

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
NATIONAL PETROLEUM RESERVE ALASKA (NPR-A) SUBSISTENCE ADVISORY
PANEL**

BYLAWS and OPERATING PROCEDURES

- 1. Official Designation:** The Panel is designated as the National Petroleum Reserve-Alaska Subsistence Advisory Panel.
- 2. Objectives and Scope of Activity:** The objective of the Panel is to provide a structured forum for the potentially affected subsistence communities of Anaktuvuk Pass, Atkasuk, Barrow, Nuiqsut , Point Lay and Wainwright to raise issues and concerns and make recommendations to the Authorized Officer of the Bureau of Land Management (BLM) to prevent unreasonable conflicts between subsistence activities and 1) the exploration, development and production of oil and gas resources and 2) scientific research activities in the National Petroleum Reserve Alaska (NPR-A).
- 3. Period of Time Necessary for the Panel's Activities and Termination Date:** The Panel is expected to exist into the foreseeable future. Its continuation is, however, subject to review every two years. Based on membership criteria described in Paragraph 9 below, the National Petroleum Reserve-Alaska Subsistence Advisory Panel is exempt from the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) pursuant to Section 204(b) of the Unfunded Mandates Act of 1995 (Public Law 104-4).
- 4. Official to Whom the Panel Reports:** The Panel reports to the Authorized Officer (AO) of the Bureau of Land Management. For purposes of the NPR-A Subsistence Advisory Panel, the Authorized Officer is defined as the Field Manager, Arctic Field Office or his/her designated representative.
- 5. Support Services:** Administrative support for the activities of the Panel will be provided by the Bureau of Land Management, Department of the Interior. Support will include: working with the Chair and AO to create the agenda; typing minutes and notes; providing information such as Plans of Operation, Subsistence Reports, and other pertinent documents to the Panel in a timely manner; arranging travel and accommodations for the Panel while in travel status; and providing other information requested by the Panel on an as-needed basis.
- 6. Duties of the Panel:** The Panel possesses the authority to perform the following duties:
 - (1) Review oil lessee proposals and plans and provide recommendations to BLM on safeguards or mitigating measures that could be implemented to prevent unreasonable conflicts between oil and gas exploration, development and production and subsistence activities.
 - (2) Review scientific research projects in the NPR-A and provide recommendations to BLM on mitigating measures that can be requested of the researchers to prevent unreasonable conflicts between research and subsistence activities.
 - (3) Keep local communities informed about research projects and planned oil and gas activities and Panel, agency and lessee or permittee actions designed to protect subsistence resources and

uses. This includes attending, at a minimum, one local government or tribal meeting following the SAP meeting to give an update/review to the local community.

(4) Provide recommendations to BLM concerning planning, research, monitoring and assessment activities needed to facilitate responsible oil and gas development and protect subsistence resources and uses in NPR-A.

(5) Work with the North Slope Borough to maintain a repository of subsistence information for local communities and agencies.

(6) Ensure continuity and consistency in the collection and use of subsistence information by the panel and other advisory groups. Serve as a clearinghouse for all activities affecting subsistence.

(7) Consider public comments during discussions on developing safeguards and mitigating measures to prevent unreasonable conflicts between oil and gas development or science and research projects and subsistence activities.

7. **Estimated Operating Costs:** Annual operating costs for the Panel are estimated at \$45,000, which includes a half person year of staff support.
8. **Meetings:** The Panel will meet at least twice each year at the call of the Panel Chair or Authorized Officer.
9. **Membership:** The Panel's membership is as follows:

Regular Members. Regular members are composed of designated representatives from the federally recognized Native American tribal governments of the Iñupiat Community of the Arctic Slope, Village of Anaktuvuk Pass, Atkasuk Village, Native Village of Barrow, Native Village of Nuiqsut, Point Lay Traditional Council, and Village of Wainwright. An eighth member of the panel is an elected official, or his/her designated employee, from the North Slope Borough. All members must be knowledgeable and experienced in matters relating to subsistence uses of fish and wildlife resources found on the North Slope. The selection of regular members and alternate members (see below) is at the sole discretion of the appropriate governing body.

Alternate Members. Alternate members will be selected in the same manner as described for regular members. Alternate members are full voting members, with the same role and responsibility of primary members when they attend Panel meetings.

Vacancies: Whenever a Panel vacancy occurs among regular members appointed under paragraph 9 above, the alternate member will be first in line to fill the vacant position. In the event an alternate position becomes vacant, the Authorized Officer will appoint an individual in accordance with the requirements of paragraph 9 to fill that vacancy for the remainder of the applicable term. If both the active and alternate positions are vacant, the Authorized Officer will appoint individuals in accordance with paragraph 9 to fill both vacancies for the remainder of their applicable terms.

Terms of Office: For the purpose of providing long-term continuity for the Panel, the initial Panel will be composed of regular members from the Native Village of Anaktuvuk Pass, Native

Village of Barrow and Native Village of Wainwright serving one year terms and the five regular members from the Native Village of Atkasuk, Native Village of Nuiqsut, Native Village of Point Lay, and the North Slope Borough and Iñupiat Community of the Arctic Slope serving two year terms. Subsequent terms for members and alternates will be two years. If a Panel member resigns prior to the expiration of their term, or if he/she is removed for cause by the Authorized Officer upon recommendation of the Panel, the position will be filled only through the remainder of the applicable term. Alternates members will serve concurrently with regular members.

Meeting Attendance: Regular members are expected to attend all scheduled Subsistence Advisory Panel meetings. Alternate members are expected to attend when the regular member cannot attend. If a regular member misses two consecutive meetings without prior approval from the AO, he/she will be removed from the Panel by the AO. If the alternate has represented the community in place of the regular member for two consecutive meetings, he/she will become the regular member. A formal request for a new alternate member will be made to the appropriate tribal government. If the regular member and the alternate miss two consecutive meetings, they will be removed from the Panel by the AO and a formal request for a new regular member and alternate member will be made to the appropriate tribal government.

Compensation: Regular members and alternate members of the Panel will receive no compensation as members. Regular members and alternates members will, however, be allowed travel expenses, including per diem, in the same manner as persons employed intermittently in Government service as allowed such expenses under 5 U.S. C. 5703.

- 10. Officers:** At the first regular meeting of the Panel, a Chair and Vice-Chair shall be elected by the members of the Panel for a term that will run through December 31st of the following calendar year. In subsequent years, officers will be elected at the first meeting of the calendar year. The term of office will run through the end of the calendar year. The Chair will be the Panel's primary point of contact with the Authorized Officer. The Chair is responsible for developing the meeting agenda and conducting meetings. The Chair may delegate certain responsibilities to other members of the Panel. The Vice-Chair will assume all responsibilities of the Chair in his or her absence.
- 11. Authority:** The National Petroleum Reserve-Alaska Subsistence Advisory Panel is established pursuant to the Record of Decision for the Integrated Activity Plan/Environmental Impact Statement for the Northeast National Petroleum Reserve-Alaska (1998); and reinstated pursuant to the Record of Decisions for the Integrated Activity Plan/Environmental Impact Statement for the Northwest National Petroleum Reserve-Alaska (2004) and the Amendment for the Northeast National Petroleum Reserve-Alaska Integrated Activity Plan/Environmental Impact Statement (2006).