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[EXTERNAL] Comments on Scoping for the Leasing EIS

1 message

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To: blm_ak_coastalplain_EIS@blm.gov

Sun, Jun 17, 2018 at 11:09 AM

Hello: Here are my comments on the scoping for the Leasing EIS:

SUMMARY: A mitigation bank should be established and the drilling lessee should acquire and contribute an amount of land similar in character to the leased land, and equal in acreage to the disturbed area.

BACKGROUND: Permafrost areas can be considered wetlands, triggering the necessity for a Section 404 permit. See Tin Cup, LLC v. U.S. Army Corps of Engineers, Case No. 4:16-cv-00016-TMB (D.C. Alaska 2017). The amount of land contributed to the mitigation bank should be more than just the infrastructure footprint, since nesting and migration will be disturbed for a distance beyond the infrastructure. (New roads, pipelines, landing strips, etc. should be considered part of the infrastructure.) The size of this disturbed area is what should be contributed to the mitigation bank. The banked land should be similar in ecological function to the disturbed area, and should be land not previously owned by the United States (otherwise the United States and not the lessee will be doing the mitigation!).

Please add me to the mailing list for the EIS.

Thank you,

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