

## **NPR-A Working Group Monthly Teleconference March 19, 2015**

### Attendance

Stacie McIntosh, Acting Manager, BLM Arctic Field Office  
Crawford Patkotak, Co-chair of WG, Chairman of the Board of Directors, ASRC  
Edward Itta, Barrow, consultant to Kuukpik Corporation  
Lanston Chinn, CEO, Kuukpik Corporation  
Doug Whiteman, City of Ataqasuk  
Jack Schaeffer, City of Point Hope  
Thomas Olemaun President, Native Village of Barrow  
George Olemaun, President, ICAS  
Stacey Fritz, Anthropologist, BLM Arctic Field Office  
Jan Caulfield, Facilitator for BLM Regional Mitigation Strategy Workshop

### **NPR-A WORKING GROUP**

#### Stacie review of history & status:

- Formed Feb 2013
- August 2013 first meeting
- February 2014 second meeting – Charter developed, co-chairs elected
- September 2014, a teleconference held to discuss the “Working Principles” document– but no subsequent WG meetings or discussion
- For the future, suggest monthly teleconference. This is the first – but not as many participants as Stacie had hoped. Entire WG in the proposed/ revised Charter includes 28 members (three regional entities, plus reps from cities, tribes, corporations).(Note – This is different than the first charter, which had non-NPR-A communities sending a single delegate to represent the three entities in their villages).

#### Comments

- Edward Itta – It is important to make this WG a viable entity. NSB and ASRC created a leadership roundtable, but Kuukpik is not participating in that. Unclear what relationship between the two groups (NS Roundtable & WG). The WG needs to be just NPR-A communities (not a list of “50 people”). The Charter was set up by BLM – for whatever reason, opted to go with the village roundtable group to “be” the NPR-A Working Group. But that is a “rub”.
- Lanston Chinn – WG was intended to be not same as the NS Leadership Roundtable, but a WG that would look at the interests of the residents of the NPR-A that would be affected by development – deal with subsistence, environmental impacts, etc.
- Stacie – Clarified that BLM held the first WG meetings along with the NS roundtable just to try to not have people traveling for additional meetings. But, not meant for the two groups to be linked – they are two different groups.

There was also a non-WG meeting where John Hopson, John Boyle and Doreen Lampe participated in fall 2014 (a BLM Regional Advisory Council meeting). John Hopson said that WG needs to be a “grassroots” effort. Have talked with both John H and John B about how to get the WG formed up from the grassroots, but they have been so busy. That is why she (Stacie) thought to go ahead with a monthly call to get dialog going.

Stacie asked Crawford – What do you think about the idea of a monthly teleconference?

Crawford – first, clarify – was a good idea to try to get people together at early WG meetings (“all people across the North Slope that would be affected by NPR-A development”). It is a challenge to get together, even by teleconference. At first in-person WG meeting, moved and approved to include the non-NPR-A villages to have a single representative each (for the three entities in the village). That was acted upon – even though they are outside of the borders of NPR-A, they are affected in one way or another and should be part of the group – so that was done. Realized the challenge of getting everyone together – such a large group.

Stacie – After that initial meeting, BLM sent out nominations forms to the communities in NPR-A --- and then just one form to the communities outside of the NPR-A – to get them to identify a delegate and alternate delegate for each WG seat listed in the initial Charter. Not successful in getting these nomination forms back. Only received formal nominations from nine of the entities. SO – BLM changed course – and for this teleconference, she invited every elected official from each community, tribe and corporation – to get someone here from every entity.

Crawford – good idea to have a monthly meeting; or perhaps quarterly.

Stacie – yes, make it routine.

Doug Whiteman – early on, Bud Cribley stated underlying intent was to get the WG involved in decision-making processes strategically, ahead of the game. We seem to be right back to “square one.” Need to get the WG organized and running.

Stacie – agreed. Charter does indicate roles and WG involvement in advising BLM on decision-making. But, doesn’t say how that would take place. E.g., would BLM present pending permits to get input on those? Or, large scale issues such as prioritizing legacy wells for cleanup actions? Regional Mitigation Strategy is going to be a big planning effort. All WG members have been invited to that RMS workshop. Decisions in that final RMS will be used to figure out how BLM is going to use the compensatory mitigation resulting from GMT1. Would like WG input.

Jack Schaeffer, Point Hope – there was some discussion in regards to lack of response re: representation from non-NPR-A communities, was that there was only one instead of three people who would participate. There should be three from each village. Point Hope went through a period of non-response because the parties couldn't come to agreement of who their one representative should be. (Although, finally did submit a designee to BLM).

Stacie- Yes understand, but also having little response from communities, tribes, and corporations for communities that are in the NPR-A. Apologized for putting Point Hope in that position and introducing conflict.

Lanston Chinn – Yes, participation is an important aspect. But, recall in early discussion with BLM before formation of the WG, it was pretty much agreed that trying to hold it to a smaller number of direct participants who could take potential decisions or policy decisions back to communities was important – in terms of the efficiency of trying to get decisions made. That is still an open issue.

Stacie – John Hopson and John Boyle agreed with BLM that inviting the elected leaders of the entities would be a viable solution; since they have the ability to take that information back and make decisions with their councils and boards, to make these types of recommendations. They are already empowered by their communities to make decisions because they are the elected officials. The Charter now shows the elected officials for each of the entities – this is how BLM would want to move forward.

Edward – incumbent on BLM to develop a framework for the WG. It was part of the condition of the NSB's position was that the most affected villages would be the focus, as voting members, with other non-NPR-A communities in an advisory capacity. That needs to be gone back to.

Crawford – that is a good point of discussion. It is the NPR-A and the affected villages should have a stronger say than the others. Re: Jack Schaeffer's point, the initial WG decision was for non-NPRA villages to just have one representative each (representing the three entities in each non-NPR-A community).

Need to have more full discussion of the role and "voice," respectively, of the communities within the NPRA and those outside NPR-A.

Look at makeup – NSB, ASRC, ICAS, Village corporations, .... Etc. We are adding a lot more – brings it to 28, which is not a manageable group size.

Also – need to be able to be efficient; operate nimbly; be able to make decisions on issues that are happening in timely fashion.

Stacie – should the Charter specify

Voting membership should be – three regional entities, plus the NPR-A communities (Wainwright, Ataqasuk, Barrow, Nuiqsut)?

Non-NPRA (PtHope, PtLay, Kaktovik) – would serve in an advisory role?

Jack Schaeffer – need to revisit why it was important to also have non-NPRA communities. Should also include Anaktuvuk Pass [note from Stacie: AKP was accidentally left out of the last version of the WG Charter; their omission was not intentional]. In the long-term, the development of the NPRA (e.g., coastal pipeline, long-term plans for roads or power grid), these major development scenarios would ultimately affect all of the villages. That was the main reasoning for having representation from the non-NPR-A villages.

Edward – desire for voice of unity has been going on up here for some time. And the NS Roundtable was an attempt at that. But, it looks like the village roundtable took over the NPRA WG. Unmanageable to have too many people on it. The NSB has authority for comprehensive planning and communities all have comprehensive plan. All of the examples given above (by Jack Schaefer) would be covered under that planning.

Jack Schaeffer, Point Hope – The WG needs to be structured in such a way that there is accountability and consistency and assuring there is no accusations in the future that it is just a small group setting direction.

Stacie – in BLM, senior management has the philosophy of inclusion. Opinion of “the more voices, the better.” However, do understand the importance for manageable group size. Her proposal is to edit the Charter – to call out communities within the NPR-A will be voting; communities outside NPR-A will be advisory and can make recommendations. EVERYONE invited to attend. What do people think about that?

George Olemaun – have heard concerns that non-NPRA communities would be left out of decision-making. Anything done in NPRA does affect those outlying villages. Agree with just getting started.  
NPR-A is a federal reserve. Written to Sally Jewell – impacted by subsistence, but don't get any compensation for impacts. Hopefully will address through the RMS. If people can be helped, that should be done.  
Understand Nuiqsut is most affected, but others affected too. NPRA development is only starting.

Doug Whiteman – This WG is the only one in the US. It is a unique opportunity but we have to get it going, to be able to influence decisions. That was the underlying intent.  
Intended not to talk over or ignore the rest of the communities.

[Unsure who made comment] - Need to make sure that those that are affected on the outside of NPR-A can also input into mitigation of impacts, feasibility, for mitigation requirements to ensure that necessary mitigation is taken care of and provided for as a business expense.

Lanston Chinn – hearing comments – would it make some sense to draw some circles of impact? Directly impacted villages have representatives, work to reach consensus on recommendations. Then, “roll out from there” – ask those outside of NPRA, ask their advice. Those most directly impacted will be targeted the hardest to provide input.

Stacie – Propose change to Charter – have WG membership shown to include all of these entities in all communities. Then, have paragraph on decision-making / voting.

Lanston Chinn – Need clarity on who is going to vote and take a position, to ensure timely decisions.

Jack Schaeffer, Point Hope – Do not want to interfere or block. Just want to have opportunity to say something if we are directly affected.

Crawford - thinks Lanston is saying that. Like idea of group in affected area make decision in a timely manner with some consensus. For example, community of Nuiqsut must have real say of what is happening in their backyard. But also need tribes and resource owners to be involved. Need to find the right balance of what is in the best interest of the communities, resource owners, and those affected by the development. Having leadership at the table who are elected representatives of the communities, they will be able to make those decisions. Having monthly meetings will address the need for timeliness. Need commitment from the villages who are being represented. We have a number of people on the phone today – but not everyone. Can't just go with “whoever shows up” – need a consistent approach.

Stacie is going to take all of these comments with regard to the WG – and will propose edits to the WG charter. Will send it out to everyone invited to this Call.

Crawford – re: BLM’s philosophy of inclusion is a good thing, but need timeliness on decisions. NSB really took the leadership in the NS Roundtable to bring folks together and start work out our differences. Bring us together. Come together and agree on steps moving forward, looking at long-term health and economy of the region, while hearing each other out and coming to agreements on our future. Important stuff. Move forward together. If we go our separate ways, we will have more challenges ahead; will not be heard.

Lanston Chinn - In Nuiqsut, we had a three-way working agreement (“trilateral”) between the three entities, but that fell apart for awhile. Now in negotiations to reconstitute that group. That would be the body to take any strategic action in a timely fashion, to respond to the NPR-A WG actions.

Crawford – Glad to hear. When there is a breakdown in communication between the tribes, the cities, and the corporations, there is going to be a fight. On a region-wide basis, that is part of the reason for the NS RT. Agreeable to the approach Stacie is talking about – more like a grassroots WG, with local groups working on issues that affect them, in consultation with the larger group. Needs to be timely.

Lanston – Good to have trilateral groups in the villages. They can input into the WG in a timely fashion.

Crawford – Being challenged now to comment on responsible development. Conservation and animal rights groups have influence and can wreak havoc in our villages. Even opposing a simple project that should be able to move forward in a timely manner – in a way that is responsible and looks out for the best interest of our people as a whole. This is our challenge here.

George Olemaun – Yes, draft proposed changes to the Charter and send it out. Need to move on to other topics on the agenda.

Stacie – will keep a running record of WG meetings and make those available. But, she does not have meeting notes from the first two WG meetings that took place in 2014.

### **GMT1 Record of Decision**

Stacie – provide update on status. Alternative A (Conoco Phillips proposed action) – 11.8 acre drill pad and 7.6 mile long road, connecting GMT1 to CD5 (which is connected to community of Nuiqsut through Spur Road).

Specifies mitigation measures. New supplemental BMPs. Compensatory mitigation and creation of a Regional Mitigation Strategy.

### **Regional Mitigation Strategy Workshop**

BLM sent email invitation and hard-copy invite to the RMS Workshop. Workshop is intended to present the concept of a Regional Mitigation Strategy to a large group of interested stakeholders, and then begin to discuss the process by which the RMS will be created. Questions?

Stacie – welcome questions or comments on either ROD or RMS

George Olemaun – travel not paid. Only those who can afford, can go. Is there teleconferencing, or travel funding?

Stacie – don't have funding available for this first workshop. Have to do the RMS within 18-months of signing of the ROD. Needed to do this initial workshop ASAP. Haven't gotten the payment from permittee to pay for travel to this initial workshop. Purpose of the workshop is to get educated, advise on the process, the geographic scope – but will not be developing the strategy here. Just getting started. Will be some speakers re: other BLM RMS projects from Outside. Casting broad net to get participants.

Jack Schaeffer, Point Hope – OK with just getting the information and copies of the presentations. Somewhere along the line, will need some storage equipment for information (digital storage?) as the RMS is being developed.

Stacie – not planning to have teleconferencing as part of the RMS workshop. It would be too difficult for people who are remote to follow presentations or participate in small group discussions.

Any other questions about RMS or ROD?

Crawford - Did not receive the email invite. But planning to attend. Stacie will check on this, and will resend the invite.

## **OTHER TOPICS**

Question – how does Subsistence Advisory Panel (SAP) tie into the NPR-A WG?

A – The SAP was created in 1999, after first ROD for Northeast NPR-A. Called for a group of representatives to give recommendations to BLM re: ways to minimize impacts in NPR-A from oil and gas development. The SAP has been reaffirmed in every ROD since. The membership is nominees from every federally recognized tribe, and from ICAS and the NSB. It has a narrow Charter and narrow advisory capacity – ways to minimize impacts to subsistence. We like to have representation from heavy-harvesters – people who can provide very detailed recommendations on ways to avoid impacts (e.g., locations of ice pads, ways to access site, posting notification at camp, etc.) The SAP provides advice on ways to minimize impacts to subsistence. In SAPs original charter – it was just oil and gas, but now expanded to research activities that are required to get permits from BLM. Much more research is being done in the far North – and they create impacts too. The WG is broader scope – reps from not just tribal governments, but also cities and native corporations -- more holistic view, as development is proposed in the NPR-A, input on all types of development proposals from north slope residents who would potentially be affected. Broader purview than SAP.

Next step – Stacie will send out draft revised Charter and notes from this meeting.