



U.S. Department of the Interior
Bureau of Land Management

DRAFT FINDING OF NO NEW SIGNIFICANT IMPACT

Environmental Assessment: DOI-BLM-AKR000-2021-0001EA

Marsh Creek East 3-D Seismic Survey

FF097639

Prepared by

U.S. Department of the Interior

Bureau of Land Management

Arctic District Office

Fairbanks, Alaska

Finding of No New Significant Impact

Type of Action: Seismic Application

Serial Number: FF097639

Environmental Assessment Number: DOI-BLM-AKR000-2021-0001EA

Applicant: Kaktovik Iñupiat Corporation
4089 Hula Hula Avenue
Kaktovic, Alaska, 99747

Office: Arctic District Office

Authority: Section 20001 of the Tax Cuts and Jobs Act of 2017, Public Law 115-97 (Dec. 22, 2017) (PL 115-97); 43 CFR Part 3150, Subpart 3152, 43 CFR 46.140(c)

Lands Involved: Coastal Plain of the Arctic National Wildlife Refuge (complete legal description can be found in the referenced case file). Total exploration survey area is 352,416 acres (92,000 acres of Kaktovik Iñupiat Corporation lands with Arctic Slope Regional Corporation subsurface and 260,416 acres of federally managed lands).

Project Summary

Kaktovik Iñupiat Corporation (applicant) has requested authorization to conduct a winter 3-dimensional seismic exploration survey within the Coastal Plain of the Arctic National Wildlife Refuge (Refuge). Alternative A in Chapter 2 of the Environmental Assessment (EA) is the applicant's proposed action, which includes a description of access, camp facilities, fuel supply and storage, field operations, water use, waste management, community relations and summer activities. All oil and gas permittees operating in the Coastal Plain must comply with the Required Operating Procedures (ROPs) outlined in the Coastal Plain Leasing EIS Record of Decision (ROD) signed in August 2020. The ROPs that apply to the proposed action are listed in Appendix J of the EA.

Alternative A in the associated EA is BLM's preferred alternative. Alternative A is consistent with and meets the direction provided by Section 20001 of PL 115-97, in that it would allow for seismic exploration of the Coastal Plain as required by Section 20001 of PL 115-97, subject to several resource protection measures. This Draft Finding of No New Significant Impact (FONNSI) is based on the selection of Alternative A in BLM's Decision Record, which will culminate the NEPA process.

Public Access to the NEPA Process

The project proposal was made available on the Alaska BLM ePlanning website on October 23, 2020, and scoping comments were accepted through November 6, 2020. The BLM received over 101,000 comment submissions on the proposed action, some containing numerous pages and references. The majority included opinions that any type of oil and gas activity should not take place within the Coastal Plain. However, PL 115-97 clearly amended the purpose of the Refuge to require an oil and gas program on the Coastal Plain to be administered by the BLM. A description of additional issues raised during scoping, as well as BLM's response, is provided in the bulleted list below.

The EA and this draft FONNSI are now available on the BLM e-Planning website, and a 14-day public comment period began December 16 and ends December 30, 2020.

Additionally, the project was discussed with the North Slope Federal Subsistence Regional Advisory Council via teleconference on November 5, 2020. BLM offered to conduct Government to Government and Cultural Resources consultations with all the tribes and entities identified in the Programmatic Agreement on Cultural Resources for the Coastal Plain Leasing EIS (USDOJ BLM 2019). The Native Village of Venetie, Venetie Tribal Government and the Native Village of Arctic Village accepted BLM's offer for consultation and BLM met with them on November 17, 2020 and November 19, 2020.

Kaktovik Iñupiat Corporation held a community meeting in Kaktovik on November 28, 2020 that included the Native Village of Kaktovik, City of Kaktovik Council, the Kaktovik Iñupiat Corporation Board, and other community members for each organization. The project was presented to the community with discussion about the nature of the seismic project. There was no opposition to the project expressed during or following the meeting.

NEPA Analysis:

- **Level of NEPA Analysis:** BLM prepared Environmental Assessment DOI-BLM-AKR000-2021-0001EA pursuant to the National Environmental Policy Act (NEPA) of 1969. An EA was determined to be the appropriate NEPA tool for analyzing the proposed action because BLM has previously analyzed and disclosed impacts resulting from such seismic exploration in the Coastal Plain Leasing EIS (USDOJ BLM 2019), which this EA tiers to and incorporates by reference.
- **Scoping Comment Period:** The scoping comment period was October 23, 2020 through November 6, 2020. This two-week scoping comment period is in line with scoping periods for EAs completed for oil and gas exploration activities in the NPR-A. The public will also have the chance to comment on the EA and this draft FONNSI from December 16-30, 2020, prior to BLM's final decision in a Decision Record.
- **Other Past, Present, and Reasonably Foreseeable Impacts.** See Chapter 3 of the EA. Past, present, and reasonably foreseeable impacts were analyzed according to the new CEQ regulations promulgated in August 2020.

- **Long Term Impacts.** Medium and long-term impacts resulting from seismic surveys were fully analyzed and disclosed in the Coastal Plain Leasing EIS (USDOI BLM 2019). The EA did not identify any new medium or long-term effects associated with this particular proposed seismic survey that were not already disclosed and analyzed in the Coastal Plain Leasing EIS.

Resource and Social Concerns:

- **Vegetation.** See Section 3.4 of the EA.
- **Soils and Permafrost.** See Section 3.5 of the EA.
- **Wilderness.** See Section 3.3.3 of the EA.
- **Wildlife, including the Porcupine Caribou Herd.** See Section 3.6 of the EA.
- **Effect on the Gwich'in and Iñupiat people.** See Section 3.2 of the EA.
- **Threatened and Endangered Species (including sound decibels).** See Sections 3.7.1, 3.7.1.1, 3.7.2, and 3.7.2.1 of the EA.
- **Fish and Water Resources.** See Section 3.8 of the EA.
- **Recreation:** See Section 3.3.1 of the EA.
- **Air Quality:** See Table 1 of the EA.
- **Climate Change:** The impacts of climate change are addressed in each relevant resource section throughout the EA.
- **Economic Impacts:** See Section 3.2 of the EA.

Characteristics Unique to the Coastal Plain:

- **Snow Scarcity.** ROPs were developed in the Coastal Plain Leasing EIS (USDOI BLM 2019) and adopted in the associated ROD (USDOI BLM 2020) to require the operator to monitor snow depth prior to proceeding with any heavy vehicles to protect stream banks and freshwater sources, minimize soils compaction and the breakage, abrasion, compaction, displacement of vegetation (see ROP 11). Applicable ROPs require regular monitoring of snow conditions including wind scoured sites in order for operations to proceed. They also allow for harvesting and redistribution of snow from areas of deeper coverage to areas of thinner coverage. Without sufficient average snow cover, the operations would be suspended until sufficient snow is present.
- **Thermokarsting.** Thermokarst can be substantially reduced by using lower ground pressure equipment and closely monitoring snow depth to protect vegetation, as required by the ROPs adopted in the Coastal Plain Leasing ROD (USDOI BLM 2020).
- **Green Trails.** Greenness can be substantially reduced by minimizing compression to the tundra mat. This can be achieved by using low ground pressure equipment and closely monitoring snow depth to protect vegetation, as required by the ROPs adopted in the Coastal Plain Leasing ROD (USDOI BLM 2020). See Section 3.4, Vegetation, in the EA.
- **Past Seismic Conducted in the Area.** The newer seismic survey methods, low ground pressure equipment, ROPs (see ROP 11 and 15) and attention to operating conditions should substantially reduce any impacts attributed to seismic operations

that occurred in the Coastal Plain in the 1980s. Seismic operations and equipment are much improved over that used decades ago, substantially reducing soil compression and vegetation damage.

- **Micro-scale disturbances to shorebirds.** It is unknown how micro-scale disturbances related to seismic activities could affect the distribution of shorebirds, some of which rely on micro-topographic features for display or nest sites. It is anticipated that the relatively small amount of vegetation expected to be disturbed by this seismic activity in areas providing shorebird habitat would not significantly affect the distribution of shorebirds. See Appendix F of the EA, Resource Reports, for bird information.

Proposed Action and Management:

- **Proposed Location of Camps, Access/Resupply Trails and Airstrips.** The camp locations would be determined based on the conditions (snow cover and terrain) at the time of a camp move or airstrip construction. See ROPs identified to protect natural resources within the Coastal Plain Leasing ROD (USDOI BLM 2020).
- **Enforcement.** The BLM would be the responsible agency for enforcing the requirements of the ROPs.
- **Spill Prevention Countermeasure Control Plan.** The Alaska Department of Environmental Conservation is the administrator of the plan, relying also on the regulations of the Environmental Protection Agency at 40 CFR 112.
- **Operation of Dozers or Loaders.** CAT D7s would be limited to pre-prepared snow packed trails. Front End loaders could be used, as needed, for specific activities, such as loading snow into water maker, assisting to break camp and to build snow ramps upon prepacked trails. See ROPs identified to protect natural resources within the Coastal Plain Leasing ROD (USDOI BLM 2020).
- **Temperature/Snow Depth Standards for Vehicle Operations.** Current methods and equipment for performing this type of seismic activity require substantially fewer passes and, for the most part, involve lighter and low ground pressure vehicles following better prepared trails. The FWS is currently monitoring soil temperature and snow depth at 5 locations within the Project Area. These will be used in combination with frost monitoring stations being installed by the applicant on Kaktovik Iñupiat Corporation managed lands that are also part of the project. The applicant plans to take snow depth measurements at specified intervals along the access and resupply trail as well as snow trails within the Project Area. The ROPs include a requirement for an average of 9" of snow depth or 3" above the height of the tussocks, which was established in the Coastal Plain Leasing ROD ROP 11 (USDOI BLM 2020). BLM also plans to authorize pre-packing of the trails consistent with the plan of operations with lighter weight vehicles commonly permitted across the North Slope under phased conditions, roughly following the foothills region on adjacent lands.
- **Bond Requirement.** Per 43 CFR Subpart 3152, all seismic permittees are required to submit a bond to cover their activities.

- **Trailside Litter and Debris.** The permittee would be responsible for maintaining a clean camp; items that inadvertently remain at the end of the season would be picked up during the summer clean up time frame. See section 2.2.8 of the EA.

The EA was completed December 15, 2020. The EA is available for review on the BLM ePlanning website, <https://eplanning.blm.gov/eplanning-ui/admin/project/2003258/570>

Mitigation Measures

All oil and gas activities permitted in the Coastal Plain must comply with the relevant ROPs outlined in the ROD for the Coastal Plain Leasing EIS (USDOI BLM 2020). A list of the ROPs that apply to the proposed action can be found in Appendix J of the EA. The BLM, through this NEPA process, has also identified potential additional mitigation measures. A decision on whether to adopt additional mitigation measures will be made in BLM's Decision Record at the completion of the NEPA process. The significance determinations in this FONNSI do not presume adoption of such potential additional mitigation measures.

Previous NEPA Analysis

In accordance with 40 CFR 1501.11 and 1501.12 and 43 CFR 46.120 and 46.140, the associated EA tiers to and incorporates by reference in its entirety the Coastal Plain Leasing EIS (USDOI BLM 2019), and also incorporates by reference the Arctic National Wildlife Refuge Revised Comprehensive Conservation Plan (CCP) (USDOI FWS 2015a and 2015b).

While the EA tiers to and incorporates by reference in its entirety the 2019 Coastal Plain Leasing EIS, some of the key areas we identified in relation to the current project are summarized below. The reader is referred to the Coastal Plain Leasing EIS (USDOI BLM 2019) for additional disclosure and information related to impacts associated with seismic activities.

The Coastal Plain Leasing EIS found:

- **Cultural Resources:** Potential impacts associated with the development of a lease could include physical destruction of or damage to all or part of a cultural resource, removal of the resource from its original location, change in the character of the resource's use, dating potential, or change of the physical features in the resource's setting (e.g., vibration, noise, visual, or olfactory) that contribute to the resource's importance and potential eligibility for the National Register of Historic Places, or change in access to traditional use sites by traditional users.
- **Ethnographic Resources:** The Gwich'in hold the Coastal Plain as sacred ground to their culture and as Iizhik Gwats'an Gwandaii Goodlit (The Sacred Place Where Life Begins), and the presence of development or other oil and gas activities in the Project Area would constitute a cultural impact on the Gwich'in. This is because they believe that development in the Coastal Plain would harm caribou and other migratory resources (such as waterfowl) that migrate to the Coastal Plain to give birth. This

sacred pattern of migration and birth maintains the value of, and gives essence to, the Coastal Plain as the place where life begins. This sacred belief is based on the intergenerational traditional knowledge of the Gwich'in that is built on millennia of residence in the region. Any potential impacts on the resource would constitute a cultural effect.

- **Polar Bear:** Temporary loss or alteration of polar bear denning habitat would result primarily from the tight 330- to 1,320-foot grid spacing used in seismic exploration. The direct effects of seismic vehicle passage and of building ice roads in potential denning habitat would be temporary until the vehicle trails and ice structures thawed during spring melt. Noise and visual disturbance from human activity and operation of equipment, especially aircraft and vehicle traffic, have the potential to disturb polar bears nearby. The greatest concern is disturbance of maternal females during the winter denning period, which could result in premature den abandonment and loss of cubs. In undeveloped areas subject to seismic exploration, dens are likely to have been established and occupied by the time enough snow has accumulated to allow those activities to proceed, raising the risk of den disturbance and abandonment.
- **Ringed Seal:** Ringed seals could overwinter and produce pups in the nearshore project area. The integrity of ringed seal lairs would be threatened by collapse caused by tracked vehicles on sea ice during seismic activity or by the construction of winter roads on the ice. In addition to physically altering potential habitats, tracked vehicles and ice roads in the nearshore environment could disturb and displace individual seals and could injure or kill pups and females.
- **Vegetation:** Direct surface impacts would occur in a grid pattern from heavy, tracked, seismic vibrator vehicles and camp trains on skis pulled by a tracked trailer directly over the snow-covered tundra. Impacts are visible in a systematic grid pattern on the tundra surface and impacts on vegetation and wetlands include changes in plant community composition and structure, altered hydrology, compacted soil, and by direct damage to aboveground structures, such as tussocks or woody stems and branches. Long-term studies have shown that the overall long-term impact of seismic vehicle traffic on tundra is low, but in some cases, impacts can still be measured up to 33 years after exploration.
- **Soils and Permafrost:** Ice road and pad construction and seismic survey impacts on soil and permafrost resources vary, depending on the type of vegetation, disturbance type, and depth of the active layer; however, the depth of thaw increases each year following ice road construction. Seismic surveys and ice road and pad construction supporting exploration for petroleum resources would be performed during the winter to reduce impacts; however, impacts on vegetation and disturbance of the active layer would result in direct impacts on the soil quality and permafrost where seismic survey activities occur by changing drainage patterns of surface water, ponds and creating channels that concentrate water and accelerate permafrost thaw. Where drainage patterns are altered, blockages can lead to ponding and sediment deposition. Where

drainage patterns redirect surface flow or increase velocities, such as at embankments, erosion of sediments occurs.

Summary of Environmental Assessment

Social Systems

Subsistence. The Alaska National Interest Lands Conservation Act (ANILCA) Section 810 analysis found that Alternative A would not significantly restrict subsistence uses. No reasonably foreseeable and significant decrease in the abundance of harvestable resources or in the available distribution of harvestable resources, and no reasonably foreseeable significant limitations on harvester access would result from the proposed action.

Environmental Justice. Kaktovik residents could see some minor increased economic activity in their community, and for those Inupiaq-led corporations, Kaktovik leadership entities, and residents who support the proposed action, it represents long overdue justice for the community. Arctic Village and Venetie residents would not likely experience direct impacts from the seismic activity, but spokespeople for the Gwich'in, including those living in Canada, have described the permitting process itself as an injustice, noting that many tribal leaders have spent their entire adult lives defending their people and their culture. No new significant impacts to environmental justice are anticipated.

Cultural Resources. Expected impacts to cultural or paleontological resources by ground disturbance under Alternative A would be negligible. Seismic operations and overland travel under Alternative A would not be expected to adversely impact either buried or most surficial cultural or paleontological resources or their surroundings. Advance survey crews could reasonably minimize the likelihood of adversely impacting cultural and paleontological resources with elevated vertical profiles by monitoring for, and avoiding, these types of materials, and post-project archaeological survey can assess the adequacy of this avoidance method. No new significant impacts to cultural or paleontological resources or adverse effects to Historic Properties are anticipated.

Ethnographic Resources. The Gwich'in living in eastern interior Alaska and northwest Canada identify the Porcupine Caribou Herd calving grounds as *Iizhik Gwats'an Gwandaii Goodlit*, a spiritually important place, and believe that any development relating to the proposed undertaking would constitute an impact to sacred grounds for the Gwich'in. Alternative A would unlikely result in long-term or wide-spread impacts or perceivable changes relating to access to calving or pre-calving Porcupine Herd caribou, or nesting or fledging migratory birds. No new significant impacts or adverse effects to *Iizhik Gwats'an Gwandaii Goodlit* are anticipated.

Land Use Values

Recreation. Impacts to recreation users would be minimal. Visual signs (seismic trails in summer, lights and activity in winter) could negatively affect recreational users' experience in the Coastal Plain and the adjoining designated Wilderness area if they are expecting a wilderness setting that is free of signs of human disturbances. Recreation users could be directly impacted by noise from overflights and landings of helicopters during summer clean-up activities. However, no significant impacts to recreation are anticipated.

Visual Resources. Visual Resources could be impacted in the summer months during any fly-in access for river floating and hiking by the "green" trails remaining from the proposed seismic activity. Light glow and glare during project activities would dominate and contrast against the landscape during winter darkness. However, no significant impacts are anticipated.

Wilderness Characteristics and Values. Alternative A would result in a short term and limited loss of wilderness characteristics. No significant impacts to wilderness characteristics and values from the proposed project are anticipated.

Wild and Scenic Rivers. Shorelines or watersheds could sustain some temporary reduction in primitive condition and water quality; however, they would still largely remain primitive and pristine.

Physical Environment

Vegetation. Seismic activity would likely result in both short and potentially long-term impacts to the vegetation. Long term impacts could include isolated areas of an irreversible eroding thermal process (e.g thermokarst) ground subsidence, and changes in species composition, such as a reduction in mosses and evergreen shrubs and increase in sedges. Aesthetic impacts from linear "scars" may also persist. The timeframe for full vegetation recovery would be highly variable. No new significant impacts to vegetation are anticipated to occur from the proposed action.

Soils and Permafrost. Under the proposed action there could be small areas where soils are impacted due to damage of the protective vegetation. These effects, where they occur, could be long lasting and could include subsidence, rutting, ponding, and lake drainage. These effects would most likely occur in areas where snow cover is not adequate to protect the vegetative cover such as drainage crossings with taller shrubs and wind scoured sites with shallow cover. Avoiding areas with inadequate snow cover and sensitive vegetation types would help minimize these effects. No new significant impacts to soils and permafrost are anticipated to occur from the proposed action.

Caribou. Overall, considering the proposed action and the mitigation measures adopted for permittees in the Coastal Plain Leasing ROD (USDOI BLM 2020), direct impacts to the Porcupine Caribou Herd would likely be minimal and short-term. The length of the proposed

project is limited to one year, and any unmitigated disturbance and displacement caused to the Porcupine Caribou Herd by the project would likely to be limited to that timeframe. Although concurrent impacts to vegetation quality and availability could occur (see Section 3.4 of the EA, Vegetation) making the project area potentially less attractive to maternal caribou as future calving and post-calving habitat, the proposed project alone would not likely deter caribou from migrating to and utilizing the area in future years after the project is completed, particularly if vegetation is given adequate time to recover. Mitigations designed to protect the calving and post calving periods would ensure that effects to caribou due to the proposed project are minimized.

Terrestrial Mammals. Under Alternative A, impacts to habitat used by terrestrial mammals would be minor, as seismic activities would occur during the winter on frozen tundra or ice. No significant impacts to terrestrial mammals are anticipated.

Threatened and Endangered Species

Polar Bear. Polar bears may be impacted by incidental harassment while transiting the project area, intentional hazing near occupied work sites, increase in subsistence harvest due to increased access, mortality due to collisions or defense of life kills, and contamination from spills of toxic fluids. The primary causes of potential impacts to denning polar bears would be noise and activity caused by vehicle and aircraft traffic with the potential that the female polar bear would abandon her den (resulting in mortality of young) or that early den emergence due to disturbance could lead to decreased survival of cubs. Disturbances to polar bears would be reduced from procedures outlined in the Wildlife Interaction Plan, FLIR surveys, den site buffers, and other required FWS Terms and Conditions. Given the combination of applicant initiated procedures, IHA conditions, and the application of the ROPs, the BLM does not anticipate any new significant impacts to the Southern Beaufort Sea population of polar bears or adverse effects to designated polar bear critical habitat.

Ringed Seals. Alternative A may impact ringed seals during their birthing season (March-April) and molting season (May-July), but the action is not likely to adversely affect ringed seals. Seals in birthing lairs, especially pups, would be the most vulnerable cohort exposed to seismic activity because the pups must remain in the lair until they can survive water exposure. Non-vibroseis vehicles would drive on grounded and ungrounded sea ice in waters less than 10 feet deep, where subnivean seal lairs could be present in low densities. Impacts from driving over a lair could range from minor structural disturbance and minor behavior effects on seals inside them, to a collapse of the lair and lethal take of animals. Sound-related impacts through air and water could occur from terrestrial vehicles and aircraft to seals in lairs, basking in ice or land, or in the water. However, ROPs 27, and 67-72 from the Coastal Plain Leasing ROD (USDOI BLM 2020) and seal measures incorporated by the applicant would reduce the potential for take to discountable for the potential to crush a seal due to birthing lair collapse and insignificant for sound-related impacts, resulting in no new significant impacts to ringed seals.

Fish and Water Resources

Seismic operations could potentially impact overwintering fish, fish habitat, surface water hydrology, water quality, and stream banks and lake shorelines. Summer clean-up activities planned for the area of seismic activity, would not impact fish or water resources, as this activity generally entails terrestrial helicopter landings and individuals walking on the tundra picking up debris from the past winter's activity. No significant impacts to fish and water resources are anticipated.

Finding of No New Significant Impact

Based upon a review of the EA prepared by the Arctic District Office and the supporting documents, including the Coastal Plain Leasing EIS (USDOI BLM 2019), I have determined that Alternative A would not have any new significant effects on the quality of the human environment, as compared to the impacts associated with seismic activities disclosed and analyzed in the Coastal Plain Leasing EIS. Therefore, an environmental impact statement (EIS) is not required for the proposed action. In determining whether an EIS was appropriate, I considered NEPA analyses conducted for previous actions in the Coastal Plain and NPR-A, the potentially affected environment, and the degree of the effects of the action.

Previous NEPA Analysis for Related Actions

CEQ NEPA regulation 40 CFR 1501.11 provides that agencies should tier their EISs and EAs when doing so would eliminate repetitive discussions of the same issues, focus on the actual issues ripe for decision, and exclude from consideration issues already decided or not yet ripe at each level of environmental review. It further provides that when an agency has prepared an EIS for a program or policy, such as the Coastal Plain Leasing EIS (USDOI BLM 2019), and then prepares a subsequent EIS or EA on an action included within the program or policy (such as a project- or site-specific action, like Kaktovik Iñupiat Corporation's proposed seismic project), the tiered document needs only to summarize and incorporate by reference the issues discussed in the broader document and should concentrate on the issues specific to the subsequent action. DOI NEPA regulations 43 CFR 46.120 and 46.140 contain similar provisions. Of particular relevance to this FONSI and the proposed action analyzed in the EA, 43 CFR 46.140(c) provides (in full):

An environmental assessment prepared in support of an individual proposed action can be tiered to a programmatic or other broader-scope environmental impact statement. An environmental assessment may be prepared, and a finding of no significant impact reached, for a proposed action with significant effects, whether direct, indirect, or cumulative, if the environmental assessment is tiered to a broader environmental impact statement which fully analyzed those significant effects.

Tiering to the programmatic or broader-scope environmental impact statement would allow the preparation of an environmental assessment and a finding of no significant impact for the individual proposed action, so long as any previously unanalyzed effects are not significant. A finding of no significant impact other than those already

disclosed and analyzed in the environmental impact statement to which the environmental assessment is tiered may also be called a “finding of no new significant impact.” (underlining added)

As with the associated EA, this FONNSI was developed in accordance with these provisions. In doing so, the bulleted summary of key impacts discussion above in the Previous NEPA Analysis section for the Coastal Plain Leasing EIS addresses whether seismic survey activities in the Coastal Plain, generally (i.e., not specific to any particular project), may have potentially significant effects. Following that, the Summary of Environmental Assessment section addresses whether previously unanalyzed effects (i.e., project specific effects not analyzed in the Leasing EIS) of the particular relevant resources (i.e., those that may have some potential to experience significant impacts) would be significant. In turn, the analysis in the EA indicates that previously unanalyzed project specific impacts are not significantly different than those effects identified in the Coastal Plain Leasing EIS (USDOI BLM 2019), and the FONNSI states that there would be “no *new* significant” impacts.

Potentially Affected Environment

In considering whether the effects of the proposed action are significant, CEQ NEPA regulation 40 CFR 1501.3 requires agencies to analyze the potentially affected environment. It further states that “in considering the potentially affected environment, agencies should consider, as appropriate to the specific action, the affected area (national, regional, or local) and its resources.”

The Project Area includes several sensitive resources such as ESA listed species, key subsistence species, and culturally significant sites. The entire Project Area was analyzed in the Coastal Plain Leasing EIS (USDOI BLM 2019), including with respect to potential impacts from seismic survey activities, and no resource has changed significantly from the description therein. No new resources of concern were identified during public scoping or tribal consultation in the associated EA.

Degree of Effects of the Proposed Action

In considering whether the effects of the proposed action are significant, CEQ NEPA regulation 40 CFR 1501.3 requires agencies to analyze the degree of the effects of the action. In considering the degree of the effects, agencies should consider the following, as appropriate to the specific action: short- and long-term effects, beneficial and adverse effects, effects on public health and safety, and effects that would violate Federal, State, Tribal, or local law protecting the environment.

No part of the proposed action will violate Federal, State, Tribal or local laws, and effects on public health and safety are expected to be minimal. Beneficial and adverse effects, as well as potential long-term impacts are analyzed and disclosed in the Coastal Plain Leasing EIS (USDOI BLM 2019).

Conclusion

The proposed action, as submitted by the applicant and described in Alternative A of the associated EA, is found to have no new significant impacts on the environment. Potentially significant impacts resulting from seismic exploration have been analyzed and disclosed in the Coastal Plain Leasing EIS, and effects associated with this proposed project that were not analyzed at a detailed, project-specific level in the Coastal Plain Leasing EIS are short term and minimal.

The evaluation and finding done to comply with Section 810 of ANILCA found no significant restrictions to subsistence uses or resources.

Recommendation:

It is recommended that the Seismic Permit Application be approved as described in Alternative A of the EA. The preparation of an Environmental Impact Statement is not recommended.

The seismic permit would be approved under 43 Code of Federal Regulations Part 3150, Subpart 3152, pursuant to the authority of Section 20001 of PL 115-97. The permit holder shall be subject to applicable ROPs from the EA.

APPROVED:

BLM Authorized Officer,