

Section VI

Consultation and Coordination

Table of Contents

VI. CONSULTATION AND COORDINATION.....3
 Preview of this Section.....3
 A. FORMAL SCOPING.....3
 B. AGENCIES AND ORGANIZATIONS CONTACTED.....4
 C. PUBLIC REVIEW AND COMMENT ON THE DRAFT IAP/EIS.....5
 D. DEVELOPMENT OF THE PREFERRED ALTERNATIVE.....5
 E. GOVERNMENT-TO-GOVERNMENT.....6
 F. LIST OF PREPARERS FOR FINAL IAP/EIS.....8

VI. CONSULTATION AND COORDINATION

Preview of this Section

This section summarizes the scoping process conducted for the preparation of the draft IAP/EIS. It also summarizes the public review and comment process on the draft IAP/EIS. Summaries of the development of BLM's Preferred Alternative and Government-to-Government consultation are provided. The individual BLM and MMS preparers with their areas of expertise and/or responsibility are also listed.

A. FORMAL SCOPING

Formal scoping began when BLM published a Notice of Intent (Notice) to prepare the Northwest NPR-A IAP/EIS in the Federal Register on November 15, 2001. Publication of the Notice initiated a 45-day public scoping period. The scoping process provides the public the opportunity to submit comments and relevant information for the IAP/EIS and to inform agencies on issues relating to the future land use, planning, and management of the Northwest NPR-A Planning Area. The Notice also included a call for nominations from the oil industry for lands within the Planning Area to be considered for oil and gas leasing.

During the formal scoping period, BLM met with a range of interested parties. This included representatives of environmental groups; the oil industry; North Slope village and corporate leaders; and leaders of the NSB, State of Alaska, and other Federal land-management and resource- protection agencies. Public meetings were held in Point Lay, Anaktuvuk Pass, Wainwright, Atkasuk, Barrow, Nuiqsut, Anchorage, and Fairbanks throughout December 2001 and January 2002. Eight scoping meetings were originally scheduled. These facilitated meetings were electronically recorded and subsequently transcribed into a written record. An interpreter was present at the meetings in the North Slope communities. One hundred thirty-two individuals signed in at the eight public meetings. An additional meeting was arranged on short notice (with no public notice) to accommodate members of the Point Lay Tribal Council who were unable to return from Barrow in time for the public meeting in Point Lay. Four individuals attended that meeting. Meeting attendance totaled 136 citizens while 21 written comments were received during the scoping period. The formal public scoping period was extended until February 15, 2002.

B. AGENCIES AND ORGANIZATIONS CONTACTED

The following agencies and organizations were contacted during the planning process.

Federal Agencies

1. National Marine Fisheries Service (NOAA Fisheries)
2. Environmental Protection Agency
3. Fish and Wildlife Service
4. Minerals Management Service

State of Alaska Agencies

1. Department of Fish and Game
2. Department of Natural Resources
3. Division of Governmental Coordination

Municipal Governments

1. North Slope Borough
2. City of Anaktuvuk Pass
3. City of Atkasuk
4. City of Barrow
5. City of Nuiqsut
6. City of Wainwright

Following is a partial list of organizations and officials who were notified that the draft IAP/EIS was available for review and comment (for a complete mailing list, contact: Bureau of Land Management, Office of External Affairs (912), 222 W. 7th Ave., Anchorage, AK 99513)

- Arctic Slope Regional Corporation
- Alaska Center for the Environment
- Alaska Miners Association
- Alaska Oil and Gas Association
- Alaska Outdoor Council
- Alaska Wildlife Alliance
- Alyeska Pipeline Service Company
- Anadarko Petroleum Corporation
- ARCO Alaska
- BP Exploration (Alaska) Inc.
- Chevron USA
- Ducks Unlimited Inc.

- Exxon
- National Audubon Society
- Northern Alaska Environmental Center
- ConocoPhillips Alaska Inc.
- Sierra Club
- The Nature Conservancy
- Union Oil Company
- Union Texas Petroleum Company
- Elected Officials
- Governor of Alaska Frank Murkowski
- U.S. Senator Ted Stevens
- U.S. Senator Lisa Murkowski
- U.S. Representative Don Young
- Alaska State Senators
- Alaska State Representatives

C. PUBLIC REVIEW AND COMMENT ON THE DRAFT IAP/EIS

The Notice of Availability of the Northwest NPR-A Draft IAP/EIS was published in the *Federal Register* on January 17, 2003. Comments on the draft IAP/EIS were received via letters, e-mail, fax, website, and formal public meetings. Public meetings were held in Fairbanks (February 12, 2003), Anchorage (February 13, 2003); Point Lay (February 18, 2003), Wainwright (February 20, 2003), Anaktuvuk Pass (February 19, 2003), Atkasuk (February 24, 2003), Barrow (February 27, 2003); Nuiqsut (March 3, 2003), and Washington D.C. (March 13, 2003). The comment period closed April 2, 2003. A summary of the comments received and specific comments and responses are presented in Section VII of this final IAP/EIS. Selected letters are reproduced in Appendix 15.

D. DEVELOPMENT OF THE PREFERRED ALTERNATIVE

The draft IAP/EIS was released for public review and comment in January 2003. After completion of the public meetings and closing of the public comment period, the core planning team, resource staff, and management met to develop the Agency's Preferred Alternative. The starting point was a look at the proposals submitted by Alaska Audubon and others referred to as the "Wildlife Habitat Alternative" (see Comment Letter 213 in Section VII and Appendix 15). The resource information submitted by Audubon was consistent with BLM/MMS information and with that submitted by others, including the U.S. Fish and Wildlife Service (FWS), the State of Alaska, and the North Slope Borough (NSB). Recommendations by Audubon for new special areas and corresponding restrictions were evaluated in light of the oil and gas resource information. While BLM felt some of Audubon's recommendations were too restrictive, especially in the high prospective area for oil and gas resources in the northeast portion of the Planning Area, BLM also acknowledged that it must look carefully at protections for brant, spectacled and Steller's eiders, yellow-billed loon, Peregrine falcon, caribou, and the coastal bays and lagoons in developing the Preferred Alternative and that protections must in some cases be fairly prescriptive and quantitatively defined (e.g., ½-mile setbacks on rivers). The BLM consulted with the FWS on some of Audubon's specific recommendations, as well as about additional options for protection of specific resource as suggested by Audubon.

As discussions proceeded and additional information and input was received, the Preferred Alternative evolved. The State of Alaska, the Alaska Oil and Gas Association (AOGA), ConocoPhillips, the NSB, the EPA, the Alaska Center for the Environment et al., the American Society of Mammalogists, and the FWS all made extensive

comments specific to individual stipulations and ROP's. These comments were compiled to facilitate a review of each stipulation and ROP. Other more general comments on stipulations and ROP's from these and other entities, such as those submitted by Kuukpik, were widely distributed to the analysis team for consideration. Concurrently, management considered public comment related more generally to management philosophies and new alternatives.

As a result of many meetings to consider comments and other new information, management direction on the Preferred Alternative was set forth. In light of this direction and in consideration of comments on specific stipulations and ROP's, BLM developed the land allocations, stipulations, and ROP's for the Preferred Alternative. The stipulations and ROP's were further discussed with representatives of the NSB and the State of Alaska. Subsequent to those meetings, BLM sought additional information from the State of Alaska, the NSB, and FWS, and developed the final stipulations and ROP's that are now part of the Preferred Alternative.

E. GOVERNMENT-TO-GOVERNMENT

Federally recognized Tribes have a special, unique legal and political relationship with the Government of the United States as defined by the U.S. Constitution, treaties, statutes, court decisions, and executive orders. These definitive authorities also serve as the basis for the Federal Government's obligation to acknowledge the status of federally recognized Tribes in Alaska.

The BLM consults with federally recognized tribes consistent with the Presidential Executive Memorandum dated April 29, 1994, on Government-to-Government Relations with Native American Tribal Governments; Executive Order 13175 dated November 6, 2000, on Consultation and Coordination with Indian Tribal Governments; and the January 18, 2001, Department of the Interior-Alaska Policy on Government-to-Government Relations with Alaska Native Tribes. The BLM formally consults with federally recognized Tribes in Alaska before taking action or undertaking activities that will have a substantial, direct effect on federally recognized Tribes, their assets, rights, services, or programs. To this end, government-to-government meetings and consultation with the following federally recognized traditional governments occurred during the planning process for the Northwest NPR-A:

- Native Village of Anaktuvuk Pass;
- Native Village of Atkasuk;
- Native Village of Barrow;
- Native Village of Nuiqsut;
- Native Village of Point Lay;
- Native Village of Wainwright; and
- Iñupiat Community of the Arctic Slope.

Below is a list of specific BLM government-to-government meetings with Federally recognized tribes and state and local governments. Topics of discussion and location of meetings, if available, are provided in parentheses.

- Dec. 6, 2001 NSB Wildlife Management Committee (Barrow)
- Dec. 9, 2001 NSB Mayor (Mayor's office)
- Feb. 8, 2002 Native Village of Point Lay Tribal Council (NSB Assembly Chambers, Barrow)
- Feb. 20, 2002 North Slope Regional Subsistence Advisory Council (Inupiat Heritage Center)
- Feb. 21, 2002 Iñupiat Community of the Arctic Slope President

- Feb. 21, 2002 NSB Planning Department Director and staff (Barrow)
- March 14, 2002 Subsistence Advisory Panel (Subsistence Workshop, Barrow)
- March 18, 2002 NSB Planning Department GIS staff (Cabin and Camp GIS Inventory)
- March 18, 2002 Native Village of Barrow Tribal Council (informational meeting on developing the Northwest NPR-A Plan, Barrow)
- March 18, 2002 NSB Wildlife Management Department (cabins, coordination, studies, NSB Title 19 Special Habitat District, Subsistence Management Zones)
- March 18, 2002 Ukpeagvik Inupiat Corporation (split estate lands, cabin management)
- April 25, 2002 North Slope Borough Planning and Zoning Commission (Barrow)
- April 26, 2002 Alaska BLM Regional Advisory Council (Fairbanks)
- May 9, 2002 Barrow Planning and Zoning Commission (Special Area designation, Barrow)
- May 9, 2002 Iñupiat Community of the Arctic Slope President (consultation process to be used for oil and gas activities)
- Nov. 25, 2002 Native Village of Barrow Tribal Council (informational meeting on Puviaq project and Northwest NPR-A planning process)
- Dec. 15, 2002 Subsistence Advisory Panel (Barrow)
- Jan. 24, 2003 Native Village of Barrow Tribal Chairman, Executive Officer, and staff (consultation procedures and Northwest NPR-A plan)
- Jan. 24, 2003 Arctic Slope Regional Corporation Chairman
- Jan. 24, 2003 NSB Mayor (Barrow)
- Feb. 18, 2003 Northwest NPR-A 810 Subsistence Hearing and public meeting on draft IAP/EIS (Point Lay)
- Feb. 18, 2003 Point Lay Tribal Chairman
- Feb. 29, 2003 Northwest NPR-A 810 Subsistence Hearing and public meeting on draft IAP/EIS (Anaktuvuk Pass)
- Feb. 20, 2003 Northwest NPR-A 810 Subsistence Hearing and public meeting on draft IAP/EIS (Wainwright)
- Feb. 24, 2003 Northwest-NPR-A 810 Subsistence Hearing and public meeting on draft IAP/EIS (Atqasuk)
- Feb. 25, 2003 Subsistence Advisory Panel (attendees included representatives from Iñupiat Community of the Arctic Slope, Native Village of Barrow, City of Barrow, NSB, Alaska Department of Fish and Game, and oil industry, Barrow).
- Feb. 27, 2003 Northwest-NPR-A 810 Subsistence Hearing and public meeting on draft IAP/EIS (Barrow)
- March 3, 2003 Northwest-NPR-A 810 Subsistence Hearing and public meeting on draft IAP/EIS (Nuiqsut)
- March 7, 2003 Barrow Community (meeting organized by Native Village of Barrow, ICAS, City of Barrow and North Slope Borough, Barrow)
- March 13, 2003 Public meeting on draft IAP/EIS (Washington D.C.)
- March 18, 2003 Native Village of Nuiqsut President, City of Nuiqsut Mayor, and Kuukpik Corporation President (Nuiqsut)
- March 26, 2003 Western Arctic Caribou Herd Working Group (Nome)
- April 8, 2003 NSB Mayor and staff (Anchorage)
- April 8, 2003 Alaska Department of Environmental Conservation (Northwest NPR-A lease stipulations)
- June 26, 2003 NSB Planning Director (draft Preferred Alternative, Barrow)

Throughout the entire planning process, comments and issues brought forward through formal Government-to-Government consultation with Native Tribal Governments consistently focused on a few familiar topics. These issues included concerns about: (1) protection of subsistence resources; (2) effects of special designations, such as wilderness and Special Areas, on subsistence activities; (3) measures to prevent pollution and/or clean-up of spills; (4) anticipated levels of oil and gas and related activities (including seismic exploration) as a result of leasing new areas; (5) development of roads to villages; (6) status of NPR-A Energy Impact Funds; (7) use of traditional knowledge in making decisions; (8) impact of oil and gas-related activities on native allotments and subsistence cabins; and (9) local employment opportunities. During consultation meetings to

discuss the BLM's Preferred Alternative, the tribal councils of Atqasuk and Nuiqsut raised additional questions about restrictions on access to subsistence resources. Specifically, tribal leaders had concerns about possible limitations on access to traditional subsistence areas because of tighter security near oil and gas infrastructure such as pipelines and production facilities. They were worried that as infrastructure expands westward into NPR-A, local residents would be prevented from hunting and fishing near these facilities.

During consultation, tribal leaders made a few specific recommendations. These recommendations included prescribing higher minimum heights for pipelines, requiring operators to lower drilling rig towers during periods of caribou migrations to prevent deflecting caribou away from hunting areas, and requesting studies to determine appropriate water withdrawal limits for ice road construction.

All comments and recommendations were received verbally during meetings with individual tribal councils. No written comments were received.

F. LIST OF PREPARERS FOR FINAL IAP/EIS

The portions of Sections III, IV, and V that were written by the following specialists are indicated in parentheses. AFO=Anchorage Field Office, ASO=Alaska State Office, NFO=Northern Field Office.

- Akerelrea, Carol (BLM-ASO) Technical Writer
- Anker, Elinore M. (MMS) Technical Publications Writer-Editor (Bibliography)
- Banet, Art (BLM-ASO) Geologist (Coal Resources)
- Belenski, Carol (BLM-ASO) Visual Information Specialist
- Brumbaugh, Rob (BLM-ASO) Physical Specialist (Physiography)
- Burwell, Mike (MMS) Socioeconomic Specialist (Subsistence and Sociocultural Systems)
- Childs, Jeff (MMS) Fish and Wildlife Biologist (Marine Fish)
- Childs, Susan (BLM-ASO) Marine Biologist (Wetlands)/EIS Coordinator
- Cole, Jeanie (BLM-NFO) Wildlife Biologist (Terrestrial Mammals)
- Craig, Jim (MMS) Geologist (Petroleum Geology, Oil and Gas Assessment and Oil and Gas Exploration and Development Activities)
- Cranswick, Deborah (MMS) Environmental Scientist/EIS Coordinator
- Delaney, Roger (BLM-NFO) Natural Resource Specialist (Recreation and Wilderness Resources)
- Goodwin, Randy (BLM-NFO) Outdoor Recreation Planner (Off Highway Vehicles - Recreation)
- Hammond, Tim (BLM-NFO) GIS Specialist
- Hansen, Don (MMS) Wildlife Biologist (Marine Mammals)
- Holder, Tim (MMS) Economist (Economy)
- Hubbard, Joel (MMS) Wildlife Biologist (Birds and Endangered Species)
- Karlen, Bob (BLM-NFO) Fisheries Biologist (Non-marine Fish, Essential Fish Habitat)
- Kelly, Lon (BLM-NFO) Outdoor Recreation Planner (Wild and Scenic Rivers)
- King, Fred (MMS) Supervisory Environmental Scientist
- Kleven, Mike (BLM-NFO) Northern Field Office Environmental Planning Coordinator
- Kosnik, Kristine (BLM-NFO) GIS Specialist
- Kostohrys, Jon (BLM-NFO) Hydrologist (Water Resources)
- Kunz, Mike (BLM-NFO) Archaeologist (Cultural Resources and Paleontological Resources)
- Maclean, Beth (BLM-AFO) Geologist (Hardrock Mineral Resources)
- McCaa, Craig (BLM-NFO) Public Affairs Specialist
- McClain, Holli (BLM-NFO) Outdoor Recreation Planner (Visual Resources)

- McIntosh, Stacie (BLM-NFO) Anthropologist (ANILCA 810 Analysis)
- Meares, Don (BLM-NFO) Natural Resource Specialist (Physiography, Sand and Gravel, Oil and Gas Exploration-Environmental Status)
- Menge, Ida (MMS) GIS Technician
- Nordmann, Jerry (BLM-NFO) Natural Resource Specialist (Lands/Realty)
- Parker, Mazelle O. (MMS) EIS Specialist
- Servoss, Shawn (BLM-NFO) GIS Specialist
- Sherwood, Kirk (MMS) Geologist (Petroleum Geology and Oil and Gas Assessment)
- Sires, Beverly (MMS) Minerals Leasing Specialist (Coastal Zone Management)
- Smith, Caryn (MMS) Oceanographer (Climate and Meteorology and Oil Spills)
- Svejnoha, Wayne (BLM-ASO) Hazardous Materials (Hazmat) Specialist (Hazardous Materials)
- Theisen, Skip (BLM-NFO) Fire Management Specialist (Fire)
- Tremont, John (MMS) Geographer (Transportation and Major Projects Considered in the Cumulative Case)
- Wilson, Curt (BLM-ASO) Planner/Environmental Coordinator, NPR-A Team Leader
- Worley, Mike (BLM-NFO) Realty Specialist (Lands/Realty)
- Yokel, Dave (BLM-NFO) Wildlife Biologist (Terrestrial Mammals and Vegetation)