

GREATER MOOSE'S TOOTH UNIT 1  
SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT  
PUBLIC PARTICIPATION/ ANILCA §810 Hearing  
Point Lay, Alaska  
March 10, 2014

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**ATTENDEES**

Lily Anniskett (sp), Native Village of Point Lay (NVPL)  
Marty Awalin, Cully Corp.  
Carl S. Bower, Kuukpik Corporation  
Carmalita Everett (sp)  
Kendre Everett (sp)  
Cassie Ferreira (sp)  
Stacey Fritz, Bureau of Land Management (BLM) Subsistence Specialist  
Cheryl Henry  
Nathan Henry, Sr.  
Nora Itta, Inupiat Heritage Language Center (IHLC)  
Lon Kelly, BLM Authorized Officer  
Roy M. Nageak, BLM Barrow Office / Inupiaq Translator  
Anthony J. Neakok, North Slope Borough (NSB)  
Joanne Neakok, NVPL  
Kim Neakok  
Lucy Neakok, Arctic Slope Regional Corporation (ASRC)  
Pearl Neakok  
Willard Neakok, NVPL  
Isaac Nukapigak, Kuukpik Corporation  
Thomas Nukapigak, ASRC  
Crawford Patkotak, ASRC  
Lisa Pekich, ConocoPhillips)  
Laura Perry, ConocoPhillips  
Gwen Pikok, NVPL  
Misty Plymale, Self

*GMT1  
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Bridget Psarianos, BLM, GMT1 Planner  
Miranda Studstill, Accu-Type Depositions  
Florence Tickett  
Bill Tracey, Sr., NVPL  
Marie Tracey, NSB  
Sophie Tracey, Umiq  
Michelle Turner, SLR  
A. Vellat, NSB Police Department  
Jenna Wallis, SLR  
Dave Yokel, BLM Wildlife Biologist, Fairbanks

### **CALL TO ORDER**

The meeting was called to order at 6:12 p.m.

### **INVOCATION**

Mr. Willard Neakok gave an invocation.

### **INTRODUCTIONS/ ROLL CALL**

MR. KELLY: Well, thanks for coming to this meeting. We just had the invocation. Thanks for that, Willard. My name is Lon Kelly and I'm the Field Manager for BLM for the National Petroleum Reserve, which is the big block of federal lands just to the east of here. It runs from Icy Cape over to the Colville Delta and down to the Colville River and the crux of the Brooks Range.

So I'm an Authorized Officer for that area and I'll be kind of going

through this -- this meeting, trying not to waste a lot of time, but we do want to say that we've got an exit, we all came in and that would be the primary way out. I know some of these windows are (tilt and turn) windows and that one, in particular, can be used as another exit.

UNIDENTIFIED SPEAKER: And there's a door behind you.

UNIDENTIFIED SPEAKER: There's a door right there and a door in the back.

MR. KELLY: Okay, great. So we'll meet out by the public safety office, I guess across the street there, if there's a fire or something that makes us get out of here.

UNIDENTIFIED SPEAKER: We're next door to the fire station.

MR. KELLY: Okay, well, introductions -- well, I just introduced myself and I think we'll go through and there's few enough people here that we can all introduce ourselves and it will make the transcription easier.

*Participants introduced themselves and stated their affiliation, if any.*

## **PUBLIC PARTICIPATION / ANILCA 810 Hearing**

MR. KELLY: So the way I thought we'd do this is I'll make the

presentation on this project that we're looking for public input on. It's an oil and gas development project over by Nuiqsut and then, through that, if you have questions during the presentation, it would be great if you'd just maybe wait a little bit, and maybe I'll answer your question real quickly, but if I don't, just stop me and we'll just take questions and comments as we go along.

I'll talk a little bit about how to comment to have the most impact on the process and then we'll have a formal period at the end for public comment, but we're going to be recording the whole meeting and everything that's said will be treated as input through the process. It's kind of a different way than normally done, but if you want something to be considered for the process, it would be great if you could just say your name for the record so that the transcriber can keep track.

Okay, so I think Michelle will open the public hearing.

MS. TURNER: I would like to open this BLM public meeting and ANILCA Section 810 Hearing. This meeting is to support a Supplemental Environmental Impact Statement for ConocoPhillip's Proposed Greater Moose's Tooth 1 Project in the NPR-A.

You will have the opportunity to ask questions and provide public comment. Please identify yourself for the record. The entire meeting will be recorded and on the record to ensure that all comments are captured.

MR. KELLY: Thank you. Okay, so Stacy Fritz, our anthropologist, had spent the last week in Nuiqsut, which is the village most directly impacted by this action that we're considering and one of the things that she encouraged me to do in this presentation is to really talk about how the Environmental Protection [Policy] Act, which is (indiscernible - coughing) in this public process that we're doing, how it works and I'll also cover what the proposed project is and any alternatives will be identified and considered in the Environmental Impact Statement that we're here to collect comments on.

I'll also go over how to read the document or how I would read the document to find out what, you know, what I'm interested in. I wouldn't try to read 1,000 pages front to back and so I'm going to try to give you an idea of one way to look into the document to see how it works and we're going to do that with the summary of the Caribou Section, because I think caribou are real important to people and I have on the slide here, "and fish," but I've

hidden those slides for the fish because I just don't want to take that much time, but I do have slides on fish and we do talk about other resources as well.

I'm also going to talk about how to comment on the plan in writing or in, you know, beyond just this meeting, and then Stacey Fritz is going to lead a discussion of subsistence issues. She's going to talk about the subsistence sections that she wrote in the document and particularly the 810, the ANILCA Section 810 finding that she drafted and then we'll have the period of public comment.

So we're in the process of developing an Environmental Impact Statement. I'm going to tell you a little bit more about what that is and it's going to be describing the anticipated effects of developing a production pad, the gravel pad outside of Nuiqsut, to the west of Nuiqsut and it will add some pipelines and roads and it's proposed by ConocoPhillips.

Generally, we've talked about it as GMT1. That stands for Greater Moose's Tooth #1, the first pad to develop oil from a pool of oil. It's not really an underground lake of oil, but it's a reservoir of oil that's been treated as a unit, which means that any lease block, and I'll show you some

lease blocks in that area, as it's developed, it counts toward the development requirement of all of the leases in the unit.

So after we collect this public input on the graph (ph), we will incorporate comments into a final Environmental Impact Statement and we'll correct a lot of small problems that we've already identified throughout and we'll use the analysis in that final Environmental Impact Statement to make a decision on if and how that project will go forward, the Greater Moose's Tooth #1 Project.

One thing that's interesting and one of the reasons we're here over 200 miles away from the project is that if you take the development of the - - this Greater Moose's Tooth #1, along with all of the development that we foresee along -- across the North Slope and particularly across the National Petroleum Reserve, it comes up as a -- we believe that all taken together is a significant impact on subsistence and so that kicks us into the, pretty much the highest level of environmental review that we do, an Environmental Impact Statement. It's a little more complicated than that and I'll talk about it.

Questions so far? Is this too much like school?

UNIDENTIFIED SPEAKER: No.

MR. KELLY: Is it okay?

MS. AWALIN: Which are the most -- for the record, Marty Awalin with Cully Corporation. Where -- where are the impacts mostly on -- by moose and is it the caribou, the Central Caribou Herd or the -- which herd are they going (indiscernible - speaking simultaneously)...

MR. KELLY: It's the Central and the Teshekpuk Lake Herd are the big -- are the ones that are most likely to be impacted, but they don't actually use this area a whole lot. So we are going to talk specifically about caribou in that area and Dave Yokel, who is the person in our staff who knows the most about caribou, is going to have that discussion.

MS. AWALIN: How many leases are you looking at -- are you expanding more in that area or further down this way?

MR. KELLY: No.

MS. AWALIN: No?

MR. KELLY: Right -- we do have some lease maps on paper right there that we can show and it's quite -- there are no leases close -- anywhere near, really, Point Lay, and in fact, until next year, there's hardly

any chance of any lease tracks will be offered near this area.

We did offer leases all the way over to about as far west as Peard Bay, but none of those sold in that last lease sale.

MS. AWALIN: So the blue is the one where you're looking at -- are you sold? Are those sold?

MR. KELLY: Yeah (affirmative), those blue ones are sold.

MR. YOKEL: No, the blue ones were offered for sale, but...

MR. KELLY: The light blue.

MR. YOKEL: ...they were not bid on.

MR. KELLY: What colors are the ones that are...

MR. YOKEL: The purple ones were previously sold.

MR. KELLY: Okay.

MS. AWALIN: So where's the most impacted areas that have been close to here.

MR. YOKEL: That's going to be right up in here.

MS. AWALIN: Okay.

MR. YOKEL: And last November, all the blue was offered and the only ones that were sold were the green, red and the yellow.

MR. KELLY: And the purple one was...

MR. YOKEL: The purple were previously sold.

MR. KELLY: And that's pretty much what we're going to develop or would be developed.

MS. AWALIN: Okay, so you're -- so you're looking at possibly, at some point, in all those areas, you're looking at leasing out practically almost the whole NPR-A, half the NPR-A, correct?

MR. YOKEL: No. There would be no leases offered in any (indiscernible - speaking simultaneously)...

MS. AWALIN: Right, I see that.

MR. YOKEL: ...connected with this here, but these areas -- this in here may be offered for lease some time in the future and that was covered in a plan that we completed in -- a year ago.

MS. AWALIN: About (indiscernible - speaking simultaneously)...

MR. KELLY: So about half -- about half of the area of NPR-A could be opened for leasing without doing a new plan.

MR. NAGEAK: Here's a small -- a picture of Nuiqsut. There's the Village of Nuiqsut and then Alpine and then they have made roads right up

to here. What they are proposing now is to go past the road system here and go over to the Greater Moose's Tooth area and you can see the plans, the development plans that they are showing whether this is two options of the road system and there's four alternatives.

MR. NUKAPIGAK: Yeah (affirmative), they all have sub-roads and...

MR. NAGEAK: (Indiscernible - speaking simultaneously) there.

MS. STUDSTILL: Can I have you state your name for the record?

MR. NUKAPIGAK: Isaac Nukapigak for the record for President of Kuukpik Corporation.

MS. STUDSTILL: Okay, thank you.

MR. NUKAPIGAK: Thank you.

MR. NAGEAK: And the reason why they want to try to get all the villages involved, this is like basically the first development that will be happening in NPR-A. I know a lot of development that's happened given the state's system of private property and that's possibly the first intrusion of development into the NPR-A.

MR. NUKAPIGAK: (Translating into Inupiaq)NPR-A.

UNIDENTIFIED SPEAKER: Marie Tracey.

UNIDENTIFIED SPEAKER: Sorry.

UNIDENTIFIED SPEAKER: Marie.

MS. TRACEY: Marie Tracey for the record. I work under the North Slope Borough Mayor's Office. Now when you were talking about the oil, you talked about a pool. Is that like a pond on top of the surface or pool?

MR. KELLY: No, I try to be cautious about that, but it's sand -- it's basically sandstone that's soaked with oil that's far, far under the ground.

MS. TRACEY: Okay, so that was just the surface and then you really have to dig under or drill?

MR. KELLY: Yes. So what -- what this -- what this pad would be, would be a place where you'd dig, I mean drill about 15 or 16 wells to produce oil, about the same number to inject fluid and gas to push oil through the stone toward the producing wells and get that out.

MS. TRACEY: And pump water down...

MR. KELLY: So -- and...

MS. TRACEY: ...to replace it?

MR. KELLY: Yeah (affirmative), and so you'd drill down and the producing area isn't real big. It's not even tens of feet, not very many tens of feet across and then you drill down and into it horizontal.

MR. PATKOTAK: For the record, Crawford Patkotak with the Arctic Slope Regional Corporation. Maybe you need help a little bit with - - on introduction that maybe you go through a little bit of history as far as how or when NPR-A was established and this -- just trying to -- time and quick timeline as far as how and what, where, and why, because that would, I believe, would help.

MR. KELLY: Sure. So back in the '30's, the (US) Navy was actually running on coal. You know, the ships were powered by coal and in the '30's, it was recognized that the future of naval ships was going to be oil and there was known to be oil in this area of Alaska and President Harding set aside an area called the Naval Petroleum Reserve #4, and in the mid '70's -- so the Navy, let me back up a little bit, so the Navy, from the '40's on, has explored the area and they developed drilling techniques for drilling in cold weather and drilling through permafrost, which is quite a problem because the fluids used to drill will freeze in permafrost.

So the Navy kind of pioneered that and -- but never really produced much oil, except Umiat and at Umiat, it was just for local use and it's a real light kind of oil. It's quite unusual. Then in the mid '70's, the area was transferred to the Department of Interior from the Navy and BLM wound up as part of the Department of Interior running it.

The reason it was transferred -- it was transferred by an act called the Naval Petroleum Reserves Production Act and that act made it a priority to explore for oil and find oil and later, it was amended to mandate the expedited rapid leasing of the area with the idea of providing for and energy needs of the nation.

So since the '30's, this area has been seen as a national petroleum reserve, which is what we call it now, National Petroleum Reserve in Alaska. It was seen as a place to get oil for the needs of the nation.  
(Indiscernible- not relevant for context).

UNIDENTIFIED SPEAKER: Thank you.

MR. KELLY: Okay, so let me talk about the National Environmental Policy Act. What we're doing right now is an Environmental Impact Statement and then that's guided by the National

## Environmental Policy Act.

How many people have heard of NEPA? Okay, everybody's heard of it. This is what -- this is what it is. It is a very powerful law. It was passed the year I graduated from high school in 1969. When I started in college, it was just coming into effect and it's probably the most copied environmental law in the world and what it does for all federal projects, pretty much, whether -- if there's federal involvement, whether they issue a permit, fund it, if it's on federal land, NEPA applies.

It requires the decision makers, which could be me, but it won't be me for this job, to consider the environmental impacts, to consider alternatives besides the -- besides the proposal and consider those impacts when they make the decision and it specified that there will be public involvement, which is what we're up to right now. It doesn't say that you have -- that you can't do an action if it's going to have environmental impacts (indiscernible - music playing).

Okay, so you can do an action that has significant environmental impacts, but you have to describe (indiscernible - child crying) what you think those impacts are.

UNIDENTIFIED SPEAKER: He knows me.

MR. KELLY: It's not -- it's not -- you know, it's certainly not perfect and it's a long (indiscernible) process because it takes time to do these kinds of reviews. In the National Petroleum Reserve, we think we're really pretty good at this and we'll get this back and done in under two years, which is really good. Normally an Environmental Impact Statement takes quite a bit longer than that and if it seems like it's dragging things out, which it does, just think back to when the DEW Line stations were developed and nothing like this was done.

You know, they -- it was military land. The military came in and used it for a military purpose and they didn't really think about the environmental impacts. There was no formal process. They did what they did and if you think about it in that way, I think it seems like a pretty good deal.

So the NEPA process that we're in right now is that we have two earlier Environmental Impact Statements, one from 2013 and one from 2004 that talked about this very project, slightly different, but basically this project, but because of the amount of time that passed since the 2004 EIS

that specifically discussed this project, we've learned some new information and we still feel the need to have opportunities for public participation and the project has changed a little bit. So we're supplementing those two earlier documents.

Another thing that we're up to in this project is called Integrated Arctic Management. You know how all the -- so many people from the -- so many organizations from the Coast Guard to BOEM to BLM to Fish and Wildlife Service to the Department of State, there are a lot of -- a lot of initiatives going on in the Arctic and this administration, President Obama, made it a policy that we would have what would be called Integrated Arctic Management.

In the face of this issue, we want to have this one process, this one document be the environmental analysis that's required for all of the agencies involved in cooperating in developing this document and that would include the Corps of Engineers, EPA - Environmental Protection Agency, Fish and Wildlife Service, the Bureau of Ocean Energy Management, the state of Alaska, the Native Village of Nuiqsut is also cooperating and the North Slope Borough.

So we're hoping that this will provide the environmental analysis that's necessary for all of those entities to make their decisions.

MS. AWALIN: Lon - Marty Awal in for the record. Now that the state did away with the Coastal Management Plan, is there something in there within NPR-A that can -- that's protecting those lands?

MR. KELLY: I would say yes, you know, we do have stipulations and best management practices that deal with spills, and you know, spill response. So I think we do have that.

MS. AWALIN: For land?

MR. KELLY: For the land and the water, yeah (affirmative).

MS. AWALIN: Well (I'm) just asking because we know when the state of Alaska did away with the Alaska Coastal Management Plan?

MR. KELLY: Yeah (affirmative).

MS. AWALIN: You know that the state isn't there to protect our lands, so how is the state going to protect the NPR-A, I mean, is there something (indiscernible - speaking simultaneously)...

MR. KELLY: From offshore spills?

MS. AWALIN: Not from offshore spills, but within the land itself,

is there protection and (indiscernible - speaking simultaneously)...

MR. KELLY: Well, I think that's our job.

MS. AWALIN: Okay, that's the federal -- federal lands?

MR. KELLY: Yes.

MS. AWALIN: How about from the state, you mentioned state. I see you put state up there.

MR. KELLY: Yeah (affirmative), well, the state's a cooperating agency and they'll have to issue quite a few permits, you know. The Alaska Oil and Gas Conservation Commission has to issue permits. The Alaska Department of Environmental Conservation will be issuing permits and supervising actions. So we're hoping that their processes for issuing permits will be served by this assessment of impacts.

Who's first?

MS. PEKICH: I was just going to comment on Marty's question.

MR. KELLY: Name?

MS. PEKICH: This is Lisa Pekich from ConocoPhillips. Marty, none of the -- the Coastal Management Plan didn't make anything go away, it's the coordination piece of it. So the state still has to issue -- there's still a

plan approval, air quality permits, they still all do that over the land, as well as the North Slope Borough gives permits for these projects, too.

So all of their policies and land management rules apply as well. So even without that, all the rules and permits are still required. The coordination piece kind of didn't -- kind of fell through the cracks, but the Borough [NSB] works with the Department of Natural Resources on coordinating all these reviews to -- in the place of an ACP, they work very closely together.

MS. AWALIN: Okay, thank you.

MR. ISAAC NUKAPIGAK: Isaac Nukapigak for the record. Why wasn't the village corporation being involved in the Integrated Action Arctic Management that could have been an executive order at one time by the administration of Obama and put the village corporation, a big part of the process because of the President Executive Order 13-085?

MR. KELLY: Yeah (affirmative), we had one formal consultation, Tribal consultation meeting, and we'll do more.

MR. ISAAC NUKAPIGAK: Because maybe influence is Tribal have that -- that have the consultation, but Kuukpik, as the land owner and

it's their prospect, why aren't they being part of the process?

MS. PSARIANOS: While Kuukpik can engage in the process by government-to-government consultation. Kuukpik Corporation isn't eligible to be a cooperating agency. The need for regulations spell out who can be a cooperating agency and corporations just aren't eligible.

MR. ISAAC NUKAPIGAK: But that Executive Order that was passed by the Obama Administration that's giving us the same...

MS. PASARIANOS: That -- that cause...

MR. ISSAC NUKAPIGAK: That's giving us the same rights as the tribes for consultation.

MR. KELLY: For consultation.

MS. PASARIANOS: For government-to-government consultation, yes.

MR. KELLY: I think -- I think it had all the -- you know, if you want to consult and want a seat at the table through consultation, we'll do that. We have consulted with your corporation and I'm here to tell you, we'll do it anytime.

MR. ISAAC NUKAPIGAK: You know that the tribe doesn't have

any type of jurisdiction and (indiscernible - speaking simultaneously)...

MR. KELLY: And we will be (indiscernible - speaking simultaneously)...

MR. ISAAC NUKAPIGAK: ...a land status under the land claims award or the process.

MR. KELLY: We know that they're not a land owner, but they are eligible to be a cooperating agency and...

MS. PSARIANOS: Because of their status as a tribe.

MR. KELLY: And they are cooperating on the project and so...

MS. AWALIN: Marty Awal in for the record. I understand the same thing as Isaac is going through, I mean, even like with us -- we have to deal with the Chukchi Sea and one of the issues I have is the same thing as him, you know, how do we be -- how do you incorporate the land, the private land owner because, you know, where it's our lands that are being affected and though -- although we're under ASRC's umbrella, but still, we are a community.

How do you incorporate -- and I see ASRC involved in a lot of stuff, but then when it comes to the village corporations, where is our status?

Where is our -- where is our voice to be part in this because our lands is what we -- we're so concerned about, you know, and you know, we have that right to be a participant so -- and I understand the -- the executive order that they passed in the office of 2012, which we gave -- they gave us status as a recognized tribe and you're right about -- and just on consultation, but that defeats the whole purpose in caring for our land.

You know, it's scary when, like the state of Alaska did away with the Alaska -- Alaska Coastal Management Plan, you know, it starts to -- it seems like it's going to give us no recognition and it's a concern we have because our lands -- our shareholders are asking, "Hey, why -- why are you just letting them go around," you know, and I know there's some federal regulations that allow, you know, what's -- what scared me is imminent domain. That's scary because you guys, you know, I've heard where BLM in Alaska can say, "You cannot build a permanent shed on your properties, you know, on Native allotments. You can go and get permits to build it, but you can't build a permanent, you know, dwelling on there." So it makes us vulnerable as land owners.

**MR. KELLY:** That wasn't the BLM.

MS. AWALIN: Yeah (affirmative), it was at the BLM meeting in Fairbanks. That's from Bud Cribley and that made me nervous.

MR. KELLY: No. Well, he -- no.

UNIDENTIFIED SPEAKER: No.

MR. KELLY: No, not -- no, on a Native allotment, that's private land. You can do whatever you'd like. You could build a hotel. I mean, there might be other -- like if it's right off the end of a runway, maybe you couldn't build a hotel, but it's private land. It's just like any other private land. You don't have to get a permit from BLM.

That's just -- that's the facts and in NPR-A, we do have -- the program that we were talking about at that working group is the program that we have in the National Petroleum Reserve to allow people to have subsistence cabins and camps on land that they don't own and that's a pretty cool program. It's unique to the National Petroleum Reserve.

MR. PATKOTAK: Crawford Patkotak for the record. You're -- just a minute ago, you were talking about consultation and can you just identify...

MR. KELLY: Sure.

MR. PATKOTAK: ...the difference between the ANCSA corps and the tribal organizations?

MR. KELLY: Yeah (affirmative), so that...

MR. PATKOTAK: So the ANCSA corps qualify for consultation, but the tribes are a little bit different status as participants?

MR. KELLY: Well...

MR. PATKOTAK: Participating agencies?

MR. KELLY: Cooperating agencies...

MR. PATKOTAK: Cooperating agencies.

MR. KELLY: ...in this Environmental Protection [Policy] Act process, but there's a slight difference, too, in consultation. What the President said in that executive order was that we, the federal government, is going to consult with Alaska Native corporations the same way that they consult with tribes on a government-to-government basis.

There's one technical difference with tribes in that -- well, there's a couple. One is that in Alaska uniquely, the corporations own land. Outside, the tribes generally own land often, and...

MR. PATKOTAK: Could you repeat that again?

MR. KELLY: So outside in -- outside of Alaska, the tribes generally have land that they own, tribal land, Indian country. Here in Alaska, we don't have that, you know, the corporations own the land, which is a main - - a major reason why, I think, the Administration wanted to include the corporations that own the land in this consultative process, but there's another difference that's really almost just a difference in words, but that's that the federal government has a trust relationship with tribes, basically we have to look out for tribes even more than we do other governments.

We have to look out for tribes more than say we have to look out for the government of Canada. Basically, we can't do something knowingly bad to tribes because we have this trust responsibility. So it's slightly different. We don't have that trust responsibility to corporations, but we consult in the same way and it's like I say, it's almost just words, but it is a slight difference.

MR. NAGEAK: Some of the history of the tribal villages go back into the 1930's for like ICAS - Inupiat Community of the Arctic Slope was an entity that was created back in the 1930's, 1940's. The Native Village of Barrow goes back into that same era, Point Hope -- and that's why before

all of this started, a lot of the recognized tribes that were on the North Slope and on NPR-A, their way of life and that responsibility that the government has for the Natives that their way of life, the subsistence way of life was back then a priority for our people and that's how the same priorities that are needed and that's why we earmarked the tribal organizations so that the impact and the way of life that the Inupiat has won't be impacted too much and I know now that development is coming and I see where there's a chance for all the corporations to be, you know, profitable, it could see where they need to be consulted, especially in areas where their land's going to be impacted, but at the same time, we're a tribal -- we're members of the tribe, but at the same time, we're members of the corporations too.

We're shareholders and that's where, to me, when I look at this -- where even though you're far away, the tribe's got to be consulted on something that might impact the whole North Slope and which way development is going and I think the federal government, seeing how the way of life will be impacted and the subsistence resources that the tribes rely on, the people rely on, the least impact would be better for our people,

but at the same time, I see where the corporations own the land.

It's like they've got to do what's right for their corporations and we see that, but at the same time, there's no limits for us as tribal members to just hunt within those corporation lands, where we could go outside, if there's not boundaries for us, basically to hunt right across the North Slope and that's where the greater area of trust and responsibility fits in and they want us to eat right.

MR. KELLY: Okay, so moving right along, so we released this draft, that document that's over there and the one that I'm describing in February and we're going to take public comments through April 22nd. We do have a schedule after that and we certainly hope to meet it, but I didn't put the dates down here because some of it's out of our control.

As we get the public comments in, literally as they're coming in, we'll start responding to them. Every public comment that identifies new information or some conclusion that we drew that was in error will be addressed, probably grouped together if more than one comment identifies the same failing in the draft and the final will be corrected.

So we'll also take care of mistakes that we already know were made

when we put out the draft, like some paragraphs that were edited will get into the final draft.

UNIDENTIFIED SPEAKER: Yeah (affirmative), we're just waiting?

MR. KELLY: Yeah (affirmative).

MS. AWALIN: And so Marty Awalin for the record. So they're going to give an open window to comment on the EIS? So why -- when are you guys going to do that?

MR. KELLY: Through April 22nd, we will take comments on this draft document that we've got.

MS. AWALIN: Okay.

MR. KELLY: Then we'll come out with a final -- and then there will be another comment period, but it's not nearly so formal, after that final comes out. So I'm going to talk briefly about the project, just to get -- the proposed project by ConocoPhillips and try to get that in our minds.

So this is the project right there. It's just about 12 miles from Nuiqsut where the actual pad will be and you'll see in a minute, there's some roads and pipelines that come closer to Nuiqsut. Let's see, it's 280

miles from Point Lay. So it's way over on the eastern side of NPR-A. I really wish I could hold this thing steady. It looks -- it really bugs me.

Anyway, that's where the project is and here is Nuiqsut. This is the Colville River here and the Nigliq Channel of the Colville. Nuiqsut's right here and the project, Alpine is over here. So the -- and the CD5 pad is right here, the bridge across the Nigliq Channel right there.

So there's this amount of road and this pad that's being built right now. So what Conoco proposed to do is build another road and extend the pipeline to right here and this is right next -- it's on federal land, which is uncolored here, right next to Kuukpik surface and ASRC subsurface. Most of the oil that would be produced from this pad is ASRC oil.

This dark line here is the boundary of the unit. So all the work done here counts towards the mandatory unit that's needed to be done to maintain these leases and then that's based on the technical review of the exploration that Conoco's done that shows that there's one kind of unitized amount of oil that's available to be developed.

MS. AWALIN: So Marty Awalin for the record. So all those lease tracks have been sold?

MR. KELLY: Yes.

MS. AWALIN: All those in the squares right there?

MR. KELLY: Yes.

MS. AWALIN: And so how many square miles are you looking at?

MR. KELLY: That's a good question. It looks like, what, about 20 by 10, so 200.

MS. AWALIN: And then all of those are subject to have wells on all those leases?

MR. KELLY: I'm -- I don't think that there would be wells on every lease. There would be -- the wells should come down. They don't want to build any more -- Lisa, correct me if I'm wrong. They don't want to build any more of these pads than they have to because they're very costly to build.

So what they'll do is they'll separate the pads out as long as there is still oil, drill down and then when they get to the right level, actually before, but they'll -- the drill will go out and penetrate some distance through the deposits that have oil in them and so they'll reach out to quite a big area.

MS. AWALIN: So when you talk about impacts, how many wells

do you -- are you looking at to cover that whole area?

MR. KELLY: Actually...

MS. PEKICH: Well, what we're proposing is just one drill site that holds 33 wells. If we were doing some exploration in the future, but you know, we don't know that and right now, all we've asked for is the one drill site that holds 33 wells to the surface and then it goes out further, but that's -- that's what the current request is.

MS. AWALIN: Okay, thank you.

MR. NAGEAK: It goes for the oil basically. It just...

MS. PEKICH: Yeah (affirmative), we want to minimize the surface, but underground we can go, you know, quite a ways out.

MR. KELLY: So you can kind of see, here's the spacing. Here's a drill pad there, there, and there, and these -- these pads are spaced out and developing oil from this area in the Alpine Deposit in the Colville Delta.

MR. NAGEAK: Just out of curiosity, how many lines go out from those ones that are in Alpine, I mean...

MS. PEKICH: How many -- how many wells?

MR. NAGEAK: Yeah (affirmative).

MS. PEKICH: You know, I don't know the number off the top of my head, but it's, you know, it would be similar for a drill site at CD4. It's very similar to what we're proposing about 30, 32 (indiscernible - speaking simultaneously)...

MR. NAGEAK: And that could be a lot -- a lot of lines that go sideways.

MS. PEKICH: And you can't tell from the surface. It's all on the same place in the surface, but underground, it goes quite away.

MS. AWALIN: The reason I ask is I've heard about, I don't know, these -- I guess they call them trees or markers...

UNIDENTIFIED SPEAKER: Christmas trees?

MS. AWALIN: Whatever you want to call them, they're all over up in that area and so it's -- around Nuiqsut area and I don't know what that means and whether they have just markers or little...

MS. PEKICH: No, it would be all on the gravel pad. That's the only thing you see at the surface.

MS. AWALIN: Okay.

MS. PEKICH: Yeah (affirmative), in the Lower 48, oil production,

when you can spread out, they have, you know, a well here, a well there, but on the sensitive tundra, we have to centralize things on the surface and then everything would seem -- any well-house or the top of the wells are all on one drill site.

UNIDENTIFIED SPEAKER: [Context- individual is describing what the drilling routes look like] (Indiscernible) you have a trunk of a tree (indiscernible) there's your tree.

MS. PEKICH: Right, but they're all together in one spot. They're not spread out.

MS. AWALIN: I know what you -- I know what those are. I've seen them up in Prudhoe. So I was just wondering, curious because at our last meeting, not here, but the one I was in Fairbanks, one of the ladies said they had to go through and they couldn't go around certain areas because there too many of these little trees little piping...

UNIDENTIFIED SPEAKER: Christmas trees.

MS. AWALIN: ...or something (indiscernible - speaking simultaneously)...

MR. YOKEL: I think you're talking about the Christmas trees left

from the exploration wells. ["Christmas trees" is a term for above ground access piping for wells]

MS. PEKICH: Yeah (affirmative), but those are very close together.

MR. YOKEL: No.

UNIDENTIFIED SPEAKER: No.

MR. YOKEL: I mean, they're miles -- there's a couple of them that are within a mile or two of each other, but they're not that close.

UNIDENTIFIED SPEAKER: Marie.

MS. TRACEY: Marie Tracey, you guys said a pipeline is out to where, to Alpine or...

MR. KELLY: Yeah (affirmative).

MS. TRACEY: Are you guys going to boat it out or just pipeline it all the way out?

MR. KELLY: Yeah (affirmative), so this shows the proposed action with Nuiqsut here, the Nigliq Channel and Alpine. Kuukpik land is cross-hatched, Kuukpik surface. These little blue diamonds are river setbacks. So there's a half mile setback on each side of this river and a three-mile setback on each side of Fish Creek and so this road here, like you said, with

the bridge is being constructed right now and after that's done, the proposal is -- the proposed action is to build this road, the little black dashed line, the grid and another bridge and it goes to a drill pad here. This yellow line is a pipeline.

UNIDENTIFIED SPEAKER: (Indiscernible)? [side conversation]

MS. FRITZ: It will be piped out. [side conversation]

MR. KELLY: And it would take the oil back to Alpine where the water and gas would be removed and it would be pumped into the TAPS - Alaska Pipeline and down to Valdez.

MS. PEKICH: (Indiscernible). [side conversation- "Ohos"?]

MR. KELLY: So that's the proposed action. That's what ConocoPhillips came to us with and just notice that this area here inside the little blue triangles is a setback to protect this river and the proposal asks for a deviation from that setback to allow the road to be built right here and the pipeline to be built right there and that's the main difference between that and Alternative B, which is -- relocates the road from over -- and the pipeline from over here to over here.

So there's one fewer stream crossing, but it's a little longer and uses a

little more fill. So it fills a little more wetlands.

MR. NUKAPIGAK: More wetlands?

MR. KELLY: Right.

MR. NUKAPIGAK: It fills up more wetlands.

MR. KELLY: Right. That's Alternative B, just realigns that section of road and the pipeline. Alternative C, this alternative is interesting because the federal government doesn't have any authority to make this happen.

The idea was -- Kuukpik is building a spur road from the road that connects CD5 to Alpine and this -- this alternative in this Environmental Impact Statement widens this spur road with the idea that more traffic and supplies would go in and out of Nuiqsut.

The good thing is that could potentially provide more economic development for Nuiqsut. The bad thing is it fills more -- a lot more wetland and has a lot more traffic and a lot more complexity for development of infrastructure in Nuiqsut itself and the federal government can't make this happen unilaterally because all this cross-hatched area is Kuukpik, so we really can't -- this can't be the preferred alternative. We

can't really pick that alternative, but we're looking at it in part, because of our cooperators, the Corps of Engineers, and the Native Village wanted us to look at it. So we're doing that. So that's Alternative B.

UNIDENTIFIED SPEAKER: C.

MR. KELLY: C, thanks. So this alternative is Alternative D and we're calling this the limited access alternative. It adds an airport on the closest suitable land to the drill pad and no road connecting the drill pad back to CD5 and the idea here is that in the winter, there'd be an ice road and in the summer, all the traffic would fly in and out of this airstrip.

Interestingly, because airstrips for this kind of traffic have to be pretty big, this alternative actually results in more fill than Alternative A or B.

MR. NUKAPIGAK: And more impact?

MR. KELLY: More -- more fill and it has, you know, a quite bit different impact in terms of air quality and in terms of aircraft flights, you know, so -- because it's substituting aircraft use for surface vehicles.

MS. TRACEY: Disturbance of wildlife either way.

MR. KELLY: Well, I think it's fair to say that most people think that

wildlife are more disturbed by low flying aircraft in Nuiqsut. Most people in Nuiqsut think that low flying aircraft are worse than vehicles. Is that fair?

MS. AWALIN: One question, Marty for the record here, so how does KSOP fit into all of this? Are you guys part of -- is KSOP part of...

MR. ISAAC NUKAPIGAK: Kuukpik, under the service -- for the record, Isaac, Kuukpik Corporation should have two surface use agreements established with KSOP, KSOP, to be the eyes and ears for the community. They're not the agency -- they don't have no jurisdiction in (indiscernible - background noise). They are just eyes and ears.

We select from the panel group from Kuukpik Native Village city and have representation in the panels to monitor, observe, if there's any type of impact that relates to oil and gas, whether -- whether -- to find a way to protect the subsistence, but it doesn't have no jurisdiction of no zoning, no permitting authority.

We're just observers to make sure that our subsistence resources are not being impacted. They're there to recommend to the applicant to make sure they're in compliance with state and federal and borough permitting

stipulations. That's it. They don't have no jurisdiction to enforce any of the permits in federal, state, and borough authority.

MS. AWALIN: So is that your nonprofit organization?

MR. ISAAC NUKAPIGAK: It's a nonprofit organization.

MS. AWALIN: Of Kuukpik?

MR. ISAAC NUKAPIGAK: Yes.

MS. AWALIN: Okay.

MR. KELLY: Okay, so Alternative E is pretty simple. Every time you do NEPA document, a document under the Environmental Protection [Policy] Act, you almost always have to have a no action alternative. It's kind of a baseline. It's what would happen if existing management went -- continued, but you didn't do the project.

MS. PEKICH: Lon, this is Lisa Pekich, could you just -- I don't think you stated how long the road distance is, just for scale to give people an idea.

MR. KELLY: I -- I'll -- I think I'll get to that.

MS. PEKICH: Oh, are you? Okay.

MR. KELLY: But if I don't, remind me -- I've got a table coming

up.

MS. PEKICH: It's 7.9 miles, that's what I've got.

MR. KELLY: Of new road.

MS. PEKICH: Yes.

MS. TRACEY: That's the spur road?

MS. PEKICH: No, that's the proposed project.

MS. TRACEY: Okay.

MR. KELLY: The spur road is...

MS. PEKICH: Just to give you an idea of the length.

MS. TRACEY: Under D?

MS. PEKICH: Under A and B -- A, B's a little longer.

MS. TRACEY: A and B.

MR. KELLY: So this -- what this slide does is it pulls together all the aspects of the different alternatives and making the runway longer and the road wider for the enhanced Nuiqsut involvement. This is the proposed action here, which goes into this brown area that Fish Creek setback.

This is the Alternative B that avoids that Fish Creek setback by relocating the road and lengthening it. So it kind of follows the divide

between this drainage and this drainage and this is the airport that would be there under the limited access alternative.

So here -- I should show you, too, one of the things that we're considering is whether to use a gravel source here or over here at the ASRC pit across the river from Nuiqsut. So each alternative, we consider the impacts of using one gravel pit or the other. So the -- that would only be during construction. There's good points and bad points about each.

So we have a table, Table 4.1.1, in this document and it summarizes everything. So under the proposed project, Alternative A, 7.8 miles, 62 -- 60 acres of road, under the avoiding the Fish Creek setback alternative, 8.6 miles, 62 acres, under the Alternative C that's, you know, more access via Nuiqsut, same amount of road, but it should be -- here, we have -- it adds in quite a bit more acreage on the Nuiqsut spur road.

Alternative D, this is the current -- no, Alternative D is the limited access one with the airport and it actually disturbs quite a bit more acreage at the drill pad and if you look down here, the total amount of fill, Alternative D is right up there with widening the spur road, that alternative, so quite a bit of -- quite a bit more fill in the airport alternative.

So the total footprint of Alternative A is 91 acres. Ninety-five acres is the next. The airport is 111, almost 112 acres, and Alternative C, the Nuiqsut Spur Road, the widening one, is the biggest at 128. So this table, Table 4.1-1, really kind of pulls together all the real physical impacts of the alternatives on the ground.

Okay, so now I'm going to talk about, if you have patience for it, I'll talk about how I would try to look through this document, if I were you. It's hard for me to do, because I'm me and I've read a lot of these things. I'm trying to -- trying to give you kind of a way to look at it.

So the first thing I'd do is I'd open it up to the index in the front and I'd notice how it's organized by chapters. The first chapter is an introduction and the second chapter kind of describes what the proposed action and the alternatives are, which I kind of abbreviated for you. The third chapter talks about the affected environment. It describes all the birds and plants and animals and water, air, the way it is now, what we understand about them.

Then the fourth chapter, that's called Environmental Consequences and that has the estimates that we have of how much impact there's going

to be under each alternative and why. Okay, so I'd look at that Table 4.1-1, that -- we just looked at that. That lays out all of those impacts by alternative, the most direct impacts.

Then I'd look at 4.1.2 because it's -- it's summarizes those impacts and then I'd go ahead and start looking in Chapter Four where it gets into the details resource by resource. So like terrestrial mammals, that we're going to give you an example of, includes caribou and it has -- it gets more specific about the analysis of the impact.

There's a couple of things that you might want to check into. I know people are real concerned about the impacts of spills and in Chapter Four, we had a special section on spill impacts. They also talk about cumulative impacts, which is how this project, along with all the other projects in the area that we can see might happen, might reasonably happen in the future, quite a long future, how they all add up.

We also have a section on mitigation measures, things that we identified through our analysis that we could do about not whether the project gets done, but how it gets done that limit impacts that we identified and then, if you still have questions, like if it still seems wrong to you, then

I'd look back at Chapter Three, where we're describing the environment, describing what we know about the area to see if we're missing something there.

So I would kind of skim -- I'd skim through Chapter Two, the alternatives. I'd jump right to what the impacts are. If the impacts seem about right for me, I wouldn't go a whole lot further than that. If the impacts seem wrong or I'm curious about them, I would then go back into the document and try to follow the reasoning forward to where those impacts have gotten described. You're squinting like you think that's -- do you think that's okay?

UNIDENTIFIED SPEAKER: You're speaking to me?

MR. KELLY: Yeah (affirmative).

UNIDENTIFIED SPEAKER: I have horrible eyesight. So I  
(indiscernible - speaking simultaneously)...[irrelevant side conversation]

MR. KELLY: All right, so it's just one way to do it. You can read it front to back, but it's kind of a way to cut right to the chase.

MS. AWALIN: Marty for the record. So on these spill impacts, BLM has some way of (indiscernible) in this?

MR. KELLY: Yeah (affirmative), we talk about impacts from a, you know, a big spill.

UNIDENTIFIED SPEAKER: Spill?

MR. KELLY: Yeah (affirmative).

UNIDENTIFIED SPEAKER: Spills on land.

MR. KELLY: On land -- well, or in water in this area, I mean into a stream. That's the thing we're most worried about, actually, is a spill that gets into a stream.

Okay, so now I'm going to let Dave go through kind of his analysis, real briefly, for caribou because we think that's probably what most people are really interested in.

MS. AWALIN: One more question, when you say -- I know on land, but isn't navigable waters state?

MR. KELLY: Not in NPR-A.

MS. AWALIN: Not in NPR-A, okay.

MR. ISAAC NUKAPIGAK: They don't have jurisdiction.

MR. YOKEL: So I'm Dave Yokel again. I'm a Wildlife Biologist from the BLM. I work for Lon and the first thing I want to show you here

is the table that summarizes the impacts of all of the alternatives for terrestrial mammals, which are the ones highlighted in yellow in this table and...

MS. AWALIN: Can we enlarge it?

MR. YOKEL: No, I'm sorry, I can't, but it's pretty simple. I'll show you this -- these five columns here are the intensity of the impacts and the analysis show they're low with Alternatives A, B, and C, and the medium level intensity for Alternative D, and of course, there's none under Alternative E because that's the no action alternative, don't go out and do anything. So there's no impacts.

Now, the duration of the impacts, how many years in time they last, it's low for all of the alternatives and the extent of the impacts is low for all -- for the first three, but is an H?

UNIDENTIFIED SPEAKER: I think it's an R.

MR. YOKEL: It's an R, right, regional-wide effects under the Alternative C, which is the Nuiqsut Hub alternative.

UNIDENTIFIED SPEAKER: What's an R (sic)?

MS. PEKICH: D is not regional.

MR. YOKEL: Regional.

MS. PEKICH: Regional.

UNIDENTIFIED SPEAKER: Regional, okay.

MS. PEKICH: D is the limited access, Dave.

MR. YOKEL: I'm sorry, that -- you're right. So the regional are the ones -- because there'd be more airplanes, yeah (affirmative), so the impacts are spread over greater area.

MS. AWALIN: So Dave, Marty for the record, describe the low impact. Is it 10,000 barrels, 5,000 barrels.... [asking for clarity on magnitude of impact]?

MR. YOKEL: If you can -- the next slide will explain that, okay.

MS. AWALIN: Ok.

MR. YOKEL: And then this set of columns here is for the context of the impacts and whether their common, important or unique, and again, it's the same for all four action alternatives and then finally, it summarizes whether the impacts are fairly major or down all the way to negligible and it says that they're all minor, except for Alternative B, which says they would be moderate. Okay, so that kind of mashes everything in together

and how it would affect terrestrial mammals.

So this -- okay, so if we're talking about the intensity of the impacts here, low impacts would be those that affect 5% or less of the habitat of the mammals, whereas medium intensity impacts would affect anywhere between 5% and 25% of the habitat the mammals use. So that's the way the low, medium, high works for the land area that the animals use.

As far as the duration of the impacts, temporary would last less than two breeding seasons or two years. Interim level would last two or longer, but not more than five, and so forth. Their context of whether they're unique or important or common mean that this is something that's usual or ordinary in the locality or region, that would be common and then to geographic extent, if it's local, then it would happen very close to the gravel footprint, the impacts of that activity. There's a lot of language there that's in the document.

MS. AWALIN: Yeah (affirmative).

MR. YOKEL: Does that give you a little bit better idea of what...

MS. AWALIN: Not really, within the duration, when you say -- is that based -- is this based out of studies that were done at Prudhoe Bay or

how -- how did you come to that duration?

MR. YOKEL: Well, it takes a certain number of years to get the oil out of the ground and the above ground structures to get that oil will be there throughout that whole time and I'm not an oil person. I can't tell you a whole lot about that, but we know that the impacts will be there for two years or more and maybe decades.

MS. AWALIN: So this is based off of something that you've done in Prudhoe Bay?

MR. YOKEL: Well, I haven't done anything in Prudhoe Bay.

MS. AWALIN: And is this (indiscernible - speaking simultaneously).

MR. YOKEL: But the oil industry has and -- and whether that's known information and the people that analyze this and define the duration looked into that literature when they developed this.

MS. PSARIANOS: I think this -- sorry, I think a lot of this, what makes something temporary, what makes something long-term, a lot of it was based on the Point Thompson EIS that was just done.

MR. YOKEL: Okay, thanks.

MR. NAGEAK: I know caribous; it doesn't matter whether you sneak right up to them. It won't bother their breeding. Is that what you're trying to measure or...

MR. YOKEL: No, this is...

MR. NAGEAK: ...to me, because I know if caribou's chasing me once it's breeding season, it -- to me, that means don't bother me.

MR. YOKEL: So these two tables show the habitat loss and disturbance under Alternatives A, B, and C, versus habitat loss and disturbance under Alternative D and I highlighted in yellow the ones that are relevant to caribou and so it says that the habitat loss would be low in intensity, long-term because it would be there many years, you know, before they get all the oil out and leave, and this is kind of a common thing on the North Slope, at least that part of the North Slope, and the effects would be local in extent.

When you build a road, its effects are right there within a couple of miles of the road, not out 20, 30 or 100 miles. Does that make sense, and the disturbance to the caribou, within a certain distance of the road and during the calving, non-calving and calving season, the intensity would be

low, long-term and important to the caribou and again, local in extent.

The only difference that we see is down here under Alternative D, the disturbance levels during non-calving would be medium. So it would be higher under Alternative D than under the other three alternatives and also the geographic extent would be larger because there'd be more air traffic in the area.

MR. NAGEAK: That's just the one with the airport, right, or...

MR. YOKEL: Yes.

MR. ISAAC NUKAPIGAK: And for the record, I disagree with your medium on the disturbance because air traffic causes more impact, diversifying caribou from their migration routes.

UNIDENTIFIED SPEAKER: It's (indiscernible). [side conversation]

MR. ISAAC NUKAPIGAK: They diversify the -- divert the caribou from going their normal migration. So I just disagree with the medium. It should be higher.

MR. YOKEL: Well, the way that the terms were defined for this analysis is determined that the impact levels fell in medium, which is

higher than it was under the other three alternatives, which is low. So it's very difficult to quantify these and put actual numbers to it.

MR. ISAAC NUKAPIGAK: We experienced that in Nuiqsut.

MR. YOKEL: And I'm not arguing with you. I'm just saying that in a sense, is the impact is greater from this air...

MR. ISAAC NUKAPIGAK: It should be more greater than what it is.

UNIDENTIFIED SPEAKER: Well, that would be a very good comment.

MR. YOKEL: Okay, then that would be a good comment that's on the record and that will be taken into consideration in tying all the EIS'.

MR. WILLARD NEAKOK: Willard Neakok for the record. Yeah (affirmative), I agree with -- I agree that should be a little higher because we experienced four years of no caribou with -- because of aircraft noise, mostly with helicopters and our migration - Western Arctic Herd that came from the south was diverted inland to where for four years, we had basically no caribou and the caribou that we had were -- they were real (indiscernible - speaking simultaneously)...

UNIDENTIFIED SPEAKER: Frail.

MR. WILLARD NEAKOK: Real skinny, no fat caribou and it was four years, you know, even -- even we got so desperate for caribou meat, we had -- some people went up to Icy Cape, even myself, and also we went up to Wainwright just to harvest caribou and I know that medium is a little too low. It should be high and...

MR. ISAAC NUKAPIGAK: And for the record, Traditional Knowledge can go side-by-side with science when it comes to studies. Are they -- I don't think -- I don't understand why the federal government avoids to utilize Traditional Knowledge because they can coincide the work together.

MR. YOKEL: I agree with you. I...

MR. WILLARD NEAKOK: And yeah (affirmative), Willard Neakok for the record too, even though we did introduce Traditional Knowledge, we were still -- we were overlooked (indiscernible) to where we need to get this thing done, or you know, we're just trying to, you know, do the work, put forth, you know, and serving the interest groups or something, because you know, this migration route every year, every year

for years back to when I first moved here in '73, migration route was coming right through, you know, within five miles east of us and even some went passed this snow fence out here.

We would have caribou go right on our airstrip. We had to hire people to shoo them off the runway just so the planes can land, our (indiscernible) planes, you know. So I, you know, I know I'm going to put my two cents in on the comment period before the 22nd of April, because you know, it should be high and I believe that almost everybody in this room, too, that lived here has witnessed what happened back in 2009 to -- 2008 to 2012, the effects of the aircraft that we allowed to have fly, but then even though we designated routes to go down and back with helicopters, you know, it still was affecting the caribou herd. They diverted east.

MR. YOKEL: Okay.

MR. NAGEAK: What was the helicopter traffic for?

MR. WILLARD NEAKOK: Yeah (affirmative), they were drilling, their exploratory drilling, BHP Billiton [coal exploration on ASRC lands south of Pt. Lay]. Well, they were using a small helicopter, but on a clear

day, a windless day, they camped at where they were stationed at down there at Deadhorse Incline.

On a clear day, you could hear that chopper start winding up, you know, and winding up and taking off, and you know, it -- yeah (affirmative), any caribou that was coming, migrating from the south would hear them and they would take a different route and I know caribou have certain areas, trails that they use just so one section of the tundra that they have went to before.

They'll go to a different trail and let that one that they previously went to would revegetate itself with lichen that they feed on. They would, you know, have like three or four different routes that they can utilize, but most of -- all the caribou that we have, you know, experienced in the past come through, they would pass right, you know, within five miles.

MR. YOKEL: Well, we have your comments on the record now and they will be taken into account when the final EIS is written.

MS. AWALIN: Also, Marty Awalin for the record, for Traditional Knowledge, one of the things it covers one of the elders told me was that when you disturb the first herd of the caribou that's migrating through, it

changes the path of the caribou for years to come. Sometimes in three years, four years, they'll come back again on that same route, maybe, but when you disturb that, you know, that really impacts -- that really puts an impact on the traveling of the herd.

Now one thing I understand, you know, was impressive about San Diego was we were flying out of San Diego, they have that no fly zone where you go up, they go up to a certain air mile and then they go over this certain area, they have to turn their engines off and I thought, "Whoa," you know that's because it does has an impact and I said, "Wow."

You so, you know, that scared me because they have to turn their engines off for certain areas and certain areas of miles on -- on low -- low noise sound and I thought, "Wow, they have that -- they have that type of, you know, flying -- no fly zone or no -- you turn your engines off right through the area," and I was like, "My goodness, how -- when did they start this," and they said they've always had that and I thought, "Wow, that's something -- that's something we should look into probably."

MR. KELLY: Stayed on one slide too long.

UNIDENTIFIED SPEAKER: You mean we're not going to

(indiscernible)? [side conversation]

MR. KELLY: No, I think the music stopped.

MR. YOKEL: You mean the music is better than me?

UNIDENTIFIED SPEAKER: It's just lively.

MR. YOKEL: Okay, well, are there any more comments on the air traffic versus caribou there? Otherwise, I'll move onto the next slide. I didn't want to cut you off.

Okay, well, this slide shows ConocoPhillips has hired contractors to provide surveys of caribou and see how many caribou are in the area at different times of the year and so the data we're going to show you next come from this NPR-A survey -- survey area here, which is west of Nuiqsut and which includes the GMT1 pad. So when I talk about the NPR-A survey, it's this entire block, which includes a lot more land than what would affect this project.

So this slide shows the results of those aerial surveys with the density of caribou per kilometer square during different seasons of the year and over all the years that they've done these surveys and it shows that during most of the year, caribou density in this area is less than one caribou

per kilometer squared.

MR. NAGEAK: How many miles...

MR. YOKEL: Which is about the same as 2.6 caribou per square miles, okay. It's even less in the GMT1 project area because a lot of these caribou, as I'll show you in another slide, are in parts of that survey area away from the GMT1 proposal and I'll move onto to that slide if there's no questions on these caribou density. Basically, what I'm trying to tell you here is the data show that caribou density is pretty low in the project area.

Now this map -- this figure is pretty full of data and it's a little difficult to understand, but what this shows -- to my eyes, there are green lines and red lines in this picture and the green lines are data from satellite-collared or GPS-collared caribou in the Teshekpuk. These eight are from satellite-collared caribou and these eight are from GPS-collared caribou and they're all -- they're all collars that use satellites, but it's a different technology. GPS is a little bit more advanced technology that came along after we started this.

So I think the red are the Central Arctic Caribou Herd and there are more -- you see more caribou in the satellite-collared pictures than in the

GPS because there are more caribou with those kinds of collars on them over the years and the eight seasons that are here, and you probably can't see it, but they are winter, then they actually go to spring migration, and then it shows next is calving and then post-calving and mosquito season, fly season, late summer and fall migration, but it's kind of difficult to see, but here's the project area right in here and right here, here, and here, kind of covered in this one and, but what you can see here is the project area, just by chance, is kind of in between the areas used the most by these two herds of caribou.

So this one project, at least, will have relatively low impact on caribou, because of just where it happens to be relative to the areas that the caribou use and remember, there's nothing out there on the ground yet. There's no infrastructure out there at present affecting caribou movements and in fact, some of this data come from as far ago -- as long ago as 1990 and there were about, I think, up to 259 Teshekpuk caribou that have these satellite collars over the years and up to 102 Teshekpuk caribou that have these GPS collars over the years. So these are data amassed, in this case, for up to 22 years showing where the caribou are.

You can see that the times that the caribou are most likely to be in the project area are in the mid to late summer when -- after the flies bother them, the warble flies and the bot flies and they move around a lot and also there's some streams in this area that have barren sandbars and caribou like that. When the flies are out, they stand still with their nose right down in the sand to try to keep the flies out of their nostrils.

The other time they come through here is in the fall migration, you can see the lines coming through here. Any questions on this before I move on? I think I'm amount done. So that's it for my part. If you have any last questions about the caribou analysis...

MS. AWALIN: Yes, Marty for the record. What's the populous right now for that herd, both herds? Do you guys have any idea?

MR. YOKEL: The latest for the Teshekpuk herd was done the summer of 2012, I think, and I don't have the numbers from that yet, but it is continuing to go down. It reached a high and the low of about a 65,000 and I think -- I'm guessing it's down into the low 40,000. So the herd appears to be in decline for the last several years.

MS. AWALIN: In comparison to what data?

MR. YOKEL: Those are the...

MS. AWALIN: I mean, have you done any -- you said at least one year or how many years of data you had when you were showing that, so from comparison to what data have you -- the decline is?

MR. YOKEL: These data show movement of satellite-collared caribou. We don't use these data to count the caribou. To count the caribou, ADF&G flies over with a plane. They go through mosquito season when the caribou are grouped up into tight bunches and they take pictures of them. They fly back and forth taking pictures and then the next winter, they sit at their desk with magnifying glasses and count all the caribou. That's how caribou are counted in Alaska, and they've been using the same techniques for decades and they show that this herd went way up in numbers from just a few thousand back in the 1970's, reached a peak about 10 years ago, and now are coming back down again.

MS. AWALIN: Thank you.

MR. NAGEAK: Talk about the Central one, the Central one.

MR. YOKEL: I don't...

UNIDENTIFIED SPEAKER: It was 30 (indiscernible)... [apparent

side conversation]

MR. PATKOTAK: I've got a question, Dave. For the record Crawford Patkotak, have any of these studies been done in conjunction with the wolf population, as far as predation and...

MR. YOKEL: The only thing that's going on in terms of looking at predation on the caribou right now is we're cooperating with ADF&G on a calf survival study for the Teshepuk Herd and it shows that predation is a big part of the mortality that takes place, but in general, the -- well, the last year, the mortality was pretty high, which may be part of the reason the herd is declining in numbers.

MR. PATKOTAK: I asked that because to try to keep all of these things in perspective as far as when -- when a herd is in the decline...

MR. YOKEL: Yeah (affirmative).

MR. PATKOTAK: ...and you're trying to figure out why it's in the decline...

MR. YOKEL: It -- it looks like the biggest reason the Teshepuk Herd is in decline is because adult cow survival has gone down. They're not living as long. They're not having as many calves, but why that's

survival has gone down is a much tougher question.

MR. PATKOTAK: Thank you.

MR. KELLY: All right.

MR. WILLARD NEAKOK: Can we take a 10-minute break and  
(indiscernible - speaking simultaneously)...

MR. KELLY: Sure thing. Okay, so we'll suspend the meeting,  
suspend the meeting until 10 'til, does that work? Time for a cigarette?

UNIDENTIFIED SPEAKER: No, fresh air.

MR. KELLY: Okay, 10 'til.

(Off record)

(On record)

MR. KELLY: Okay, we're going to hold the hearing again.

Everything is on the record from here on out. I know we talked for a little  
bit about how to comment, two slides on how to comment on this draft  
Environmental Impact Statement, Supplemental Environmental Impact  
Statement.

Then the Stacey Fritz is going to talk about -- talk about subsistence  
and kind of walk us through any formal comments if you want to make a

formal statement and signed the list and want to comment and you haven't already got your comments out and then we'll end the meeting and I'll stay along -- as long as anybody cares to talk about BLM stuff, but we will end the hearing after -- after Stacey gets done.

So right now, we've written this draft document, this thing here. We've talked about how to look through it and what we really interested in is new information that should be in the document that isn't there, any mistakes that we've made in the document in terms of our analysis or the information that's in there and any thoughts on the alternatives for impacts.

One of the thing that we often do is come up with a preferred alternative in the final to kind of let people know where the government's thinking is going and so if you'd like to comment on what aspects, what -- generally, the preferred alternative isn't just A, B, C, or D or E, you know, it's some kind of combination of those or a little modification of them.

So if we do have a preferred alternative, it would be good to have comments on what aspects of the alternatives ought to be part of the preferred alternative, the decision.

So there's, I know you're not going to remember this, but there are

five ways that you can comment. You can do it by email, by writing a letter and mailing it through the U.S. Postal Service. You can Fax comments and you can hand-deliver your comments in Anchorage. You can deliver comments that are written to us here at this meeting or any of our other meetings and you can speak at these public meetings. All of those comments will be treated as public input for this process and when they're -- when they identify shortfalls in our analysis or our data, we'll deal with them each in section in the final, where we respond to public comment.

MS. AWALIN: Well, I'm Marty Awalin for the record. Are these meetings, these public meetings going to be part of this commenting period as well?

MR. KELLY: Yeah (affirmative), this is being recorded. That's why we have a Court Reporter.

MS. AWALIN: Okay, thank you.

MR. KELLY: The main reason, actually I should say, the main reason we have a recorder is because it's an ANILCA 810 hearing and we always record those. So it's a subsistence hearing, but we would be taking

notes anyway. It's just in this case, we have really good notes.

So I want to have Stacey Fritz talk about her assessment of the impacts of these alternatives on subsistence and then kind of walk us through any comments that any of you have that have signed up to speak or if you want to make a statement.

MS. FRITZ: So the subsistence analysis, first of all, just to kind of describe the big picture, because it's kind of a -- it's more of a two-part analysis. So the first part is, as Lon described, what's required by the National Environmental Policy Act, so this is nationwide what would happen. It's more important in Alaska.

Chapter Two, excuse me, Chapter Three describes everything that we know about subsistence in the Nuiqsut area and then Chapter Four describes the impacts of the alternatives on subsistence. We also have in Alaska ANILCA, the Alaska National Interest Land Claims (sic) Act, and Section 810 of that, which Lon just mentioned...

UNIDENTIFIED SPEAKER: Conservation Act.

MS. FRITZ: Thank you. I'm doing the same thing as Lon. Section 810 of ANILCA requires a separate subsistence analysis and -- and then

has a very specific way that you determine whether a project may likely impact or have a significant impact on subsistence, subsistence access, subsistence resources, availability, and that is included in the appendix of all of these Environmental Impact Statements.

So first, I'll just briefly go over this. It's really summarizing here, and one thing that I would like to point out is that, you know, BLM did not actually write this document. It was written by a contractor and that contractor subcontracted Stephen Braund and Associates, Stephen Braund Research and Associates to do the subsistence sections.

Most of you are familiar with Stephen Braund because he and his team of associates are truly the most qualified people. They've been studying subsistence all over the North Slope and in other parts of Alaska for many years, both for BLM, for MMS, and now BOEM, for many different projects and what's interesting is they're able to do a very detailed statistical analysis of the impacts because, as you know, they give people GPS's.

They go out; they map the subsistence use area. They know which parts of that subsistence use area are more densely used and so when

they've looked at the GMT1 project area and the study area extends two-and-a-half miles out from the actual footprint, then they can calculate exactly how much land that takes away from the subsistence use area. So it's good because they're able to put numbers on it.

So in Chapter Four, which is the analysis of the impacts of all these alternatives on subsistence, I think that really the summary comparison of the alternatives is the most important part, very succinct. It's just two pages. So I'm just going to like give you some highlights from that, right, and none of this will be a surprise to you that user avoidance of the project area is expected to be the primary impact to subsistence, right, and many people have made comments in the past about how far away hunters will stay from development.

Now this project is interesting because that is true, people will avoid it as they avoid other areas, but GMT1, two, three of the alternatives have a road and so we consider that a countervailing impact in that people tend to avoid an area, but the road is actually going to allow easier access to that area.

So you have at the same time, avoidance and easier access. So it's a

little bit more complicated than some where people just might avoid it entirely, but among -- and I'm only talking about now, about the four what we call action alternatives, A, B, C and D. I'm not talking about E, which is no action alternative.

Among those four alternatives, what they do is they describe the impacts of A as proposed by ConocoPhillips and then they lay that out in more detail, what the impacts would be and then they very -- summarize, more quickly summarize the impacts of the other alternatives and then I reviewed what Stephen Braund wrote and added to that and I agree with his conclusions, which is basically, if you look at the overall subsistence impacts, Alternatives A and B would have the fewest impacts to subsistence, mainly because they require less air traffic close to the community and because traffic would be limited to the road between GMT1 and CD5, right.

Alternative C, which is the Nuiqsut hub, would likely have slightly more subsistence impacts because there would be more traffic. So that's the Nuiqsut hub that would extend the airport at Nuiqsut, large planes would be able to land in Nuiqsut. The analysis found that would likely

have the greater impact in scaring animals away, basically, from Nuiqsut and preventing people in Nuiqsut from getting -- from being able to hunt close to town.

D, the limited access or roadless alternative, and I should say that overall, all of the alternatives have the same basic impacts, but there are some variations. C is more and D has the most impacts, which is the roadless alternative, and that is largely because of the number of aircraft that would be involved with that alternative if there were no roads.

Also, D, you have to consider that there would not be the access by road for the subsistence hunters. They would not be able to access the area by road. So you don't have that countervailing impact. Also the footprint, and I found that very useful talking to people in Nuiqsut when they were really trying to understand the impacts to subsistence from Alternative D, the roadless, I think that it really helps when they understand that in that case, GMT1 would have so many more facilities there and be a much larger facility.

It would have to have a man camp and a large airport. That's the number one thing that people don't want is basically an airport out there.

So are there any questions about that at this point? Does that all seem straight, and the reason, I should say the reason that we're able to conclude is really because of the ConocoPhillips' funded Nuiqsut Caribou Subsistence Monitoring Project, that's Steven R. Braun and the work that they did for the Mineral Management Service.

So that's the analysis that's in the EIS itself and then you go onto the ANILCA 810 analysis, which looks at the impacts of all known alternatives to availability, access, resources and then it adds a -- a fifth, if you'd like, another element, which is to look at the cumulative impacts and that's really one of the most important analysis that we do, because that has to consider all the impacts to Nuiqsut's -- the Nuiqsut subsistence use area from events in the past and reasonably foreseeable events in the future.

So if we look at the Nuiqsut subsistence use area, Prudhoe Bay, Kuparuk, Alpine had effectively removed traditional hunting land from their subsistence use area and so they have lost areas that they hunted in to the north and to the east and now, they're going to start losing a little bit of land to the west and so they're restricted in where they can go.

So that is a cumulative impact. So that would make any of these

alternatives have what we call a “finding of significance” for Nuiqsut. The cumulative impact analysis also has to consider any other reasonably foreseeable project connected to this. So that includes the road to Umiat, offshore drilling, gas pipeline...

MS. PSARIANOS: Bear Tooth (indiscernible).

MS. FRITZ: Bear Tooth, further exploration in the Bear Tooth [Unit]. So the analysis for that finds that could have -- would be likely to have a significant impact on more than just Nuiqsut and that is the reason why even though this development project is having near Nuiqsut, it will have direct impacts on Nuiqsut.

The cumulative analysis, which includes all of those other projects, if we look at that, we have to conclude that it would very likely have significant impacts for Point Lay, Wainwright, Barrow, Atqasuk, and Anaktuvuk Pass, all of those projects combined and that's why we come to each community and have, not only a draft -- public meeting on this draft, but an official ANILCA 810 subsistence hearing.

That's the big picture. Does that make sense to everybody? Yes, Crawford.

MR. PATKOTAK: Stacey, Crawford Patkotak for the record. So when you do these studies and you're looking at cumulative impacts, are you looking at it just from a negative point of view or are you looking at it as holistic and looking at all of the positives of...

MS. FRITZ: Yeah (affirmative), so that's a really good question. So -- so as we know, the Environmental Impact Statement breaks everything down into resources. So there are three different sections that I would say address that issue. There is subsistence, and that really looks at just, even though subsistence itself cannot be separated from anything else, we try to break it down and look at just subsistence access, resources, availability.

If you're looking at just subsistence, then you're looking at the impacts to that. The other sections that deal with the economic benefits of oil development, which very much impacts subsistence because people need money for gas and bullets and equipment, that's addressed in the sociocultural systems and the economic section and the Environmental Justice sections. So those sections do address that and very much acknowledge that the economic benefits of oil development at this point in history makes subsistence far more reasonable for most people.

MR. PATKOTAK: Thank you.

MS. FRITZ: Yeah (affirmative), so yeah , so subsistence, just to reiterate there, subsistence really focuses on just the animals and the activity and the economic benefits and other countervailing impacts are considered elsewhere.

MS. AWALIN: Okay, so Marty for the record, so you're taking -- you're taking subsistence further away and then putting the economic value right now (sic). So like the Nuiqsut right now, the people are outcrying about their subsistence rights. So are you going -- is there a way they could go somewhere where they're identified -- I mean, I'm sure they have to go out further.

MS. FRITZ: Yes.

MS. AWALIN: Is there identified areas of where that's away and near them? Have your guys helped them identify the impacts ...

MS. FRITZ: Yes. I mean, Stephen Braund has absolutely mapped out where everybody goes and that's why he's able to say like a certain percentage of subsistence hunting occurs in this area. If people are to avoid that area, they're going to lose that amount of subsistence use of land and

then they're going to be forced to go to different areas and then there will be greater competition in those other areas and it may also be areas where they don't have any familiarity with the land.

MS. AWALIN: Right.

MS. FRITZ: So say your family always hunted at Kugaruk and you know the Kugaruk area, well, then Kugaruk gets developed and you have to find a new area further west. So you familiarize yourself with that area and you teach your children how to subsist in that area and then development moves there. You have to learn about a new area, teach your children about that area and you're competing for subsistence in that area with more people because they're more concentrated in the fewer places that they can go.

MS. AWALIN: So with that development of that oil well, what's the radius on that where you cannot -- you know, like how many airplanes, you have so much radius you can't be within the air area, within the airstrip. So what's the radius?

MS. FRITZ: You mean that the hunters will avoid it or the limitations on aircraft?

MS. AWALIN: No, hunters, those that are subsistence.

MS. FRITZ: You know, I think that is a very individualized thing, because some hunters will say, "I don't care. I use the road. I hunt from the road. I go to Kuparuk and I hunt from there," and they don't mind at all hunting around development. A lot of hunters will say, "I don't go anywhere near there. There's too many security issues. I don't want to shoot a pipeline. I don't want to shoot a person." So some people will avoid it. It's very difficult to put numbers....

I think Kuukpik submitted comments on our IAP [NPR-A Integrated Activity Plan] trying to estimate the amount of miles lost every time there's like a square mile of development, how many miles like -- most hunters won't go within five miles of that development. Like I said, this is more complex because the road will allow hunters access into this choice subsistence area. So the avoidance effect is there, but there's also access.

So one of the -- we have many -- a long list, at least 11 or 12 of what we know of potential subsistence mitigation measures, so ways that we can try to mitigate the impacts to subsistence. So we can try to provide easier access to the south. One of the things that we're talking about is trying to

help Village of Nuiqsut build the road to the Colville River because more people will be traveling to the south. That's one thing.

MS. AWALIN: Now, what's the impacts at Prudhoe Bay? I mean, I know Prudhoe Bay -- did the animal population decrease or did it increase in that area? I know a lot -- you can see all of these caribou going under all these pipes and stuff that has -- so count the (indiscernible - speaking simultaneously)...

MS. FRITZ: That obviously, the land managers and industry reported a lot from historic development and so now some of the measures that you'll see that we've implemented over time include a minimum pipeline height of seven feet. So even though there will be snow drifts in the winter that prevent you from being able to go under that, there should always be places where you can go under that pipeline. All the pipelines are coated with a nonreflective surface now, so that they don't distract the caribou. Those are examples of some of the measures.

MS. AWALIN: So they keep the population or the census of that caribou -- is it decreasing or increasing?

MS. FRITZ: That's a question for your caribou biologist.

MS. AWALIN: Well, okay.

MR. YOKEL: So when I had the map that had the green and the red on it, the red is the Central Arctic Herd and that's the one that calves over around the current oil fields and since the oil fields started development there in the late '60's, early '70's, the general trend for that herd has been an increased population.

There was one period with a significant dip on its way up, but it has increased significantly from a few thousand to over 60,000, closer to 70,000.

MS. AWALIN: Is it because people -- nobody's hunting that area? They're moving toward that area or...

MR. YOKEL: No, because that herd's still being hunted by Nuiqsut residents...

MR. NAGETAK: Katkovik. And Kaktovik now. Because it's moving east. The range is increased.

MR. YOKEL: ...and it's also getting a little closer to Kaktovik also. It's moving further east than it used to. I can't -- I can't say. I don't have that information to say why the herd increased, except it happened during

the same period and then the other four, the other three caribou herds on the North Slope were also increasing.

So I would guess, and it's more general environmental factors, whether it's a decrease in the mortality from predators, better forage for the caribou.

MS. TRACEY: Yeah (affirmative), Marie -- Marie Tracey for the record. I was wondering, you know, with all of these scientific studies and that Stephen Braund and them, they get information about our subsistence and our hunting grounds and where we go in the different seasons, I wondered if the industries always use stuff like this against the village, or you know, I'm just real curious as to...

MS. FRITZ: Well, I very much -- very much...

MS. TRACEY: ...how much that you have heard.

MS. FRITZ: I hear where you're coming from because, I mean, it's a real issue.

MS. TRACEY: Yeah (affirmative).

MS. FRITZ: More so in Nuiqsut that people have a tendency to mistrust the findings of researchers that are contracted by industry.

However, I think that -- I think that for many reasons, I think we can trust the findings of Stephen Braund. In large part, we can find...

MS. TRACEY: Yeah (affirmative).

MS. FRITZ: We can trust his findings because...

MS. TRACEY: He gets them from our subsistence hunters...

MS. FRITZ: He does and he says there's going to be a major impact.

Stephen Braund and Associates' analysis does not say that the impacts will be moderate or minor. He says that the impacts, the direct and indirect impacts to subsistence in the Nuiqsut area will be major. They're the only major impacts found in the entire Environmental Impact Statement.

MS. TRACEY: Well, if I was living in Nuiqsut, I would start feeling boxed in.

MS. FRITZ: Exactly.

MS. TRACEY: I mean, you know, thinking there's something going on here and then there's something going on there and...

MS. FRITZ: People still hunt successfully in the Nuiqsut area.

Obviously, people have lived there for thousands of years because it is such an incredibly rich area.

MS. TRACEY: Yeah (affirmative). Apparently, what they're going to do with, you know, this -- all this planning and everything will benefit all of us because it's like under ASRC and...

MS. FRITZ: Right.

MS. TRACEY: Yeah (affirmative), and then...

MS. FRITZ: (Indiscernible - speaking simultaneously) is the sharing network.

MS. TRACEY: Yeah (affirmative), from looking at A, B and C -- are we doing this A, B and C thing right now? I think I would be in support of Nuiqsut if they choose A. I think they're the best ones that would, you know, because of the impact in their area and if they choose A, then I think Point Lay would support Nuiqsut in that part, you know, because it just makes sense if Nuiqsut chooses one of them, then I think all the villages should be in support of them, so -- and if they have any changes, which would make it better for them, we would support Nuiqsut. I think I'm just getting tired, you know, (indiscernible - speaking simultaneously)...[Side conversations/laughing]

UNIDENTIFIED SPEAKER: (Indiscernible - speaking

simultaneously). [side conversations/laughing]

MS. AWALIN: I have a question about the impacts to Point Lay, what do you mean about those?

MS. FRITZ: So I was talking about what we have to do. We can do this part, which is the National Environmental Policy Act EIS, and in Alaska, we also have to do an ANILCA 810 subsistence evaluation and we do that for every project, for every little permit we give, we try to analyze what the impacts will be to subsistence and so that act, that section requires that we look at Alternatives A, B, C, D, E and cumulative and we do that in the EIS, too. We do cumulative in the EIS, yeah (affirmative), and the cumulative has to look at everything that's happened in the past and everything that is likely to happen, is reasonably foreseeable and so that includes the road to Umiat, offshore drilling, a pipeline to transport offshore oil across the NPR-ANPR-A.

The impacts that could have would extend, most likely, to Point Lay and Wainwright and Barrow and Atqasuk and Anaktuvuk.

MS. AWALIN: So would the impacts -- how did -- how did Anaktuvuk Pass get impacted on your -- with the caribou? Was it the road

system or was it (indiscernible - speaking simultaneously)...

MS. FRITZ: So -- so nothing has happened yet.

MS. AWALIN: I know, but Anaktuvuk says they don't have hardly anymore Arctic caribou anymore because of the Prudhoe Bay. How did that get -- how did it impact them? Was it the road system or (indiscernible - speaking simultaneously)...

MS. FRITZ: So that is one of the reasons why we say if we're trying to estimate what the impact of a future project, such as a road and a pipeline to Umiat, we can say with some degree of certainty that has a good chance of impacting caribou migration to Anaktuvuk. We can't say for sure, but there'd be traffic on that road and a pipeline. There's -- we can say with some degree of certainty that could impact caribou migration to Anaktuvuk.

MS. TRACEY: Well, with -- Marie Tracey for the record. We have had complaints from AKP [Anaktuvuk Pass] and they have been here and they said there's a lot of sport hunters that go in there and they just take the antlers. We don't know what they do with the carcasses, but they take a lot of antlers out of the (indiscernible - speaking simultaneously)...

UNIDENTIFIED SPEAKER: Just trophy hunts?

MS. TRACEY: There's -- yeah (affirmative), trophy hunters.

MS. FRITZ: Trophy hunters, yeah (affirmative), it's a...

MS. TRACEY: And they don't know how to stuff that, you know,  
it's just...

MS. FRITZ: It is a real problem in the Anaktuvuk area.

MS. TRACEY: Yeah (affirmative).

MS. FRITZ: And that's not -- most of that is not occurring on BLM  
land. It's occurring on state land near Anaktuvuk,...

UNIDENTIFIED SPEAKER: State land.

MS. FRITZ: ...but they, you know, they fly into the Anaktuvuk  
airport, so they see the hunters coming and going. I do think that the  
hunters, a lot of them are getting better about at least taking better care of  
the meat and sharing it with the village and then we really try to promote  
that.

MS. TRACEY: They could at least bring the meat to the village.

MS. FRITZ: And a lot of them do, a lot of them do, whether or not  
they care for that meat as well as you would, that's also a learning process.

MS. TRACEY: Yes.

MR. WILLARD NEAKOK: Willard Neakok for the record. Yeah (affirmative), I can agree with Marie too -- and at Anaktuvuk Pass because there's like -- the last count we had with the [NSB] Planning Commissioner was like three outfitters that fly out of Fairbanks to go to different camps, Umiat and into Inogak [Airfield in NPR-A] a couple of -- a couple of other places that in the past, you know, they'd just trophy hunters would just take the antlers, and you know, to put on their wall.

MS. FRITZ: That's illegal.

MR. WILLARD NEAKOK: Yeah (affirmative).

MS. FRITZ: So if you don't want to get in trouble, most hunting guides would never do that.

MR. WILLARD NEAKOK: Yeah (affirmative).

MS. FRITZ: It's highly illegal.

MR. WILLARD NEAKOK: And you know, I commend Stephen Braund and Associates because of his foresight to see the impact that, you know, development might have, not only toward Kaktovik, Point Hope, Point Lay, you know, all the different villages and Mr. Braund, you know,

we had -- we had those GPS surveys done here, which was mostly out in the ocean, you know, trying to show...

MS. FRITZ: Right.

MR. WILLARD NEAKOK: ...trying to do the drilling and let them know where we go for subsistence hunting and everything and now, he's trying to implement the survey to start doing to inland during the wintertime when we go, what we harvest and I commend that, you know, that Mr. Braund,...

MS. FRITZ: Yeah (affirmative).

MR. WILLARD NEAKOK: ...that you know, he's, you know, watching out for our well-being because we subsist off the -- off the different migration animals that do come to the Arctic, whether it be caribou, or you know, waterfowl, and you know, walrus, beluga and whales they'd eat during the summer.

MS. FRITZ: You know, he's done that extensively already for Kaktovik, Nuiqsut and Barrow, and now, he's going to cover other places and he's also been doing it for many years. So he's able to identify trying to...

MR. WILLARD NEAKOK: Where, yeah (affirmative), where each individual that its hunters go, and you know, where the best places to go, maybe, to harvest something. We solely depend on nature every year and I commend Mr. Braund to, you know, to have these surveys done, not only for our well-being, but also to help oil companies or different entities that may try to come and do surveys, but too bad it didn't happen right back in 2008 when they were exploring for coal. I'm sure there's, you know, quite a bit.

MS. FRITZ: Big helicopters.

MR. WILLARD NEAKOK: Yeah (affirmative).

MS. FRITZ: Well, and the helicopters in the Nuiqsut area are by far the number one concern of the hunters there, as you can imagine.

MR. WILLARD NEAKOK: Yeah (affirmative).

MS. FRITZ: So, I mean, I don't want to speak for people there, but certainly one thing I've heard is that a lot of people are not in love with the idea of a pipeline and a road, but most, if they have to choose between a road and having an airport out there at GMT1, they feel like that would have more of a negative impact.

MR. WILLARD NEAKOK: Yeah (affirmative), the smaller the footprint I see, you know, like we mentioned A and B are the less impactive.

MS. FRITZ: Yes.

MR. WILLARD NEAKOK: You know, I would probably go with A, because it leaves a smaller footprint that won't affect any migrating animals up in that area and, you know,, over the years of being on the [NSB] Planning Department I've seen Nuiqsut get cut off from the south or from the east because of Prudhoe Bay and then from the south with, you know, they're just almost surrounded in all areas, you know, on four or three different sides and then now, Shell trying to cut off the -- drilling out in the Beaufort Sea, you know, pretty much like boxed in, but you know, I'm glad that Nuiqsut has been able to subsist, even though development is all around them.

MS. FRITZ: Well, we're working very hard to try and reduce the number of helicopter flights that are required in there, which I think is -- is really perceived as a major impact.

MR. WILLARD NEAKOK: Yeah (affirmative), we've experienced

it.

MS. FRITZ: You know, yeah (affirmative), right.

MR. WILLARD NEAKOK: And we lived through it and this...

MR. ISAAC NUKAPIGAK: Stacey, there's too much. It's not only the industry that has studies. You have BLM.

MS. FRITZ: BLM.

MR. ISAAC NUKAPIGAK: You have state. You have various agencies.

MS. FRITZ: Yes.

MR. ISAAC NUKAPIGAK: That during their normal summers, that is whether it's hydrology or subsistence or anything that relates to the environment, the problem that we see of those impacts, because of the aerial survey air traffic, there is no coordination from the federal government or the state that during these normal studies that cause frustration in the community. It diverts the caribou. It has impact to our trying to the short window period to trying to harvest.

BLM does all their studies. It's federal land. They do anything they want to do. They don't consult with the nearest community that's being

impacted. If BLM can start working with the community and say, "Hey, we want to do this and this," okay. ConocoPhillips does that with us, the community, they utilized the Subsistence Oversight Panel [KSOP]. When these studies are mandated by the stipulations to do these types of studies, Conoco was real good at it to coordinate with us, the community, to say, "Hey, to inform that during this time of the period of these months, can -- we want to avoid you, to do this study, go over all of the other alternative locations until people harvest their needs. But with the other agencies, they don't listen. They do anything they want to do.

MS. FRITZ: Well, you know, I think there's obviously so much room for improvement in communicating and working with people. I won't say that BLM...

MR. ISAAC NUKAPIGAK: (Indiscernible - speaking simultaneously) It definitely would be nice if the...

MS. FRITZ: We have found...

MR. ISAAC NUKAPIGAK: ...federal and state could start coordinating...

MS. FRITZ: The federal and the state.

MR. ISAAC NUKAPIGAK: To start coordinating with the communities.

MS. FRITZ: So BLM does a lot less caribou studies than we would have to do if we didn't...

MR. ISAAC NUKAPIGAK: Well (indiscernible - speaking simultaneously)...

MS. FRITZ: ...rely on Fish and Game.

MR. ISAAC NUKAPIGAK: We have weather -- weather stations up there. We have stuff that is magnetic that you have to (indiscernible) your study. We see that. You have a white chopper that BLM utilizes every year in NPR-A and when I say (indiscernible)...

MS. FRITZ: Yes, BLM has two -- has had for recent years, two helicopters on contract that take BLM and many other cooperating scientists...

MR. ISAAC NUKAPIGAK: You do, that's right, many other cooperating agencies...

MS. FRITZ: Right, right.

MR. ISAAC NUKAPIGAK: That's what is actually happening.

MS. FRITZ: So when we have been documenting those impacts in detail and doing everything we can to mitigate them through the NPR-A Subsistence Advisory Panel. It's now had -- it's been in existence since 1999. It is required in every EIS and Land Management Plan that BLM has done.

That best management practice, right, that's what it's called now, requires that industry, before they submit an application to BLM, they come present their project to the Subsistence Advisory Panel and the panel provides feedback to BLM on ways that the impacts of that can be mitigated and we have, you know, a document of comments and everything that BLM has done to respond.

Now, I will just say that not all impacts can be mitigated. If there's development, there's going to be some impacts, but with the Subsistence Advisory Panel, we have really identified a number of ways to try to mitigate the impacts and then in 2010, because there was such an increasing amount of impacts from, not just oil and gas activity, but from all the climate change and other scientific research that's going on, the Subsistence Advisory Panel expanded its purview to include science and

research.

So now a lot of scientific organizations, so USGS comes and presents at every SAP meeting.

UNIDENTIFIED SPEAKER: Fish and Wildlife.

MS. FRITZ: Fish and Wildlife.

MR. ISAAC NUKAPIGAK: Yeah (affirmative), that's because we have so much agencies that are funding projects that relate to climate change or studies that have so much traffic. Any -- every agency or every university is trying to compile the same study.

MS. FRITZ: Right.

MR. ISSAC NUKAPIGAK: Which has been studied in the past that can -- that can be utilized.

MS. FRITZ: We hear this a lot that everybody should study less and use the same helicopter and not study every year.

MR. ISSAC NUKAPIGAK: I mean -- I mean, they're like-- I mean, they've got their own charter. They've got their own chopper, you know.

UNIDENTIFIED SPEAKER: Yes, yeah (affirmative).

MR. ISSAC NUKAPIGAK: They're not even the same project, the

universities.

MR. PATKOTAK: For the record, Crawford Patkotak. I recommend moving forward for BLM to play a key role in finding ways to lessen the impacts, do a cumulative impact study on the cumulative impacts studies (laughter), okay, and this is...

UNIDENTIFIED SPEAKER: Keep going.

MR. PATKOTAK: This entails -- you're talking like Isaac was saying, like we -- because you see it all over the place. Any time you see a study started, they're -- they have to fly out and that's their preferred means of transportation into any site. That chopper gets up in the air, the caribou are skiddish. You can't get near them, all over and they've got to find a different way.

They've got to be more responsible and efficient and less -- they've got to work with the locals and the Traditional Knowledge is so important that they have to -- they have to take that into consideration, find another way to do these types of studies, on top of like Isaac was saying, utilize what's already out there.

MS. FRITZ: Right.

MR. PATKOTAK: It's -- it goes on and on and on, I mean, that's -- it's studied to death.

MS. FRITZ: We recognize that is a negative impact and particularly for Nuiqsut, we recognize that the overwhelming number of public meetings that people feel like they should go to is having a negative impact on people's social life and the meetings are often contentious and people leave upset and it's taking time away from the family and other social events.

So we recognize that in itself is an impact, and you know, the only thing I can say is that it's true that there's so many scientists coming and seemingly studying the same thing, I'm not sure the scientists would agree that they're studying the exact same thing, but I also feel strongly that every single individual that (indiscernible- coughing) to the scientists who comes and studies on the North Slope is far more invested in the land and the people than they would be if they never came here on their own and did research, if they only looked at what other people had done, that is one benefit to having so many people come. Yes.

MR. WILLARD NEAKOK: Willard Neakok for the record. Do you

know with all the studies that were authored and Isaac has mentioned, you know, in the past, I don't see why people who want to do another study on the same species or a different species, you know, come to the village and as the residents, you know, has there been any change in migration routes? Has there been any change in the number of certain species, you know, rather than go out there with their helicopters over and over and over again, just to do the same thing. They just have to come to the village, ask for Traditional Knowledge of the people who have been here, has there been any change in the numbers? Has there been any change in the migration, you know, the residents live in these respective villages and they know -- they know from different hunters, they know who hunts different types and different hunting spots that they go to and if they ask a certain hunter, okay, you've been out there before, you know, has there been any change or anything of that nature to help with that study even though it's all been recorded 10 years ago, five years ago, last year. You know, I don't see why they can't do that rather than go out there again with the helicopter just to make sure.

MS. FRITZ: So -- well, I would say that the bulk of the studies that

are studying, for example, caribou are really done by Fish and Game, North Slope Borough Wildlife Department...

UNIDENTIFIED SPEAKER: And the state.

MS. FRITZ: And Fish -- Alaska Department of Fish & Game and everybody uses that information. If -- in our Subsistence Advisory Panel meeting, we had a presentation on all the aircraft that we permit, all the permitted activities and I'm trying to provide a spreadsheet of all the permitted activities and that list is very long of all the different activities that BLM gives permits to on the North Slope and it's much more than just counting wildlife and the caribou migration.

There are paleo-ecologists, vegetation people studying forest fires. Climate change is happening in the western Arctic faster than anywhere else pretty much in the world. So there's a lot of people studying climate change. So there's just a large number of reasons that people are coming up here to do research.

I think -- I mean, I'd like to believe that it's getting better, that this gap between the Western science model and local or Traditional Ecological Knowledge, that more scientists are coming and learning from the people

first. I hope it's getting better than it was in the past. I don't know if it seems like it on the ground.

MR. PATKOTAK: You know, one of the ideas that BLM could really take a need on as a -- as a federal agency that has to do with a lot of the land all across the Slope is start utilizing and contracting locals in all the villages, small impact -- small environmental impacts throughout the year, huge benefits.

MS. FRITZ: Right.

MR. PATKOTAK: And there's a lot that BLM can do. I mean, because you've got all the other activities, right, you've got allotment surveys. You've got all of this other stuff that's happening. If you start looking at how can you -- huge -- one big challenge for all of us is cost of living.

How can you positively impact folks in the community it only takes one, take one person at a time working in the community, putting somebody to work, works with the contractor that's going to -- make it a stipulation in the contract that they've got to go into the village and it doesn't have to be all -- of course in the summertime, let them work all

winter, all different seasons with the locals on the ground and that's -- that's going to be a huge impact in the local economy, lives of the -- lives of the family and the local residents and that's something that's positive.

MS. FRITZ: We certainly encourage it.

MR. KELLY: Yeah (affirmative), I'd just like to say that it seems like we're talking about kind of general questions and not real specific on this. So if no one has any objections, what I'd like to do is close the public comment period on the GMT1 Project, but we'll stay here and talk about BLM/NPR-A related issues as long as anybody cares to.

MS. FRITZ: But if anybody has any more specific comments on the GMT1 Project, please make them now while the recording is still going.

MR. PATKOTAK: For the record, before you close, Crawford Patkotak, Chairman of the Board of Arctic Slope Regional Corporation, I'd like to comment on the GMT1 specifically. It is ASRC's mission to actively manage our businesses, our land and resources, our investments and our relationships to enhance Inupiat culture, economic freedom with continuity, responsibility and integrity.

The corporation is owned and represents the business interests of

approximately 11,000 Inupiat shareholders. GMT1 is a project by ConocoPhillips that will produce oil from ASRC subsurface. This is a God-given right, given to us through the Alaska Native Claims Settlement Act, Public Law 92203, to support our shareholders financially, to be self-sufficient, self-reliant and to partly fulfill the intent of ANCSA.

In the sharing provisions provided under the Alaska Native Claims Settlement Act, also known as seven-nine, so that not only the shareholders of ASRC that will benefit from this natural resource development, it's all of the Natives of Alaska through the sharing provision.

We purposefully waited to make selections, worked closely with Kuukpik Corporation's leadership to select the lands within the highest potential for resources. ASRC owns most of the subsurface of the GMT1 development and would receive significant royalty revenue through the development.

It's through developments like GMT1 and the revenue ASRC receives to which the royalty ownership that keeps its dividend policy strong. ASRC is also a manager of the Greater Moose's Tooth Unit and has been working with ConocoPhillips, Kuukpik and the BLM to bring this

project to development since the unit was formed in 2008.

ASRC intentionally took over selecting and administration of GMT1 leases with the goal of taking this project to development. GMT1 is an essential project to maintain North Slope production and the economic benefits that it brings to the North Slope Borough, to its tax base that supports the infrastructure of the North Slope communities, such as our community of Point Lay.

When we look at the decline in oil in the pipeline as we speak today, GMT1 would slightly offset the decline that's happening now, which will adversely impact the North Slope Borough's ability to keep up its tax base, which in turn supports all the communities in jobs, keeping our communities healthy financially, as far as the schools being maintained, the roads, clinics, health clinics, airports, basic infrastructure, water and sewer, all these are potentially impacted by the decline in the revenue and tax base that the Borough so depends on and a lot of our communities depend on.

With that, ASRC stands on record to support Alternative A, along with Kuukpik Corporation, because we believe this alternative will be the least environmentally damaging and have the least impact on subsistence

versus other alternatives for the record (sic) and we'll be submitting written comments. Thank you.

MS. TRACEY: Marie Tracey for the record. Point Lay agrees with how Crawford -- I think, thank you, Crawford, and I'd like to thank you all for coming to Point Lay. I think all of you guys and Marty, she was talking about environmental studies. We've had environmental studies here like loons were tagged and our belugas were tagged and we had satellite tags put on walrus in which Willard was involved with, you know, we've got - - had a lot of other studies too, and under Shell Oil, we had Sophie Tracey as our Subsistence Advisor for Point Lay and Shell Oil was up.

It was studies around the Icy Cape area and they would call almost every day and ask about who's in that area, like maybe Willard's over there that way and they can't get a hold of Sophie and I know there's people that maybe Willard maybe went up towards Icy Cape and the next morning, they'd probably call me.

They'd get a hold of Sophie and I know he would -- he was up out there, but I know he came back because there was a second boat up there and I wasn't sure if the other boat came, so if -- if they thought that other

boat hadn't come yet from the Icy Cape area, they would move their study somewhere else, if those people are caribou hunting or subsistence hunting around that area. So Shell did a pretty good job in that area, just to let you guys know.

So with Willard, too, when they do these studies like Stephen Braund and other entities want to do their own, but we tell them, well, we did that already and then, no, they want their own. So these guys would come anyway and map out what they, you know, where they went, what they got and what they saw and do that over, and then somebody else would come and want that from them. So they would come and do that again. So it's like over and over, but they still come around just to, you know, help us as our -- as our community and as our Inupiat knowledge on everything.

So I'd like to commend them for all their help because I've been questioned about a lot of this stuff too. So thanks to Willard in our community and I think all of us, all the Inupiat communities sticking together, and you know, for the good of everybody, I think. Thank you.

MS. AWALIN: Now, so one last comment I'd like to make on

behalf of Cully Corp., I'm Marty Awalin. One of the things that I wanted to speak about -- that I want to comment on Isaac regarding these comments and working with the village corporations. One thing is, you know, we get blamed a lot sometimes for things we don't know about, because there's studies being done out on our lands and the assumptions from the communities that they're working with the corporations when, in fact, we don't know anything about it, like he says.

We -- we have your information in regards to all of these studies and it puts us -- it actually, you know, it puts a blame on where it shouldn't be. One thing about this advisory -- their Subsistence Advisory that you would depend on when somewhere, somehow, you've got to include these corporations, these land owners, because they don't speak for -- on our behalf.

UNIDENTIFIED SPEAKER: (Indiscernible). [side conversation]

MS. AWALIN: Right, and so therefore, as land owners, you know, you guys got to take into consideration this, because it does put, you know, a little burden on us or it really impacts us because we don't know what's going on and it makes us look like we don't know what's going on in our

land. So that's a comment I'd like to make. Thank you.

MR. ISAAC NUKAPIGAK: Well, I'll wait till you come to Nuiqsut..

UNIDENTIFIED SPEAKER: (Indiscernible – speaking/laughing simultaneously).

MR. KELLY: If there are no more comments -- are there more comments about the GMT1 Project?

UNIDENTIFIED SPEAKER: Thank you Roy Nageak for coming to Point Lay.

UNIDENTIFIED SPEAKER: Give me a B!.

MR. KELLY: Okay, so I'm going to close the formal hearing and close the recording of the comments and like I say, we'll -- I'll just stay here as long as you care to talk about issues related to BLM management, but if everybody wants to go home, that's fine too.

UNIDENTIFIED SPEAKER: You mean you're open for more suggestions.

MR. KELLY: Yeah (affirmative).

UNIDENTIFIED SPEAKER: We're off the record.

*GMT1*  
*March 10, 2014*

MR. KELLY: Off the record.

## **MEETING ADJOURNMENT**

The meeting was adjourned at 8:49 p.m.