

March 3, 2023

Deb Haaland
Secretary
U.S. Department of the Interior
Debra.Haaland@doi.gov
exsec@ios.doi.gov

Steve Cohn
Alaska State Director
U.S. Bureau of Land Management
blm_ak_state_director@blm.gov

Dear Officials:

On behalf of the community and people of Anaktuvuk Pass, the Nunamiut people, we write to request government-to-government consultation. We have learned of the potential imminent approval of ConocoPhillips' Willow Master Development Plan in the National Petroleum Reserve-Alaska (Reserve) and are writing to implore you to uphold your obligations to consult with our federally recognized Tribal Government,¹ before a decision is made on whether to approve the Willow project.

The Department of the Interior has committed to "consult with tribes on a government-to-government basis whenever [the Department] plans or actions have tribal implications."² The Bureau of Land Management (BLM) is similarly "charged with engaging in regular and meaningful consultation and collaboration with federally recognized tribes in the development of Federal policies and decisions that have tribal implications."³

When the Willow project was proposed last time, under the prior administration, your offices recognized the tribal implications of the project and met with our community twice before the project was approved.⁴ That effort at consultation, through two meetings, was not sufficient, but at least some effort was made last time around to recognize our Tribal Government and the concerns of our people. There has been no similar effort this time. **We ask you to not finalize your decision about whether to approve the Willow project until we have had an opportunity**

¹ 88 Fed. Reg. 2112 (Jan. 12, 2023).

² Dept. of the Interior, Department Manual, Policy on Consultation with Indian Tribes and Alaska Native Corporations at 2, ¶4.4 (Nov. 9, 2015).

³ BLM, BLM Manual 1780 Tribal Relations (P) at 1-1 (Dec. 15, 2016).

⁴ See BLM, Willow Master Development Plan, Final Supplemental Environmental Impact Statement, Vol. 8, App. B.1 at 1, Tbl. B.1.1. (Jan. 2023) (FSEIS); *id.*, App. B.2 at 1, Tbl. B.2.1.

for meaningful government-to-government consultation, and to express the concerns of our people about the potential impacts of BLM's decision.

We are deeply concerned about the potential implications the Willow project could have for our people, our community, and our Tribal Government. Residents of Anaktuvuk Pass provided written comments to BLM last time the project was proposed, imploring BLM to come back to the community for further discussion and to provide bigger maps and Caribou migration data, and responding thoughtfully to BLM's request for ideas of how impacts from Willow could be reduced or mitigated. Residents of our community described concerns about potential impacts to our primary diet, Caribou, to global warming, and to our way of life. BLM has not come back to our community this time and we feel our people and their concerns have been overlooked.

The Barren Ground Caribou are of immense importance to our people, to our survival, and to the preservation of our culture and tradition. These Caribou include those in the Teshekpuk, Western Arctic, and Central Arctic herds. Caribou have been the primary diet of our people since time immemorial. We have been hunting and using Caribou for thousands of years to feed and clothe our people and to make tools and sinew to build and maintain our equipment and our clothing. Caribou are vital to our culture, to our livelihood, and to our physical and spiritual wellbeing.

We are deeply concerned that impacts to Caribou from the Willow project could reduce the Caribou that are available for our hunters near our community, and in our traditional hunting and trading grounds, which includes the areas affected by the Willow project. For the past several years, the Caribou have not been coming to the hunting grounds near our community like they used to. We feel oil and gas projects in the Reserve could be deflecting Caribou from their traditional migration paths and causing increased mortality. For decades we have watched the oil and gas activities march further west from Prudhoe Bay, and we have grown increasingly worried about how these activities affect Caribou. We think the Willow project and the projects that could be built from Willow could continue to harm Caribou, to deflect them, and to contribute to the decreasing number of Caribou available for our people.

Our hunters have had to travel further and further and have been forced to hunt at times of the year that are not as good for our people, like in the winter when our hunters must take cows instead of bulls. In recent years, we have had to pay for our hunters to go to Nuiqsut to hunt with their residents and our relatives, and to try and bring Caribou home to our people. This practice, sending our hunters away from their families and our community to Nuiqsut, seems like the new normal.

Your Final Supplemental Environmental Impact Statement found, under your obligations pursuant to the Alaska National Interest Lands Conversation Act, that the Willow project's action alternatives, and the cumulative case, "may significantly restrict subsistence use" for the

community of Nuiqsut.⁵ We hunt and use the same Caribou as our friends and relatives in Nuiqsut. We hunt with them to try and preserve the health of our community and our way of life. Our communities have traded with, and supported, one another since time immemorial. Our people, the Nunamiut people, have depended on the Caribou and the places they roam, from here to Nuiqsut and beyond, for thousands of years and to this day. We are worried that Willow and other oil and gas projects will significantly restrict our subsistence uses too, and cause harm to our community and to our people.

We request government-to-government consultation with you to discuss the potential harms to our community from the Willow project. We ask you to consult with us before you make a decision on whether to approve Willow.

Sincerely,



Charlie Sollie Hugo
President
Naqragmiut Tribal Council

CC:

Donna Bach
Alaska Native Coordinator
Alaska State Office
dbach@blm.gov

⁵ FSEIS, Vol. 15, App. G.