

Gwich'inat Eenjit
Gàdat'igwijiłcheii Gidilii

Gwich'in nan, nakhwek'yùu ts'at gwitr'it
tthak nakhwidavee gwiheezàa eenjit

Gwich'in Tribal Council

Gwich'in land, culture & economy for a better future

June 18, 2018



BY EMAIL

Attention – Coastal Plain EIS
c/o Ms. Nicole Hayes
Leasing Program Environmental Impact Statement (EIS)
Bureau of Land Management – Alaska Office
Department of the Interior
222 West 7th Avenue, Stop #13
Anchorage, Alaska 99513
U.S.A.
Email: [blm ak coastalplain EIS@blm.gov](mailto:blm_ak_coastalplain_EIS@blm.gov)

Re: Notice of Intent to Prepare an Environmental Impact Statement for the Coastal Plain Oil and Gas Leasing Program, Alaska

Dear Ms. Hayes,

This letter is in response to the publication on April 20, 2018 by the Bureau of Land Management (BLM) of the United States of America Department of the Interior of a Notice of Intent (NOI) to prepare a Leasing Environmental Impact Statement (Leasing EIS) to implement an oil and gas leasing program within the area defined as the “Coastal Plain” of the Arctic National Wildlife Refuge (ANWR) in Alaska. Issuance of the NOI initiates a public scoping process for the Leasing EIS. I understand from the text of the NOI that, “The purpose of the scoping process is to determine the scope of issues to be addressed and to identify the significant issues related to implementing an oil and gas leasing program within the Coastal Plain.” THE significant issue pertaining to this proposed program is the serious, direct threat that a decision to implement it will pose to the birthing and calving ground of the Porcupine Caribou Herd that lie within the Coastal Plain region of the ANWR in which the oil and gas leasing program is proposed to take place.

Impact of Oil and Gas Leasing on the Coastal Plain on the Porcupine Caribou Herd

The Gwich'in Tribal Council (GTC) and all Gwich'in people seek to protect the calving grounds of the Porcupine Caribou Herd. We oppose any development within the ANWR, because of the important role of the calving grounds within the ANWR in the conservation of the Herd. The Gwich'in people have consistently expressed this view since the 1988 *Gwich'in Gathering*. Our elders provided clear direction at that time to the Gwich'in people to seek protection of the Porcupine Caribou Herd and of the Porcupine Calving Grounds within the ANWR. This is because of the central role of the continued health of the Porcupine Caribou Herd in the physical, spiritual and cultural survival of the Gwich'in people. Assessing the impact of the proposed oil and gas leasing program on the health and vibrancy of the Herd and on maintenance of the health and vibrancy of the associated subsistence, spiritual and cultural dimensions of the Gwich'in traditional lifestyle is the central “impact” issue to be addressed by the Bureau of Land Management in its Leasing EIS.

Types of Information to be Included and Analyzed in the EIS

In addition to identifying the key issues to be addressed in the Leasing EIS, the scoping process is also intended to solicit indications of the types of information that the BLM should include and analyze in its EIS. There are several important types of information that the GTC believes should be included in the scoping analysis. They include the following:

1. Subsistence resources and lifestyle. It is likely that there will be an adverse impact from the oil and gas leasing program on the subsistence resources and associated traditional lifestyle and culture of the Gwich'in people that is inextricably linked to the Porcupine Caribou Herd. This Herd is of vital importance for the subsistence and culture of the Gwich'in people whose traditional territory mirrors the territory in Canada and the United States within and across which the Porcupine Caribou Herd migrates annually. Detailed assessment is needed of the likely effect of the proposed leasing program on Porcupine Caribou based subsistence resource and related lifestyle;

2. Traditional Knowledge (TK). In assessing the potential and likely impact of the proposed oil and gas leasing program, it is essential that the EIS place as much analytical weight and emphasis on recorded, traditional knowledge (TK) about the Porcupine Caribou Herd, as is placed on "scientific knowledge." There are gaps at present between the existing body of recorded TK on the Porcupine Caribou Herd and the scope of knowledge that is needed to fully employ TK alongside scientific knowledge in the analysis of the effect of oil and gas leasing on the Herd. The GTC is undertaking a gaps analysis of Porcupine Caribou TK and plans to undertake primary research to fill these gaps on a priority basis. This updated and recorded Porcupine Caribou TK is information that must be considered and be given equal weight to available scientific knowledge in the assessment of the impact of the proposed Coastal Plain Leasing program;

3. Canada-U.S. Agreement. An important "type of information" that must be considered in the Leasing EIS is the 1987 Agreement Between the Government of Canada and the Government of the United States of America on the Conservation of the Porcupine Caribou Herd. Among the Conservation components of the Agreement are statements that "the Parties will take appropriate action to conserve the Porcupine Caribou Herd and its habitat" and ensure "...its habitat and the interests of users of Porcupine Caribou are given effective consideration in evaluating proposed activities within the range of the Herd." Clearly, the EIS must consider the Canada-U.S. Agreement and the implications of the proposed Coastal Plain Leasing Program on the U.S. Government's fulfillment of its commitments under this Agreement;

4. Draft EIS Public Comment Period. There is a minimum forty five day public comment period following the "Notice of draft Environmental Impact Statement (EIS)." Given the need to close the gap between existing and required Porcupine Caribou TK primary research and the fact that this research will be conducted this summer, it will be important for the BLM to extend as needed the length of the post issuance of the draft EIS public comment period, to ensure that the most current Porcupine caribou primary TK knowledge research is available for consideration and analysis in the finalization of the Leasing EIS;

5. Balancing Act Analysis – Subsistence resources and users and oil and gas development.

The NOI regarding initiation of a public scoping process for the Leasing EIS states that, “The Leasing EIS will serve to inform BLM’s implementation of the Tax Act, including the requirement to hold not fewer than two leases sales area-wide. It may also inform post-lease activities, including seismic and drilling exploration, development, and transportation of oil and gas in and from the Coastal Plain.” The stated aim is to ascertain the terms and conditions to be applied to such leases, “...to properly balance oil and gas development with existing uses and conservation of surface resources.” There is reference in the Notice to the fact that the BLM “will consider subsistence resources and users, as well as potential actions to minimize adverse impacts.” The Notice makes no explicit reference, however, to these considerations being part of the “balancing” act analysis that the BLM will undertake regarding the effect of oil and gas leasing in the ANWR. Assessment of the effect of the proposed leasing program on subsistence resources and users must be a central part of the “balancing act” analysis undertaken by the BLM in preparation of the Leasing EIS.

Thank you for the opportunity that the NOI regarding the Leasing EIS scoping process provides for the Gwich’in Tribal Council and for other Gwich’in people to express our views concerning the threat that proceeding with the proposed ANWR Coastal Plain oil and gas leasing program poses to the Porcupine Caribou Herd and its calving and birthing grounds located in the ANWR Coastal Plain region of Alaska. I look forward to continuing to engage in the BLM Leasing EIS process and trust that our concerns and suggestions will be given careful consideration.

Sincerely,



Bobbie-Jo Greenland-Morgan
Grand Chief

cc Honourable Carolyn Bennett, Minister of Crown-Indigenous Relations and Northern Affairs, Government of Canada
Honourable Catherine McKenna, Minister of Environment and Climate Change, Government of Canada
Hon. Robert McLeod, Deputy Premier, Minister of Environment and Natural Resources, Government of the Northwest Territories
Hon. Pauline Frost, Minister of Environment, Yukon Government
Michael McLeod, MP (Northwest Territories)
Hon. Larry Bagnell, MP (Yukon)
Dana Tizya-Tramm, Councilor, Vuntut Gwitchin Government
Patrick Gruben, Chair, Inuvialuit Game Council
Bernadette Demientieff, Executive Director, Gwich’in Steering Committee
Jordan Peterson, Deputy Grand Chief, Gwich’in Tribal Council
Carolyn Lennie, Chief Operating Officer, Gwich’in Tribal Council
David MacMartin, Director of Intergovernmental Relations, Gwich’in Tribal Council
Stephen Charlie, Director of Lands and Resources, Gwich’in Tribal Council