

BLM NPR-A Subsistence Advisory Panel Meeting

November 6, 2012, Barrow, Alaska

Summary of Workshop, Public Presentations, and Recommendations



The National Petroleum Reserve in Alaska (NPR-A) Subsistence Advisory Panel (SAP) consists of representatives from seven tribal governments and the North Slope Borough. SAP meetings provide a forum for representatives to review oil and gas activities and other projects authorized by BLM in the NPR-A and to make recommendations to BLM on measures to reduce impacts to subsistence. The SAP was established in 1998 and has public meetings 3-4 times per year with presentations by oil industry and researchers. SAP members communicate issues and concerns from their communities to BLM and information from the meetings to the tribal governments they represent.

Subsistence Advisory Panel Representatives present:

Joseph Sage, Chairman, Native Village of Barrow
Thomas Napageak, Vice Chair, Native Village of Nuiqsut
Ransom Agnasagga, Wainwright Traditional Council
Linda Lee Agnasagga, Wainwright Traditional Council
Martha Itta, Native Village of Nuiqsut
Helen Kasak, Native Village of Nuiqsut
Wanda Kippi, Native Village of Atqasuk
Jennifer Ungarook, Inupiat Community of the Arctic Slope
Bart Ahsogeak, North Slope Borough



BLM Arctic Field Office Employees present:

Lon Kelly, Manager (Authorized Officer)
Stacey Fritz, Anthropologist/Subsistence Specialist (SAP Coordinator)

Guest Presenters

Gary Kofinas, UAF/EPSCoR (workshop)
Jim Lovvorn, Southern Illinois University
Erling Westlien, Shell Alaska
Bartley Kleven and Dave Whitacre, Linc Energy Operations, Inc. Umiat Drilling Program
John Ford, Olgoonik Development Corporation
Sam Widmer, Conoco Phillips Alaska

Subsistence Advisory Panel Workshop (10 am-12 pm; 2-5 pm)

** Most documents referred to are now or will soon be available on the SAP website:

http://www.blm.gov/ak/st/en/res/npra_sap.html

** Also, a CD containing many SAP documents from the past 12 years is now available; please request a copy from SAP coordinator Stacey Fritz (sfritz@blm.gov, 907-474-2309). *Documents mentioned below that are available on the CD are in brown font.*

The workshop opened with a brief discussion of the **Presidential Proclamation on National Native American Heritage Month, 2012.**

Especially because there were many new representatives, the SAP workshop focused an overview of the SAP itself. A **SAP fact sheet** and a timeline of the **history of management of the NPR-A** provided context for current policies and activities. Members also became familiar with **SAP bylaws and operating procedures**, the **H-1 Best Management Practice/Required Operating Procedure** (the protective measure included in all NPR-A Integrated Activity Plans/Environmental Impact Statements since 1998), and the **ANILCA 810 subsistence evaluation overview.**

The workshop then moved on to a discussion led by Arctic Field Office manager Lon Kelly about the decisions made in the NPR-A Integrated Activity Plan/Environmental Impact Statement (IAP/EIS). Although the Final NPR-A IAP/EIS release date has been postponed, the BLM is still operating under the assumption that the Preferred Alternative in the Final (Alternative B-2, announced by Secretary of the Interior Ken Salazar in August 2012) will remain the same. The Record of Decision for the NPR-A IAP/EIS is expected to be released in late 2012. **Maps of Preferred Alternative B-2** were distributed and described.

After lunch, Dr. Jim Lovvorn of Southern Illinois University presented on an ongoing group project that synthesizes data from the Chukchi Sea to identify important habitats for eiders and threats to those habitats. Lovvorn and colleagues also hope to work with residents in Point Hope, Point Lay, and Wainwright to better understand how ice conditions allow successful hunting for walrus and king and common eiders.

Next, Dr. Gary Kofinas presented on the arctic region test case of a new, 5-year EPSCoR* project called “Alaska Adapting to Changing Environments (Alaska Ace).” The Northern test case will involve work in Nuiqsut and other communities to study how permafrost thaw and land cover change affect subsistence activities.

*EPSCoR: Experimental Program to Stimulate Competitive Research – a partnership devoted to growing Alaska’s scientific research capacity funded by the National Science Foundation and the State of Alaska.

Subsistence Advisory Panel Public Meeting (7 – 10:30 pm)

At 7 pm, SAP chairman Joe Sage called the meeting to order and Thomas Napageak, vice-chairman, led the group in an invocation.

- **Welcome & Introductions**
- **Approval of Agenda**
- **Approval of Minutes** (June 5, 2012 meeting in Point Lay).

Industry Update

Shell, Onshore Studies

Erling Westlien, Senior Environmental Scientist with Shell Exploration and Production Company presented the **Shell Nearshore and Onshore Environmental Studies Program**, providing a recap of 2012 activities and a preview of what Shell would like to accomplish in 2013.

In anticipation of successful oil and gas exploration in the Chukchi Sea, Shell is studying the nearshore and onshore environments on the North Slope in order to identify possible locations for pipelines, staging areas, and pump stations. In 2012, the survey area included nearly 21,000 square miles and more than 1,000 individual study sites. At the meeting, Shell announced that in 2013 it would be expanding the study area eastward to include land between the NPR-A’s eastern boundary (Colville River) and the Trans-Alaska Pipeline. **UPDATE: Since the SAP meeting, Shell has decided to focus on production efforts in 2013 and will be postponing its onshore environmental study project.**

BLM UPDATE

Arctic Field Office manager Lon Kelly again presented the decisions made in the NPR-A Integrated Activity Plan/Environmental Impact Statement (IAP/EIS). Although the Final NPR-A IAP/EIS release date has been postponed, the BLM is still operating under the assumption that the Preferred Alternative in the Final (Alternative B-2, announced by Secretary of the Interior Ken Salazar in August 2012) will remain the same. The Record of Decision for the NPR-A IAP/EIS is expected to be released in late 2012. **Maps of Preferred Alternative B-2** were distributed and described.

INDUSTRY UPDATES (continued)

Linc Energy, Umiat

Bartley Kleven and Dave Whitacre of Linc Energy presented a **Recap of 2012 Summer Study and Survey Work and an Overview of 2012/2013 Winter Delineation** plans. With the help of hired subsistence advisor Clyde Morry of Anaktuvuk Pass, Linc conducted a number of environmental and archaeological studies and installed thermistors and a meteorological station near its Umiat leases.

Linc's 2012-2013 winter delineation program includes pre-packing a snow road (101 miles from the Dalton) beginning in early November, mobilizing a drill rig and other equipment over it in December, and spudding the first well in mid-January. Linc plans to drill up to 5 wells this season. In late April or early May, the rig and other camp equipment will be put into standby at Umiat until November 2013.

Olgoonik Development, Wainwright & NPR-A

Next, John Ford of Olgoonik Development, LLC, gave a presentation on **Olgoonik's projects in Wainwright and the NPR-A**. Olgoonik Corporation (OC) is the ANCSA village corporation for the community of Wainwright on the Chukchi Sea coast. OC has numerous subsidiary corporations: Olgoonik Development is the for-profit arm of OC, and the Olgoonik/Fairweather joint venture was formed to bid on several anticipated projects related to the onshore development that may occur to facilitate offshore oil development in the Chukchi Sea. Olgoonik Development projects (either active or anticipated to begin in the next year) include demolition and cleanup of the old DEW Line site, construction of a camp for ConocoPhillips operations, supporting Brice Construction with a sea wall project, and several others.

SAP members had questions and concerns regarding OC's Aviation Fuel Tank Farm project, the initial phase of which will consist of a commercial operation with four 37,000-gallon tanks of jet fuel in Wainwright. The current proposed location of the tank farm is adjacent to the North Slope Borough village tank farm. SAP representatives from Wainwright expressed concern over the already over-stressed water and sewage system in town and over the increase in air traffic that Wainwright may experience. John Ford reported that Olgoonik is trying to work with the North Slope Borough to come up with a master plan for what may happen in the village. Other concerns about OC and development in Wainwright were discussed during the Community Concerns section of the public meeting (summarized below).

Conoco Phillips Alaska Inc., Wells in Bear Tooth and Greater Moose's Tooth Units

Sam Widmer presented **Conoco Phillips Alaska Plan of Operation for Winter 2012-2013**. Conoco (CPAI) will be drilling 2 exploration wells (Cassin #1 and Cassin #6 with the second well contingent on the success of the first) and plugging and abandoning 5 wells. A **map of the Cassin route planning** was distributed to members. The wells are located in the Greater Moose's Tooth and in the Bear Tooth units west of Nuiqsut. CPAI will build Rolligon trails and approximately 42 miles of ice road to access the wells. Two crews will be used: one for the drilling projects and one for the plugging and abandonment projects.

SUBSISTENCE ADVISORY PANEL UPDATE: Community Concerns and Recommendations to the BLM

Ransom Agnasagga, Wainwright Traditional Council

Agnasagga expressed concern about Olgoonik Development's projects in Wainwright and the corporation's lack of communication with shareholders and community members. Agnasagga is an Olgoonik Corporation (OC) shareholder, but he had been unaware of the specifics for a commercial aviation fuel operation in Wainwright before it was presented at the SAP meeting and he is concerned that Wainwright would be seeing more traffic. Agnasagga disagreed with the perception expressed by BLM that, in Wainwright, the Tribe, the City, and the Corporation are all on board supporting development in the area. Agnasagga said that the Tribe was only recently "restarted" and the reason was that OC realized that the Tribe needed to be functioning. Agnasagga contended that the Wainwright Traditional Council has a seven

member board and that three Council members also serve on the board of OC and two are employees of OC. Being new to the Subsistence Advisory Panel, Agnasagga wondered about the “correctness” of the Federal government consulting with the Tribe through the SAP when it was the corporation that started the Tribe up. Agnasagga said that he felt like the community was not given much choice in development projects, and that social conditions in the village make it difficult to speak out. Agnasagga sees some benefits coming from development, but he believes they will be outweighed by the risks industry is taking with offshore development. Agnasagga would prefer to see oil exploration and development in the Arctic National Wildlife Refuge because it is on land and because he is dubious that industry will be able to engineer anything that will adequately deal with sea ice. According to Agnasagga, hunters have respect for the ocean and have never tried to control it or say that they can control it because, in their eyes, no one can. Agnasagga expressed the concern that if the pipeline gets up and running, there will eventually be an accident. He suggested that there needs to be more planning, but he does not see this happening in his own corporation, nor does he see how well that could work when corporate members with a profit motive are on the tribal government, whose members are not paid to participate. The conflict of interest inherent in this situation is Agnasagga’s main concern at this point.

Jennifer Ungarook, Inupiat Community of the Arctic Slope

Jennifer Ungarook had only been employed by ICASS for four days at the time of the SAP meeting and was filling in for the normal ICASS representative, Qinugan Roddy. Ungarook did not have any concerns to articulate at this point but did say that she learned a great deal from the SAP and would try to attend future meetings.

Thomas Napageak, President of the Native Village of Nuiqsut

Napageak, concerned with impacts to Nuiqsut moose hunters on and around the Colville River in fall time, recommended that more stipulations be added to permits during moose season.

Martha Itta, Native Village of Nuiqsut

Martha Itta conveyed a question from a hunter on whether hunters can be compensated for having to travel farther to harvest caribou. Hunters are given 20 gallons of gas by the city but this is inadequate for the distance they must now travel to harvest caribou. (Joe Sage answered that, in Barrow, Shell distributed gas vouchers because hunters in Barrow have the same problem with air traffic. A Shell employee explained that Shell, by its own decision, had distributed vouchers in Barrow following a specific incident that disrupted hunters.). Bart Ahsogeak explained the distribution of impact funds via the North Slope Borough and Thomas Napageak explained how the system worked in Nuiqsut. People do not need to apply; they are eligible if they have a hunting license.

Itta also wanted to know what role the Tribes have in the NSB permitting process. Bart Ahsogeak explained that applications are reviewed when an administration fee is received. The first step in the process is a pre-application meeting and, if it is a use permit, the NSB notifies the Tribes of a 15-day review period. Comments are entered into the log and the administration then decides whether to elevate the permit or not. If the permit is elevated it goes up to the Planning Commission, which then decides whether to issue the permit and what stipulations to attach to it. Lon Kelly explained that as far as large permits that the Federal government gives out, the SAP is part of the process. The SAP is an outreach to

and a consultation with the Tribes where the Panel learns about proposed activities and BLM learns about potential mitigations.

Itta shared concerns from Nuiqsut regarding the discovery of human remains during a snow road survey. The Native Village of Nuiqsut asked the NSB and industry to halt operations until the community was provided with more information and the area could be studied for historical significance as a site of Inupiaq/Athapaskan territorial battles, but no one came to make a formal notification and industry began packing the snow road. Bart Ahsogeak (NSB) said that he would talk to Kunneak Nageak, the NSB/IHLC archaeology specialist who reviews the permits.

Bart Ahsogeak, North Slope Borough

Ahsogeak commented that the area that constitutes the NPR-A was never legally acquired by the U.S. government (either by conquest, by purchase, or by joining voluntarily) and he sees the Final NPR-A IAP/EIS as the ultimate appropriation of this land to the U.S.

Ahsogeak recalled that said that during the NPR-A process in the 1970s, residents were very concerned about having native allotments within NPR-A approved before the process moved forward. According to Ahsogeak, a blanket approval was granted for all allotments that qualified, but, although an exemption was given to Vietnam veterans who were in the service during ANCSA, Ahsogeak knows of no veterans who received allotments. Ahsogeak also contended that village corporation lands are under-selected because they were told that they could not select any land within NPR-A. Ahsogeak recommended that the federal government should be more flexible and listen to the stakeholders whose grandfathers fought and won this land from the Indians but whose conquest was annulled with ANCSA, particularly because the North Slope did not want to be included with southeast Alaskan tribes promoting the land claims settlement. Ahsogeak also criticized the Naval Petroleum Reserves Production Act (NPRPA) for “locking in” resources and preventing residents from developing gold mines.

Helen Kagak, Native Village of Nuiqsut

Kagak, also new to the Panel, did not have any comments but was glad to participate and learned a great deal that will be relevant in her position as administrative assistant for the Native Village of Nuiqsut.

Wanda Kippi, Native Village of Atqasuk

Kippi’s comments included the following: “My concern for our area and as well as the other communities is our hunting. Our hunting for us is our lifestyle because we live in a remote village and I hate to see it be developed due to gas and oil because we live off of the land. As a single parent - I just lost my daughter and I now care for my grandchildren now and they are pretty young, I have five of them at home - and I live off of the land and I feed my children from the land. I work temporary during the seasons and I barely get by and in our village it is our lifestyle and I sure hate to see it go, because who is going to feed us? Are you going to feed me? Are you going to feed my children? It is going to be hard for our families, especially in the rural villages. [] I sure hate to see the development in our area and in the other villages and for sure I know it is hurting Nuiqsut.” Kippi also reported on several siting of *Inukpasuk* (big foot/sasquatch) in her hunting area. In explaining the Inupiaq practice of hospitality and generosity, Kippi also reported that she invites anyone who comes to Atqasuk to her home to eat Native food. Inupiaq subsistence food is also much healthier than highly processed food that is available in the local store, Kippi said.

Joe Sage, Native Village of Barrow, Chair of the SAP

Joe Sage spoke at length during Community Concerns. Sage stated that he takes a long-term view on food security and development on the North Slope and his opinion is that the oil industry is primarily responsible for altering Inupiaq culture. Sage has been to Washington D.C. to meet with Department of the Interior representatives and Senators to lobby against expanded oil exploration and development on the North Slope and in the Arctic Ocean. He does not believe that residents of the North Slope have a realistic alternative to subsistence hunting and fishing, and he believes that the Inupiat have thrived for millennia in the arctic environment because they have respected and taken care of the land.

Recommendations to the BLM

1. **AVIATION:** During the workshop, SAP members and BLM discussed concerns over aviation. Disturbance from aircraft has always been one of if not the primary concern of subsistence hunters on the North Slope.
 - a. The SAP would like to have the FAA present at a subsequent SAP meeting to discuss whether there is any possibility of establishing special restrictions on flights over the NPR-A/North Slope.
 - b. Members expressed that they would like to have a system whereby more information on aviation (i.e. flight paths, tail numbers) on the North Slope is shared among the public, city agencies, and tribal governments.
 - c. The SAP would also support a renewed effort on the part of BLM to spearhead a public relations/information campaign about aviation on the North Slope in order to educate pilots and companies about the issue.
 - d. Thomas Napageak of Nuiqsut requested that more stipulations be enforced on permittees in the Colville River/Umiat area during moose season, when aircraft disturbance is particularly troublesome.
2. Thomas Napageak requested that all companies with proposed activities in the NPR-A provide the relevant information to the SAP well before the SAP meetings so that the SAP representative has time to review the project and discuss it with their community.
3. The SAP representatives had several questions and requests for information about what the differences will be if the primary oil and gas activity in the NPR-A shifts from leases and exploration to Rights of Way for pipelines and other onshore infrastructure to support offshore oil and gas development. One recurring request is either for a BOEM Chukchi/Beaufort SAP or for the BLM NPR-A SAP to be expanded to include BOEM and offshore development activities. (Lon Kelly explained that this was not within BLM's authority and that the focus of the SAP would be too diluted by an expanded mission, but that we would look into having a BOEM representative present at a subsequent SAP meeting to answer questions). The SAP is interested in learning about who regulates pipelines, by what factor NPR-A leases (and thus impact funds) are decreasing, and how impacts from pipelines would be mitigated.

Next SAP meeting

The Panel and BLM employees agreed that the next SAP meeting should be held during the **first week of June, 2013** when many people are prevented from traveling much due to breakup.

10:30 pm Adjournment, End of Public Meeting