

INTRA-AGENCY AGREEMENT
between
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
and
MINERALS MANAGEMENT SERVICE
for
IMPLEMENTATION OF THE NORTH SLOPE SCIENCE INITIATIVE

I. Authority

This Intra-Agency Agreement is entered into pursuant to the authority of:

The Economy Act of June 30, 1932 (47 Stat 417; 31 U.S.C. 1535).

II. Background, Purpose and Objectives

A. Background

The Bureau of Land Management and the Minerals Management Service along with other Federal, State of Alaska, North Slope Borough, and Arctic Slope Regional Corporation natural resources agencies collectively form the North Slope Science Initiative, North Slope Science Oversight Group.

B. Purpose and Objectives

This Intra-Agency Agreement between the Bureau of Land Management and the Minerals Management Service establishes the mechanism by which BLM accepts contribution from MMS in support of the mission and goals set forth in the Charter of the North Slope Science Oversight Group (Appendix A).

III. Authorized Representatives

A. Bureau of Land Management

The BLM Agreements Officer will assume leadership in negotiation of this agreement for the BLM and upon the recommendation and authorization of the BLM Contracting Officer.

Agreements Officer:

~~Rick Gregg~~ Sandee Smith
Alaska State Office
Bureau of Land Management
222 West 7th Avenue, No. 13
Anchorage, Alaska 99513
907-271-3195, FAX: 907-271-5020
E-mail: Rick_Gregg@ak.blm.gov

Contracting Officer's Representative:

John F. Payne
Alaska State Office
Bureau of Land Management
222 West 7th Avenue, No. 13
Anchorage, Alaska 99513
907-271-3431, FAX: 907-271-5479
E-mail: jpayne@ak.blm.gov

B. Minerals Management Service

Project Manager:

Cleveland J. Cowles, Ph.D.
Chief, Environmental Studies Section
Leasing and Environment
Alaska OCS Region
Minerals Management Service
3801 Centerpoint Drive, Suite 500
Anchorage, Alaska 99503-5202
907-334-5281, FAX: 907-334-5242
E-mail: cleveland.cowles@mms.gov

IV. Terms of Agreement

This Intra-Agency Agreement shall be in effect from the date of last signature and will terminate on April 1, 2008, unless amended per Article V or terminated per Article VIII of this Agreement. This Agreement shall be reviewed annually by the parties through exchange of correspondence and coordination until the purposes of this Agreement are jointly agreed on and complete.

The MMS agrees to provide funding not to exceed \$90,000 over a 3-year period. This funding will be provided contingent upon the availability of appropriated funds. Any funds that are provided and not expended within the fiscal year may be carried over into the next fiscal years.

V. Modification of Agreement

The maximum term of this Agreement is for a 3-year period. Any amendments, revisions, addendums, extensions, or reaffirmations of this Agreement must be in writing, approved, and signed by both parties.

VI. Payment

Reimbursement for services rendered and expenditures incurred by BLM will be made by MMS upon submission of the Intergovernmental Payment and Collection System invoice to agency location code 14-19-0001. Funding will be provided contingent upon the availability of appropriated funds.

VII. Equal Opportunity and Civil Rights

Activities conducted under this agreement will be in compliance with the nondiscrimination provisions, as contained in Titles VI and VII of the Civil Rights Act of 1964, as amended, the Civil Rights Restoration Act of 1987 (Public Law 100-259) and other nondiscrimination statutes, namely section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and in accordance with regulations of the Secretary of interior (7 CFR 15, Parts A & B), which provide that no person in the United States shall, on the grounds of race, national origin, age, sex, religion, marital status, or handicap be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under this agreement.

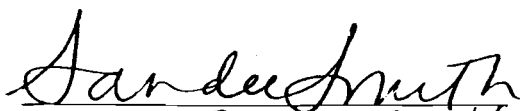
No member of or delegate to Congress or Resident commissioner shall be admitted to any share of or part of this agreement or to any benefit that may arise therefrom; but this provision is not to be construed to extend to this agreement if made with a corporation for its general benefit.


VIII. Termination

Either agency may terminate this agreement upon 30 days written notice of such termination.

Authorized Signatures

Bureau of Land Management:

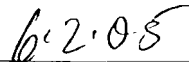

~~Rick Gregg~~ Sandee Smith
Agreements Officer
Alaska State Office


Date

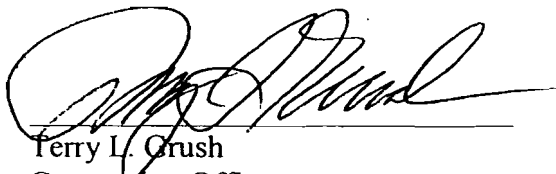
Minerals Management Service:



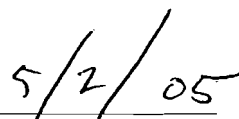
John Goll
Regional Director
Alaska OCS Region



Date



Terry L. Grush
Contracting Officer



Date

APPENDIX A

North Slope Science Initiative Department of the Interior, State of Alaska, Arctic Slope Regional Corporation and North Slope Borough

Charter

North Slope Science Oversight Group

1. **Official Designation:** North Slope Science Initiative, North Slope Science Oversight Group (hereafter the Oversight Group).
2. **Background & Need:** Alaska's North Slope provides important terrestrial, marine and estuarine habitat for thousands of migratory birds, caribou and other terrestrial mammals, marine mammals, and fish, and is culturally important to many Alaskan Natives and their communities. Its petroleum resources are vital to the Nation and it currently provides about 11% of annual domestic oil production. When production of the large reserves of natural gas and coal in the region becomes economically feasible, the strategic and economic importance of the North Slope's hydrocarbon energy resources will be even greater. Past oil and gas activities have impacted habitats but those impacts have been difficult to measure. It is essential that state, federal and North Slope Borough and Arctic Slope Regional Corporation natural resource agencies collectively develop and implement cooperative North Slope-wide inventory, monitoring and research programs to provide the scientific information necessary to address development impacts, and to differentiate these impacts from those caused by natural processes.
3. **Mission:** The mission of the Oversight Group is to enhance the quality and quantity of the scientific information available for aquatic, terrestrial and marine environments on the North Slope and to make this information available to decision-makers, governmental agencies, industry and the public. This mission will be accomplished through a coordinated and integrated approach to conducting inventory, monitoring and research activities on the North Slope.
4. **Goals:** The Oversight Group directs and facilitates a coordinated approach to information gathering and analysis on the North Slope and its associated marine environment, including the integration of contemporary and traditional local knowledge. Specifically, the Oversight Group will:
 - Develop an understanding of information needs for regulatory and land management agencies, local governments and the public;
 - Identify and prioritize information needs for inventory, monitoring and research activities to address impacts of past, ongoing and anticipated development activities on the North Slope;

- Coordinate ongoing and future inventory, monitoring and research activities to minimize duplication of effort, share financial resources and expertise, and assure the collection of quality information;
- Identify priority needs not addressed by existing agency science programs and develop a funding strategy to meet these needs;
- Maintain and improve public and agency access to accumulated and ongoing research, and to contemporary and traditional local knowledge; and
- Ensure through appropriate peer-review that the science conducted under the oversight of the NSSI and by participating NSSI agencies and organizations is of the highest technical quality.

5. Membership: The Oversight Group consists of the following member agencies with voting privileges: the State Director of the Bureau of Land Management; the Regional Directors of the U.S. Fish and Wildlife Service, National Park Service, National Marine Fisheries Service, and the Minerals Management Service; the Commissioners of the Alaska Department of Natural Resources and the Alaska Department of Fish and Game; the Arctic Slope Regional Corporation President; and the Mayor of the North Slope Borough. These agencies represent the principal government agencies at the regional, state, and federal level with management responsibilities for public lands, fish, and wildlife on the North Slope. In addition, the U.S. Geological Survey and the U.S. Department of Energy will participate on the Oversight Group as the primary advisory agencies on science issues related to the North Slope, but will not have voting privileges.

6. Summary of Agency Missions and Roles:

A. Federal

1. **Bureau of Land Management:** collaboratively manages its Alaska lands and its uses on the North Slope to promote healthy and productive ecosystems for present and future generations, in accordance with the Federal Land Policy Management Act (FLPMA) and the Naval Petroleum Reserves Production Act of 1976 (NPRPA). The NPRPA encourages oil and gas leasing in the National Petroleum Reserve Alaska (NPR-A) while requiring protection of important surface resources and uses, including any activities related to the protection of environmental, fish and wildlife, and historical or scenic values.

2. **Fish and Wildlife Service:** is one of the primary natural resource management agencies on the North Slope. The mission of the Fish and Wildlife Service is to work with others to conserve, protect and enhance the fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Fish and Wildlife Service manages the 19 million acre Arctic National Wildlife Refuge in northeast Alaska, and has primary

management authority for migratory birds, certain threatened and endangered species, polar bear, and Pacific walrus. The Service also cooperates with other federal and state agencies and various industries to minimize the effects of development on fish and wildlife resources. To accomplish this mission, the Service is involved in a variety of research, monitoring and management projects of the North Slope and in adjacent coastal waters of the Beaufort Sea.

3. Minerals Management Service: manages the mineral resources located on the Nation's Outer Continental Shelf, collects revenue from the federal OCS and onshore Federal and Indian lands, and distributes those revenues. The MMS Offshore Minerals Management Program administers the OCS competitive leasing program and oversees exploration and production of our Nation's offshore natural gas, oil, and other mineral resources for safety and environmental soundness. MMS is also responsible for oil spill response reviews for all platforms off the Nation's coasts. MMS funds environmental and technology studies for ocean energy and minerals. The prime laws for the MMS Offshore Program are the Outer Continental Shelf Lands Act and the Oil Pollution Act.

4. National Park Service: preserves the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations. The Park Service cooperates with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world.

5. Geological Survey: serves the Nation as the Department of Interior's lead science agency by providing scientific expertise responsive to important natural resources issues and natural hazards assessments. The mission of the USGS Alaska Science Center (ASC) is to provide scientific leadership and accurate, objective, and timely data, information, and research findings about the earth and its flora and fauna to Federal and State resource managers and policy makers, local government, and the public to support sound decision making regarding natural resources, natural hazards, and ecosystems in Alaska and circumpolar regions. To meet the specific information needs of resource management agencies for the marine and terrestrial ecosystems of the North Slope of Alaska, the ASC will combine and enhance the Center's diverse science programs, capabilities, and talents with capabilities of USGS from across the nation to strengthen its scientific capacity and contribution to the resolution of the complex natural resource issues associated with change within the North Slope region.

6. NOAA/ National Marine Fisheries Service: provides stewardship of living marine resources through science-based conservation and management and the promotion of healthy ecosystems. NOAA's activities on Alaska's North Slope include consultation and coordination regarding

federal water development projects under the Fish and Wildlife Coordination Act and other laws, consultation regarding federal actions under the Endangered Species Act, and regulation of small take authorizations under the Marine Mammal Protection Act. Under this program, NOAA issues regulations or Incidental Harassment Authorizations for the unintentional take of small numbers of marine mammals. The authorizations often require monitoring and research to quantify the extent of take and to reduce harmful effects to marine mammals. NOAA also performs research concerning marine mammals under NOAA jurisdiction, including whales and seals. NOAA is especially involved with bowhead whales and whaling, including research, funding/grant work for the Alaska Eskimo Whaling Commission, and staffing for the U.S. delegation to the International Whaling Commission.

7. United States Department of Energy: seeks to protect our national and economic security by promoting a diverse supply and delivery of reliable, affordable, and environmentally sound energy. To tackle our immediate need for oil and gas, the DOE continues to develop and promote technologies that can lower the costs of oil and natural gas exploration and development, maximize the efficiency and stability of America's oil and gas production and supply, and protect the environment. The Department's research activities are closely coordinated with, and synergistic to, the activities of other federal agencies including Environmental Protection Agency, and various branches of the Department of the Interior. DOE recently established the Arctic Energy Office in Fairbanks and is sponsoring numerous research efforts regarding the Alaska North Slope through that office and other DOE programs.

B. State of Alaska:

1. Department of Fish and Game: protects, maintains and improves the fish and game resources of the state, and manages their use and development for the maximum benefit of the people of the state, consistent with the sustained yield principle. The Alaska Department of Fish and Game has a responsibility to collect biological information necessary to evaluate land development activities, to present this information to decision makers so they can make informed decisions and to provide options for development activities that will minimize or mitigate negative impacts of development.

2. Department of Natural Resources: is the lead resource development agency for the State of Alaska. Its mission is to develop, conserve and enhance natural resources for present and future Alaskans. Several Divisions in DNR have major responsibilities regarding North Slope developments.

(a) The Division of Oil and Gas develops and manages the state's oil and gas leasing programs. The division staff identifies prospective lease areas; performs geologic, economic, environmental and social analyses, develops a five-year leasing schedule, and conducts public review of proposed sales. The division conducts competitive oil and gas lease sales and monitors collection of all funds resulting from its programs.

(b) The Division of Geological and Geophysical Surveys (DGGS) generates, analyzes and interprets data on geologic resources and natural conditions; maps and inventories mineral and energy resources on state land for use by government, private industry, scientists, educators and the public.

(c) The Division of Mining, Land & Water is the primary manager of Alaska's land holdings. Responsibilities include ensuring the state's title; preparing land-use plans and easement atlases; classifying land; leasing and permitting state land for commercial and industrial uses, and coordinating needed authorizations for major developments on the North Slope. The division allocates and manages the state's water resources on all lands in Alaska, adjudicates water rights, provides technical hydrologic support, and assures dam safety.

(d) The Office of Habitat Management and Permitting fulfills specific statutory responsibilities for protecting freshwater anadromous fish habitat under the Anadromous Fish Act and providing free passage of anadromous and resident fish in fresh waterbodies. This office also coordinates positions taken by the State of Alaska on resource development issues.

(e) The Office of Project Management and Permitting administers the Alaska Coastal Management Program which provides stewardship for Alaska's rich and diverse coastal resources to ensure a healthy and vibrant Alaskan coast that efficiently sustains long-term economic and environmental productivity. It also administers the State of Alaska's Large Project teams responsible for coordinating state agency participation on major resource development projects throughout Alaska.

C. Arctic Slope Regional Corporation ("ASRC"): is the Alaska Native-owned regional corporation representing more than nine thousand Inupiat Eskimos of Alaska's North Slope. The shareholders of ASRC own surface and subsurface title to more than four million acres of North Slope lands. By virtue of this title, the ASRC represents the largest private landowner on the North Slope. The ASRC ownership stems from an earlier claim of aboriginal title - covering the entire Alaskan North Slope - that was eventually settled in part by the Alaska Native Claims Settlement Act of 1971 ("ANCSA"). The mission of ASRC includes actively managing its lands and resources in order to enhance Inupiat cultural and economic freedoms. ASRC is involved with a number of North Slope

resource development activities, and has a variety of subsidiary companies that are active in North Slope resource development and other sectors.

D. North Slope Borough: Responsibilities include planning, zoning and permitting; coastal management; wildlife research with a focus on subsistence; and support for the traditional culture of the North Slope. The Borough's planning and zoning authority through its Home Rule Charter mandates active land use management across federal, state, Native and municipal lands. The Borough has a coastal management plan and participates in ACMP consistency reviews, stressing the health, safety and cultural welfare of NSB residents and compliance with environmental policies of local concern. The Borough monitors and conducts scientific research on marine and wildlife resources to ensure healthy population levels and to sustain a continued subsistence harvest for its residents. All of the Borough's planning and research activities are conducted in part to guarantee strong local input into subsistence resource management, with special emphasis on the blending of contemporary and traditional local knowledge as a mechanism to sustain the resources and the local indigenous culture.

7. Officers and Organization:

- A. Chair and Vice Chair:** The Oversight Group shall designate a chair and vice chair. The chair shall alternate annually between federal and non-federal voting members. The chair may participate in discussion and debate at the meetings and may vote on all questions before the Oversight Group. The vice chair shall assume the responsibilities of the chair in the event of the chair's absence. The vice chair shall be the chair elect for the annual rotation.
- B. Designees:** Oversight Group members may appoint designees to act on their behalf in their absence.
- C. Advisory Groups:** The Oversight Group may recommend to the Secretary of the Interior the establishment of formal advisory groups, such as the North Slope Science Technical Advisory Group, as appropriate. Charters for any advisory group must be reviewed and approved by the Oversight Group and forwarded to the Secretary of the Interior following the guidance provided by the Federal Advisory Committee Act.
- D. Staffing and Budget:** Staffing and budget will be provided through an Interagency Agreement. The Bureau of Land Management will develop and manage the Interagency Agreement. An Executive Director and

support staff will report programmatically to the Chair and Vice Chair of the Oversight Group.

- E. Committees:** The Oversight Group may establish other ad hoc and standing committees as deemed necessary, and will specify the purpose and duration of each committee. Any ad hoc committees established would automatically expire upon completion of their committee assignment. The Oversight Group will establish a standing staff level committee composed of one member from each representative Oversight Group member agency or organization. Staff committee members will advise their respective Oversight Group members on issues prior to each Oversight Group meeting, and will provide assistance to the Executive Director of NSSI as appropriate.

8. Oversight Group Meetings & Procedures:

A. Notice of Meetings: Reserved

B. Conduct of Meetings: Oversight Group meetings will be open to the public and will be generally conducted according to *Roberts Rules of Order*. The Oversight Group shall provide a reasonable opportunity for public comment.

C. Voting Procedures: A quorum of Oversight Group members, or their designees, shall be convened prior to any voting (a quorum shall consist of at least three federal members and two non-federal members). All decisions shall be made by the voting members by consensus. Oversight Group members may participate by telephone or teleconference. The U.S. Geological Survey and Department of Energy will not have voting privileges. The use of a proxy by voting members is not permitted.

D. Recusal: Oversight Group members may recuse themselves from voting, if necessary to avoid a conflict of interest.

E. Records: Summary of key decisions will be posted on the NSSI website. Hard copies will be available upon request.

F. Closed Meetings (Executive Sessions): The Oversight Group may close meetings on matters pertaining to confidential personnel issues, litigation, confidential information such as archaeological information, and other matters included under applicable State and Federal laws and Borough ordinances.

G. Frequency and Location of Meetings: The Oversight Group will meet a minimum of two times per year—once in Anchorage and once in Barrow.

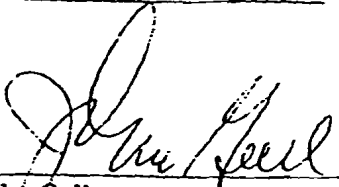
H. Expenses for Oversight Group: Expenses related to travel, lodging and per diem for Oversight Group meetings shall be borne by the representatives' respective member agencies.

9. Availability of Funds:

This agreement shall not be construed as a commitment by any federal agency signatory to expend funds in excess of available appropriations.

Done, this 7th Day of May 2004, at the City of Anchorage, Alaska.

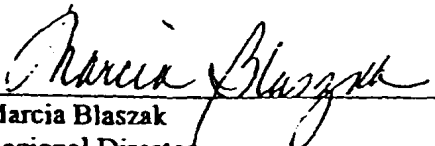
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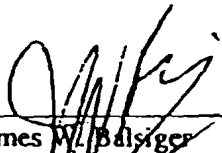
John Goll Date 5/21/04
Regional Director
Minerals Management Service



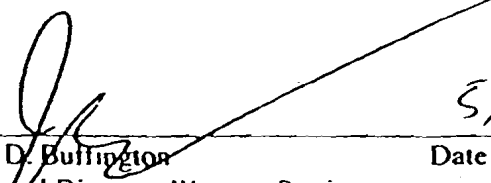
Rowan Gould Date 5/21/04
Regional Director
U.S. Fish and Wildlife Service



Marcia Blaszk Date 5/7/04
Regional Director
National Park Service, Alaska Region



James W. Balsiger Date 5.17.04
Administrator, Alaska Region
NOAA / National Marine Fisheries Service



John D. Buffington Date 5/7/04
Regional Director, Western Region
U.S. Geological Survey

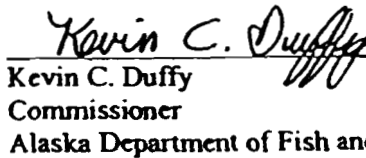
 5/20/04

Henri Bisson Date
State Director, Alaska State Office
Bureau of Land Management

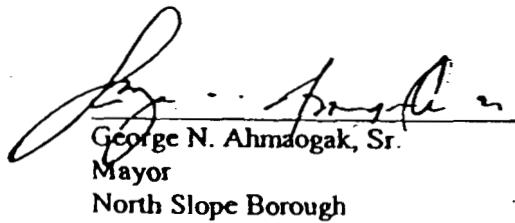
Rita A. Bajura Date
Director, National Energy Technology Laboratory
U.S. Department of Energy

 MAY 20, 2004

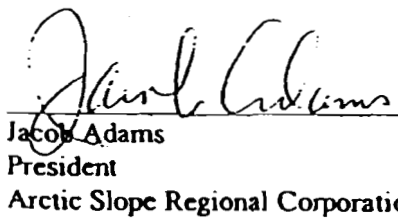
Tom Irwin Date
Commissioner
Alaska Department of Natural Resources

 5/13/04

Kevin C. Duffy Date
Commissioner
Alaska Department of Fish and Game

 7 May 2004

George N. Ahmaogak, Sr. Date
Mayor
North Slope Borough

 5/7/04

Jacob Adams Date
President
Arctic Slope Regional Corporation