

EXHIBIT A



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

September 3, 2021

Memorandum

To: Deputy Director
Policy and Programs
Bureau of Land Management

From: Principal Deputy Assistant Secretary
Land and Minerals Management

Laura Daniel
Davis
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Daniel-Davis
Date: 2021.09.03
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Subject: Evaluation of 2020 NPR-A IAP/EIS and Related Documents for Adequacy

Background

The June 2020 National Petroleum Reserve in Alaska (NPR-A) Final Integrated Activity Plan Environmental Impact Statement (“2020 IAP/EIS”) was developed in response to Secretary’s Order 3352 – *National Petroleum Reserve – Alaska*, issued by former Secretary Zinke on May 31, 2017, which, in relevant part, directed “development of a revised Integrated Activity Plan for the NPR-A that strikes an appropriate statutory balance of promoting development while protecting surface resources.” It culminated in the Department’s issuance of the NPR-A IAP Record of Decision (ROD) signed on December 31, 2020 (“2020 ROD”), currently in effect, which adopted the most development-intensive IAP alternative analyzed in the 2020 IAP/EIS (Alternative E). This alternative opened an additional approximately 6.8 million acres of the NPR-A to oil and gas leasing, including lands in the especially biologically sensitive Teshekpuk Lake Special Area, for a total of 18,581,000 acres (82 percent of NPR-A), as compared to the prior IAP adopted by former Secretary Salazar in the February 2013 NPR-A IAP ROD that had made available for leasing 11,763,000 acres (52 percent of NPR-A). In addition to making significantly more lands available for leasing, the IAP adopted in the 2020 ROD (“2020 IAP”) also eliminates the Colville River Special Area and contains other changes that reduce environmental protections in favor of further promoting oil and gas development.

On January 20, 2021, President Biden issued Executive Order 13990 – *Protecting Public Health and the Environment and Restoring Science To Tackle the Climate Crisis*. Section 1 of the Order declares as the policy of the Administration: to listen to the science; to improve public health and protect our environment; to ensure access to clean air and water; to limit exposure to dangerous chemicals and pesticides; to hold polluters accountable, including those who disproportionately harm communities of color and low-income communities; to reduce greenhouse gas emissions; to bolster resilience to the impacts of climate change; to restore and expand our national treasures and monuments; and to prioritize both environmental justice and the creation of the well-paying union jobs necessary to deliver on these goals. Section 2 of the Order directs the heads of all agencies to review all agency actions promulgated, issued, or adopted between January 20, 2017,

and January 20, 2021, that are or may be inconsistent with, or present obstacles to, the policy set forth in Section 1, and as appropriate and consistent with applicable law, to consider whether to take any additional agency actions to fully enforce the policy.

On April 16, 2021, Secretary Haaland issued Secretary's Order 3398, which, in relevant part, revoked Secretary's Order 3352, finding it inconsistent with or to present obstacles to the policy set forth in Executive Order 13990, and directed the Department to review and revise as necessary all policies and instructions that implemented Secretary's Order 3352 or that are otherwise inconsistent with the policy set forth in Executive Order 13990. The Department has identified the 2020 IAP as one such policy warranting review under Secretary's Order 3398.

While the Department has not yet decided whether to withdraw or replace the 2020 IAP, our initial assessment indicates that the 2020 IAP is inconsistent with the policy set forth in Executive Order 13990. Accordingly, the Department believes that other alternatives, may better serve the policy set forth in Executive Order 13990.

The actions directed by this memorandum below are intended to assist and inform the Department in making any final decisions regarding the NPR-A IAP, including potential issuance of a new ROD.

Directive

For the reasons discussed above, I hereby direct the Bureau of Land Management to undertake an evaluation of the 2020 IAP/EIS, associated subsistence evaluation, and existing biological opinions, to determine whether they remain adequate under the National Environmental Policy Act, Section 810 of the Alaska National Interest Lands Conservation Act, and Endangered Species Act, respectively, for purposes of the Department potentially adopting, in a new ROD, a different alternative from the 2020 IAP/EIS. No later than 120 days from the date of this memorandum, BLM is to provide the status of its evaluation and related actions.

Furthermore, until the evaluation has been completed and considered by appropriate Department officials for potential issuance of a new ROD, the BLM is not to offer tracts in an oil and gas lease sale in the NPR-A in areas newly opened to leasing under the 2020 ROD.