

Caribou Coordination Update Report

The Caribou Coordination file has been a busy one for Vuntut Gwitchin Government (VGG) over the past year and I wanted to use this space to report out on some of our highlights. Previous updates, since our last General Assembly, are available in the [January 2021 Newsletter](#) and the [September 2020 Newsletter](#) on our website.

Status Snapshot: While leases of the Coastal Plain were issued during the final days of the Trump Presidency earlier this year, President Biden and his Administration have taken several important steps to temporarily protect the Arctic National Wildlife Refuge by halting any activity on these leases until new environmental analysis is completed. While this was great news, these measures are just temporary and there is still a lot of work that needs to be done in order to permanently protect the Arctic National Wildlife Refuge as leases have been issued and current U.S. law (2017 *Tax Cuts and Jobs Act*) mandates an oil and gas program and a second lease sale of the Coastal Plain. Additional information on status and the activities of the Caribou Coordination Department over the past year is provided below.

Leases to drill the Coastal Plain of the Arctic National Wildlife Refuge were issued.

Last Fall, the Trump Administration rushed through technical and regulatory processes in order to hold a lease sale of the Coastal Plain before leaving office.

On January 6, 2021, the U.S. Bureau of Land Management (BLM) held a lease sale of the Coastal Plain of the Arctic National Wildlife Refuge.



Figure 1 Graphic created by CPAWS Yukon depicting results of the lease sale of the Coastal Plain of the Arctic National Wildlife Refuge held on January 6, 2021.

Bids received averaged at \$26 per acre, just \$1/ acre over the specified minimum and totaled less than 1 % of the \$1.8 billion in revenue projected by the 2017 *Tax Cuts and Jobs Act* which mandated the sale to pay for tax cuts made. Major oil companies stayed away and the biggest bidder wasn't even an oil company but a corporation of the State of Alaska itself (AIDEA).

On January 19, 2021, the BLM announced that it had signed and issued leases on nine tracts of land, totaling 437,804 acres, of the Coastal Plain of the Arctic National Wildlife Refuge. Leases were issued to Alaska Industrial Development and Export Authority (AIDEA), Knik Arm Services LLC and Regenerate Alaska Inc.

Last Fall and Winter, we worked to ensure we participated in all public comment periods associated with the lease sale regulatory process. Despite knowing that the BLM would proceed with a lease sale regardless of our comments, it was important

that our comments formed part of the public record which later informed the Biden Administration's actions. Comments we submitted are available on the Porcupine Caribou Management Board's website [here](#).

We also worked to ensure we released statements at key milestones to keep the community informed of what was happening and to help garner media and public attention. In advance of a lease sale, we put out Joint Statements with the Gwich'in Tribal Council at the start of the lease sale process (available on our government website [here](#)) and for the announcement of the lease sale date (available on our government website [here](#)).

Following the lease sale, the following key statements were released:

- **Statement of Chief Tizya- Tramm on Lease Sale of Izhik Gwats'an Gwandaii Goodlit** dated January 19, 2021. Available on our government website. Excerpt below:

"Today, with the issuance of these leases, we are the closest we have ever been to drilling in Izhik Gwats'an Gwandaii Goodlit. But the fate of these lands is not yet sealed..."

United with our Gwich'in relatives in Alaska and Northwest Territories, we will continue to utilize every legislative, technical, regulatory and legal tool available to us to protect our sacred lands and our culture. We will continue to call on our relations, our allies, our partners and our friends to stand with us. We will continue to share our knowledge and voice our concerns and most importantly we will continue to honour our most fundamental relationship with the land and the animals. Our work will not stop until Izhik Gwats'an Gwandaii Goodlit is permanently protected."

- **Work to Protect the Porcupine caribou will continue**, Statement of Parties of the Porcupine Caribou Management Agreement dated January 8, 2021. Available on the Government of Yukon's website. Excerpt below:

"Partners to the Canadian Porcupine Caribou Management Agreement came together on January 6, 2021 to respond to the recent oil and gas lease sale in the Arctic National Wildlife Refuge (ANWR). The parties are committed to advocating for protection of the Porcupine caribou herd and this vital habitat."

- **Minister Wilkinson expresses concerns over sale of leases for oil-and-gas development in the Arctic National Wildlife Refuge**, Statement from Canada's Minister of Environment and Climate Change dated January 6, 2021. Available on the Government of Canada's website. Excerpt below:

"Canada continues to strongly oppose development in the Arctic National Wildlife Refuge due to the potential impacts on the Porcupine caribou herd and on Indigenous Peoples. Porcupine caribou and their calving grounds are invaluable to the culture and subsistence of the Gwich'in and Inuvialuit and are integral to biodiversity in the North."

The Biden Administration took immediate action to temporarily protect the Arctic National Wildlife Refuge.

On his first day in office, one day after the leases were issued, President Biden signed an **Executive Order** which placed a temporary moratorium on all oil and natural gas leasing activities in the Arctic National Wildlife Refuge recognizing the legal deficiencies underlying program itself because of the unlawful environmental review process. This was critical to temporarily protecting the Coastal Plain as it stopped proposed seismic exploration and it stopped any activity on the leases granted from proceeding.

Our response to the Executive Order is available on our government website [here](#).



Figure 2 Lorraine Netro and Cheryl J. Charlie met with former U.S. Representative Deb Haaland in Washington D.C. in 2019. Haaland, was confirmed as the Secretary of Interior earlier this year and is the first Native American Cabinet secretary in U.S. history. Secretary Haaland has been a champion for protecting the Arctic Refuge.

Following the Executive Order, the U.S. Department of Interior (DOI), headed by Secretary Deb Haaland, requested a stay (pause/ timeline extension) in the ongoing litigation, that the Gwich'in Steering Committee and others brought against the U.S. government for proceeding with this, so that "new Administration officials may evaluate the litigation and determine whether and how the Executive Order and the policy direction described therein may impact the government's position in this case."

In June 2021, the DOI completed this review and concluded that the environmental review completed by the Trump Administration was unlawful and as such ordered a suspension of the leases until new comprehensive analysis of potential environmental impacts of the Leasing Program is completed (through Secretary Order No. 3401 available on the DOI website [here.](#))

This means that while the leases of the Coastal Plain that were issued by the Trump Administration may remain in place until the new analysis is conducted and the legal deficiencies are addressed, no action on these leases will proceed.

This is another important step towards protecting these lands in the short term but legislative action is still needed to permanently protect these lands. Our statement on the lease

suspension is available on our government website [here](#). The Partners of the Porcupine Caribou Management Agreement also released a joint statement (dated June 4, 2021) available on the Government of Yukon website available [here](#). Excerpt below:

"Our position remains that drilling in the Arctic National Wildlife Refuge is not sustainable for long-term health of the Porcupine caribou herd. We remain committed to our goal of permanent protection for the sacred calving grounds for Porcupine caribou in this region of Alaska."

The BLM is now completing a Supplemental Environmental Impact Statement (EIS) to address the deficiencies identified. It is currently estimated that this process will take until summer 2023 to complete. DOI has announced that no oil and gas activities, including seismic exploration, can proceed while the Supplemental EIS is being completed.

Prime Minister Trudeau and President Biden agreed to work together to safeguard calving grounds.

While the Government of Canada has expressed opposition to development of the Arctic National Wildlife Refuge for decades through participation in public processes and bilateral meetings, we have been calling for a public statement of support from the Prime Minister for years. Last Fall we reinvigorated these efforts with government to government correspondence and a coordinated Call in Day.

On February 23, 2021, following their first bilateral meeting, President Biden and Prime Minister Trudeau released the **“Roadmap for a Renewed U.S. – Canada Partnership”** within which they recognized the importance of the Arctic National Wildlife Refuge and “agreed to work together to help safeguard the Porcupine caribou herd calving grounds that are invaluable to the Gwich’in and Inuvialuit people’s culture and subsistence”.

Our response to the inclusion of the Arctic National Wildlife Refuge in the Roadmap is available on our government website [here](#). Excerpt below:

*“Since 1988, upon our elders’ direction, the Gwich’in Nation have worked tirelessly to protect the Arctic National Wildlife Refuge; the beating heart of an ancient ecosystem. The caribou do not recognize the border between Alaska and Canada and today’s acknowledgment of the need for cross border cooperation in protecting the herds critical calving grounds recognizes this. Our elders have always taught us that as we make a shift as a species to honour the survival of others and the future generations that are depending on us, that we can only be successful in this together. Hai choo’ to Prime Minister Trudeau and President Biden for making protection of the Arctic National Wildlife Refuge part of a renewed U.S. – Canada Partnership. “Chief **Dana Tizya-Tramm***

Legislation to protect the Arctic National Wildlife Refuge must be passed by U.S. Congress.

As current U.S. law (2017 *Tax Cuts and Jobs Act*) mandates an oil and gas program in the Coastal Plain of the Arctic National Wildlife Refuge, legislative to repeal this mandate must be passed in U.S. Congress.

Earlier this year, Arctic Refuge champions in the U.S. Senate and U.S. House of Representatives introduced the *Arctic Refuge Protection Act* to restore protections to the Coastal Plain and prevent oil and gas exploration and development activities from taking place.

- In the Senate: **S.282** - A bill to designate a portion of the Arctic National Wildlife Refuge as wilderness. S.232 currently has 31 Cosponsors.



Figure 3 Mahsi' choo to Lorraine Netro for helping to coordinate this action on December 6 and 7, 2020 and to all those who participated.

- In the House: **H.R. 815** - To amend Public Law 115-97 (commonly known as the Tax Cuts and Jobs Act) to repeal the Arctic National Wildlife Refuge oil and gas program, and to preserve the Arctic coastal plain of the Arctic National Wildlife Refuge, Alaska, as wilderness in recognition of its extraordinary natural ecosystems and for the permanent good of present and future generations of Americans). H.R. 815 currently has 119 cosponsors.

This Spring and Summer we continued to work with our partners to increase support of these bills through increasing House and Senate co-sponsors. These efforts included but were not limited to virtual meetings with key contacts in Washington D.C., including a meeting with the U.S. Council on Environmental Quality within the Executive Office of the President, and participation in a **Digital Rally to Protect the Arctic Refuge**, hosted by the Arctic Refuge Defense Campaign.

This Fall, the Natural Resources Committee of the U.S. House of Representatives' passed their portion of the budget reconciliation bill (the ***Build Back Better Act***) including language which repeals the mandate within the *2017 Tax Cuts and Jobs Act* and cancels the existing oil and gas leases which were granted.

SEC. 70804. FOSSIL FUEL RESOURCES.

(a) **REPEAL OF THE ARCTIC NATIONAL WILDLIFE REFUGE OIL AND GAS PROGRAM.**—Section 20001 of Public Law 115–97 is repealed and any leases issued pursuant to section 20001 of Public Law 115–97 are hereby cancelled and all payments related to the leases shall be returned to the lessee(s) within 30 days of enactment of this Act.

**PROTECT THE
ARCTIC REFUGE
~~FOR NOW~~
FOREVER**



Figure 4 On June 24, 2021, Chief Tizya-Tramm participated in a Digital Rally alongside other Indigenous leaders and champions for protecting the Arctic Refuge. The Rally was a Call to Action to protect the Arctic Refuge forever and has been viewed thousands of times already.

The bill will now need to pass the House and Senate.

Banks and insurance companies are recognizing that drilling in the Arctic National Wildlife Refuge is bad business.



Figure 5 On December 17, one year after we first met with Canada's big banks in Toronto, we completed a thank you walk to each of the banks Whitehorse branches to celebrate their decisions to reject financing drilling in the Arctic National Wildlife Refuge.

In December 2020, we were able to announce that all five of Canada's largest banks stand untied with the Gwich'in Nation, having updated their policies prohibit financing of oil and gas exploration and development in the Arctic National Wildlife Refuge. We put out a Joint Statement with Gwich'in Tribal Council which is available on our VGFN website [here](#).

Our work with Canadian Banks occurred parallel to similar work being done by the Gwich'in Steering Committee and allied groups which led to all major banks in the U.S. ruling out financing of drilling in the Arctic National Wildlife Refuge. In total more than two dozen banks have updated their policies to stand with the Gwich'in.

In addition to major banks, major international insurance companies are ruling our insuring drilling in the Arctic National Wildlife Refuge. Following our work with major banks, we began to target major insurance companies as insurance will be a requirement for companies who pursue development of the Coastal Plain. While we have made good progress, we still have a lot of work to do in the insurance realm as there are many companies, we are targeting that have yet to stand with the Gwich'in Nation and release updated policies.

We continue to try new ways to get our message out to the general public to build support across Canada, the U.S. and globally.

Over the last year, we have worked hard to get our message out to the public and to reach a broader audience. This has included ensuring that we release Statements at key milestones, engage with News Media, continue to use Social Media, and seek out opportunities to speak publicly at events.

Over the last year:

- We released 10 Media Releases marking key milestones.
- There have been hundreds of thousands of news segments and articles regarding the need for protecting the Arctic National Wildlife Refuge across Canada, the U.S. and globally that have been seen by millions of people around the world including key features that have focused our leadership and community members.
- We have more than doubled our social media followers. Our posts now reach thousands of people including two posts which were seen by over 100,000 people.
- While we have missed in person connections at events, conferences, and meetings, we have still had the opportunity to participate virtually in several of note and use different platforms for getting our message out there including this [video](#) featuring Chief Dana's words during the Rally for the Refuge and this [Podcast](#) from the Inter-Council Network featuring Lorraine Netro on Protecting the Arctic National Wildlife Refuge.

For additional detail on any of the above please see the [January 2021 Newsletter](#) available on our government website.

We also held a community photo contest asking for photos, quotes and stories of anything that depicts the importance of our relationship with the caribou that would be used to help the work we are doing in our department. We did not have the engagement from the community that I had hoped for so I am revisiting how to increase community engagement including insuring using many different ways and platforms to get information to the community.

The coming year will be very busy for the Caribou Coordination Department.

While things had been a little bit quieter this Spring, they have started to ramp up again and we are expecting an extremely busy rest of summer and Fall.

Efforts to pass protection legislation are ongoing and we are in a critical moment in time. Right now, the Biden administration and Congress have their best opportunity, with a Democratic majority in the House and Senate, to work together to both administratively and legislatively restore protections for the Arctic Refuge through budget reconciliation. Budget reconciliation is how the Trump Administration mandated the oil and gas program in 2017 through the Tax Cuts and Jobs Act and is now being explored as a way to repeal the mandate. We will continue our advocacy efforts in Washington D.C. and across the U.S. and Canada in order to increase public support of protections to force political action.

We will also participate in future regulatory processes. When the U.S. DOI suspended existing leases, it ordered new environmental analysis be completed. We know that the Supplemental EIS process will include several opportunities for participation through public comment periods and we will be calling for direct consultation with our Government and our community. It is critical that we participate in these regulatory processes so that our voice is part of the formal record.

In addition to the above, our corporate targeting and public awareness and education work will continue.

As I move forward in this work, I continue to focus on maintaining and building relationships with members of the community and with key partners including Gwich'in Steering Committee, Porcupine Caribou Management Board, Yukon Government, Environment Canada, Assembly of First Nations, and NGOs in Canada and the U.S. I know that these are critical relationships to maintain in order to ensure success.

If you have any questions or have any ideas around the work the Caribou Coordination department please do not hesitate to reach out.

Mahsi' choo

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Mahsi' choo to Lorraine Netro for everything she has done to protect the Arctic National Wildlife Refuge and for all of her support of the Caribou Coordination Department.

I wanted to take a moment to recognize Lorraine Netro. I was unable to be in the community this year for Caribou Days to join in acknowledging the tireless effort that Lorraine has put into this work and to celebrate her receipt of the Glenn David Conservation Leadership Prize. Since I have started in this position, Lorraine has been a leader, a teacher and a friend. She has inspired me and provided me with so much strength. Mahsi' choo Lorraine for your guidance and your friendship. It has been critical to all the work I have done.

