

Geographic Region Included in the Northeastern NPR-A Regional Mitigation Strategy - Update

Background

This paper discusses the geographic area to be addressed in the Bureau of Land Management’s (BLM) Regional Mitigation Strategy (RMS) for future oil and gas development projects in the northeastern National Petroleum Reserve in Alaska (NPR-A). The Greater Mooses Tooth 1 (GMT1) compensatory mitigation plan is specific to effects on the community of Nuiqsut and is not discussed in this document.

The February 2015 Record of Decision (ROD) for the GMT1 project required BLM develop an RMS to anticipate future development and strategically identify suitable mitigation actions in advance of that development. The ROD states the general geographic scope of the mitigation planning effort shall be the northeastern region of the NPR-A, but gives BLM discretion to define the RMS’ geographic scope as narrowly or broadly as necessary to sustain or achieve resource objectives and to effectively mitigate reasonably foreseeable impacts. The ROD directs the BLM to work through a public process to define the geographic region.

Based on the RMS planning process to date, BLM is proposing to move forward without a firm, fixed boundary for the RMS overall and instead allow the ranking criteria and potential mitigation action effectiveness to determine where compensatory mitigation activities should occur. The background and rationale for this approach is discussed below.

Preliminary Discussions of the RMS Geographic Scope

The focus of the first RMS workshop (Fairbanks, March 2015) was to introduce the RMS concept and process, and there was limited discussion of the area that should be included in the RMS. The BLM and workshop participants discussed that a geographic scope would be determined later in the process, based on review of the area and resource impacts, results of stakeholder consultation, and location of potential mitigation activities/sites (BLM 2015a).

At the second RMS Workshop (Barrow, September 2015), the BLM presented a Working Draft Proposed Boundary for the Northeast NPR-A RMS as a starting point for stakeholder discussions. The proposed boundary was a “firm, fixed line” on a map. It was drawn based on several factors including, but not limited to: area estimated to be “high potential” for economically recoverable oil, likelihood of onshore infrastructure to support offshore development, and appropriate siting for effective mitigation actions (BLM 2015b).

Workshop #2 participants responded with a clear message that the proposed RMS boundary needed to be substantially revised to better reflect the relationship between resources (such as caribou), resource patterns (such as caribou migration routes or subsistence use areas), and people. It was suggested that adopting a firm, fixed geographic boundary for the RMS may not be the best approach.

The BLM committed to reconsidering the proposed RMS boundary and encouraged stakeholders to provide comments and alternative suggestions in the comment period following the workshop.

Stakeholder Input

This section summarizes the major comment themes that emerged from the Workshop #2 dialogue and from subsequent stakeholder comment letters. Not all comments received are included below. The following excerpts are representative of the overall stakeholder sentiments for each theme and represent those that were most influential in informing BLM's revised approach to determining the geographic area to address through the RMS.

Resources in the NPR-A are dynamic

- Recognition that the arctic environment is dynamic and increasingly so with a changing climate (BLM 2015a, Conservation Community 2015a, Conservation Community 2015b).
- “[D]rawing a static boundary line...seems counterintuitive to...” the BLM’s message that these are dynamic resources; “a static line does not [match] the intention of adaptively mitigating for dynamic resources,” (DNR 2015).
- “Decisions surrounding appropriate mitigation will change from year to year or decade to decade, therefore, mitigation should not be restricted by a boundary or an ill-defined policy, but rather by a negotiation between BLM, the applicant, local and impacted communities and the land owner of what type of mitigation might be essential to help offset unavoidable impacts from future development,” (DNR 2015).

Defining a “hard” boundary line for the RMS is not beneficial

- “The boundary line...doesn’t serve a meaningful purpose,” (DNR 2015).
- Purpose of a “strict artificial boundary” is unclear (NVN 2015).
- “What is the administrative purpose for this specific area....how does that purpose differ from surrounding [regions]?” (NVN 2015).
- Question the need for a static RMS boundary line (BLM 2015a, NVN 2015, DNR 2015).
- Concern about the RMS boundary line becoming fixed, with rigid standards (Atqasuk 2015).
- Concerned that a firm boundary may divide communities and create additional divergence in the region (BLM 2015a).

Focus on relationships between resources, resource uses, and people

- Suggestions to determine the geographic area to address in the RMS based on the interconnectedness of resources, resource uses, and people (BLM 2015a).

- “Impacts from GMT1 go well beyond the footprint of the project and in most cases span the landscape...BLM should focus on how development will have significant effects across the landscape and take into account the broad geographic scale necessary to adequately offset the impacts identified in the GMT1 ROD, including major impacts to subsistence,” (Conservation Community 2015a).

Suggestions on alternative approaches

- There may be other ways to identify and achieve regional mitigation goals and actions without defining a firm boundary on the map (BLM 2015a).
- It is less important to focus on a boundary than it is to focus on the criteria used to understand the loss, impacts, and potential mitigation action effectiveness – let the criteria determine where mitigation will be required (BLM 2015a).
- “Flexibility...should important mitigation options be identified in the future,” and to “accommodate the dynamic nature of natural resources, their environment, and development impacts over time.” Recognize that there may be mitigation actions that are outside of the proposed boundary but are nonetheless responsive to the mitigation goals and ranking criteria that will be established (TNC 2015).
- Develop a “portable” strategy – focus not on a firm fixed boundary but on “[communicating] the philosophy BLM will employ in [future] mitigation planning and decision-making (NVN 2015).
- “...Appropriate to include a much larger area to address subsistence and wildlife values because cumulative impacts...go well beyond the immediate ‘footprint’ of the development,” (Conservation Community 2015b).
- “The BLM should resist pressures to interpret language pertaining to the Strategy’s boundary within the ROD in a restrictive way,” (Conservation Community 2015a).

Revised Approach to Defining the Geographic Scope of the RMS

Mapped information will be important in the development and implementation of the RMS. For example, maps will be used to show the general “northeastern region of the NPR-A”, the area of potential future oil and gas development, the extent of potential impacts, and where potential mitigation actions should occur. Important maps used in the RMS will include:

- The “northeastern region” of the NPR-A will be described generally as the area bounded by the Colville River on the east, the Chipp and Ikpikpuk rivers on the west, the Beaufort Sea on the north and the boundary between the coastal plain and foothills on the south (see attached map).
- The area of reasonably foreseeable future development considered in the RMS will include an area slightly larger than the Greater Mooses Tooth and Beartooth Production Units and reflects resource extent (reservoir boundaries) and operational considerations

(infrastructure constraints). (The future development scenario is described and mapped in a separate white paper.)

- The BLM team will also need to identify a “planning boundary” for the purposes of conducting analysis, running models, and defining resource conditions and trends. This interim/planning boundary will be based on best available resource data; the assumptions and limitations of the data will be described.

However, there will not be a map showing a firm, fixed boundary line for the RMS. The unavoidable impacts of oil and gas development in the northeastern NPR-A are anticipated to be far-reaching. Both the BLM and stakeholders have concerns about the real or perceived limitations of a firm, fixed RMS boundary line when identifying suitable sites for mitigating such far-reaching impacts. Instead, as demonstrated in the Stakeholder comment summary, there is broad support for letting the ranking criteria determine where mitigation actions should occur or to apply mitigation actions where they have the most potential to offset effects.

Conclusion

A process-driven rather than fixed-boundary approach will better account for the dynamic nature of Arctic resources and the interconnectedness of resources and people. As the Alaska DNR recognized, “...decisions surrounding appropriate mitigation will change from year to year or decade to decade, therefore, mitigation should not be restricted by a boundary...” (DNR 2015). Allowing the area of impact and the ranking criteria to determine where future mitigation actions occur is key to developing a flexible and portable strategy (NVN 2015, TNC 2015). Consistent with various stakeholders’ input, the BLM is aiming for a strategy focused not on whether an impact, action, or community is “in” or “out” of a fixed boundary, but instead on “...[communicating] the philosophy BLM will employ in [future] mitigation planning and decision-making,” (NVN 2015, TNC 2015).

Other Options Considered

The following options were considered by BLM, but were dismissed from further consideration for the reasons provided:

- *Use the 2008 Supplemental Integrated Activity Plan “Northeast Planning Area” boundary as the RMS boundary* – This was considered but eliminated because the Northeast Planning Area boundary was superseded by the 2013 Integrated Activity Plan (IAP) Record of Decision. Furthermore, the Northeast Planning Area consisted of three ecoregions that are not entirely consistent with the ecoregions expected to be impacted by the reasonably foreseeable future oil and gas development scenario.
- *Use the entire NPR-A boundary* – Inclusion of the entire NPR-A was considered but eliminated for several reasons: Large areas of the NPR-A are currently unavailable to oil and gas leasing and, therefore, unavailable for future development. Based on existing

knowledge of reserves within the NPR-A, a future Alpine-sized or larger field is unlikely to be discovered or developed. Therefore, future development will proceed incrementally and contiguous to other existing developments, presumably from the east, where infrastructure exists, to west. (i.e., "string of pearls" concept). Given this incremental model of development and considerable infrastructure limitations in the western half of the NPR-A, the entire NPR-A will not be further considered within this RMS.

Attachments

Map of Geographic Region for the Northeastern NPR-A RMS

References Cited

BLM 2015a. Final Workshop Summary, NE NPR-A RMS Stakeholder Workshop #2. November 9, 2015

BLM 2015b. Working Draft Proposed Boundary and Rationale for the Proposed Northeast NPR-A Regional Mitigation Strategy Boundary. (Distributed in September 2015 Workshop #2 participant packets.)

City of Atkasuk (Atkasuk) 2015. Comment letter from Mayor Doug Whiteman. November 30, 2015.

Alaska Wilderness League, Conservation Lands Foundation, Northern Alaska Environmental Center, Sierra Club, The Wilderness Society (Conservation Community) 2015a. Comment Letter from the Conservation Community. November 5, 2015.

Conservation Community 2015b. Comment letter from the Conservation Community. December 1, 2015.

Native Village of Nuiqsut (NVN) 2015. Comment letter from the NVN. December 4, 2015.

State of Alaska, Department of Natural Resources (DNR) 2015. Comment letter from DNR. November 30, 2015.

The Nature Conservancy (TNC) 2015. Comment letter from TNC. December 16, 2015.

WORKING DRAFT

