

Back to 2013

BLM dumps 2020 NPR-A plan in favor of older, less expansive, development

Kristen Nelson

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The Bureau of Land Management said Jan. 10 that it proposes returning to 2013 Integrated Activity Plan management of the National Petroleum Reserve-Alaska.

The decision reflects the priority of the Biden-Harris administration “of reviewing existing oil and gas programs to ensure balance on America’s public lands and waters to benefit current and future generations,” the agency said.

The change means a substantial reduction in the acreage available for leasing for oil and gas exploration and development.

BLM said it “will confirm in a status report to be filed today with the U.S. District Court for the District of Alaska that it has selected Alternative A (the ‘No Action’ alternative) from the 2020 Integrated Activity Plan Environmental Impact Statement (IAP/EIS) as its ‘preferred alternative’ for further consideration.”

If that alternative is confirmed in a new record of decision, BLM said it “would revert management of the NPR-A to the 2013 IAP, while including certain more protective lease stipulations and operating procedures for threatened and endangered species from the 2020 IAP.”

BLM said it will also advise the court that it has prepared a draft determination of National Environmental Policy Act adequacy finding that the existing 2020 IPA/EIS and its subsistence evaluation are adequate and that additional analysis is not necessary for the Department of the Interior to select the preferred alternative.

A new record of decision for the NPR-A IPA adopting the preferred alternative may be prepared once consultations under Section 7 of the Endangered Species Act are completed.

The agency said it will “continue its longstanding engagement and consultation with communities in Alaska about the management of the NPR-A.”

Re-evaluation ordered

Last September the U.S. Department of the Interior said in a memorandum that it had instructed BLM to re-evaluate the NPR-A IPA/EIS approved by the Trump administration at the end of December 2020.

The memorandum, dated Sept. 7, appeared in conjunction with a court filing in one of two appeals in the federal District Court in Alaska challenging the legality of the IAP. The cases were stayed while Interior staff and the Biden administration reviewed the IAP.

The 2020 IAP increased the area in NPR-A available for leasing from 11,763,000 acres to 18,381,000 acres, opening some land within the Teshekpuk Lake Special Area to leasing and effectively eliminating the Colville River Special Area.

On Jan. 20, 2021, President Joe Biden issued an executive order for “protecting public health and the environment and restoring science to tackle the climate crisis,” directing all federal agencies to review agency actions promulgated, issued or adopted between Jan. 20, 2017, and Jan. 20, 2021, to identify actions which might be inconsistent with the new policy.

On Oct. 20, the federal District Court in Alaska extended until Jan. 10 the stays of two appeals against the current IAP for NPR-A.

The appeals challenge the validity of the EIS for the new IAP. The court had previously granted Interior’s requests to stay the court cases until Sept. 7 while the new administration reviewed the IAP. Then on Sept. 7 the Biden administration announced it would re-evaluate the NPR-A IAP and the associated EIS.

Opposition to decision

The decision was condemned by the Arctic Slope Regional Corp., the Inupiat Community of the Arctic Slope and the North Slope Borough, which said in a Jan. 10 joint statement that they “are united in opposition” to BLM’s announcement “fundamentally” abandoning the 2020 IAP in favor of that from 2013.

“Today’s announcement by the BLM diminishes Alaska Native self-determination by ignoring the needs, concerns and input of the local people who live, work and subsist in and around the NPR-A,” the statement said. “The 2020 IAP was developed in partnership with the Borough and in consultation with North Slope Tribes and Alaska Native corporations,” and, at the urging of these stakeholders, “included provisions that would have ensured future economic development opportunities for the region, allowed for community infrastructure needs to be considered in the NPR-A and required that areas identified by local and Alaska Native entities be excluded from future leasing.” North Slope Inupiat fought to include those changes, the statement said.

“On multiple occasions, ASRC, the Borough, and ICAS have offered to work in partnership with the Biden Administration on issues affecting our region,” said ASRC President and CEO Rex Rock Sr. “Secretary Haaland and President Biden have chosen, with this decision, to not only ignore the voices of the North Slope Inupiat but to exclude us from the decision-making process on issues that impact our Inupiat communities and our culture.”

Morrie Lemen, executive director of the Inupiat Community of the Arctic Slope, said: “Secretary Haaland has violated the Department’s consultation guidance and E.O. 13175 by failing to consult with ICAS. We are a federally recognized Tribe, and this action impacts the livelihoods of our tribal members. This is further proof that the Biden Administration prioritizes its relationships with environmental organizations over the sovereignty of Alaskan Natives.”

“I have a responsibility to the people of the North Slope to protect the long-term sustainability of our communities through a viable economic base, a responsibility that I take very seriously,” said North Slope Borough Mayor Harry Brower Jr. “Secretary Haaland is failing in her responsibility to the Alaska Native people of the North Slope.”

Applause for decision A

statement from the Alaska Wilderness League applauded BLM’s decision saying it “will return management of the National Petroleum Reserve-Alaska to the 2013 management plan finalized under President Obama, undoing a move by the Trump administration in January 2021 that opened 82% of the Reserve to oil leasing.”

The statement said NPR-A “is the largest single-unit of public lands in the nation, spanning nearly 23 million acres across Alaska’s western North Slope,” and including “millions of acres of wilderness-quality lands with critical habitat for migratory birds, brown bears, caribou, threatened polar bears, walrus, endangered beluga whales and more.”

Alaska Native communities in the area “have maintained a subsistence lifestyle for thousands of years based on its living resources,” the statement said.

Kristen Miller, acting executive director of the Alaska Wilderness League, said: “Under the previous administration, BLM’s expedited planning process violated bedrock environmental laws put in place to provide important protections for the Western Arctic. It faced clear public opposition and threatened local communities with the diminishment of traditional hunting areas, wildlife displacement, and worsening air quality from oil and gas development.”

Miller said returning to the 2013 management plan will restore protections to “critical Special Areas, in particular Teshekpuk Lake.”

“Now, especially as it prepares to take public comment on its ‘America the Beautiful’ initiative, we hope the administration recognizes the potential for America’s largest single piece of public land to provide landscape-level protection of ecosystems and sustain healthy and diverse wildlife and habitat for the future.”

Governor, Alaska delegation outraged

Alaska Gov. Mike Dunleavy, a Republican, said Jan. 11 that the action by BLM “makes clear the Federal government intends another unwarranted hit to Alaska and the nation. What they propose would further harm Alaska’s oil industry and disproportionately negatively affect Alaska Natives. The U.S. Department of Interior proposes to lock-down Alaska, take away local opportunities, resources, and other benefits that the National Petroleum Reserve is intended for. This is another sign of the federal government turning its back on Alaska and hampering domestic energy production.” He said Interior “is putting the nation in a situation where we have to rely on foreign oil countries” just when increasing prices are of concern to American consumers.

Alaska’s all-Republican congressional delegation was not pleased with the decision, saying Jan. 11 that BLM “signaled that it plans to close millions of additional acres in the National Petroleum Reserve-Alaska to responsible resource development.”

“With zero analysis or consultation with Alaskans, the Biden administration has decided to upend the NPR-A’s current management plan to return to an outdated policy that is worse for our state’s economy, worse for our nation’s energy security, and contrary to federal law,” said Sen. Lisa Murkowski. “BLM claims a need for greater ‘balance’ in managing the area, but fails to realize that balance is what will be lost through this move.

This is a petroleum reserve, specifically designated for energy development, located within a state that already has tens of millions of acres of parks, refuges, and federal wilderness. Sweeping restrictions like this - which are being imposed even as the Biden administration implores OPEC+ to produce more oil - demonstrate everything that is wrong with its energy policies,” Murkowski said.

Sen. Dan Sullivan said: “No state in the country has been singled out like Alaska with such a destructive war on our working families, which hits our Alaska Native communities particularly hard. Moving to revert back to the 2013 Obama administration version, which removes roughly fifty percent of the NPRA from oil and gas development, will hurt Alaska’s economic future, our nation’s security, and likely violates federal law. Reverting back to the 2013 management plan is not only arbitrary and contrary to good science, it will be harmful to the very people and issues the Biden administration purports to care most about - indigenous communities and racial and environmental equity,” Sullivan said. “Instead, the Biden White House is taking its orders from radical extreme environmental groups who care nothing about Alaskans.”

Congressman Don Young said: “This move by the Biden Administration is not only insulting to the hardworking men and women on the North Slope, but also extremely foolish. ... This decision is yet another insult among a series of anti-Alaska actions taken by this Administration. By reverting to the 2013 IAP, BLM is attempting to shut down almost 50% of NPR-A - that’s over 11 million acres,” Young said.

“Our state has proven that conservation and energy development can go hand in hand,” he said. “Despite this, the Administration continues working to stifle American energy production and economic opportunity in Alaska. This reversion, championed by bureaucrats thousands of miles away from the NPR-A, is dead wrong. I condemn it and call on President Biden to end his Administration’s attacks on Alaska’s economy and way of life.”

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circulation@PetroleumNews.com --- <https://www.petroleumnews.com> ---
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