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DEPARTMENT OF NATURAL RESOURCES
OFFICE OF PROJECT MANAGEMENT & PERMITTING

November 30, 2015

Molly Cobbs, NPR-A RMS Coordinator

Bureau of Land Management
Alaska State Office
222 West Seventh Ave., #13
Anchorage, AK 99513

Re: Regional Mitigation Strategy (RMS) for the National Petroleum Reserve-Alaska: Feedback from RMS Workshops

Dear Ms. Cobbs:

The State of Alaska, Department of Natural Resources (DNR) appreciates the opportunity to participate in the Regional Mitigation Strategy (RMS) workshops held both in Fairbanks and most recently in Barrow. DNR would like to acknowledge the importance of these types of outreach meetings, but we also recognize the value of these meetings is dependent on BLM's ability to accept and implement feedback from the participating stakeholders. That said, we offer our input in hopes that BLM will incorporate our suggestions as they advance their efforts to effectively mitigate impacts from proposed and future NPR-A development.

In regards to stakeholder engagement, BLM is striving to prioritize efforts and outcomes of the RMS to positively impact local communities, Native land owners, and individuals that live within or around the boundaries of NPR-A. The State is encouraged and supports those efforts and encourages BLM to continue to look for ways to assure that any compensatory mitigation BLM has received from NPR-A development be used in a way that is acceptable to the impacted communities. To help reach that goal, the State encourages BLM to utilize the NPR-A working group to help develop the RMS. As many stakeholders discussed at the Barrow workshop it is understood that this type of work (RMS development) would clearly fall under the intent in BLM's creation of the NPR-A working group and creating additional working groups to develop the RMS would only cause confusion and inefficiencies. BLM's commitment to move forward with the development of an RMS is a task that, to date lacks formal guidance and may have difficulty adapting to the unique local needs and characteristics of Alaska unless the local stakeholders are included in the development process. Involvement and oversight from the NPR-A working group will help ensure that concepts within the overall direction of the RMS are supported by local stakeholders early on in the RMS development process.

Furthermore, DNR will continue to encourage BLM to clearly define and follow a transparent process in its efforts to develop the RMS. Absent BLM providing clear policy guidance and RMS development through a formal rulemaking process, it appears BLM is essentially implementing

draft policy without following a formal regulatory or procedural process. This approach limits the amount of effective transparency. Therefore, implementation decisions and associated consequences regarding this RMS plan cannot be fully realized and are currently unknown. While DNR questions the current process for the implementation of the RMS, we do see the need for conducting a transparent development process in order to help ensure this plan is developed in a manner that is in the best interest of the State of Alaska. We appreciate BLM's ability to understand and balance this complicated relationship and we are interested in staying engaged with BLM and affected parties to help promote the best way for BLM to develop the NE NPR-A RMS. To that end, we offer these suggestions:

Remove State land from RMS boundary

Probably the biggest concern expressed by the majority of participating stakeholders during the Barrow RMS workshop was the draft boundary used to encompass the NE NPR-A RMS. As a result of the dialog during the Barrow workshop, we appreciate BLM's current understanding for the need to change the proposed boundary. After the Barrow workshop and based on further discussions with stakeholders, we agree that refining the proposed boundary line is essential and it is imperative that lands administered or owned by the State of Alaska or other non-federal entities should not be included in this boundary for the following reasons:

- Over 2.1 million acres of State land is encompassed in the proposed RMS boundary (approximately 1.5 million acres on land and approximately 670,000 acres of offshore). In BLM's rationale for the proposed boundary (number 4) states "While the majority of the area within the proposed RMS boundary is managed by the BLM...". This statement is misleading based on the amount of State and private land encompassed in the proposed boundary. It's important to point out that our very rough calculations actually show that there are more State lands included in the RMS than BLM managed land. Even if our calculations are slightly off, the RMS has encompassed just as much State land as BLM land.
 - If BLM has acreage calculations for the proposed RMS boundary in relationship to land ownership, the State requests that information.
- The State encourages mitigation opportunities on state lands and will consider any future mitigation proposals and will determine the merit of each proposal on a case by case basis. A boundary line does not change the State's willingness to consider or approve future mitigation stemming from NPR-A development and could have the unintended consequence of limiting future mitigation opportunities.
 - BLM has informed the agencies and the public that no project will be dependent on the approval of mitigation proposals on State land. We request that this language be included in the RMS for State land and other landowners.

- The boundary line, as drawn, doesn't serve a meaningful purpose. It appears that mitigation or impact analysis from this plan won't be restricted to the proposed boundary (i.e. mitigation that falls just outside the boundary may be acceptable). Any boundary developed under this methodology and rationale has added more confusion and uncertainty to the purpose of this plan, rather than provide clarification.

Develop a flexible framework for requiring mitigation in order to reflect dynamic ecological resources

Throughout the planning and review processes on GMT-1, NPR-A IAP, the RMS, Alpine Satellite Development plan, and even further back in historical NPR-A planning efforts, BLM has stressed that the resources in this area are very dynamic including but not limited to changing climate conditions, wildlife migration patterns, community connectivity, subsistence impacts, and much more. For those reasons drawing a static boundary line in this manner seems counterintuitive to the consistent message BLM has used to describe these resources. In other words, a static line does not seem to match the intention of adaptively mitigating for dynamic resources. Considering BLM is only intending to require compensatory mitigation for project impacts on land with which BLM has authority over, BLM should only draw a boundary line around the area(s) which would require mitigation under the NPR-A NE RMS and which BLM has administrative authority over. This is the only appropriate boundary/resource that is somewhat static.

Again, many agree that the resources in NPR-A are rapidly changing; therefore, the same flexible considerations should be made while determining how to mitigate potential impacts to protect those dynamic resources. 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. This proposed approach allows a group of local stakeholders and subject matter experts to determine where, when, and how effective mitigation may occur.

Focus on process and transparency

The State encourages BLM to create a draft framework for the development of a compensatory mitigation plan. This framework should clearly describe a transparent mitigation process for future NPR-A projects in order to follow a framework that effectively analyzes and mitigates impacts if /when those impacts are determined to be "unavoidable." BLM should also make expressly clear which regulatory or administrative process an applicant will be expected to follow and why BLM's own attempts to analyze potential impacts and develop mitigation practices from their own landscape-level, regional, and project specific environmental review is not sufficient. Additional analysis and compensatory mitigation cost requirements that fall well outside, or are in addition to, the NEPA review and/or existing regulatory processes should not come as a surprise to a project applicant or local community developer.

As we have learned in the public meetings, BLM is currently spending \$1,000,000 trying to develop an RMS in Alaska in order to then develop a plan on how to allocate the remaining \$7,000,000 from Conoco Phillips GMT1 mitigation payment intended to fund future mitigation projects. Without the explanation of any framework established or followed (to date), this appears to be an unorganized and inefficient use of funds that might otherwise be applied to actual mitigation project efforts if BLM were following a specific method to calculate and appropriate mitigation fees.

BLM should fully describe how RMS outcomes will interact with, and not duplicate or contradict, existing NPR-A stipulations or land management practices. There are existing protected areas and buffer zones within the NPR-A resulting from the NPR-A IAP EIS review process - without careful consideration, these boundaries will overlap and create new boundaries established by a separate BLM process (e.g., RMS) and may cause more confusion than provide opportunity for effective mitigation. BLM should clearly describe the existing, guidance for resource management and allowable use within the NPR-A, which have already been developed via the NPR-A IAP, several project specific EIS's, and now the RMS. It should be made clear how those existing guidelines and stipulations will be considered when mitigation projects are proposed in the future.

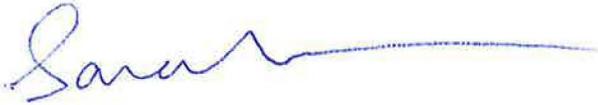
- BLM should also fully describe how the recent Presidential Memorandum on Mitigation may impact BLM's process to develop the RMS. In particular, BLM should describe how BLM's efforts will be fully coordinated with the efforts among the multiple federal agencies listed in the Memorandum, now required to also develop new mitigation policies. Due diligence throughout a formal rulemaking process should be followed by all involved federal agencies to help ensure there will be no unnecessary duplication of the existing mitigation requirements and associated costs required by current statute or regulation, such as wetlands compensatory mitigation required under the Clean Water Act. It is unclear if the additional federal agencies within the Departments that received the Memorandum (DOI, USDA, EPA, and NOAA) will develop their mitigation policies through a formal rulemaking process. The concern remains, and is now underscored given the Memorandum, the multiple federal agencies must avoid developing new draft policies requiring compensatory mitigation without conducting a fully coordinated transparent rulemaking process. Without following a formal clearly defined process, the public may not stay informed and there will be reduced opportunity for public participation. In addition, potential NPR-A developers and/or current leaseholders should be fully aware of emerging regulatory developments or policies that may impact their ability to develop their leases.

The RMS effort should focus on the outcomes and lessons learned from the multiple scientific and environmental reviews conducted by BLM for the NPR-A region, not duplicate the requirements set in place via the NPR-A IAP EIS, Alpine Satellite Development EIS, NRP-A working group, current and future permit stipulations, and other enforceable land management practices. The RMS effort should clearly develop a process that would allow various mitigation options if there are unavoidable impacts from future NPR-A development, instead of pre-determining what actual mitigation and compensation will be required. It would be illogical and unsupported by the typical

scientific analysis if BLM developed a plan that discusses mitigation requirements for unknown impacts, to changing resources and habitat, in a changing environment.

In closing, these comments are intended to offer assistance as BLM continues to advance their efforts to effectively mitigate impacts from proposed and future NPR-A development. DNR recognizes and appreciates the committed level of outreach the BLM Alaska office has offered, to date, in developing the RMS and we hope to stay engaged with our federal counterpart as you continue your efforts. If you have any questions or would like to discuss this feedback further, please do not hesitate to contact me.

Very Respectfully,

A handwritten signature in blue ink, appearing to read "Sara", followed by a long horizontal flourish.

Sara Longan

**Comments from Colleen Akpik-Lemen, ICAS
November 10, 2015**

Regional Mitigation Strategy

The RMS process and the impact funds given to BLM from Conoco Phillips on behalf of Nuiqsut for the new development area at GMT1 & 2 needs to be separated.

The RMS needs to remain “Regional” for all 8 villages. The Regional Mitigation Strategy for the entire Arctic Slope Region can still be created with the understanding that it is for all 8 villages to benefit from.

The impact funds for Nuiqsut (since the funds are for only Nuiqsut residents) should be called the Nuiqsut Mitigation Fund so that they are separated and all parties understand the difference. The Nuiqsut Mitigation Strategy can be one of 8 Strategies that are unique to each village and it’s subsistence areas.

The impact funds for Nuiqsut for this process needs to be localized for their community. There needs to be Nuiqsut residents that are in control of this process and determine how the funds are to be used.

The map area needs to be more localized to the areas that the Nuiqsut residents hunt, not all the way north to the Admiralty Bay at Cape Simpson. Please rely on their local residents to lessen the area first identified by BLM. See Map labelled Map #1.

The allowable activities could include monetary benefits to local residents upon proof of impact. Proof of impact can be a notarized document and witnessed by an elder, that states and shows specific hunters that are affected by activity in the area that the local resident does their subsistence activity, since minimization of impact cannot be achieved. Monetary benefit needs to be somewhat equal to the dollar amount of either scenario

- a) Monetary amount spent by hunter to do activity or,
- b) Value of loss of caribou

Because we have studies that show the caribou herds travel across the entire north slope, it’s most likely that this impact to the GMT1 & 2 area will have an impact to hunters in other villages as well. This activity in GMT1 & 2 cannot be isolated to the residents of Nuiqsut only. See Map labelled Map #2 The NSB Planning Department have produced a map of the North Slope showing the heart of NPR-A. This map includes 267 recorded camps and cabins utilized by residents from Barrow, Atqasuk, Wainwright and Nuiqsut. This is the same area that the caribou migrate to and from. These resident hunters will also be affected by the impact of development at GMT1&2. See Map labelled Map #3.

Additional comment from Ms. Akpik-Lemen in email transmittal:

I was told that the number of caribou per hunter is too low but this gives a starting point to those impacted by the project.

(The following table was provided to BLM in spreadsheet format.)

		Cost			Subtotal
# of caribou needed, per hunter, 20 hunters	8				
Weekend trips	5	\$1,200.00			\$6,000.00
Purchase from Palmer					
female		\$3,500.00			

		Cost			Subtotal
male	8	\$1,500.00			\$12,000.00
Option A					
# of Local hunters reimbursed by # of weekend trips		20			\$120,000.00
This assumes that there are 20 hunters that tried to catch caribou for 5 trips annual					
Option B					
Local hunters forecasted # of caribou from Palmer					\$
This assumes that there are 20 hunters needing 8 caribou purchased from the farm					
Option C					
Mr. Prime Beef cost at 185 lbs, plus freight,for 8 caribou		\$1,050.00			\$168,000.00
Option D					
AC Store in Barrow Reindeer Costs	225	12.49			
At 12.49/lb for 225 lbs for 8 caribou for 20 hunters		2810.25	8	20	\$449,640.00
Option E					
AC Store in Barrow, Meat Package	7	319	8	20	\$357,280.00
Prepackaged meat packages @31 lbs each					

There are a few options to replace the caribou from our subsistence diet. They are as follows:

Option A

Hunters typically spend \$1200 per weekend trip, could take up to 5 trips. For 20 hunters that amount comes to \$120,000

Option B

If hunters are not able to hunt caribou, reindeer could be a replacement. The Reindeer Farm in Palmer sells a male for \$1,500. At least 8 caribou needed annually. For 20 hunters that amount comes to \$240,000

Option C

If hunters are not able to hunt caribou, a comparable meat package from Mr. Prime Beef in Anchorage comes to \$1,050 for 8 caribou. For 20 hunters that amount comes to \$ 168,000.00

Option D

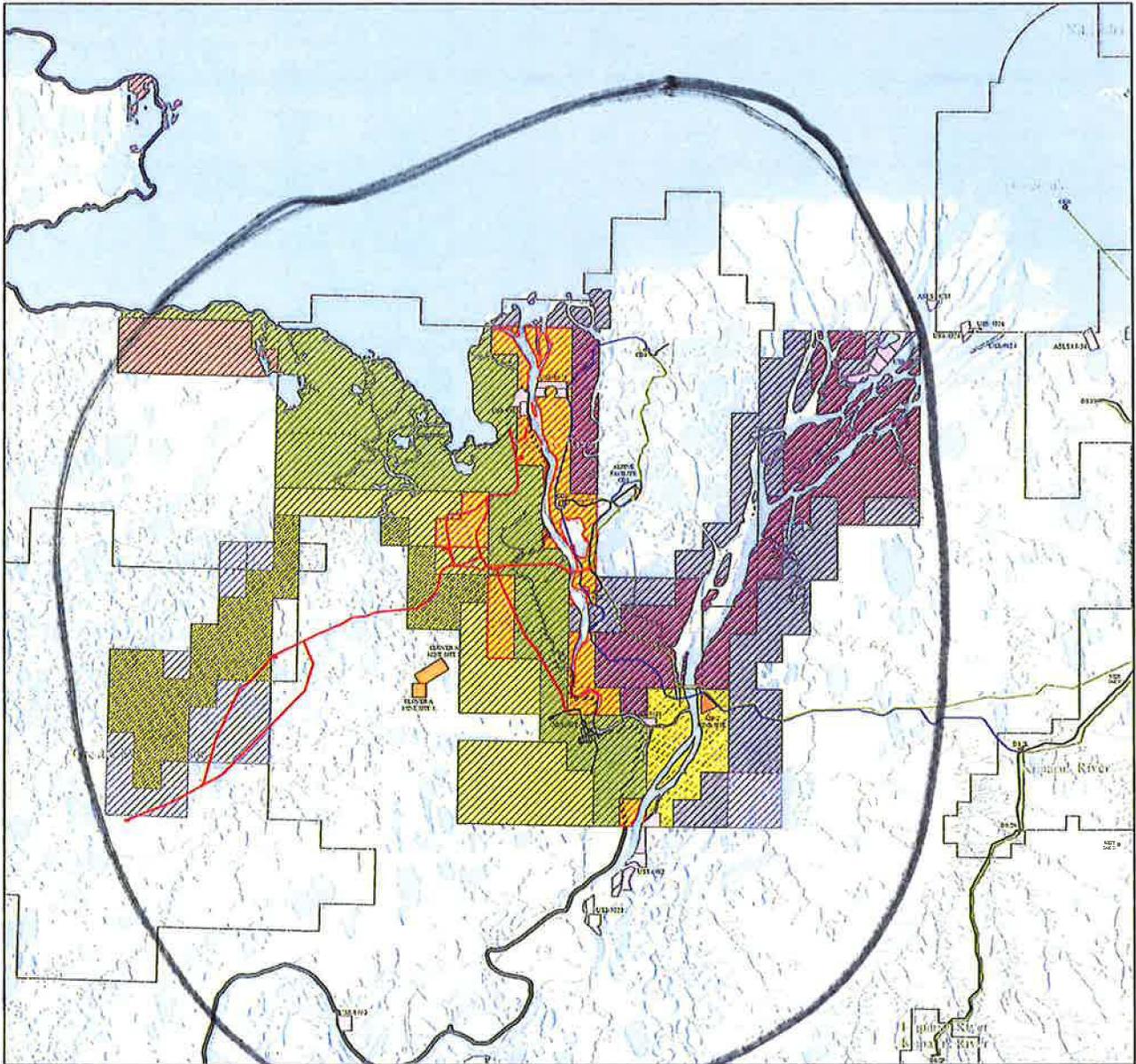
AC Store in Barrow sells Reindeer Meat for \$12.49 per pound. Average caribou weighs 225 pounds for 8 caribou per 20 hunters comes to \$449,640

Option E

AC Store in Barrow sells beef meat packages. A person would need 7 packages per caribou, times 8 caribou at 20 hunters comes to \$357,280

Map # 1

KUUKPIK CORPORATION LAND SELECTION



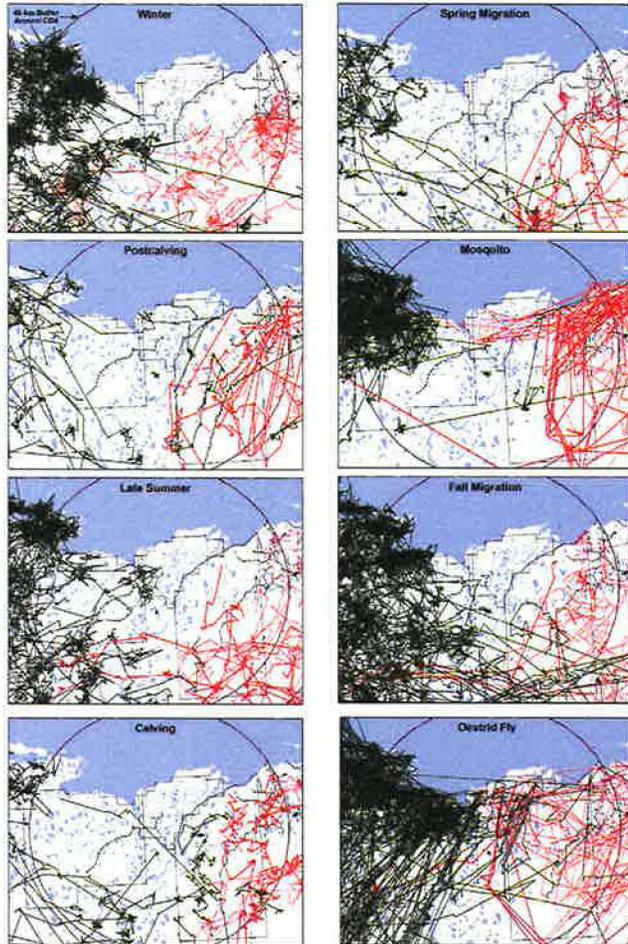
Legend

- | | |
|-----------------------|-------------------------|
| Proposed Pipeline | Interim Conveyance 2318 |
| Proposed Gravel Roads | Interim Conveyance 1838 |
| Proposed Drill Sites | Interim Conveyance 1568 |
| Existing Gravel Roads | Interim Conveyance 628 |
| Re-Supply Ice Roads | Interim Conveyance 620 |
| Pipelines | Interim Conveyance 568 |
| Drill Sites | Interim Conveyance 113 |
| Native Allotments | Interim Conveyance 109 |
| Operating Units | Selected Kuukpik Land |
| NPRA Boundary | |



Map #2

Movements of satellite-collared caribou from the Teshekpuk Herd (1990-2012) and Central Arctic Herd (1986-1990 and 2001-2009) in the ASDP study area during 8 different seasons.



Movements of GPS-collared caribou from the Teshekpuk Herd (2004-2012) and Central Arctic Herd (2003-2006, 2008-2012) in the ASDP study area during 8 different seasons.

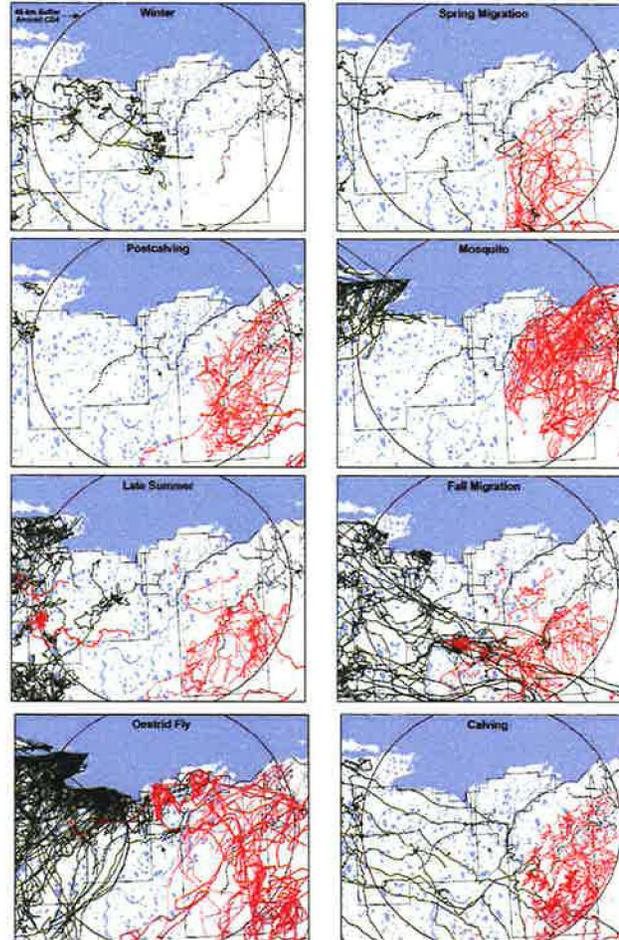


Figure 3.3-11

Ranges of the Teshekpuk and Central Arctic Caribou Herds, Satellite and GPS

Legend

- ↗ Central Arctic Herd
- ↗ Teshekpuk Herd
- Existing Infrastructure
- Proposed ASDP Road
- Aerial Survey Area

DRAFT SEIS
Draft Date 1/23/2014

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data, or for purposes not intended by BLM. Spatial information may not meet National Map Accuracy Standards. This information may be updated without notification. For official land status information refer to Cadastral Survey plats, Master Title Plats and land status case-files.

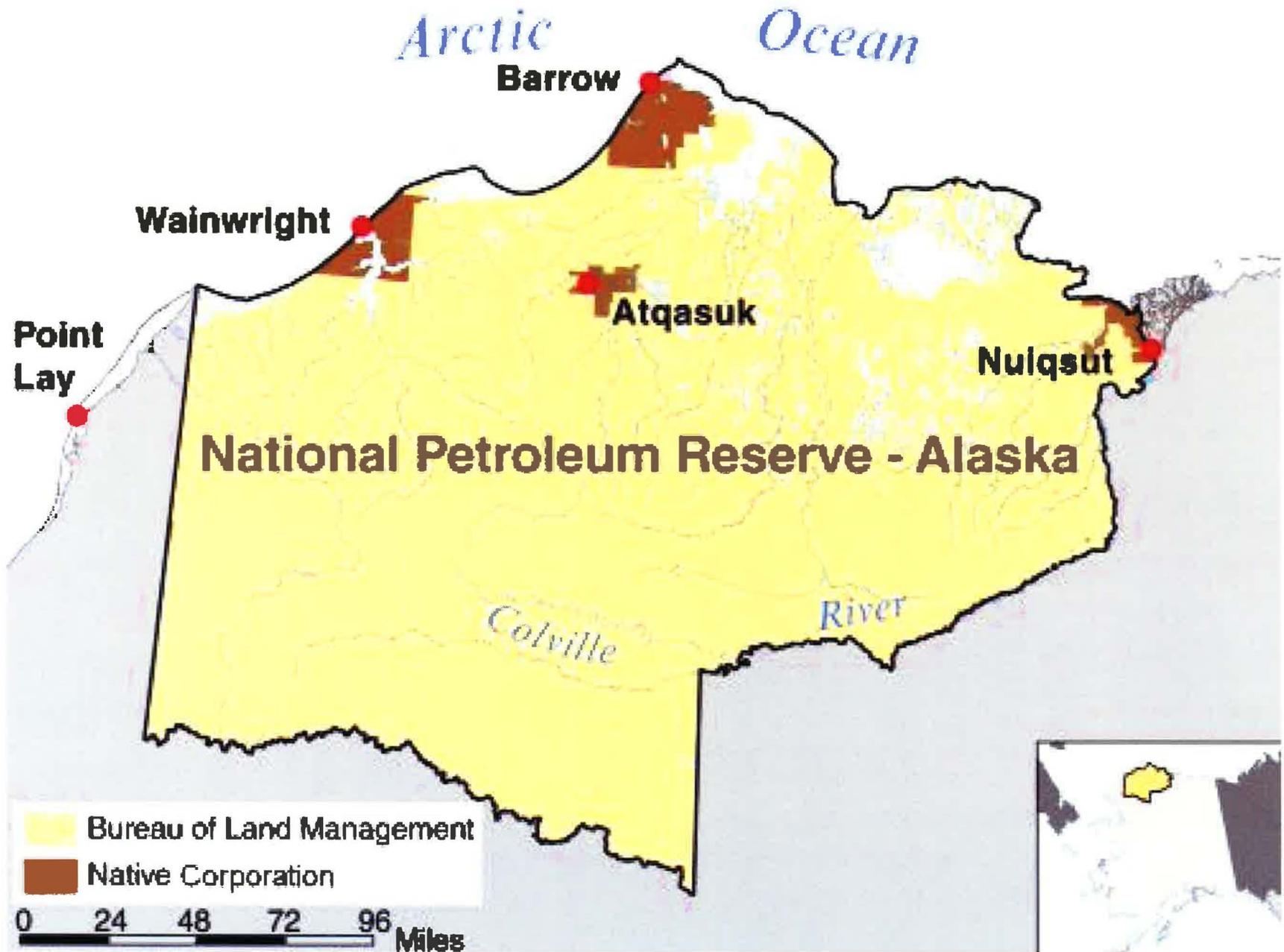
NAD 1983 StatePlane Alaska 4 FIPS 5004 Feet



Bureau of Land Management - Alaska
National Petroleum Reserve - Alaska

GMT1 Development Project Supplemental
Environmental Impact Statement 2014

Map #3



**Comments from Mr. Doug Whiteman, City of Atkasuk
November 30, 2015**

I've a combination thought and concern that I struggle to be clear on.

At the beginning of the RMS workshop, there was an expression of comment regarding the boundary that was warm, polite and overwhelming enough that the consensus mood was to 'please ignore the boundary'.

During the prioritization groups, when asked to place dots for the top 3 entry choices, most groups wrote/created interrelated entries.

The format of this process employs fixed categorical divisions, almost symbolic, whereas the nature of the region is that of an interwoven, ever changing dynamic that defies most fixed assumptions.

Assumptions of cause and effect, predicting beneficial results of mitigation strategy was repeatedly commented on.

The root of my concern is about arbitrary lines and categories being implanted, (as best guess starting points), then built upon and becoming fixed, rigid standards.

The ranking of intertwined dynamics is divisive, presumptive and highly likely to drift from reality in the very near future, leading to further reflexive divisions.

It was a wonderful compliment to have several folks ask how to translate our reality into terms they could employ in Washington DC conversations, as they seemed to realize the regional reality was in variance to the discussion.

With the strong political trend towards climate change carbon fuel attribution, we are all concerned that these mitigation efforts could trend towards symbolic intent to designate larger areas as off limits permanently, creating fixed regulatory impediments based on still developing, incomplete data.

In this, we have the concern of becoming pawns, being saved from ourselves as increased focus on the arctic seems inclined towards impulsive generalization.

The potential impacts of this mitigation process are as much a concern as those of development.

I wish to express sincere appreciation for the warm RMS workshop dialogue that developed. There seemed a lack of stridency throughout the gathering.

Many, if not most hereabouts, have found it is counter productive to speak of subsistence to those who do not live it, as sound bites get extracted, reinterpreted out of text and built upon, then employed as categorical metrics within decisions.

If we do not speak we are spoken for, yet the language of the discussions are self limiting and diametrically opposed to subsistence concepts.

This mitigation strategy needs to stay flexible and responsive or it will not keep pace with the change dynamic of the region.

Sincerely,

Doug/Atq

City of Atqasuk

**Alaska Wilderness League * Conservation Lands Foundation * Northern
Alaska Environmental Center * Sierra Club * The Wilderness Society¹**

Bud C. Cribley, State Director
Bureau of Land Management
Alaska State Office
222 West Seventh Avenue, #13
Anchorage, AK 99513

1 December 2015

Re: National Petroleum Reserve – Alaska Regional Mitigation Strategy Workshop #2 Comments

Dear Mr. Cribley

We appreciate the opportunity to comment on the draft components of the Regional Mitigation Strategy (RMS) for the northeast region of the National Petroleum Reserve – Alaska (Western Arctic). In submitting these and other comments throughout the process, we hope to ensure durable and lasting protections for areas already identified as important for wildlife, conservation, and subsistence resources and values throughout the region, including the Teshekpuk Lake and Colville River Special Areas. Ensuring the long-term protections of these areas will support critical resources and maintain the region's unique values into the future, and is in furtherance of the Bureau of Land Management's (BLM) broad mandate to protect the values of the Western Arctic from the adverse impacts of oil and gas development.

The following contains input on the preliminary goals, ranking criteria, mitigation actions, unavoidable impacts, mapping recommendations exercise, and transparency as a follow-up to BLM's RMS workshop and summary from Barrow, AK, on September 24th and 25th. We provide suggestions that BLM should incorporate into the RMS in order to fulfill its commitment to a balanced management approach for the Western Arctic for development and conservation.

Overarching Management of the Western Arctic

Today, the Western Arctic is the largest intact "wild" area in the nation, but with the permitting of the GMT-1 project the future outlook of this area will change forever. In 1976, Congress transferred management of the Western Arctic from the Navy to the Department of the Interior and directed future Secretaries to ensure "maximum protection" of the Western Arctic's "subsistence, recreational, fish and wildlife, or historical or scenic value."² Based on this authority, the Secretary originally designated three Special Areas — the Teshekpuk Lake, Colville River, and Utukok River Uplands Special Areas—to protect these values. The landmark 2013 Integrated Activity Plan (IAP) reaffirmed the protections for Special Areas by expanding the Teshekpuk Lake and Utukok Uplands Special Areas, expanding the purposes of the Colville River Special Area, and adding the Peard Bay and Kasegaluk Lagoon Special Areas. The IAP also identified important waterways and included protective buffer zones along the banks. Protection of these areas and the values of the Western Arctic is especially important now as oil and gas activities proceed.

¹ Letter prepared with assistance from Trustees for Alaska.

² 42 U.S.C. § 6504.

The very first development project, the Greater Mooses Tooth Unit 1 (GMT-1), has put BLM's management to the test and underscores the need for more durable conservation measures in the Western Arctic. The GMT-1 decision failed to uphold the balance for conservation by allowing permanent oil and gas infrastructure within the Fish Creek setback, an area critical for subsistence resources and activities, when a viable alternative existed. Because this is an area listed within the IAP where there is a best management practice is to preclude permanent infrastructure, the GMT-1 decision raises serious concerns about the durability of other protective measures in the IAP. It is imperative for the BLM to strengthen the management of all currently designated areas through meaningful mitigation in the face of the impacts from GMT-1 while also integrating meaningful and lasting mitigation actions anticipating future permitting decisions.

An immediate concern within the BLM's RMS summary is in the Closing Comment, which infers that mitigation strategies focused on "impacts on fish and wildlife habitat" are not linked to "impacts on communities and subsistence." Because fish and wildlife habitat support the resources foundational to subsistence cultures, mitigation actions for conservation or habitat protections are one set of tools to address multiple impacts on the landscape as well as impacts on communities and subsistence. This understanding should be reflected throughout the RMS process and the final strategy.

Mitigation Goals

The goals and objectives of the RMS are extremely important to ensure the body of the document is steered in the right direction. There were numerous proposed goals discussed at the Barrow workshop, but we support these goals as the highest priorities that BLM should address and achieve through the RMS:

1. Maintain functioning habitat necessary to sustain fish and wildlife species abundance and distribution. (BLM's preliminary goal #1)
2. Maintain areas in the NPR-A with natural, wild characteristics, which contribute to the subsistence, cultural, and ecological values of the region.
 - This goal will ensure BLM is able to achieve its directive for balanced management in its permitting decisions for "subsistence, recreational, fish and wildlife, or historical or scenic value."
3. Ensure continued access and traditional and customary use to areas that hold important ecological or cultural significance.
 - This goal is similar to BLM's preliminary goal #2, but rather than simply referring to "subsistence" the term "traditional and customary use" encompasses more needs or reasons for accessing a region.
4. Protect and enhance quality of health, life, and safety for residents in and around the NPR-A.
 - This goal is similar to the BLM's preliminary goal #4, but it expands the purpose to "health, life, and safety" for community members in the region.
5. Maintain ecosystem functions in the face of increasing climate change impacts and development pressures.
 - In order to ensure that any mitigation actions are effective, adequate monitoring and adaptive management is necessary over time.
 - This goal is essential to ensure mitigation actions achieve their purposes while impacts from climate change and development accumulate over the region.

Mitigation Ranking Criteria

With numerous goals from a RMS, the ranking criteria is extremely important to identify what mitigation actions will be the most effective and to establish necessary tools to offset the impacts of development. In

order to ensure the goals listed above are the main objectives of any proposed mitigation action, we believe the following ranking criteria proposed by BLM are the most important:

- Durability and Additionality: How durable is the outcome?
- Relationship to Impacts: Will the proposed action mitigate more than one impact? If so, which others, and how important are they to the stakeholders?
- Feasibility and Effectiveness: To what degree will the proposed action mitigate the impact(s)?
- Durability and Additionality: Is the proposed action additive?
- We also believe it is important to consider these additional proposed criteria for ranking mitigation actions:
 - Proximity: To what extent does the action yield benefits to a larger region?
 - Feasibility and Effectiveness: How does this mitigation action facilitate future mitigation actions, or build in resilience to prevent the need for future mitigation actions?
 - Durability and Additionality: Does the action address the most vulnerable area or prevent cascading impacts?
 - Durability and Additionality: Will the mitigation action remain meaningful and effective over time, in light of changing conditions?

Mitigation Actions

Central to the Presidential Memorandum “Mitigating Impacts on Natural Resources from Development and Encouraging Related Private Investment,” Secretarial Order 3330, the Department of the Interior’s Landscape-Scale Mitigation Policy, and the BLM’s own draft Mitigation Policy are strategies to use a landscape- or watershed-level approach to identify and facilitate investment in key conservation priorities, integrate mitigation considerations in project planning and design early on, and ensure durability of mitigation actions.

These mitigation directives also support the need for incorporating monitoring and adaptive management throughout a mitigation strategy. Any actions identified within the RMS should be considered through the lens of climate change and its impacts. Management efforts will need to be reevaluated and adapted to ensure that any mitigation measures remain meaningful and protective over time and as conditions change in the Western Arctic.

Mitigation actions the BLM should prioritize within the RMS to ensure for durable, additional, and long-term solutions for balanced management include:

- Special Area Management Plans: BLM should utilize mitigation funds to complete a formal management plan for the Teshekpuk Lake Special Area and update and strengthen the Colville River Special Area management plan. These plans would be consistent with the IAP and include management prescriptions and goals, clarify what uses are or are not allowed in each area, and include adaptive management measures in order to protect the special resources and values of each area. Management plans for the Teshekpuk Lake and Colville River Special Areas will enhance the stewardship of the landscapes and resources, and ensure these critical areas are adequately protected from the adverse effects of oil and gas development. The IAP re-established the purpose of the Special Area designations to mean a combination of being open or closed to leasing and/or permanent non-subsistence infrastructure. However, stressors are on the rise in Special Areas due to climate change and oil and gas exploration and development activities, including ice road access, work camps, seismic testing, and more. Management Plans would allow BLM to reverse adverse impacts of authorization decisions to ensure decisions are consistent with the purposes of each special area.

- This concept was not captured within the BLM’s “Mitigation Actions (by Goal) – Nominations to Date” document or the summary document from the Barrow RMS workshop despite our recommendations.
- The BLM needs to work to manage these areas in a way that achieves “maximum protection” for the surface values and resources of the Reserve. The BLM should use the RMS as an opportunity to put in place protective measures for these critical areas before additional development proceeds in the Western Arctic.
- This action would address numerous preliminary mitigation goals, including BLM’s preliminary goals #1, #2, #4, #5, #6, and #7 as well as our five goals listed above.
- This action would strongly meet many of the ranking criteria suggested above. This action would be durable for the life of the plan, would ensure adaptive management, and would address a larger landscape already identified by BLM as critical habitat. These plans would mitigate more than on impact as it will address a suite of issues, including the most vulnerable areas. These plans would be additive as BLM does not plan completing one for Teshekpuk Lake Special Area nor to update the Colville River Special Area Management Plan.
- Conservation Easements and/or Rights-of-Way: Conservation easements and rights-of-way can effectively offset significant, unavoidable impacts from development. These easements should last the life of the impacts of the project and be held by a third-party to ensure their durability. BLM’s 2013 IAP took a large-scale approach to planning, and identified important values within Special Areas and river buffers, and these areas should be the first places easements and rights-of-way are used to solidify and ensure meaningful protections. BLM should also look broadly at protecting key subsistence areas and migratory paths with these tools to ensure that ecological functions are preserved on a landscape-level scale and that protections are broad enough to offset the impacts to subsistence users and migratory species such as caribou. Conservation easements and rights-of-way could be used to ensure that key subsistence areas, such as Fish Creek, are protected through the use of more durable instruments. Durable conservation easements or rights-of-way have the potential to protect traditional and cultural-use areas and the fish and wildlife resources they support so communities can access and benefit from those areas for generations to come.
 - This action would address numerous preliminary mitigation goals, including BLM’s preliminary goals #1, #2, #4, #5, and #6, as well as our five goals listed above.
 - This action would strongly meet many of the ranking criteria suggested above. This action would be durable for the life of the impacts of the development project and additive to the management of the area. The placement of these easements or rights-of-way can address multiple impacts, such as traditional and customary use access and ensuring ecosystem function, as well as build in resilience for vulnerable areas affected by climate or cumulative development impacts.
- Lease Buybacks: Lands of high conservation and subsistence values have already been leased near the community of Nuiqsut, within the Colville River and Teshekpuk Lake Special Areas, and within caribou migratory corridors. Mitigation funds can be used to buyback these leases to allow some or all ecosystem functions to remain or return, as well as to guarantee public access and customary and traditional use access.
 - This action would address numerous preliminary mitigation goals, including BLM’s preliminary goals #1, #2, #4, #5, #6, and #7 as well as our five goals listed above
 - This action would strongly meet ranking criteria suggested above to ensure durability and additionality.

Preliminary RMS Boundary

Our comments include more details on recommended boundary foundational principles on the BLM's preliminary draft boundary were submitted to the BLM on 11/5/15 ("Alaska Wilderness League, et al. Re: NPR-A RMS geographic scope and proposed mitigation actions").

The Presidential Memorandum "Mitigating Impacts on Natural Resources from Development and Encouraging Related Private Investment," Secretarial Order 3330, the Department of Interior's Public Land Policy "Landscape-Scale Mitigation Policy," and the BLM's own draft "Mitigation Policy" all instruct the BLM to take large-scale approaches, encapsulating landscapes or watersheds on a scale that adequately takes into consideration broad ecological values and patterns. Consideration of these values and ecological processes on a small scale may not adequately capture uses and patterns that occur over broad geographical areas. BLM has the opportunity to do this for the already permitted GMT-1 project and future projects in the region.

A strong component of a sound RMS is that stakeholders have confidence in the process. The BLM's preliminary boundary in the September Workshop 2015 included a footnote that states impacts will only be considered from 2.5 miles from the GMT-1 drill pad, road, and pipeline, and the City of Nuiqsut. This arbitrary distance goes against what numerous stakeholders throughout the process have shared about impacts being felt far and wide, from caribou migration to fish access upstream and more. BLM should look more holistically at impacted resources and values across the landscape before assigning distances that may not effectively capture the goals and objectives of the RMS or lead to meaningful mitigation actions for these far-reaching impacts. Additionally, it is only appropriate to include a much larger area to address subsistence and wildlife values because cumulative impacts such as noise, air pollution, and aviation go well beyond the immediate "footprint" of the development. The lack of transparency around this important issue works against the intent of the stakeholder process and the transparency it necessitates.

Recommended Mapping Locations for Mitigation Actions

This summary from the workshop is problematic and difficult for us to comment on the substance it may offer. In creating tables according to just four of the seven preliminary goals, it appears that BLM already prioritized those four goals rather than allowing stakeholder input to lead to prioritization. Also, the nomenclature is confusing. We interpret "mechanism" as another word for "mitigation action," and "intent" as other proposed "goals;" however, only two of the four tables have "intents." It seems this exercise has outpaced the conclusions in the process so far—in that the goals have not yet been agreed upon and the criteria has not yet been agreed upon, so this table makes assumptions and arbitrary grouping preemptively. We recommend another opportunity to comment on the information captured in this exercise at another time with more clarity in the presentation of the information.

We would also note, the "Ikpikaq Special Area" is a misspelling of the "Ikpikpuk River," which is not a designated Special Area.

Unavoidable/Residual Impacts

The "Residual Impacts Overview" provided by the BLM discusses the impacts that will occur to resources that cannot be minimized or avoided on-site. We feel that a better term for these impacts is "unavoidable impacts" as this more clearly describes the nature of these consequences.

Given the "major" impacts BLM has allowed in the GMT-1 project to affect sociocultural systems, subsistence, and environmental justice, these are important focuses of the RMS. However, as a framework

for the region it is imperative to ensure other unavoidable impacts are adequately assessed and mitigated for as they may be determined as major, moderate, etc. in future cases. The RMS should be written to encapsulate yet-to-be-determined unavoidable impacts for future projects, which include those impacts identified from this process. These may include unavoidable impacts that warrant compensatory mitigation on land use, air and water quality, terrestrial and marine mammals, fish, etc.

Transparency and Process

In putting together these comments, we would like to note the challenge in receiving the summary documents from the Barrow Workshop #2, which took place on September 24th and 25th, on November 9th, when the comment period suggested for November 30th. We recommend that BLM provide the summary in a more timely manner or extend the comment deadline in order to ensure stakeholders can supply additive comments that were not captured or need emphasizing from previous input.

The general timeline BLM provided for the upcoming schedule for the RMS offers many challenges. First, we recommend the BLM host two more workshops, one in early 2016 and another after a Draft RMS is released. A Draft RMS should be released by summer 2016 in order to provide enough time for the workshop, feedback, and incorporating the feedback into the Final RMS for October 2016.

Our organizations have provided extensive feedback previously on principles to design the RMS process around and we would refer BLM back to these recommendations as it is still designing the process as we move forward (“Alaska Wilderness League, et al. “Principles and Recommendations for the NPR-A RMS” 27 July 2015).

We would appreciate the opportunity to discuss these recommendations with you at your earliest convenience. Thank you for your consideration and time.

Sincerely,

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