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Native Village of Nuiqsut  
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The Native Village of Nuiqsut would like to submit these comments to the Bureau of Land Management for the Regional Mitigation Strategy draft document. The tribe would like to thank you for working with us during your process. We have learned much from the participants, the industry and community members. We have expressed concerns during the process and they continue to be important. We appreciate the document does show some of the amendments that show this. We are appreciative of the recognition of some of our concerns.

However, we are very concerned the process has left some of our concerns unaddressed. We are very concerned that some of our promises have been modified from agreements to agencies, industry and governmental administration. We feel we have been facing broken promises and fragmentation of the process and our concerns have been fragmented in response.

The Bureau of Land Management has put forward an arbitrary process that came up with the process to consider \$8 million for mitigation. The process has assigned a price per acre for value of determination that is undisclosed and not shared with the tribe.

The value of the tribal health, life, and safety and the importance of culture and tradition is not compensated for the tribe. The process has failed to effectively address the cumulative loss and the increased value of the remaining area are for the tribe. The process has pitted the tribe against local, regional and state and national leadership facing the complexity of the national energy policy and the process that has lead to this document.

The risks for the village can be explained in the recent REPSOL project changing companies. This changes the regulatory enforcement associated with the project because the violations of the project ends with a new permit submitter. This is harder for the tribe to address our concerns and fails to support the prevention of cumulative regulatory enforcement to continue. The tribal risk factors continue with the permit process that allowed the approval of a diverter to be installed reducing cost to the project and increasing profitability while increasing risk to the village with the event of the blowout, there was a way for the gas to escape and no way to prevent the gas from emissions that risk environmental health.

The blowout has been burned into this writer's memory when an elder said, "Now I understand your concerns to health and air quality. It took only a few hours for our whole village to have trouble breathing. I could not breathe good for weeks at home since it happen. I couldn't breathe until I came down here (she was in Anchorage). In just a few days I could breathe better but at home I couldn't."

The process is a failure for our village health to be protected. The RMS process will not give our village what we need to do to be protective of human health. We do not have the systems in place to monitor what is happening to our village. We have systems in place that allows this agency, the state of Alaska

and the North Slope Borough to permit actions to change our lands and waters. We feel this is a failure of the agency to protect human health and the village. We feel we prioritized human health, life and safety yet prioritizing decision making for project development allowed prioritizing profitability over health continues.

The same project also had a spill with drilling muds. We prioritized activity to allow for timely action and the clean up if an adverse event happened. Profitability for the project when seen as a potentially large project allowed actions to continue in late April. Changing climate and melting conditions allowed the project to spill and leave the clean up until after melt down. The spread of the spill without containment forces the tribe to evaluate a larger assessment of the spill. Evidence of the spill during the event could not be recorded to allow us to effectively assess the lands and waters that may have been affected. Sampling must be done in a larger scale due to failures to allow the project to shut down and clean up during the season and risks for the tribe increased.

The same project went on to have a fire at their facility. How can a project have environmental degradation with a spill and a blow out but come back and still have a fire. We feel this one company shows the reason our tribe should be in control of the RMS. We are the only entity with protecting the life, health and safety of our tribal members and our renewable resources.

The project has added to the cumulative effects to our village with demonstrated with harvest of traditional resources and difficulty to meet the tribal membership nutritional needs. These are just a few of the hardships faced by conflicts in our tradition and cultural use area of our village in our lands and waters. The hardships faced by our tribal families has been felt with empty ice cellars and now permafrost changes challenging adaptation. The hardship is felt with the stress and strain on our tribal units in sharing mechanism that are hindered with the lack of resources and the process crosses many lists that include species with many agencies associated in discussing what this means to our village and the loss of resources. The sharing of our resources with our families is a time honored tradition yet the stability of the bonds based on them are facing conflict with not enough resources for all our families who need them. The unity of the community is affected changing to have and have nots.

The changing process from this project and other energy projects have many who are seeking support yet many do not face the daily challenges of our tribe in the process who are requesting the support and will compete with our effort to utilize this strategy. Resource assessment of many of the lists created to document the area show numbers of animals and time they are counted. They do not record how our village has increased efforts to continue cultural and traditional uses and the risks on life, health and safety to travel greater distances and increased harvest attempt times, and the increase cost to do so. They do not show the continued strain on our families as they complex issues strain our lives to continue to be us in our lands and waters.

Costs to travel and hunt are supplemented with impact mitigation funds yet the failure of cultural norms for family structure recognizing the new providers of families are not replaceable by dollars. The generational stories of harvest and sharing through generations are not mitigated. The importance of

sharing resources are not mitigated, the importance of teaching harvest, techniques, preparation, storage and adaptation are not discussed as stories of the families and this strains the unity and is unmitigated.

Fragmentation of the process has allowed fragmentation of the tribal participation keeping control of many of our issues beyond reach. Tribal responsibilities to address our concerns are under the tribal mission and a part of our strategic plan. The resources for the tribe do not match the demands of the process from the national energy policy and oil and gas development.

We are a village that is a hunting, gathering, and whaling tradition and culture that is facing being surrounded with oil and gas development fencing us in with pipeline, roads, and infrastructure that flares particulate matter or is emitted from equipment into our air, lands and waters. There are tons of emissions associated with oil and gas exploration and development bringing men and women into our traditional and cultural use areas affecting our animals and our use of these areas.

Previous efforts to mitigate against air, land, and water issues are failing with fragmentation of the process allowing to get part of our concern into discussion but profitability allowing industry to can, may, or should enforce mitigation measures when tribe wanted shall, must or will. When the industry was able to change the whole document the enforcement of any measures were not enforceable.

When industry is allowed to negotiate exemptions to water and air quality regulations, our tribe is left to find ways or not to address risks that are allowable. These risks are highest amongst those who live here, yet the NSB human health risk assessment of the national petroleum reserve Alaska does not tell us what the impacts are to oil and gas development. The health assessment is that an assessment of health.

The effort we wanted was a true tribal risk assessment that looks at the process with **precaution**, setting up research and monitoring to identify health, life, and safety risks for our tribal membership, recording historical and existing projects with efforts to inform in currently approved areas and areas with future exploration and development efforts. Tribal review of all existing areas, cross review of all known environmental violations, reclamation and restoration of past development sites, reclamation and restoration of past environmentally violated areas. The process should be done **preventative** connecting permit approval with connections to trigger reactions to sentinel markers important to protecting human health, life and safety and the importance to tradition and culture. The process should not just develop a report on research and monitoring but a process that connects to decision making and prevents the progression of statistical data makers that contribute to deterioration of life, health, safety and the importance of tradition and culture. The process should be **protective** connecting to the permit process a way to react to actions affecting the life, health and safety and the importance to tradition and culture. The tribe should not have to prove issues and concerns but to demonstrate the risk and work to address them. The process should be proactive. The tribe needs to continue to be effectively engaged in the whole process that allows them to contribute to the process and to control the resources of the plan.

If you have any questions please feel free to contact the Native Village of Nuiqsut by email at the [nativevillage@astacalaska.net](mailto:nativevillage@astacalaska.net) and phone (907)480-3010.

Thank you for considering these comments.

Sincerely,

A handwritten signature in cursive script that reads "Margaret Pardue". The signature is written in black ink and is positioned above the typed name.

Margaret Pardue, Tribal Vice President/Acting President

Native Village of Nuiqsut