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**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

SOVEREIGN IÑUPIAT FOR A
LIVING ARCTIC, *et al.*,

Plaintiffs,

v.

BUREAU OF LAND MANAGEMENT,
et al.,

Defendants,

and

CONOCOPHILLIPS ALASKA,
INC.,

Intervenor-Defendant.

Case No. 3:20-cv-00290-SLG

**DECLARATION OF ROSEMARY
AHTUANGARUAK**

I, Rosemary Ahtuanguak, hereby declare as follows:

1. This declaration is in support of Plaintiffs' Motion for a Temporary Restraining Order and Preliminary Injunction in the above-captioned litigation. I know these facts of my own personal knowledge and would competently testify to them if called as a witness in these proceedings.

2. I am Inupiat. I was born in Fairbanks. I have lived in Nuiqsut for over 35 years, and Barrow for 11 years. I moved back to Nuiqsut in 2016.

3. I graduated in 1991 from the University of Washington Medex Northwest Physician Assistant program. I worked as a health aide for fourteen years in Nuiqsut.

4. In April 2008, I joined the Alaska Wilderness League (the League) as a member. I was employed by the League as the Environmental Justice Advisor from 2011 to 2015. I helped people protect the area where I live by educating others in the community about proposed development projects, helping with community and public meetings, and attending public hearings and meetings. I am a member of the League because they help advocate to protect resources that I rely on and engage in processes to do that.

5. I am also a board member for Sovereign Inupiat for a Living Arctic.

6. I have one daughter, four sons, ten granddaughters, and eight grandsons. I have family in all four villages in the National Petroleum Reserve-Alaska (Reserve): Wainwright, Barrow, Atkasuk, and Nuiqsut. My children were raised in Nuiqsut.

7. Food helps define every culture, especially ours. Hunting, harvesting, and foodsharing shapes and binds our communities. My elders taught me to live a traditional lifestyle. I have taught my family and my community members to live the same subsistence lifestyle that was instilled in me. My children, grandchildren, nieces, and nephews all hunt and eat birds, land mammals, and marine mammals. We go berry-picking and harvest roots, herbs, and other plants in the summer. In the winter, we go icefishing on the rivers around Nuiqsut and on Teshekpuk Lake.

8. I live a very traditional lifestyle hunting, fishing, whaling, gathering and teaching our family and extended family and community members the traditional and cultural activities as my elders taught me. We hunt and eat various birds, including ptarmigan, ducks and geese, fish, including char, salmon, whitefish, dolly varden, grayling, pike, trout, and cisco, land mammals, including caribou, moose and muskox, and marine mammals, including bearded seals, walrus, and beluga and bowhead whales. We harvest berries, plants, roots and herbs. We work together in harvesting plants and animals and sharing the harvest.

9. We have extensive sharing traditions that unite our families and communities across the North Slope and beyond. Others share their harvest with my family and we share our harvest with others, including extended family members in other places. Other villages share their harvest with the people of Utqiagvik and the people of Utqiagvik in turn share their harvest with us. These extensive sharing patterns have given

us much of the variety we eat. We hunt much of our own food, but others share unique items such as beluga whale and walrus meat. We send cisco, caribou, moose, muskox, or bowhead to others.

10. We also share our harvest with those in need. When my mother fell ill, villages across the North Slope reached out to her to make sure she had fermented walrus and others foods she wanted. Now that my oldest and middle sons are not hunting as much due to illness and other reasons, I am sending them caribou. Covid-19 has also increased our need for caribou and other subsistence foods. I have only gone to the store five times since the pandemic started. Many hunters are harvesting and delivering meat to families in need.

11. We fish in the summer throughout the Reserve. Our fish camp is about a mile away from the existing oil and gas developments at Alpine. Fishing is very important to my family. My four sons put out fish nets in the Colville River, in and around Barrow, Atqasuk, and out to Dease Inlet. My family shares their harvest with me when I am unable to go with them. We also share our food with other communities, and they share theirs with us. Our hunting and sharing traditions unite our family and communities within the Reserve.

12. Our family has a cabin eight miles from Nuiqsut. This cabin is located across the river from where the Alpine oilfield was built. Before the oilfield, this used to be our preferred place to hunt caribou and geese. The activity levels around the cabin are

now so high that hunting around there is greatly impacted; there are too many overflights, airboats, freighters, track vehicle traffic, and personnel contact for our boys to hope to get caribou near the cabin. Also, my oldest grandson could not get a caribou there. These changes are affecting how our uncles are teaching our nephews to hunt in our traditional use area. Caribou are not staying in areas around the cabin for insect relief, like they used to. Other community members have also noticed this and share this concern with us. We feel that the increased activities such as overflights are causing the caribou to avoid the area, forcing us to travel elsewhere to hunt for them. We still use the cabin as a stop-over place, and for fishing in tributaries that are away from the cabin, although my youngest son has stopped taking his nieces and nephews there altogether. I am concerned that disturbances to nesting grounds from oil and gas activities are also affecting the density of birds in our traditional hunting grounds near the cabin. We are not harvesting as many ducks and geese as we used to do. Our elders have expressed concerns about the reduced numbers of birds and also for some species that have failed to return. Just like with fishing and caribou hunting, we now have to travel elsewhere and increase our efforts to get our birds. Due to the added travel and effort, our local hunts, including for caribou, require burning many more gallons of gas per year. There is an impact mitigation fund that was established to address these types of conflicts between oil and gas activities and hunting, but the funds are not sufficient to mitigate the actual costs we are experiencing due to more extended travel and increased effort. Because of decreased

harvests near the cabin, we cannot share our foods with our extended families as we used to do and we also have less to consume ourselves. This raises concerns for our long-term health due to the failure to meet our traditional nutritional needs.

13. My second youngest son was brought to the same area, near the cabin, where his dad caught his first caribou. My son shot a caribou there, but the wounded animal fled from a helicopter flying overhead, and moved into a water filled gravel pit, created for development of the Alpine oilfield, and drowned where we could not get to it. The conflict between attempting to harvest and share a successful hunt with the elders and members of the village and that of oil and gas development in our areas of traditional and cultural use changed my son's desire to attempt to hunt for many summers. This was a difficult lesson for him to learn at eleven and affected his hopes for future hunts. During the past decade or so, caribou herds do not migrate through the village of Nuiqsut as they used to. For this reason, our two youngest boys grew up not seeing the migrations through the village, experiences that our older children had.

14. We have typically hunted caribou in July and August to the west and the south of Nuiqsut. We also hunt caribou in the winter to the south. We have to hunt in the west in September now that the caribou are staying away from industrial activity and the new road, which runs from our community to the Colville Delta 5 (CD-5) and Greater Mooses Tooth (GMT) development projects and over to the Alpine facilities. The road came in around 2014 because of the CD-5 project. Vehicle traffic and the Alpine runway

are creating congestion and noise, especially because of super freighters. There is no enforcement of the traffic between the development projects and routine traffic. This forces us to travel around the oil and gas development activities to get to the fall migration of the Teshekpuk Lake caribou herd. My family also goes to the tributaries of the Colville River Delta to hunt caribou. There are a lot of times when the herd will not come from the east anymore because of all of the development to the east. My son has had to travel over 300 miles to get his caribou. My younger sons have not experienced the migration through Nuiqsut that my older sons did even ten or fifteen years ago, before there was so much development. We are unable to harvest as many caribou as we need now.

15. Development activities are already surrounding my community on multiple sides. Development to the north and east of the community has already had a huge impact on our ability to hunt in those areas. This has made areas to the west and south of Nuiqsut even more important for subsistence use. ConocoPhillips already built the Greater Mooses Tooth 1 (GMT-1) and GMT-2 oil development projects. The Willow development will extend even farther out into our remaining subsistence use areas. Construction at GMT-1 deflected the caribou away from our community and caused a shift in our ability to hunt in that area this year. Additional development activities and infrastructure around Nuiqsut to the west and south, including from the Willow project, will further harm our ability to hunt caribou and continue our subsistence way of life.

16. People drive on the roads that have been built for the oil development and Honda usage has increased, but it is more about recreation and passing time. You cannot do traditional activities on the road. It is not enjoyable. It is an industrial zone and is not meant for traditional uses.

17. Industry also puts in ice roads and snow trails during the winter. These are leading people to travel more between communities and other areas. Development activities near the community also mean that people have to travel further to hunt and fish. That is putting a strain on our rescue resources because the environment is very difficult to travel in. When people are traveling on these roads, wear and tear is tough on vehicles and there are risks of multiple injuries occurring. Additional development activity will increase these risks to our community and the burden on our limited rescue resources.

18. Two of my sons hunt moose south of Nuiqsut near Umiat every year. Umiat area is a staging area for development and there is a lot of industrial activity and flights coming into Umiat to go to other oil and gas development sites. More research and monitoring is happening in this area and creating flight activity. All of this is disturbing our ability to subsistence hunt around Umiat.

19. My family also hunts in the winter for furbearers like wolverine in the area southwest of Nuiqsut. Trapping is important because it provides furs and skins that we use for clothing and trading. It's a very important part of our lifestyle. Industrial activity,

including activities in the winter, will make it harder for us to continue trapping in this area.

20. The increased changes from development that are happening near Nuiqsut are having an impact on fall whaling. I own a harpoon that I share with whaling crews because whaling unites communities. Whale provides food during the long winters. Sharing of the whale is important to me, my family, and my community. My sons participate in whaling by helping with prepping, planning, hauling, and distributing the food.

21. Climate change is creating water level drops, and in some years that is making it more difficult to get boats out to the ocean. Our community is currently assessing hydrology in the area to figure out how to get boats out to the channel for continued access. Sometimes we have conflicts with the oil contractors that are operating out there. The whalers are having to have more meetings with the contractors about the conflicts. The whales are also staying farther offshore because of the noise and activities in their habitat. We were always taught to be quiet to respect the whales. The noise from the development activities agitates the whales and can deflect them from their normal migratory path, making it harder for us to hunt.

22. My family and I hunt for geese along the Colville River. State and federal leasing is happening in these areas and having a negative impact on our ability to get these resources. Geese hunting is important for food and cultural activities like the

blanket toss. Additional development in these areas will destroy habitat for birds. These birds cannot survive in other areas. Other areas are not as suitable because of increased predator interactions. Near shore oil and gas activity also conflicts with subsistence hunting in this area and it is not taking into account current impacts these areas are already experiencing.

23. All these problems are related to development, and any increase in development from the Willow development and other industrial activity will make it harder for us to continue subsistence activities like whaling and hunting for caribou.

24. The hunting activities are multi-generational. We have many family members with native allotments in the lease area. Oil and gas development changes traditional activities and creates a reaction to our traditional way of life.

25. If more development occurs, including at Willow, we will have interfamily conflicts within the community. Additionally, there is decreased harvest, which causes decreased health from changes to our food sources. There is stress trying to protect our way of life. It is a continuous and tedious process to testify at meetings to oil companies and regulators, and research and monitor activities that are already happening or will occur. All these development activities have taken a toll on me, my family, and my community.

26. The conflict is ongoing in all these development projects. Absence of leadership from our local region to speak for the community leaves other decisions hard

to manage, like important health or educational issues such as parent/teacher conferences and graduation ceremonies. It makes it difficult to engage at a community level when it is about profit at the end of the day. The government is trying to lease and develop every piece of land around us and is moving forward with projects like Willow without engaging the community and listening to us—which makes it difficult to stop development, even when there are too many impacts to us. There has been too much development, too fast and too soon. It has been hard for our community to come to consensus on ways to prevent impacts. It is unfair to the local communities who cannot always engage or are not always given the correct information about projects. We want to have ample opportunity to give input to stop development before it is permitted. Our ability to protect our resources and way of life depends on it.

27. The Borough zoned an entire area near our community to protect it from oil development, but now those protections will get wiped away by the Willow project. If they rezone that area to allow Willow, it is going to be devastating. The borough is forcing this rezone down our throats during this pandemic. We have worked so hard to retain our culture. They are forcing generations of impacts on our communities.

28. We really need animals to get around and past these areas, but north to south infrastructure in particular with Willow will block the animals from getting to us. We won't have the migration come to us. There may be smattering of animals that get through the infrastructure, but they will be unhealthy and highly stressed. It will decrease

their health and the health of calves. The deflection will impact us and other communities like Anaktuvuk Pass. We're so close in proximity that we're all going to be severely impacted. The southward migration also hits other communities that will also face that deflection. We may get some caribou in the spring migration, but that's when the caribou are coming to calve and it will not allow them to get to the important areas along the coast that are so important. The herd will bottleneck and diverge from that infrastructure. Those animals will no longer come to our area for renewal. They will get moved over, just like the Central Arctic Herd got moved over. It is changing the caribou that are coming to our area. They are not going to get to us. We might get smatterings of caribou, but it won't be what we need for our community when we need them.

29. If you amplify what we've already been through with Alpine and then add in the Greater Mooses Tooth and now Willow, that is going to be so impactful to multiple generations. They haven't given us restoration in any of their efforts or protected the migration routes. We keep talking about these important things, but they just keep going with development. Everything we have been saying about the impacts will be amplified. It is devastating. When we faced Alpine's construction, it was the worst years of my life. But now I fear the worst is yet to come. I can't comprehend the level of devastation we are about to face. As hard as it has been and all the tears that have been shed, I fear the tears that will continue to be shed. But nobody is listening.

30. Industrial oil and gas activities are harming our way of life and our traditions. The animals do not come through the villages in the numbers that they used to, or stay near us. It makes it much more difficult, and sometimes impossible, to teach our traditions to the next generation when we have to travel hundreds of miles to find the animals now. It is not safe for our youth to have to travel so far to hunt. Instead of showing my grandchildren how to hunt or harvest an animal, all I can do is explain it with words and pictures, and hope that one day the noise and development will stop so the animals return to us. My family has not been able to harvest in sufficient quantities for our needs since development moved into the region. It is only through our family's increased effort and desire we have been able to maintain our subsistence harvest and our traditions.

31. Changes in our food and subsistence lifestyle have effects on other parts of our life too because of how everything is connected in our culture. As a health aide, I saw first-hand how the increased oil activity affected the community. I saw more domestic violence, alcoholism, and drug use. I believe people turned to this because our food sources have become scarce and it has become harder to continue our traditional way of life. Oil and gas activities, including things like flaring, also harm the air quality around our community and people's health. The new development adds to a continued increase in the number of people who need help to breathe, and need help to get food for their families because they cannot harvest what they did before the oil and gas activities. There

is an increased need for health and human services such as education and police services because of abusive activity. Mental health issues are some of the hardest for our community to deal with because we do not have resources to respond. The mental health issues are tied to land use conflicts and a loss or change in subsistence resources. It is preventing solutions to help people deal with mental health conflicts because they are not letting us look at how these things are connected to development and to help us come up with solutions. New development compounds these issues for the community. Unresolved conflicts and previous problems made worse from the development and the influx of outside influences on our community are preventing restoration of subsistence hunting and our way of life in the community.

32. I am concerned that there could be an oil spill some day that will devastate the lands and animals. In turn, this would diminish our access to traditional foods for years to come. We have already seen a great reduction in our resources and ability to teach our traditions just from the noise and current development around Nuiqsut. An oil spill could be devastating. For example, around 2014, a barge ran aground near the Colville River and tested our oil spill readiness. The stress and strain on our community showed previous planning efforts were not up to par. Emotional stress and strain from that event is repeated every year and felt in the community. Even young community members ask me about the a well blowout that occurred near our community in 2012 and live in fear of a similar spill in the future. The Putu project is another example of oil and

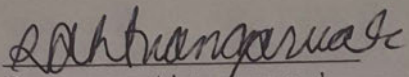
gas impacting our community. ConocoPhillips has been doing exploration drilling at Putu, only a few miles away. It impacted the school and students directly. Watching the drilling, students worried about a blowout. Having oil development in our backyard takes a toll on people of all ages, including me.

33. I am concerned that permits are being issued for development, including for the Willow project, are being made without fully evaluating the risk to our health, our plants and animals, our air and water, and our future. Our government seems to spend more time looking for ways to increase oil and gas production than it spends on developing safer and cleaner energy solutions or enforcing these solutions. I have had to learn what to do if an oil spill occurs and teach others what I have learned. I should be spending this time with my family, or hunting and harvesting food.

34. Our community is suffering because of the oil and gas activities around us. I fear that our future as Inupiat is in jeopardy. The Reserve is important to me because our families' way of life depends on the health of our animals continuing so that we may continue. Each one of these projects puts us at risk. The cumulative impacts show we are being sacrificed. But our interests, our lifestyle, and our rights have to be considered and protected under the law.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 18 day of December 2020 in Nuiqsut, Alaska.


Rosemary Ahtuanguaruak

Decl. of Rosemary Ahtuanguaruak
Sovereign Inupiat for a Living Arctic v. Bureau of Land Management
Case No. 3:20-cv-00290-SLG

Page 16 of 15

CERTIFICATE OF SERVICE

I certify that on December 23, 2020, I caused a copy of DECLARATION OF ROSEMARY AHTUANGARUAK to be electronically filed with the Clerk of the Court for the U.S. District Court of Alaska using the CM/ECF system, which will send electronic notification of such filings to the attorneys of record in this case whom are registered with the CM/ECF system.

s/Bridget Psarianos

Bridget Psarianos