

## **Information Memorandum for the Director**

**Date:** February 12, 2019  
**DTS DCN#:** BP034789  
**From:** Greg Siekaniec, Alaska Regional Director, U.S. Fish and Wildlife Service  
**Telephone #:** 907-786-3542  
**Subject:** U.S. Fish and Wildlife Service Roles and Responsibilities related to the Bureau of Land Management's Oil and Gas Program in Arctic National Wildlife Refuge.

### **I. Introduction**

The Venetie Village Council, the Arctic Village Council, and the Native Village of Venetie Tribal Government are federally recognized tribes of Gwich'in Athabascan peoples with traditional territories encompassing approximately the southern 2/3 of the Arctic National Wildlife Refuge (Arctic Refuge) and lands adjacent to its boundaries to the south and west. We have a long standing government-to-government relationship with all three tribes and regularly consult on issues ranging from wildlife population status and migration pattern changes to hunting regulations. The Gwich'in traditional territories reach 100 miles south of Venetie and 400 miles east into Canada, encompassing 11 other villages. They believe they have been given the duty by their elders to protect the health of the land and wildlife, especially the caribou which is a primary source of sustenance.

### **II. Background**

In 1980, the 19 million acre Arctic Refuge was established by the Alaska National Interest Lands Conservation Act (ANILCA). This was a re-designation of the 8 million acre Arctic National Wildlife Range created in 1960. In 1988, the Arctic Refuge's initial Comprehensive Conservation Plan (CCP) recognized the coastal plain (referred to as the 1002 area as defined in Section 1002 of ANILCA) as important habitat for numerous subsistence and internationally significant species including polar bear, Porcupine caribou, and over 100 bird and waterfowl species. The most recent CCP (2015) recommended an additional 12 million acres as Wilderness, including the entire coastal plain, and four rivers as National Wild and Scenic Rivers.

#### ***Oil and Gas Program in the Coastal Plain of the Arctic National Wildlife Refuge***

On December 22, 2017, the Tax Cuts and Jobs Act of 2017, Public Law 115-97 (Tax Act) was signed. Title II, Section 20001 of the Tax Act directs the Secretary of the Interior through the Bureau of Land Management (BLM) to establish and administer a competitive oil and gas program for leasing, developing, producing, and transporting oil and gas in and from the Coastal Plain area in the Arctic Refuge. The Tax Act requires two oil and gas lease sales within 10 years of enactment. The oil and gas program shall be managed similar to the BLM's program in the National Petroleum Reserve - Alaska. A maximum of 2,000 surface acres may be authorized. As the administrator of the oil and gas program, the BLM is developing an Environmental Impact Statement (EIS) for leasing land for development on the Arctic Refuge coastal plain. The Service is a cooperating agency and worked closely with the BLM as they developed the draft EIS. At the beginning of the Coastal Plain Leasing EIS process, the Service formed an interdisciplinary team to contribute our knowledge about the Refuge's wildlife and habitat to the planning process led by the BLM. Team leaders from both agencies meet on a weekly basis. The public comment

period on the draft EIS is scheduled to close March 13<sup>th</sup>, followed by a final EIS and Record of Decision in summer 2019. The first issuance of leases is planned for December 2019.

### ***Arctic Seismic Survey in the Coastal Plain Area of Arctic National Wildlife Refuge***

In April 2018, SAExploration, Inc. (SAE) requested authorization from BLM to conduct 3-D seismic activities in the coastal plain for a 2-year period. BLM initiated an Environmental Assessment where the Service is a cooperating agency. Additionally, SAE submitted an application to the Service for two-year Incidental Take Regulations (ITR) to authorize the incidental take of polar bears to guard against violating federal regulations while conducting seismic activities. We are currently in discussions with SAE to finalize their ITR application. Any proposed ITRs would be published in the Federal Register and provide a public comment opportunity.

### **III. Position of Interested Parties**

- The Alaska delegation, the State of Alaska and other development interests support leasing the coastal plain for oil and gas development.
- The Native Gwich'in people and others oppose oil and gas development in the Arctic Refuge.

### **IV. Potential Issues/Conflicts**

At recent public meetings, regarding BLM's Leasing EIS, there have been a number of Alaska Native representatives voicing frustration and anger. High profile media coverage has focused on their concerns regarding: (1) the public meeting process, format, and scheduling; (2) claims of insufficient Tribal consultation and meaningful participation in the planning process; and (3) the potential impact on their traditional way of life and the subsistence resources they depend on to feed their families.

### **V. Communications and Outreach**

Outreach Lead: Wendy Loya, Arctic Program Coordinator  
Affected States: Alaska  
Media POC: Sara Boario, Assistant Regional Director – External Affairs  
Congressional: The Alaska Congressional delegation is updated as needed.