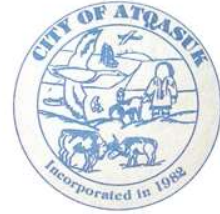




City of Wainwright



April 26, 2021

The Honorable Secretary Deb Haaland
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240
debra_haaland@ios.doi.gov

Dear Secretary Haaland,

We are writing you today, collectively, as three city municipal Mayors from the North Slope of Alaska representing the communities of Utqiagvik, Wainwright, and Atkasuk - all three located within the boundaries of the National Petroleum Reserve - Alaska or NPR-A. First, as indigenous Alaskan Native Iñupiat communities of the region, we would like to congratulate you on your confirmation as the first indigenous woman to be selected for your position - we are truly honored and hopeful that through your position as Secretary of the Department of the Interior (DOI) will have a positive and profound impact on the Iñupiat, and all residents, within our region. Your department plays a significant role in Alaska and we trust that we can develop a good relationship with the DOI as we move forward during your tenure as Secretary.

Our region, the North Slope of Alaska, covers approximately 90,000 square miles above the Arctic Circle and is larger than 39 other states. It stretches from Point Hope on the Chukchi Sea in the west to the Canadian Border on the east and encompasses lands north of the continental divide in the Brooks Range. These are our lands and region and are home to eight Iñupiaq communities. To provide context, our coastline from Point Hope to Canada, spans a similar distance as the distance from Savannah, Georgia to Philadelphia, Pennsylvania - yet we have a single highway within our region. Conversely, if our coastline were overlain on the west coast, it would cover the distance between Mexico to Oregon. We provide these examples to show you the scale of our region and impress upon you that we do not have intra-region transportation infrastructure like roads and rail taken for granted elsewhere in our country. It has been home to us for more than ten thousand years and our continued inhabitation of the lands within the North Slope has been critical to our culture

and survival as indigenous people. The North Slope is also home to the largest municipal government in the United States, the North Slope Borough (NSB), whose municipal powers cover a region greater than the size of Minnesota.

As Mayors we represent the Cities of Utqiagvik, a first-class city incorporated in 1959; Wainwright – a second-class city incorporated in 1962; and Atkasuk, a second-class city incorporated in 1982; all located within the NSB boundaries and hold our powers through the State of Alaska as First-Class and Second-Class Cities under the Home Rule Powers of the NSB.

The NPR-A is our backyard; it provides us with our subsistence resources and our economic sustainability. The eight communities across the North Slope are dependent on the infrastructure the NSB provides for life, health, and safety. The costs of this infrastructure are high and the source of the NSB's ability to provide for our basic needs comes from its taxing authority on oil industry on the North Slope. Since the development of oil in our region we have seen the life expectancy of our people increase by 13 years, on average. This increase in our life span has come through first-world amenities like clean water, sanitation, health clinics, and other essential services. We cannot turn back the clock despite what outside groups would like to see.

We agree that our climate is changing; we are at the forefront of some of these changes and see them daily. Our culture is not one of being victims to circumstances – we are adaptable – and we are realists. We understand that the world is changing, and we want to see changes occur with respect to how we address the changes BUT we believe local indigenous leaders and traditional knowledge needs to make and inform the decisions so as not become victims to sweeping policy changes that will have major impacts on our survivability. The policies through various Executive Orders and Secretarial Orders coming from the Biden Administration can have a greater impact on our communities than changes to our environment will have in the long-term by significantly reducing our local economy, without allowing time or resources to integrate new technologies and diversify.

Our region supports oil development. It was not always this way, and in fact, we fought against development after its initial discovery at Prudhoe Bay. The discovery of hydrocarbons at Prudhoe Bay was the main driver that led to the passage of the 1971 Alaska Native Claims Settlement Act (ANCSA). While ANCSA is a true improvement on the Indian Relocation and Reservation programs utilized elsewhere in America, our forefathers fought against it; the North Slope region was the only region in the State that rejected ANCSA because it took too much and gave too little. Yet after ANCSA was passed, our early leaders, successfully fought for the right to have a significant role and voice in oil and gas development on their traditional land and “have worked hard to balance the health of the environment and culture with the survival of our people and communities.” (Quote from

Mayor Brower from Voice press release on EO.) In 1972, the NSB was formed, as a home-rule government to have the ability to exercise planning and zoning, to implement property tax, and to administer schools for its eight communities. In 2020, the cost to the NSB to maintain infrastructure, schools, manage wildlife, and administer its school system cost approximately \$400 MM. The money to pay for these services – in fact, over 95% of the borough funding - comes to the NSB in the form of property tax on oil and gas infrastructure within the borough. This same revenue stream that has modernized the North Slope is passed along and provides benefits to other regions and communities in turn through the revenue-sharing framework set up in ANCSA.

To have policies that would interfere with that revenue source without offering to use alternative sources of economic sustainability would be a sham and a taking - and completely at odds with the Biden Administrations alleged dedication to consultation and equality. We have been 'playing' by the federal rulebook since the discovery of oil on the North Slope. In fact, through the NSB Planning and Wildlife Management Departments, we use our traditional knowledge to identify changes in the environment for federal agencies to incorporate into their decision documents. We understand the National Environmental Protection Act (NEPA) and are experts in the process through our borough, tribes, ANCSA Corporations and through the public process. We are sophisticated and we actively participate in many forms throughout NEPA process.

Our City Councils have felt the need, due to the negative impacts, ambiguity, and contradictions in the various President Biden Executive Orders (EO), to pass individual resolutions supporting NPR-A leasing and developments and more particularly projects like the Willow Development (see attached resolutions). These resolutions were passed unanimously and reflect the concerns of our residents regarding our long-term economic sustainability as a region. We have watched EO's, and Secretarial Orders (SO) get issued that have a significant impact on our region. These EO's and SO's significantly undermine our participation in the processes, and we are appalled that your agency, Madam Secretary, is focused more on the environment than on our people. This has long been our experience with the environmental non-governmental organizations (eNGO's) who have worked hard to erase us from our own homeland.

In fact, your recently issued SO-3352, could cancel our contributions as a region to the 2020 NPR-A Integrated Activity Plan-Environmental Impact Statement (IAP-EIS). This would be a breach of our long-standing relationship with the Bureau of Land Management (BLM) who we have worked with through multiple IAP-EIS's since the 1999 NPR-A IAP-EIS, over the course of several administrations and have developed a trust in their ability to listen to us as significant stakeholders in the region. While you and your department are raising questions about the process and science of the BLM, we can tell you, having participated in

NEPA with the BLM for over 20 years, we did not see any changes, short-cuts, or poor science performed by the BLM in the 2020 NPR-A IAP-EIS and to imply there was undercuts our experience and undercuts your agency. The only thing from our perspective that has changes over time is the number of embedded policy personnel in the DOI that have fought us, as indigenous people, for many years. Executive Order 13175, recently refreshed by President Biden, requires consultation with Indigenous People, the City of Wainwright has >97% Alaskan Native Iñupiat population, the City of Atkasuk has > 92% Alaskan Native Iñupiat, and the City of Utqiagvik has >52% Alaskan Native Iñupiat and the NSB represents >78% of the Alaskan Native Iñupiat across the region.

We are very familiar with DOI consultation processes for both tribal and ANCSA entities because we participate in both. The DOI established its ANCSA consultation policy in August 2012 under Secretary Salazar to recognize the differences between tribes and ANCSA corporations in Alaska where we have a different relationship with the land. ANCSA severed our tribal relationship with the land and Congress developed a mechanism to provide lands to the newly formed ANCSA corporations for economic development purposes as payment for the lands. Over time this created friction between the tribes and the corporations because the federal government's trust responsibilities to tribes no longer extended to the ANCSA corporations. To be clear, tribal members are also shareholders of the ANCSA corporations and both are residents of our cities. Secretary Salazar recognized that, in Alaska, consultation was occurring with the tribes but the tribal entities themselves did not own the land and that decisions were being made on ANCSA lands without their input. We recognize that there are significant differences between tribal consultation and ANCSA consultation policies which is why we used both on the North Slope to assure ourselves that we are being heard throughout the NEPA process and are not being drowned out by the eNGO's – we are diligent in ensuring our concerns are acknowledged and addressed. Both consultation policies require that consultation begins early and is meaningful, that ANCSA consultation will help to ensure that future Federal action is achievable, comprehensive, long-lasting, and reflective of ANCSA Corporation input. This means that consultation must be a deliberative process by the agency. While we are delighted that President Biden re-emphasized EO 13175 we have not felt that the agency, BLM, has neglected its duty for continued and meaningful consultation, in fact, we feel just the opposite.

While we represent all the residents of our region, it is important to point out that a large percentage of our residents are Native Alaskan Iñupiat and therefore are also tribal members and are shareholders of ANCSA Corporations. It was a request by the NSB that caused the BLM to initiate the 2020 NPR-A IAP-EIS to address community transportation corridors and other corridors across the NPR-A. The NSB also participated as a Cooperating

Agency to review the science and ensure that the needs of the Iñupiat were being addressed through mitigation measures.

Under the 2013, NPR-A IAP-EIS based on evidence presented by North Slope leaders, Secretary Salazar directed the formation of the NPR-A Working Group (NPR-A WG). The formation of the NPR-A WG necessitated by the fact that the local voice, the indigenous voice, was being drowned out by the eNGO's in our region. The NPR-A WG is comprised of elected leaders on the North Slope, including the NSB, tribes, cities and ANCSA corporations, and its purpose is to act as an advisory body to the BLM. The objective of the NPR-A WG is to provide a forum for meaningful and regular input regarding the implementation of oil and gas leasing, land use conflicts, scientific studies, special area boundaries, and infrastructure projects supporting onshore and offshore oil and gas development such as production facilities and pipelines. We were elated to have a special private forum to engage with the agency, and we, as a region, were able to establish a strong relationship with BLM through this forum.

As city mayors, we are members of the NPR-A Working Group and Mayor Hopson of the City of Wainwright acts as Co-Chair of the forum. Recently we have realized the frustrating reality once again, have challenged the BLM and outside organizations began participating in the NPR-A WG meetings claiming it falls under the Federal Advisory Committee Act (FACA), which was not the original purpose or structure of the NPR-A WG. We need this closed forum to exist to allow our voices to be heard and considered and to speak openly and directly to the BLM not to be drowned out by the outside influences and eNGO's who feel like they know better how to manage the lands and waters we depend on than we do as the original indigenous peoples of the region.

Through our multiple entities and facilities, we actively participate in the NEPA process, sometimes at significant expense through time, resources, travel, and consultants. It is not easy for us to participate in evening public meetings – for free - after working a full day, yet participate we do, confident in the knowledge that we are the experts of our lands and resources. The reason that we are expending so much effort to describe our participation in consultation, public hearings, and meetings with the BLM is that they listen to our concerns and work through alternatives, stipulations, and mitigation measures that are meaningful – so when a Record of Decision is issued, we feel that it is our Record of Decision. To undermine this with no engagement is to undermine us as a region and us as the indigenous Alaska Native Iñupiat. These IAP-EIS's are important to our region and borough for long-term economic sustainability. We need these projects.

Our level of participation was the same throughout the Willow Master Development Plan (Willow) as it was for the Greater Moose's Tooth GMT1 and GMT2 Developments. Willow is a very important new project in the region that can sustain our communities for

years into the future and continues to evolve our regional self-determination through the NSB. Our region, unlike many in the State of Alaska, is not run from government transfer funds either from the State or the federal government; we rely on the NSB to provide services. As mentioned before, it takes approximately \$400 MM per year to continue to support infrastructure within the eight communities of the North Slope. We have entered the first world and want to stay there – yet at this time there are no alternatives for us other than continued development of our oil resources.

Throughout the course of the NEPA process, BLM conducted frequent outreach to our communities. Because the NSB has statutory authority for planning, zoning, and permitting within its jurisdiction, the NSB Planning Department and Wildlife Management Departments; each separately reviewed the Willow project for compliance with its municipal code and incorporated additional mitigations on the Willow to address local concerns with respect to impacts to subsistence. During the Scoping Process for Willow the Master Development Plan received comments from the North Slope constituents requesting significant changes to the project. In addition, the project proponent, ConocoPhillips, held over 100 meetings with local NPR-A communities to listen directly to our concerns. As a result, BLM and the NSB worked with the applicant, to incorporate changes into a Supplemental Willow Master Development Plan EIS and Record of Decision. This implies that the system is working. It proves to our people that they do have a voice to make changes to the major project. It also proves that the BLM is active through consultation. And lastly, it proves that the project proponent values our input and listened to our concerns. Isn't this the way its supposed to work Madame Secretary? The outcome and revised Willow project may not be what some of the new DOI appointments would have liked however it followed a process that our local stakeholders participated in and support.

According to the BLM, Willow can provide the NSB ~\$1.2 bn in property tax revenue over the 30-year life of the project. On top of that, approximately \$2.3 bn will be made available through the NPR-A Impact Grant Fund Program which administers grants from the State portion of the federal royalties to offset develop impacts or improve communities impacted by development. These grant funds are critical to the small city governments that we represent by providing for local self-determination and critical additional infrastructure to improve the quality of life in our communities. It has taken over 40 years for industry development on federal land in NPR-A to begin (i.e., GMT1, GMT2 and now Willow) and just when the projections show a significant increase in grant revenue, for new infrastructure, maintaining operations, and supporting our residents, the future is now at risk due to policies of this administration. Projects like Willow are important in that they meet the requirements of EO 13985 which speaks to addressing racial inequality and providing jobs to underserved communities.

We are aware that several eNGO's have filed lawsuits against the project asking for environmental justice however where is the indigenous justice should we advocate for a project that can significantly benefit us? We agree that climate is changing because we are at the forefront of those changes in the Arctic. We also know that non-renewable resources are not the future, however we require time to find alternatives to sustain our economy. Two of our organizations in our region, the North Slope Borough, and the Voice of the Arctic Iñupiat (a non-profit comprised of tribes, municipal governments, ANCSA corporation, and educational institutions) have recently joined the Clean Hydrogen Coalition to look at alternatives in 'blue energy' on our way to green energy. Converting enormous volumes of natural gas stranded on the North Slope to hydrogen and sequestering the carbon may provide us with a steppingstone towards our next economy. We are not blind to change – one of the critical values of the Iñupiat culture is adaptation to change – we could not have survived in the Arctic for over ten thousand years without adapting to its changes.

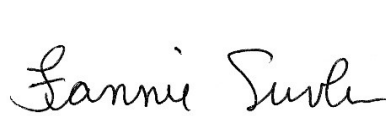
While your department, Madam Secretary, seems to be making decisions under the guise of EO 13990 and finding deficiencies in decisions made prior to its issuance we are finding in our review, several inconsistencies and an ambiguity embedded in the plethora of EO's and SO's and from our perspective they are not being used to help us but instead to further hinder local Iñupiat self-determination. We are asking you, Madam Secretary, to respect our participation and to not throw all our hard work away and start anew. That would be an affront to those of us who were actively consulted with by the BLM through the entire NEPA process on all projects within our region. You cannot have an EO requiring indigenous consultation and a second EO that completely ignores that consultation. This administration has called for transparency and yet we have not seen any transparency in and of the EO's or in your SO's. In fact, it seems to be the opposite, as Alaskan Native Iñupiat, we should have been invited for consultation with your department on each SO that has been issued so far – yet we have not. That speaks for itself.

We are asking you and your agencies not to undercut us as a people and to honor the work that we have done on the 2020 NPR-A IAP-EIS and the Willow Master Development Project. We know these are not projects that the environmental organizations are supportive of, but this was our land before it was the federal government, and you have people and inside your agency that have filed many lawsuits against decisions that have a significant effect on the well-being of the indigenous Iñupiat of the North Slope region.

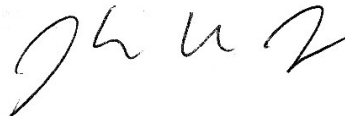
Thank you for your time and attention to our concerns. We look forward to future meetings and engagement both with you, Madam Secretary, and your department to better introduce ourselves and to provide additional information on the North Slope of Alaska.

Secretary Haaland Letter
April XX, 2021
City of Utqiagvik, City of Wainwright, City of Atkasuk

We hope that we can find times to meet face-to-face once COVID-19 restrictions are lifted. Again, congratulations on your confirmation as Secretary of the Department of the Interior.



Mayor Fannie Suvlu
City of Utqiagvik, Alaska



Mayor John Hopson, Jr.
City of Wainwright, Alaska



Mayor Doug Whiteman
City of Atkasuk, Alaska

Cc: Congressman Don Young
Senator Lisa Murkowski
Senator Dan Sullivan
Laura Daniel-Davis, Principal Deputy Assistant Secretary – Land and Mineral
Management
Nada Culver – Deputy Director of Policy and Programs, Exercising delegated
authority of the BLM director
Chad Padgett, Alaska State Director – Bureau of Land Management
Governor Dunleavy, State of Alaska

Attachments:

1. City of Utqiagvik Resolution #12-2021
2. City of Wainwright Resolution 2021-26
3. City of Atkasuk Resolution – 2021-05