



April 27, 2020

VIA E-MAIL: rajones@blm.gov
Stephen.A.Moore2@usace.army.mil

Willow Project Manager
Racheal Jones
BLM Alaska State Office
222 W 7th Ave. #13
Anchorage AK 99513

Steve Moore
U.S. Army Corps of Engineers
Regulatory Division
CEPOA-RD
Post Office Box 6898
JBER, Alaska 99506-0898

RE: Request for Extension of Comment Periods
Supplemental Draft EIS and USACE Permit Application (POA-2018-00190)
Willow Master Development Project

Dear Ms. Jones and Mr. Moore:

In light of the global pandemic and public health emergency facing Nuiqsut and the entire world, Kuukpik Corporation requests an extension of the public comment period for the Supplement to the Draft Environmental Impact Statement and ConocoPhillips' USACE Permit Application for the Willow Master Development Plan. Both deadlines should be extended by approximately 60 days, to July 3 at a minimum.

Kuukpik and the people we represent have the most at stake in these two permitting processes---by far. As the ANCSA village corporation for Nuiqsut, Kuukpik is responsible for protecting the interests of its shareholders and other subsistence users in the community. Nuiqsut is the closest village to the proposed Project and the one that will be most affected by the decisions made in response to this EIS and permit application. Kuukpik also owns more than 77,000 acres of land within NPR-A, just east of the proposed Willow Project location. Critical pipelines and roads connecting Willow to ConocoPhillips' existing Alpine infrastructure and TAPS will cross large portions of Kuukpik-owned land. In short, this process means more to Kuukpik and the people we represent than probably anyone else.

Kuukpik is therefore acutely aware and disturbed by Nuiqsut's lack of opportunity to participate in these public processes over the last month. Consider what the community has dealt with during that time. Like the rest of the world, Nuiqsut watched anxiously as the novel coronavirus spread across the globe during February and early March. By March 11, the State of Alaska declared a public health emergency in anticipation of an outbreak here. The first positive test in Alaska was reported the next day. President Trump declared a national emergency on March 13, the same day Governor Dunleavy closed all schools for at least two weeks. From that point on, life as we knew it just 6 or 7 weeks ago has never been the same. It seems like a lifetime ago now, but it's worth remembering the confusion and fear that consumed nearly everyone in Nuiqsut and throughout the world in mid-March as businesses, offices, and other facilities were abruptly closed and families were ordered into their homes with no clear understanding of whether or when life would continue in any normal fashion. It was truly a remarkable moment in history.

Against that backdrop, BLM released the Willow Supplemental Draft EIS. Kuukpik received notice of the Supplemental Draft's availability late in the day on March 19, the day after Kuukpik closed its offices to the public in Anchorage and Nuiqsut. By that point, Kuukpik, the City, and NVN had set everything else aside to coordinate the immediate actions that were necessary to try to prevent the outbreak from taking hold in Nuiqsut.¹ On March 23, the Nuiqsut City Council passed Resolution 20-03 declaring a local emergency and requesting borough, state, and federal assistance to deal with the crisis. Mayor Pardue immediately (and rightly) issued an emergency "hunker down" proclamation, essentially putting an end to face to face meetings in the community to reduce risks of exposure, especially to elders and other vulnerable residents. In addition, travel and shipping protocols were developed to limit traffic into the village, construction projects were suspended or delayed to minimize outside personnel in the village, and arrangements were made to facilitate delivery of goods into the community while nevertheless limiting the risk of exposure to residents. (Please see attachments for further details on these responsive actions.)

It should be little surprise then if, in the midst of all that, few people even noticed when the Corps of Engineers released CPAI's 404 permit application for public review and comment (on March 26). Quite frankly, only a few people in the Kuukpik organization even attempted to access the 404 permit and Draft EIS until a couple of weeks later because of our singular focus on implementing health and safety measures to keep the coronavirus out of Nuiqsut. And although we cannot speak for them, because we spent so much of late March and early April in close coordination with the City and Native Village of Nuiqsut, we believe those entities were similarly prevented from giving the Supplemental DEIS and 404 permit application the level of

¹ By virtue of its seasonal ice road connection and consistent oil industry traffic, Nuiqsut is uniquely vulnerable to importation of the virus. Thus, the community's immediate response required extensive discussions with industry to figure out how company personnel could be transferred out of Nuiqsut as quickly as possible and other traffic routed elsewhere. This was no small feat in the midst of what was, until then, a busy winter exploration and construction season.

attention that they normally would for such an important project. Testimony at recent virtual public meetings amply demonstrated that individual residents had much bigger concerns during this period as well.

The point of this detailed background is this: Kuukpik, NVN, the City, and Nuiqsut residents have spent nearly the entire public comment period responding to and dealing with a generational threat to the community. It is simply not reasonable to ask the people of Nuiqsut to focus on oil and gas permitting when they have spent every single day of the comment period literally fearing for their lives and those of their families and friends. The Supplemental DEIS and permit application were released when Nuiqsut's need to focus on a swift community response was at its peak. People have been completely focused on protecting their health and that of their families and friends ever since. Though the SEIS was released on March 19, we don't believe anyone in Nuiqsut has had an opportunity to focus on it until the last week or two *at best*.

In short, the comment periods have not served their legal or practical purposes of giving people time to review the documents and provide feedback. Although a few people attended the "virtual public meetings" (for what they were worth) and some may have had some time to review the documents themselves, we are not aware of any meaningful discussions *within the community* on the Supplemental DEIS or the 404 application. Nearly all attention and discussions in the village have focused on immediate concerns for health and safety. As a result, the community and Kuukpik's Board have not had the opportunity to engage in the informal internal discussions about the proposed changes to the Willow Project that would normally occur during a comment period like this one. That loss is key because, in normal times, those conversations occur frequently and are a critical way for community leaders like the Board to absorb the broader community's concerns. This in turn informs Kuukpik's own analysis and helps us communicate community concerns effectively to BLM.

But that hasn't happened here. There are few in person conversations in Nuiqsut at all right now, much less meetings where leaders can discuss the Project and their concerns.

Kuukpik is therefore extremely reluctant to provide detailed comments on the Draft (due May 4th) or the 404 permit application (due May 11th). Other entities and residents are clearly not ready to do so either. Nearly everyone in Nuiqsut (and elsewhere) who managed to testify at BLM's virtual public meetings implored BLM to suspend this NEPA process during the ongoing public health crisis. In fact, at the two Nuiqsut meetings, probably only 3 or 4 commenters testified on anything *other* than how much they wanted BLM to give people more time to participate in the process. Testimony at the other public meetings was similar. It's hard to argue that these public meetings fulfilled their intended (and legal) purpose when only 2 or 3 people other than Kuukpik provided what BLM would consider "substantive comments".

On the contrary, it's clear that the virtual meetings did NOT fulfill their intended purpose (unless that purpose was just checking a box). In addition to the obvious reality that people were not yet ready to provide substantive comments on the Draft EIS, the virtual meetings did not give everyone in Nuiqsut a meaningful opportunity to participate. The afternoon Nuiqsut

meeting was a technological mess, and not just because of internet limitations in Nuiqsut (although that doesn't help either). For example, BLM's meeting facilitator (in Fairbanks) lost her connection multiple times, resulting in BLM's technology specialist spending long periods of time trying to re-establish connections and "fixing" whatever IT problems BLM was having. This was not only a massive waste of meeting time, it likely suppressed participation. No one wants to sit around and watch BLM fix its computer issues.

It was also painfully apparent that BLM's system for allowing people to testify was not effective. Again, during the afternoon meeting, more than half the people who pre-registered or "raised their hands" to testify ended up not being heard. When BLM gave these people the floor to testify, there was just silence. This too wasted a lot of time, but it also suggests that, despite presumably good intentions, BLM's system did not allow people to provide meaningful input. Kuukpik doesn't know what the technological problems were or why those individuals were unable to testify using BLM's system. But the fact is that a significant number of Nuiqsut residents wanted to testify and tried to do so, but could not. Whether the blame lies with BLM's technology or an inability for average people to use it easily, BLM owes these residents another opportunity to testify.²

An extended comment period will be a step in the right direction, but still won't be an adequate substitute for a more effective public meeting. As multiple individuals testified last week, Nuiqsut's elders are particularly unlikely to have sufficient internet connection or technological savvy to participate in these public meetings. It wouldn't be safe for these most vulnerable individuals to go elsewhere or have someone visit their houses to set up the connection, so that's not an option. At the same time, many elders cannot provide detailed comments in writing because of English limitations, safety concerns with visiting the post office, a lack of email connection or ability, or all three. Yet it's the elders that often have critical knowledge that BLM can't get anywhere else, particularly when entities like Kuukpik are not able to fully consult with them and pass their concerns along to BLM.

Finally, the BLM virtual meetings for North Slope communities were held on April 21, 2020. The communities of Wainwright and Utqiagvik were conducting spring whaling activities

² Additional opportunities are also required by Executive Order 12898 on Environmental Justice and ANILCA Section 810. EO 12898 requires federal agencies to work "[t]o the greatest extent practicable and permitted by law" to achieve environmental justice for Alaska Natives (among other minority populations). Section 2-2 of that EO states that "Each federal Agency shall conduct its programs, policies and activities...in a manner that ensures that such programs, policies and activities do not have the effect of excluding persons (including populations) from participation in...such programs, policies and activities..." Failing to provide additional time and opportunity to comment in the midst of a pandemic and in light of the technological failures at the public meeting would clearly exclude people from participating in the process. BLM also can't adequately perform its Section 810 analysis if all these people are prevented from providing input. How can BLM "evaluate the effect of such use, occupancy, or disposition on subsistence lands and needs" if BLM doesn't provide ample time and effective opportunities to hear from those subsistence users and the organizations representing them?

Extension of Comment Periods

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at that time. Utqiagvik is the headquarters for the North Slope Borough (NSB). We suspect that participation from NSB entities was hampered by this timing. We are only aware of one NSB employee who actually raised a question during these North Slope community sessions. This is highly unusual, in Kuukpik's view, since the NSB entities are normally heavily involved in meetings on issues that impact North Slope communities.

For all these reasons, Kuukpik believes this comment period needs to essentially start over. The past 5 weeks have been unprecedented in our history and did not allow affected residents to participate in the process. The community's focus throughout this entire comment period has been on survival and keeping the village safe, not the potential impacts of hauling drilling modules across a grounded ice bridge on the Colville River. There is absolutely no downside from a significant extension. A delay of 60 days will not affect construction of this Project (if it is approved), but may allow a more legitimate public meeting to occur. If BLM wants to preserve credibility in this process, it needs to listen to the people who are most affected and who are telling BLM they need more time. It is one thing to accept input from the community but reach a decision not everyone agrees with; it is a vastly different thing to not give people a real opportunity to participate in a process because they are in the midst of a global pandemic. BLM needs to get this one right. Stakeholders in Nuiqsut and elsewhere deserve what amounts to an entirely new comment period at a minimum if this process is going to have any credibility whatsoever.

Kuukpik therefore requests an extension of 60 days for the SEIS comment period and an extension of the 404 permit application comment period to the same day (syncing the deadlines for everyone's convenience). In addition, BLM should hold at least one more public meeting for the people of Nuiqsut prior to closing the comment periods. We hope the technological issues with such a meeting can be improved, but at a minimum, an additional public meeting is justified so people can testify after actually having some time to review the documents the federal government wants them to comment on.

We appreciate your attention to this request.

Sincerely,

KUUKPIK CORPORATION

By:


Joe Nukapigak
President

Attachments

CC: Native Village of Nuiqsut
City of Nuiqsut
Kuukpik Board of Directors
Mayor Harry K. Brower Jr., North Slope Borough

Extension of Comment Periods

April 27, 2020

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**Rex Rock, ASRC
Chad Padgett, BLM State Director for Alaska**

**City
of
Nuiqsut**

Resolution 20-03

March 23, 2020



CITY OF NUIQSUT

Mayor Mamie Pardue

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CITY OF NUIQSUT RESOLUTION No. 20-03

A RESOLUTION OF THE CITY OF NUIQSUT DECLARING A LOCAL EMERGENCY IN RESPONSE TO COVID-19 AND REQUESTING NORTH SLOPE BOROUGH, STATE AND FEDERAL ASSISTANCE

- WHEREAS,** COVID-19 is a respiratory disease that can result in serious illness or death and is caused by the SARS-Cov-2 virus ("virus"), a new strain of the coronavirus that has not been previously identified in humans and is easily transmittable person to person;
- WHEREAS,** on March 11, 2020, the World Health Organization ("WHO") declared the virus a pandemic;
- WHEREAS,** on March 11, 2020, the State of Alaska declared a public health emergency in response to the anticipated outbreak of the virus in Alaska, and since the declaration was announced, the state received confirmation of a positive case of the virus on March 12, 2020;
- WHEREAS,** on March 13, 2020, President Donald J. Trump declared a national emergency in response to the virus pandemic;
- WHEREAS,** on March 13, 2020, the State of Alaska Legislature announced initial actions to limit the spread of COVID-19, including limiting access to the State Capitol;
- WHEREAS,** on the afternoon of March 13, 2020, Governor Dunleavy closed all schools in Alaska for two weeks;
- WHEREAS,** state and federal actions/reactions to cope with this pandemic are rapidly evolving and changing day-by-day;

- WHEREAS,** a substantial number of the workforce in the City of Nuiqsut have children in the North Slope Borough School District ("NSBSD") and are now desperately searching for child care solutions;
- WHEREAS,** the economy of the City of Nuiqsut and the oil companies operating in the area is dependent upon the City of Nuiqsut continuing to serve as a viable, responsive area;
- WHEREAS,** First Responders in the City of Nuiqsut will be on the frontline of the response to this pandemic;
- WHEREAS,** COVID-19 poses an imminent threat to human health, safety and welfare to the residents of the City of Nuiqsut;
- WHEREAS,** due to the highly contagious nature of the virus, the available City of Nuiqsut and local partners infrastructure and resources, including North Slope Borough ("NSB"), Kuukpik Corporation ("Kuukpik"), Native Village of Nuiqsut ("NVN"), NSB Fire Department, NSB Police Department, Nuiqsut Airport and the NSBSD, among others, will be likely inadequate to handle the consequences of a COVID-19 outbreak unless the City of Nuiqsut implements emergency powers;
- WHEREAS,** it is essential to implement local emergency powers given the potential ability of the virus to cause death or injury to people, necessitating measures to protect the public health, safety, and welfare;
- WHEREAS,** in order to contain any potential harm that may be caused by the virus, North Slope Borough ("NSB"), State and Federal assistance is needed to supplement local efforts to respond to this public health emergency;
- WHEREAS,** the City of Nuiqsut does not presently have a Department of Emergency Services/Disaster Response and is completely dependent upon the NSB and State of Alaska for such services;
- WHEREAS,** the City Council deems it necessary to declare a local emergency to protect the health, safety and welfare of the residents of the City of Nuiqsut, residents of the NSB who visit the City of Nuiqsut and oil company employees who frequent the City of Nuiqsut;

WHEREAS, the City Council requests the Mayor of the North Slope Borough and Governor of Alaska provide NSB and state assistance to the City of Nuiqsut in its response to the virus, including assistance for fire protection, law enforcement, and the provision of other funds, services, functions, supplies, or materials determined by the City of Nuiqsut Mayor, in consultation with local emergency providers and local partners, to be necessary to meet the public safety and welfare needs arising from or incidental to COVID-19 and to recover from the damages caused;

WHEREAS, the City Council further authorizes the City of Nuiqsut Mayor to implement any orders necessary to prevent the transmission of infectious disease and to take measures to ensure that all cases of contagious disease are subject to proper control and treatment;

WHEREAS, the City of Nuiqsut Mayor must seek City Council approval prior to issuing any orders (1) related to private property; (2) related to mass quarantine or isolation; or (3) related to rationing of goods or supplies;

WHEREAS, a public health related order, if any, shall be consistent with NSB, state, federal or public health official recommendations;

WHEREAS, purchasing provisions under the Nuiqsut City Code ("NCC") Chapter 4.16, "Contracts and Purchasing," (for the purchase of supplies and services) may be suspended by the City of Nuiqsut Mayor during this emergency as necessary for and for the purpose of combating and alleviating this pandemic;

WHEREAS, all resources of the municipal government, including City of Nuiqsut personnel, are hereby available as necessary to deal with the emergency, and municipal departments, agencies, and/or personnel may be transferred or altered in function for the purpose of performing or facilitating performance services responsive to this pandemic;

WHEREAS, while the potential extent and effect of COVID-19 cannot yet be known, it remains vital for the City of Nuiqsut to be prepared and take all needed precautions throughout the entire timeframe of the emergency related to COVID-19; and,

WHEREAS, because of the ongoing nature of the emergency, this declaration of local emergency shall remain in effect until November 30, 2020, or until the virus is no longer declared a federal, state or North Slope Borough emergency, whichever occurs first.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NUIQSUT, ALASKA:

SECTION 1. Emergency Declared. The City Council of the City of Nuiqsut hereby declares a local emergency to exist within the City of Nuiqsut. A copy of this Resolution shall be filed promptly with the Alaska Division of Homeland Security and Emergency Management, North Slope Borough ("NSB"), Kuukpik Corporation ("Kuukpik"), Native Village of Nuiqsut ("NVN"), NSB Fire Department, NSB Police Department, ADOT/PF (for the Nuiqsut Airport), NSBSD and oil companies in the area.

SECTION 2. State and Federal Assistance Requested. The City of Nuiqsut requests that the Governor of Alaska and the Mayor of the North Slope Borough provide such state and borough assistance as may be available to meet the ongoing emergency created by COVID-19 and to request additional assistance from federal agencies where state and borough capability is not adequate.

SECTION 3. Effective Date. This Resolution shall be effective immediately after its adoption.

PASSED AND APPROVED by a duly constituted quorum of the City Council of the City of Nuiqsut, Alaska, this 23rd day of March, 2020.



The Honorable Mamie Pardue
Mayor

Attest:



Elaine Sovalik, City Clerk



**City
of
Nuiqsut**

EO-01

March 24, 2020



CITY OF NUIQSUT

Mayor Mamie Pardue

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CITY OF NUIQSUT PROCLAMATION OF EMERGENCY ORDER EO-01 IN RESPONSE TO COVID-19

ISSUED BY THE MAYOR OF THE CITY OF NUIQSUT ("CITY") PURSUANT TO CITY OF NUIQSUT RESOLUTION 20-03.

The COVID-19 pandemic has generated a public health emergency that threatens to overwhelm the health system of the entire State of Alaska. Furthermore, the City has limited health resources and we must take steps to slow and contain the threat; such steps require coordinated community action. This order is put forward to preserve the health and safety of our community.

PURSUANT TO THE AUTHORITY GRANTED TO ME BY THE CITY COUNCIL UNDER RESOLUTION 20-03, I HEREBY PROCLAIM THE FOLLOWING EMERGENCY REGULATIONS TO BE EFFECTIVE AS OF 5:00 P.M. ON TUESDAY, MARCH 24, 2020, TO PRESERVE LIFE IN AND ADJACENT TO THE CITY. THE FOLLOWING EMERGENCY REGULATIONS HAVE THE POWER OF LAW, SHALL REMAIN IN EFFECT UNTIL 11:59 P.M. ON TUESDAY, APRIL 7, 2020, AND SHALL SUPERCEDE ALL CONFLICTING LAWS DURING THE EXISTENCE OF THIS EMERGENCY.


1. All residents of the City shall hunker down and shelter in place as much as possible, in order to minimize any spread of COVID-19.
2. Residents should stay home and work from home as much as possible, except to work certain Critical Jobs, listed below; to buy, sell, or deliver groceries or other critical goods; to receive or provide health care; and to get fresh air without coming within 6 feet of others.
3. Residents shall conduct business via telephone or electronic communications as much as possible.
4. On the limited occasions when individuals leave their home, they should maintain social distancing of at least 6 feet from any person outside their household whenever possible and practice recommended hygiene.
5. It is strongly recommended, in accordance with the Center for Disease Control guidance, that certain residents should take even greater precaution: Anyone particularly at-risk from COVID-19 should reduce exposure by staying home, not physically going to work, and not doing their own shopping, if possible. These include any individuals 60 years of age and

older, and individuals with a serious underlying medical condition. Members of households with these individuals should also implement these more stringent guidelines.

6. If you are sick or suspect you may have the COVID-19 virus, and have a fever, cough or difficulty breathing, call the North Slope Borough Health Clinic. Help prevent the disease from spreading to people in your home and our community.
7. Individuals who have traveled into Nuiqsut from any other city (both in and outside of Alaska) are strongly urged to quarantine in their homes for a period of 14-days.
8. Residents shall follow all health mandates issued by Governor Dunleavy, the Alaska Department of Health and Human Services (DHSS), and the U.S. Center for Disease Control (CDC).
9. Critical Jobs include:
 - a. Healthcare Operations, including hospitals, clinics, dentist, pharmacies, mental health providers, and other healthcare facilities. To preserve the City's limited resources, all Healthcare Operators shall postpone appointments that are not urgent whenever possible, and consider alternatives to face-to-face;
 - b. Businesses providing any services or performing any work necessary to the operations and maintenance of "Critical Infrastructure," including, but not limited to, the airport, public works construction, water, sewer, gas, electrical, oil production, roads and highways, telecommunication systems, waste collection and removal, and shipping companies;
 - c. First responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel;
 - d. Critical Government Functions, meaning all services needed to ensure the continuing operation of government agencies. Employees should follow the direction of their employer;
 - e. Grocery stores and any establishments engaged in the retail sale of food or consumer products.
 - f. Newspapers, radio, and other media services;
 - g. Gas stations and auto-repair shops;
 - h. Businesses providing mailing services;
 - i. Businesses that supply other critical businesses with the support and supplies necessary to operate or that ship or deliver groceries or food to residents.
 - j. Hotels, residential facilities, and shelters, including home-based care;

- k. Restaurants and other facilities that prepare and serve food and beverages, but only under carry-out provisions in accordance with Emergency Order EO-01.
- 10. All entertainment facilities within the City shall be closed to the public, including gaming locations and bingo halls, both those owned by the City and those privately owned.
- 11. Persons traveling from Deadhorse to Barrow via the Ice Road or the Community Winter Access Trails (CWAT), must fuel up in Deadhorse and may not stop in Nuiqsut for fuel, supplies, or any other purpose. If an emergency arises, be it injury, weather or trail conditions, travelers are advised to contact KSOP, Mayor Pardue, or Gordon Brower with the NSB Planning Department to assist with finding resolution to the emergency prior to entering the community. In all cases, no contact with community members is permitted to ensure the safety of the community and prevent the transmission of COVID-19.
- 12. Effective immediately, children 17 and under must be at home from 10:00 p.m. to 6:00 a.m. for the safety of the community and to limit the transmission of COVID-19.
- 13. All stores and public facilities must limit capacity to ten (10) people at one time, as well as post signs and enforce social distancing of six feet for all patrons.

DATED this 24th day of March 2020.



The Honorable Mamie Pardue
Mayor, City of Nuiqsut

**City
of
Nuiqsut**

EO-02

April 6, 2020



CITY OF NUIQSUT

Mayor Mamie Pardue

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CITY OF NUIQSUT PROCLAMATION OF EMERGENCY ORDER EO-02 IN RESPONSE TO COVID-19


ISSUED BY THE MAYOR OF THE CITY OF NUIQSUT ("CITY") PURSUANT TO CITY OF NUIQSUT RESOLUTION 20-03 AND EARLIER ISSUED EMERGENCY ORDER EO-01.

The COVID-19 pandemic has generated a public health emergency that continues to threaten and to overwhelm the health system of the entire State of Alaska. Furthermore, the City has limited health resources and we must take steps to slow and contain the threat; such steps require coordinated community action. This EO-02 Order and the original EO-01 Order are put forward to preserve the health and safety of our community.

PURSUANT TO THE AUTHORITY GRANTED TO ME BY THE CITY COUNCIL UNDER RESOLUTION 20-03, DATED MARCH 23, 2020 AND THE EARLIER ISSUED EMERGENCY ORDER EO-01, DATED MARCH 24, 2020, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED BY REFERENCE HEREIN, I HEREBY PROCLAIM THAT THE EMERGENCY REGULATIONS SET FORTH IN EO-01 WHICH BECAME EFFECTIVE AS OF 5:00 P.M. ON TUESDAY, MARCH 24, 2020, CONTINUE TO BE NECESSARY IN ORDER TO PRESERVE LIFE IN AND ADJACENT TO THE CITY, AND THAT THOSE EMERGENCY REGULATIONS SET OUT IN EMERGENCY ORDER EO-01 HAVE THE POWER OF LAW AND SHALL REMAIN IN EFFECT UNTIL 11:59 P.M. ON MONDAY, JUNE 1, 2020, UNLESS RESCINDED EARLIER AND SHALL SUPERCEDE ALL CONFLICTING LAWS DURING THE EXISTENCE OF THIS EMERGENCY.

1. Emergency Regulations No. 1 to No. 13 set out in Emergency Order EO-01, attached hereto, shall remain in full force and effect until 11:59pm on Monday, June 1, 2020.
2. Emergency Regulation No. 14 is added to this Emergency Order EO-02 as set out in the letter of April 2, 2020 from Kuukpik Corporation and the City of Nuiqsut sent to and accepted by North Slope Borough Mayor Brower attached hereto and incorporated by reference herein re: RESTRICTIONS ON ENTRY TO NUIQSUT.

DATED this 6th day of April, 2020.


The Honorable Mamie Pardue
Mayor, City of Nuiqsut

Attachments: (1) Emergency Order EO-01, March 24, 2020 [3 pages]
(2) Kuukpik Corp./City of Nuiqsut letter to NSB Mayor, April 2, 2020 [2 pages]



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907.480.6220



City of Nuiqsut
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April 2, 2020

The Honorable Harry K. Brower, Jr.
Mayor, North Slope Borough
P.O. Box 69
Barrow, AK 99723

RE: RESTRICTIONS ON ENTRY TO NUIQSUT

Dear Mayor Brower:

Kuukpik Corporation and the City of Nuiqsut are working in tandem to limit impacts of COVID-19 to the community of Nuiqsut. Our close proximity to industry and the workforce that comes with it are indisputable. The news of a positive COVID-19 case in Prudhoe Bay has heightened concern. This letter is to clarify Kuukpik's current position with respect to its privately owned lands and ask for the Borough's cooperation with respect to contractors now wishing to enter the village.

First, Kuukpik Corporation writes to inform the Borough and its contractors that it is a trespass to travel on Kuukpik Land without prior written permission from the Corporation. We are making every effort at this time to ban entry into Nuiqsut other than for residents. Residents who wish to return home are encouraged to do so. Those that return home are expected to self-quarantine for 14 days immediately after their return. Kuukpik has already informed those conducting business on its land including our partner companies that they no longer have permission to travel over Kuukpik Land if that travel is intended to or results in entry into the City limits. This decision does not impact those who currently have permission to use the Alpine ice road system as that system bypasses the City proper. To be clear, Kuukpik will seek legal redress for any unauthorized entry into Kuukpik Lands under the circumstance described above.

Second, the City and Kuukpik request the Borough pause all community projects for 60 days including any work on the airport, the power plant and any other civil projects. While we view these projects as very important our priority is protecting the community. A 60-day pause puts us well beyond the close of the ice road season and allows the community to better understand our

circumstances vis-à-vis the spread of COVID-19. Prior to the expiration of the 60-day pause we will have the opportunity to reevaluate.

As we work to notify the appropriate parties, we request your signature indicating your acceptance and support of this community-wide decision.

Sincerely,



Mamie Pardue
Mayor, City of Nuiqsut



Joseph Nukapigak
President, Kuukpik Corporation

Accepted by:



Harry K. Brower, Jr.
Mayor, North Slope Borough

Cc: Governor Mike Dunleavy
Senator Donny Olson
Representative John Lincoln
State of Alaska at 2020_COVID-19@ak-prepared.com
State of Alaska at seoc@akprepared.com
Richard Hildreth, Program Manager, Planning/Plans Section-Covid Disaster DHS&EM
Forrest Olemaun, Chief Administrative Officer, NSB
Scott Danner, Director, CIPM, NSB
NSB Assembly
UICC
Nanuq
Kuukpik Corporation Board of Directors
Native Village of Nuiqsut
City of Nuiqsut Mayor and Council Members
Joe Evans, City Attorney, City of Nuiqsut
ConocoPhillips
Oil Search
BP
Hilcorp
SAExploration