



May 2, 2016

Bud Cribley, State Director
Alaska State Office
Bureau of Land Management
222 West Seventh Avenue – Mailstop 13
Anchorage, Alaska 99513

Re: Call for Nominations and Comments for the 2016 National Petroleum Reserve-
Alaska Oil and Gas Lease Sale (62 Fed. Reg. 18,643 (Mar. 31, 2016))

Dear Mr. Cribley,

Please accept these comments from The Wilderness Society on the proposed lease sale in the National Petroleum Reserve—Alaska (NPR-A or Reserve). As a preliminary matter, we believe the Bureau of Land Management (BLM) should not hold the proposed lease sale in 2016 in order to support the best outcome from the ongoing regional mitigation strategy (RMS), as well as ensuring important ecological and subsistence-use areas are protected for future generations. Deferral of lease sales is well within the BLM’s discretion and this is a prime opportunity to exercise that discretion. The lease tracts to be deferred include: L-002 through L-193. To the extent any leasing proceeds, that leasing should protect the agency’s discretion to require mitigation through the RMS and avoid the proposed mitigation “pools” that we have identified as necessary to provide sufficient mitigation opportunities. In addition, leasing decisions should incorporate consideration of climate change consequences.

I. Regional Mitigation Strategy

A. BLM should defer leasing until the RMS is completed.

The purpose of the RMS is to ensure sufficient mitigation for harm to other resources in the Reserve while permitting responsible energy development. Issuing new leases prior to the finalization of the RMS would jeopardize the BLM’s opportunity to ensure meaningful landscape-level management proceeds from the RMS. The BLM should complete and implement

the RMS before offering lease tracts for sale to ensure the goals and objectives of the strategy can be achieved.

The RMS is currently the subject of intensive public engagement and BLM is devoting substantial resources to its preparation – both of these investments would best be honored by deferring leasing until the RMS is completed (currently projected for early 2017). The RMS will take a landscape-level approach and lay the foundation for how impacts from development can be offset to protect conservation and subsistence values within the region. The RMS also should benefit industry by increasing certainty and potentially reducing permitting time for future development in the NPR-A. The strategy will help shape the locations where mitigation actions may take place throughout the northeastern region of the NPR-A, which may include other land-use decisions including which areas should not be offered for leasing or which areas should receive protected status. The northeastern region is also where most interest for proven and recoverable oil and gas resources is focused, making the completion and implementation of the RMS critical for future management decisions such as oil and gas leasing.

One of the primary goals of the RMS is to mitigate the impacts of development on subsistence resources and practices, and conservation values. However, simultaneously offering additional tracts for lease in the region may complicate this objective. By issuing more leases, BLM increases the volume and complexity of the activities and stakeholders on the landscape. A large portion of the village of Nuiqsut's subsistence use area, which includes state and federal lands¹, already has been leased, developed or is currently available for leasing (Attachment 1). The cumulative effects of all of these leasing activities over time have been very significant for residents of the village of Nuiqsut. Protecting subsistence-use areas and maintaining access to subsistence resources is an objective of the RMS. Leasing additional BLM lands used by Nuiqsut residents for subsistence activities prior to establishing and adopting compensatory mitigation actions that will offset the unavoidable impacts from the Greater Mooses Tooth 1 development project seems to run counter to the goals of the RMS. It also could compound the cumulative effects of oil and gas activities on subsistence-use areas and result in the need for greater mitigation offsets. Further, leasing areas that could be identified in the coming months as important subsistence areas may be counterproductive and create a needlessly challenging situation because once a lease is sold, changing course will be very difficult. Moreover, individuals and groups involved in subsistence activities and companies that may have formally leased the land would face an increased level of uncertainty about the designation and intended use of a particular area.

Additionally, the NPR-A has many fish and wildlife values that utilize the entire region to complete their lifecycles. A goal of the RMS is to identify actions that can be taken at specific locations to protect natural values that exist across the landscape. Such actions may include protecting migratory corridors for caribou or important aquatic systems that are necessary for migratory fish and ecosystem function. If BLM moves forward and leases additional tracts

¹ Braund & Associates 1994-2003, as reported by in Appendix G, Figure G-1 of the Final Supplemental EIS for GMT1.

before determining their potential suitability for such actions, effective and necessary mitigation opportunities may be compromised. As a result, BLM should have the RMS completed and implemented before offering more lease parcels for sale.

- B. Any leasing that proceeds should incorporate protections for the Special Areas, exclude any land in the proposed compensatory mitigation “pools” and subsistence areas for the Native Village of Nuiqsut, and preserve the BLM’s right to impose conditions to fulfill mitigation goals and commitments.

In recent comments addressing the RMS and the need to protect identified mitigation “pools” within which specific mitigation activities will occur (*see*, April 27, 2016 letter, attached to these comments), as well as in other comments related to the RMS and IAP, we have highlighted the values of the Special Areas and the importance of protecting them for ecological and subsistence reasons, as well as their importance for compensatory mitigation. If BLM does not defer the lease sales, we encourage the agency to mitigate impacts to the Special Areas by first avoiding leasing in them and next minimizing impacts by incorporating heightened protections for these values. In addition, BLM should ensure compensatory mitigation can be successful by avoiding any leasing in the portions of the Special Areas we have identified as compensatory mitigation pools.

Further, BLM should ensure that lands important for subsistence use by the Native Village of Nuiqsut are avoided in leasing. To date, no community in Alaska has been more impacted by leasing and development than Nuiqsut. There are approximately 724,774 acres of leased lands within the NPR-A within Nuiqsut’s subsistence use area.² When considering all oil and gas leases within Nuiqsut’s subsistence use area in state and federal onshore and offshore acres, the total acreage leased is over 3 million³. Exploratory and development activities have been cited as a disruption to subsistence resources and practices, which now have essentially encircled the community. BLM should avoid further impacts by avoiding further leasing within the community’s subsistence use area, at least until the RMS is completed, so that these impacts can be fully addressed.

Finally, any leases should incorporate stipulations and notices reiterating that development will be subject to compliance with the RMS when it is completed, which could ultimately lead to BLM decisions on approving development that will restrict the timing, location and manner of development within the lease parcels.

² Statistics generated from GMT-1 Final SEIS and BLM lease sale data.

³ Statistics generated from GMT-1 Final SEIS, BLM lease sale data, Alaska Department of Natural Resources data, and Bureau of Ocean Energy Management data, indicate that the total acreage of Nuiqsut subsistence area lands and waters that has been leased is much greater and includes approximately 3 million acres broken down as follows: 724,774 acres of NPR-A lands; 1,581,213 acres of state onshore lands; 302,575 acres in federal off-shore waters, and 416,255 acres in State offshore waters.

II. Incorporating Climate Change Considerations

Through the recently signed Paris Agreement, the United States has joined over 180 other nations around the world in committing to reducing greenhouse gas emissions to limit global temperature increase to well below 2 °C and avoid the worst impacts of climate change. Climate change is already having extreme impacts on habitat, wildlife behavior, and human activities, especially in the Arctic. This was a major acknowledgement in the BLM's decision to take a landscape-level approach to management of the NPR-A in creating the 2013 Integrated Activity Plan to incorporate new information and science regarding climate change. Climate change impacts are compounding in areas already compromised by the activities of oil and gas development throughout the Arctic Slope of Alaska, putting its ecological integrity at more risk.

President Obama recognized that Arctic energy development must be consistent with national and international climate goals. In a joint statement with Canadian Prime Minister Trudeau, he agreed that in the Arctic "commercial activities will occur only when the highest safety and environmental standards are met, including national and global climate and environmental goals, and Indigenous rights and agreements."⁴

For these reasons, BLM should ensure that any future leasing and oil and gas development in the Arctic are consistent with our nation's international commitments to combat climate change. Specifically, BLM should also evaluate climate change impacts from leasing and development and consider how best to mitigate them.

Thank you for considering these comments. We'd be glad to discuss our recommendations further or provide additional information.

Sincerely,



Nicole Whittington-Evans
Alaska Regional Director
The Wilderness Society

⁴ U.S.-Canada Joint Statement on Climate, Energy, and Arctic Leadership, The White House (Mar. 10, 2016), <https://www.whitehouse.gov/the-press-office/2016/03/10/us-canada-joint-statement-climate-energy-and-arctic-leadership>.

