

## Caribou Coordination Newsletter September 2020

The last few weeks have been extremely busy within the Caribou Coordination Department so I wanted to take an opportunity to provide a brief update that brings all of the information together in one place.

I have included reference to news articles that have covered these developments throughout the below but will note that there have been hundreds of articles across Canada, the U.S. and globally that have been read by millions of people around the world over the last few weeks.

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On August 17, 2020, the [Record of Decision](#) for the Coastal Plain Oil and Gas Leasing Program was released completing the Environmental Impact Statement Process (the environmental review of the Program). This process was required to be completed before undertaking oil and gas lease sales in the Coastal Plain of the Arctic National Wildlife Refuge as mandated in the 2017 [Tax Cuts and Jobs Act](#) passed by the Trump Administration.

The Record of Decision (ROD) adopted Alternative B –the most aggressive and destructive drilling alternative which offers the opportunity to lease the entire Coastal Plain of the Arctic National Wildlife Refuge.

Vuntut Gwitchin Government and Gwich'in Tribal Council's response to the Record of Decision is available on our website [here](#).

The Parties of the 1985 *Porcupine Caribou Management Agreement* response to the Record of Decision is available on the Government of Yukon's website [here](#).

### *In the News:*

- [U.S. approves oil, gas leasing plan for Alaska wildlife refuge](#), CBC News, August 17, 2020
- [U.S. government moves forward on decision for drilling in ANWR despite Gwich'in opposition](#), Yukon News, August 19, 2020
- [Gwich'in leaders want support to protect 'life blood' of their nation](#), CBC News, August 19, 2020
- ["We're not giving up." The fight to save caribou from Arctic Drilling](#), Cabin Radio, August 24, 2020

As a final decision from the agency, the Record of Decision is subject to judicial review.

The Gwich'in Steering Committee, representing the Gwich'in Nation of Alaska and Canada, and allied groups are taking the U.S. Secretary of Interior, Department of the Interior, Bureau of Land Management and Fish and Wildlife Service to court for finalizing an illegal leasing program for the Coastal Plain of the Arctic National Wildlife Refuge.

This action is being taken to invalidate the unlawful [Final Environmental Impact Statement](#) and [Record Of Decision](#), ANILCA Section 810 Final Evaluation, and deficient [Biological Opinion](#), and any related or subsequent decisions based on those documents. The claims include failure to comply with the [Alaska National Interest Lands Conservation Act](#) (ANILCA), the [National Environmental Policy Act](#) (NEPA), the [Endangered Species Act](#) (ESA) and other federal law and regulations in completing the environmental review processes and in making the final decisions.

You can see press release on this action on Trustees for Alaska's website [here](#).

*In the News:*

- [Gwich'in 12 other groups suing U.S. over leasing program for Arctic wildlife refuge](#), CBC, August 24, 2020
- [UPDATED: Gwich'in-led lawsuit filed against drilling in Arctic National Wildlife Refuge](#), Yukon News, August 24, 2020
- [Canadians join lawsuit to overturn opening Alaska wilderness to energy drilling](#), National Post, August 24, 2020

Three other lawsuits have been filed since this time. These include one on behalf of Native Village of Venetie Tribal Government, Arctic Village Council, and Venetie Village Council and another on behalf of 15 U.S. States.

*In the News:*

- [Gwich'in File Suit to Stop Oil and Gas Development in Arctic Refuge](#), Native American Rights Fund, September 9, 2020
- [15 states sue Trump administration over Alaskan Arctic oil and gas leasing](#), CNN Politics, September 9, 2020

In total, the four lawsuits represent 35 different Plaintiffs.

The United Nations Committee of the Elimination of Racial Discrimination (CERD) has [called](#) for an investigation regarding how proposed oil and gas development in the Coastal Plain of the Arctic National Wildlife Refuge violates the human rights of the Gwich'in.

This is the first major action by an international human rights body to sound the alarm on the violations to Indigenous Peoples' human rights that will result from drilling in the Arctic Refuge. This investigation comes in response to a request from the Gwich'in Steering Committee and allied groups which highlighted concerns on how development in the Coastal Plain will threaten the way of life of the Gwich'in Nation and violate rights to culture, health, education, employment and security.

Press release is available on First Peoples Worldwide's website [here](#).

*In the News:*

- [UN Calls for Investigation Into Trump's Arctic Drilling Plan, Citing Likely Human Rights Abuses](#), Gizmodo, September 2, 2020
- [UN discrimination committee questions impact of US Arctic drilling on Indigenous people](#), The Hill, September 2, 2020

A lease sale of the Coastal Plain of the Arctic National Wildlife refuge will require a few steps to be followed before the lease sale date. This will include a public comment period on the specific areas of land to be offered up for lease.

While there is speculation that a lease sale would not proceed before the 2020 U.S. presidential election, there is still a chance that it may proceed any time now and we are ready to respond accordingly. A lease sale could still occur while litigation is ongoing.

*In the News:*

- [Trump finalizes drilling plan for Arctic National Wildlife Refuge](#), The Washington Post, August 17, 2020
- [It's a bizarre time for Trump to open Alaska's Arctic refuge up to oil drilling](#), CNN Business, August 19, 2020

On September 3, 2020, Canada's Minister of Environment and Climate Change, the Honourable Minister Wilkinson put out a statement supporting "Indigenous and territorial partners in protecting Porcupine caribou in Arctic National Wildlife Refuge."

That statement is available on the Ministry of Environment and Climate Change Canada website [here](#).

*In the News:*

- [Ottawa puts out statement opposing ANWR development](#), Yukon News, September 4, 2020

Some of the additional notable news coverage from the past few weeks are included below:

- [Debate grows over plan to open Alaskan arctic refuge to drilling](#), The Today Show, August 19, 2020
- [Why we're taking the U.S. government to court over the Arctic National Wildlife Refuge](#), The Narwhal, August 27, 2020
- [Saving the Alaska National Wildlife Refuge – with Gwich'in Grand Chief Bobbie Jo Greenland-Morgan](#), Ahkameyimok Podcast with National Chief Perry Bellegarde, August 28, 2020
- ['Critical' time for protecting Alaska refuge, says Yukon environment minister](#), CBC News, August 28, 2020
- [Trump government opens wildlife refuge for fossil fuel extraction](#), APTN National News, September 4, 2020

If you have any questions please do not hesitate to reach out.

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