



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
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## **February 2013 National Petroleum Reserve in Alaska Integrated Activity Plan Record of Decision**

### *Subsistence Consultation for Permitted Activities*

#### *H-1 Best Management Practice*

Objective: Provide opportunities for participation in planning and decision making to prevent unreasonable conflicts between subsistence uses and other activities.

Requirement/Standard: Lessee/permittee shall consult directly with affected communities using the following guidelines:

- a. Before submitting an application to the BLM, the applicant shall consult with directly affected subsistence communities, the North Slope Borough, and the National Petroleum Reserve-Alaska Subsistence Advisory Panel to discuss the siting, timing and methods of their proposed operations to help discover local traditional and scientific knowledge, resulting in measures that minimize impacts to subsistence uses. Through this consultation, the applicant shall make every reasonable effort, including such mechanisms as conflict avoidance agreements and mitigating measures, to ensure that proposed activities will not result in unreasonable interference with subsistence activities. In the event that no agreement is reached between the parties, the authorized officer shall consult with the directly involved parties and determine which activities will occur, including the timeframes.
- b. The applicant shall submit documentation of consultation efforts as part of its operations plan. Applicants should submit the proposed plan of operations to the National Petroleum Reserve-Alaska Subsistence Advisory Panel for review and comment. The applicant must allow time for the BLM to conduct formal government-to-government consultation with Native Tribal governments if the proposed action requires it.
- c. A plan shall be developed that shows how the activity, in combination with other activities in the area, will be scheduled and located to prevent unreasonable conflicts with subsistence activities. The plan will also describe the methods used to monitor the effects of the activity on subsistence use. The plan shall be submitted to the BLM as part of the plan of operations. The plan should address the following items:
  1. A detailed description of the activity(ies) to take place (including the use of aircraft).

2. A description of how the lessee/permittee will minimize and/or deal with any potential impacts identified by the authorized officer during the consultation process.
  3. A detailed description of the monitoring effort to take place, including process, procedures, personnel involved and points of contact both at the work site and in the local community.
  4. Communication elements to provide information on how the applicant will 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 meetings, open house meetings, workshops, newsletters, radio and television announcements, etc.
  5. Procedures necessary to facilitate access by subsistence users to conduct their activities.
  6. Barge operators requiring a BLM permit are required to demonstrate that barging activities will not have unmitigable adverse impacts on the availability of marine mammals to subsistence hunters.
  7. All vessels over 50 ft. in length engaged in operations requiring a BLM permit must have an Automatic Identification System (AIS) transponder system on the vessel.
- d. During development, monitoring plans must be established for new permanent facilities, including pipelines, to assess an appropriate range of potential effects on resources and subsistence as determined on a case-by-case basis given the nature and location of the facilities. The scope, intensity, and duration of such plans will be established in consultation with the authorized officer and NPR-A Subsistence Advisory Panel.
- f. Permittees that propose barging facilities, equipment, supplies, or other materials to NPR-A in support of oil and gas activities in the NPR-A shall notify, confer, and coordinate with the Alaska Eskimo Whaling Commission, the appropriate local community whaling captains' associations, and the North Slope Borough to minimize impacts from the proposed barging on subsistence whaling activities.