



CITY OF UTQIAGVIK

"Farthest North Incorporated City"

Mr. Steven Cohn, State Director, Bureau of Land Management-Alaska

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Ms. Bonnie Million, Congressional Liaison, Bureau of Land Management - Alaska

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December 7, 2023

RE: City of Utqiagvik Comments on the Proposed Rule for the Management and Protection of the National Petroleum Reserve in Alaska.

Mr. Cohn,

My name is Asisaun Toovak, the Mayor of the City of Utqiagvik, a community that stands to be directly impacted by the Proposed Rule for the Management and Protection of the National Petroleum Reserve in Alaska (Proposed Rule, NPRA) and any changes to the management regime in the NPRA. As Mayor of the City of Utqiagvik, I sit on the NPRA Working Group where this issue has been discussed over the course of the past two months and the consistent message from the Working Group collectively, and its members independently, is that we need more time to digest and understand this rule, how it will change the way activities are managed in the NPRA, and what it means for the people that I represent. The NPRA Working Group was established just for this reason, to engage with BLM management in a continuing dialogue with North Slope residents. That clearly is not what has occurred under this process and seemingly moots the purpose of the NPRA Working Group as intended by Secretary Salazar.

As it stands, I am writing to you amid the Annual Local Government Conference hosted by the Alaska Municipal League, a critical week for all municipalities in Alaska, because the Department of Interior seems averse to working with North Slope entities to allow the necessary time to understand this document on a timeline that works with our many obligations.

While the City of Utqiagvik is certainly not opposed to making sure that there is a strong framework in place to establish and manage Special Areas on the North Slope that are of critical ecological importance, we have serious concerns about the agencies lack of consultation and collaboration with the people and entities that live in the NPRA and the precedence this sets for future changes in rulemaking procedures in our region. In my community, the largest on the North Slope, the BLM held only one 3-hour meeting for community members to learn about this rule. In Atkasuk, the agency never even held a meeting and in Wainwright, the meeting was held on December 4th, 3 days before the end of the public comment period. You have fallen short of the standards your own administration has set and you must do better in the future. We have the following concerns to highlight on the Proposed Rule:

1. You have provided no background information or data for how you arrived at the conclusion that the Proposed Rule will have an annual impact to the economy of less than \$200 million per year. I am not aware of the agency requesting any information from the City of Utqiagvik on our

economic input from the NPR-A, and based on conversations in the Working Group, it does not seem like other entities provided any information to the agency on their economic either, so I do not see how you could arrive at a fixed number like you have. This incomplete and flawed Economic Analysis seems to once again highlight how the agency is rushing through this process and sets a dangerous precedent of cutting corners and pushing a fixed narrative without evidence or justification.

2. In our conversations with the agency, we have not received a straightforward response on why the Department feels it's necessary to update a process that is familiar and has worked well over several iterations. The IAP process is deliberative and NPRA entities have learned to work within the system. In our conversations, the agency has implied that this is just an administrative update. To that, we ask: THEN WHAT IS THE RUSH?
3. It is our understanding that the proposed rule requires review of Special Areas on a 5-year interval basis, which would be in addition to the Integrated Activity Plan process currently in place. We are concerned that this would place a heavy burden on the already overtaxed entities on the North Slope; and as evidenced by the actions of the agency in this process, we are not confident that the agency will allow us the additional time to understand and work effectively within this new process, which would result in our local voices once again being overwhelmed by outside influences.
4. The maps in the Rule should be updated to accurately represent the level of activities and infrastructure currently in place in the NPRA more clearly.
5. The Rule includes no baseline analysis to measure the impacts of development and activities in the NPRA against with which to compare and base the Proposed Rule on.
6. The Rule should include information on what kind of enforcement – if any – will accompany these changes.

I again want to highlight that the communications between the BLM/DOI and local entities were severely lacking during the development of the Proposed Rule, the comment period is truncated and overlaps significantly with critical subsistence activities, federal holidays, municipal elections, Alaska Federation of Natives, and critical conferences, and public meetings in NPRA communities were delayed, which shortens the time to provide meaningful feedback and comments. The intent of the rule was not even clear to BLM personnel in Working Group meetings and several important aspects of the Rule, such as the Economic Analysis, were not even discussed. While it is clear the agency intends to continue to rush through this process, we hope that you will at least work to bring NPRA communities along with you and hear what we have to say.

Thank you,



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A handwritten signature in blue ink that reads "Asisaun Toovak".

Asisaun Toovak, Mayor
City of Utqiagvik