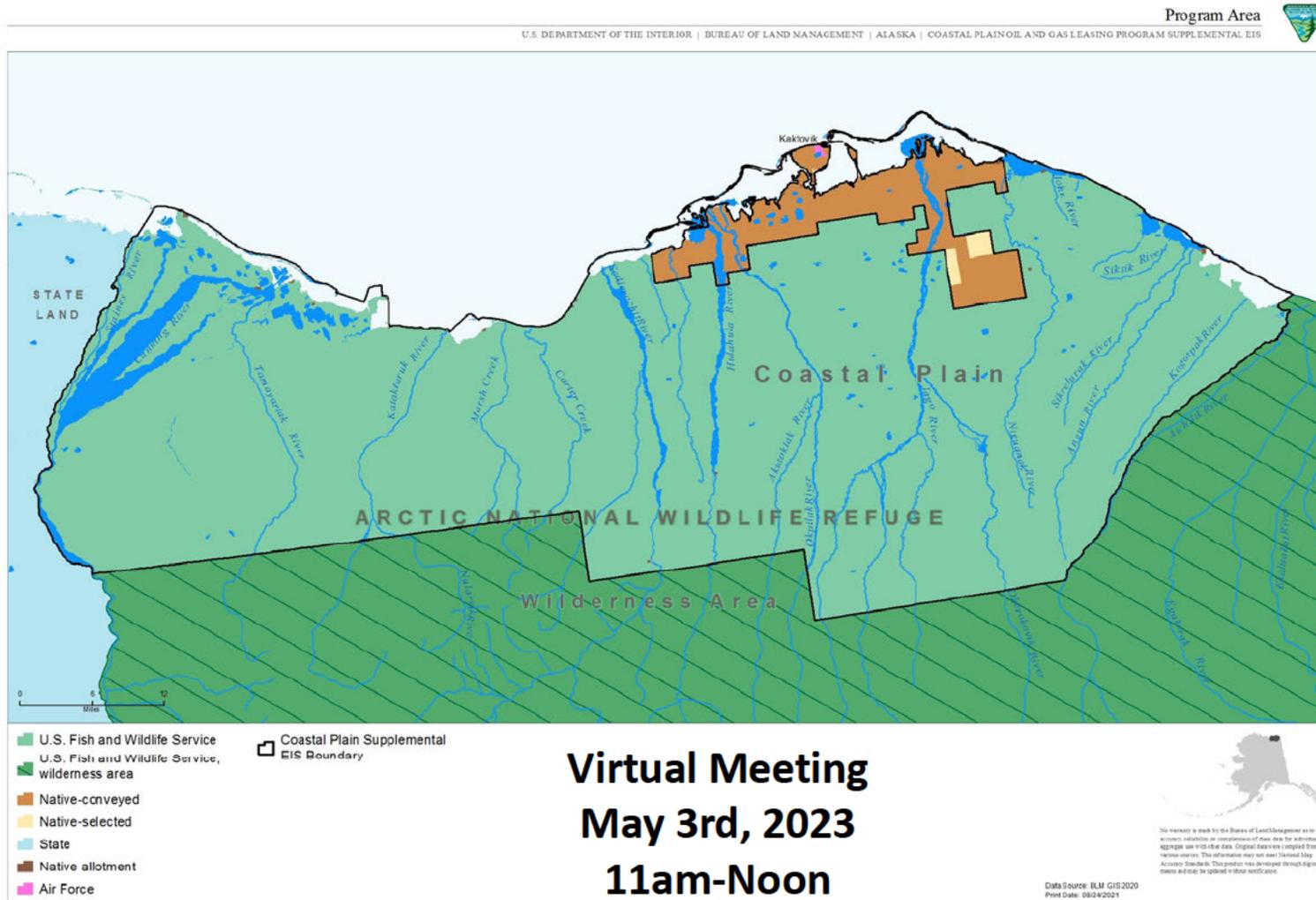
Thanks, Bobbie Jo

\*\*\*\*\*

**Bobbie Jo Skibo, MS (she/her)**  
**Strategic Conservation and Coastal Plain Coordinator**  
**Science Applications Program**  
**US Fish and Wildlife Service**  
**907-441-1539**



# Coastal Plain Supplemental Environmental Impact Statement Cooperating Agency Meeting





# Agenda

- Welcome/Opening Remarks
- Key Topics Overview
  - Update on Process and Timeline/Review Timeframes
  - Legal Deficiencies
  - Purpose and Need Statement
  - Existing and Future Leases
  - Reasonably Foreseeable Development (RFD) Scenario and 2,000 Acre Interpretation
  - Range of Alternatives (including new alternative)
  - Lease Stipulations (Stips) and Required Operating Procedures (ROPs)
  - Inclusion of Indigenous Knowledge Next Steps
- Wrap Up/Recap Next Steps



# Updates/Anticipated Schedule\*

- **June 2023:** Cooperating agency review of preliminary draft SEIS
- **June – August 2023:** Contractor revises preliminary draft SEIS based on cooperating agency comments
- **August – October 2023:** Public comment period for draft SEIS

\* Tentative and subject to change



# Legal Deficiencies

The Department of the Interior Secretary's Order 3401, dated June 1, 2021, determined that:

1. The BLM did not adequately analyze a reasonable range of alternatives in the EIS, and
2. The Record of Decision (ROD) did not properly interpret Section 20001 of Public Law 115-97 (commonly known as the Tax Act).



# Legal Deficiencies

A subsequent letter also on June 1, from the Principal Deputy Assistant Secretary for Land and Minerals Management to leaseholders in the Coastal Plain, further clarified both of those deficiencies (Items 1 & 2 previously), identified other potential legal defects (Items 3 and 4), and addressed the potential need for further analysis and consultation (Item 5):

Clarification of 1 & 2:

1. 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.



# Legal Deficiencies

2. The Tax Act provides for authorization of *up to* 2,000 acres to be covered by “production and support facilities.” However, inclusion of the phrase “up to” indicates that less than 2,000 acres may be authorized in appropriate circumstances, such as for alternatives that make large areas unavailable for leasing or surface development and thus may require fewer production and support facilities.

The explanation in the ROD for not considering such an alternative – that the Tax Act provides a *mandate* to the BLM requiring it to approve production and support facilities up to that limit – is both implausible and contrary to Congressional intent, which is itself a legal error.



# Legal Deficiencies

3. The EIS's treatment of foreign greenhouse gas (GHG) emissions, and
4. Compliance with section 810 of the Alaska National Interest Lands Conservation Act (ANILCA).
5. Further, any new NEPA analysis involving an additional alternative may also result in connected reviews, such as under section 106 of the National Historic Preservation Act and consultation under Section 7 of the Endangered Species Act.



# 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 following updated P&N statement that includes previous language while adding the recognition of the FWS's role as a Joint Lead Agency and elevates the point that none of the five statutory purposes of the Arctic National Wildlife Refuge supersede one another. The remainder of the original P&N statement will be used as background or introductory language as appropriate.



# Purpose:

The Bureau of Land Management and the US Fish and Wildlife Service are undertaking this SEIS as Joint Lead Agencies to inform BLM's administration of the oil and gas leasing program consistent with PL 115-97.



# Need:

Section 20001 of PL 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.



# Need:

Further, Section 20001 of PL 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 HCP lands within the Coastal Plain, allowing for up to 2,000 surface acres of Federal land to be covered by production and support facilities.

Any oil and gas program alternative must consider all five statutory purposes of the Arctic National Wildlife Refuge, none of which are superseded by any other.



# Existing and Future 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. 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.

The Tax Act requires a second lease sale, offering not fewer than 400,000 acres, by December 2024.



# Reasonably Foreseeable Development (RFD) and 2,000 Acre Interpretation

To address the legal deficiencies related to the 2,000-acre interpretation and range of alternatives, the Joint Lead Agencies 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.



# Range of Alternatives

Alternative Component	Alternative A (No Action/ No Leasing Program; FEIS Alternative A)	Alternative B (FEIS Alternative B)	Alternative C (FEIS Alternative D1)	Alternative D (New)
Lease Stipulations/ Required Operating Procedures	N/A	No change from FEIS	No change from FEIS	New
Analysis	Update with new data/info	Update with new data/info	Update with new data/info	All new analysis



# Lease Stipulation Considerations

- Lease Stipulation: Rivers and Streams
- Lease Stipulation: Canning River Delta and Lakes
- Lease Stipulation: Springs/Aufeis
- Lease Stipulation: Nearshore marine, lagoon, and barrier island habitats of the Southern Beaufort Sea within the boundary of the Coastal Plain
- Lease Stipulation: Coastal Polar Bear Denning River Habitat
- Lease Stipulation: Caribou Calving, Post-calving, and Insect Relief
- Lease Stipulation: Porcupine Caribou Primary Calving Habitat Area
- Lease Stipulation: Coastal Area
- Lease Stipulation: Wilderness Boundary
- Lease Stipulation: Native Allotments
- Lease Stipulation: Ice-rich Soils and Yedoma Deposits
- Lease Stipulation: Master Development Plan



# Required Operating Procedures Considerations

- Waste Prevention, Handling, Disposal, Spills, & Public Safety
- Water Use for Permitted Activities
- Winter Overland Moves & Seismic Work
- Oil & Gas Exploratory Drilling
- Facility Design & Construction (Includes protections for fish and wildlife)
- Use of Aircraft for Permitted Activities
- Oil & Gas Field Abandonment
- Subsistence Consultation for Permitted Activities
- Orientation Programs Associated with Permitted Activities
- Summer Vehicle Tundra Access
- General Wildlife & Habitat Protection
- Marine Vessel Traffic-Associated Activities



# Indigenous Knowledge Next Steps

Discussion and Reflection...

Next Steps....



# Next Steps/Discussion



(b) (5)





**From:** [Skibo, Bobbie Jo](#)  
**To:** [Lor, Socheata](#); [Boario, Sara D](#)  
**Cc:** [Loya, Wendy M](#); [Crane, Drew](#); [Routhier, Michael P](#); [Sweet, Serena E](#); [Kuhns, Stephanie L](#); [Fasbender, Peter](#)  
**Subject:** Draft Section 7 Memo: Options for Consultation Process  
**Date:** Friday, July 7, 2023 1:10:50 PM  
**Attachments:** [070723 Section 7 consultation options memo FINAL sent to SB.docx](#)  
**Importance:** High

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Sara and Soch,

Please find the attached memo that outlines 3 options that could be followed for the Section 7 consultation process. Thank you to Serena for getting the draft pulled together and to Mike R, Drew, and Pete for their thoughtful input.

Serena/Stephanie plan to bring BLM leadership up to speed.

Thank you and feel free to reach out with any questions, 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

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:**

(b)(5)DPP





