



CoastalPlain_EIS, BLM_AK <blm_ak_coastalplain_eis@blm.gov>

[EXTERNAL] Notice of Intent to Prepare an Environmental Impact Statement for the Coastal Plain Oil and Gas Leasing Program, Alaska

1 message

Yan Teytelman <Yan.Teytelman@north-slope.org>

Tue, Jun 19, 2018 at 11:48 AM

To: "blm_ak_coastalplain_EIS@blm.gov" <blm_ak_coastalplain_EIS@blm.gov>

Cc: Deano Olemaun <Deano.Olemaun@north-slope.org>, Gordon Brower <Gordon.Brower@north-slope.org>, Taqulik Hepa <Taqulik.Hepa@north-slope.org>, "Felipe J. Farley" <Felipe.Farley@north-slope.org>, "Matt C. Dunn" <MattC.Dunn@north-slope.org>, David J Fauske <David.Fauske@north-slope.org>, Robert Suydam <Robert.Suydam@north-slope.org>, Craig George <Craig.George@north-slope.org>, "Thomas L. Lohman" <tomlohman2@aol.com>, Jason Bergerson <Jason.Bergerson@north-slope.org>, Brian Person <Brian.Person@north-slope.org>, "Kevin S. Fisher" <Kevin.Fisher@north-slope.org>

Good Morning,

Please see the attached letter from North Slope Borough Mayor Harry K. Brower, Jr., regarding Notice of Intent to Prepare an Environmental Impact Statement for the Coastal Plain Oil and Gas Leasing Program, Alaska.

Thank you,
Yan

Yan Teytelman

Assistant Borough Attorney

North Slope Borough

Department of Law

P.O. Box 69

Utqiagvik (Barrow), Alaska 99723

phone: (907) 852-0300

fax: (907) 852-5678

e-mail: yan.teytelman@north-slope.org

The North Slope Borough, North Slope Borough Attorney and Assistant Borough Attorneys preserve and assert all privileges applicable to this transmission including work product, attorney-client and confidentiality. If you have received this transmission in error, please notify me by return email, and destroy this transmission and any copies of this transmission immediately.



ANWR Scoping Comments 06-19-2018.pdf

679K

North Slope Borough

OFFICE OF THE MAYOR

P.O. Box 69
Barrow, Alaska 99723
Phone: 907 852-2611 or 0200
Fax: 907 852-0337



Harry K. Brower, Jr., Mayor

June 19, 2018

Bureau of Land Management
Alaska State Office
Attention-Coastal Plain EIS
222 West 7th Avenue, #13
Anchorage, AK 99513-7599

Submitted via mail and email at: blm_ak_coastalplain_EIS@blm.gov

**RE: Notice of Intent to Prepare an Environmental Impact Statement for
the Coastal Plain Oil and Gas Leasing Program, Alaska**

Dear Sir or Madam,

The North Slope Borough (Borough) appreciates this opportunity to comment on the Bureau of Land Management's (BLM) *Notice of Intent to Prepare an Environmental Impact Statement for the Coastal Plain Oil and Gas Leasing Program*. These comments provide BLM with information concerning issues that need to be addressed and analyzed prior to oil and gas development in the Arctic National Wildlife Refuge (ANWR).

The Borough supports the responsible development of the Coastal Plain of ANWR. (See attached Borough Resolution No. 77-2017). Responsible oil and gas development of ANWR should provide a safe and secure source of energy, create important jobs for local residents and others throughout the country and supply continued oil flow through the Trans-Alaska Pipeline System. Responsible development of ANWR should not significantly affect wildlife populations, the environment or the health and subsistence lifestyle of our residents.

The lands and waters of ANWR have sustained the Iñupiat and other indigenous peoples of the region for many generations. Our continued existence in ANWR is dependent upon the maintenance of its natural ecosystem. Any leasing or development plan must acknowledge our unique relationship with this land and its resources to ensure that subsistence opportunities continue unabated in the future.

ANWR has been sensationalized by people who live thousands of miles away, most of whom know nothing about the land, its people or its history. The public has not been presented with accurate information concerning the environmental impacts of developing ANWR. The development of Prudhoe Bay, which began decades ago, did not destroy the Arctic environment or result in a decline of the Central Arctic Caribou Herd or other caribou herds. Moreover, the advent of new oil and gas development technologies, such as directional drilling, will greatly reduce the footprint and environmental impacts within ANWR.

The village of Kaktovik is the only community located within the 19 million acre refuge. It is the only community located within a hundred miles of the 1002 area of the Coastal Plain. Among concerned stakeholders, no one understands the controversy surrounding the development of the Coastal Plain better than its own residents, who have lived and subsisted on this land and its resources for hundreds of years. They have a better understanding and dependence on the landscape and wildlife than other concerned parties, and thus have the greatest stake in preserving this area for future generations. The needs and concerns of local residents must be given greater consideration in the decision making process for ANWR than outside groups.

The North Slope Borough

The Borough is a regional government spanning the North Slope of Alaska. Its jurisdiction stretches from the United States-Canadian border across to the western border of Alaska, with a coastline that extends along the Beaufort and Chukchi Seas. The Borough has built and maintains most of the public infrastructure and provides services to its eight communities, including education, health and social services, roads, water and sewer and emergency services.

Over 70 percent of Borough residents are Native Alaskan Iñupiat. Residents depend on subsistence resources for their physical and cultural health. Traditional foods are far more nutritious than imported "store-bought" food, and their continued consumption is critical to the health of our people. The social fabric of our communities revolves around subsistence traditions. All of our communities, whether through direct harvest or extensive sharing networks, utilize the full range of terrestrial and marine subsistence resources that abound in Arctic lands and waters. Any threat to subsistence resources is a threat to the continued viability of Borough communities and the Iñupiat culture.

Responsible natural resource development is essential to the vitality of the North Slope. To date, resource development represents the largest economic generator for the region. In addition to providing direct benefits, such as jobs and dividends distributed through local and regional Native corporations, resource development also provides revenues through the taxation of oil and gas infrastructure.

Many of our citizens participate in species conservation efforts, as well as in Arctic circumpolar scientific, cultural and educational initiatives. Further, the Borough has adopted a Code of Ordinances that explicitly provides for cooperative management of

North Slope wildlife resources. The Borough's Department of Wildlife Management facilitates sustainable subsistence harvests and monitors the population and health of fish and wildlife species. This is accomplished through research, cooperation and collaboration with federal agencies and State of Alaska agencies, university researchers, oil and gas companies, consultants and non-profit organizations. Likewise, the Borough is actively engaged in conservation and recovery planning efforts for polar bears, bowhead whales, Steller's and Spectacled eiders. As a result, the Borough has a significant amount of knowledge and data regarding Arctic species that should be more fully incorporated into relevant management and policy decisions.

Recommendations for Scoping

The Environmental Impact Statement (EIS) for the Coastal Plain Oil and Gas Leasing Program should consider and analyze the potential impacts and cumulative effects from oil exploration, development and production to the following:

- Subsistence hunting, including impacts associated with the construction and operation of oil and gas facilities, and from vessel, vehicle and aircraft traffic;
- Wildlife, particularly caribou, bowhead whales, fish and waterfowl, including the alteration of wildlife movement patterns, habitat loss, deflection or attraction due to aircraft, roads, pipelines, lighting, noise, smells or waste handling;
- The health of the residents of Kaktovik, including degradation of air and water quality, tainting or perceived tainting of fish or other resources, or decreased food security and any impacts associated with increased contact with outside workers;
- The alteration of area hydrology affecting fish use of major streams, ephemeral streams and near-shore marine areas;
- Cultural resources and archeological sites.

The EIS should also consider and analyze:

- The efficacy of mitigation measures to reduce or eliminate potential impacts to wildlife and residents of Kaktovik;
- The ability to effectively locate and monitor polar bear dens and the establishment buffer areas around those dens;
- The effects of hydrologic fracturing on water resources in the Arctic environment;
- The effects of buried pipelines under rivers – such pipelines may have shorter lifespans, greater potential for failure and leaks may be more difficult to monitor and detect – BLM and industry should investigate a variety of pipe river crossing methods;
- Potential gravel mine sites to be used for road and pad construction.

Porcupine Caribou Herd

The Coastal Plain of ANWR has historically been the principle calving area for the Porcupine Caribou Herd. In some years however, the Porcupine Caribou Herd has calved to the east across the border in Canada, outside of the 1002 area. In some cases cow-calf

pairs are known to avoid infrastructure and roads. Therefore, BLM should require lessees to have a caribou monitoring and mitigation plan in place. This plan should include a provision that requires industry to limit or even shut down operations temporarily in order to avoid disturbing caribou, and in particular cow-calf pairs within three weeks of calving.

During the development of Prudhoe Bay, the residents of Nuiqsut and the Borough were very concerned that industrial activities would have serious negative impacts on the Central Arctic Caribou Herd. Ultimately, Prudhoe Bay's footprint split the core calving area into two concentrations that calve to the west and east of Prudhoe Bay. Despite this, the Central Arctic Caribou Herd population continued to grow, albeit at a slower rate than its neighboring herd, the Teshekpuk Lake Caribou Herd, whose calving range remains undeveloped. It remains unclear how development within the Porcupine Caribou Herd calving range will impact the distribution or population status of the caribou.

Lessons learned from the greater Prudhoe Bay area will help to mitigate potential impacts to caribou. Reducing the footprint of infrastructure through directional drilling will greatly reduce impediments to caribou. What is important is that the developer includes meaningful input from the Borough and the residents of Kaktovik when situating roads, pipelines and infrastructure. Resource development and healthy populations of caribou and other wildlife are not mutually exclusive goals of the Borough and residents of Kaktovik.

Nuiqsut's Experience with Development

The North Slope Village of Nuiqsut is struggling with encroaching oil and gas development. Industry's footprint is present throughout the community and oil and gas infrastructure is abundant and highly visible from town. Development, exploration and construction activities near Nuiqsut have been nearly constant since the Alpine developments began in the early 2000s. While oil and gas development has benefited Nuiqsut economically, the community is quickly becoming surrounded by infrastructure and inundated with construction activities. The effects of this development have interfered with residents' subsistence activities and traditional lifestyle including the almost complete abandonment of some traditionally used hunting areas. Continued development around Nuiqsut has divided the community. Government and industry must learn from the case of Nuiqsut in order to avoid and minimize these issues in Kaktovik during the exploration and development of ANWR.

The most serious complaints from Nuiqsut's residents concerning oil and gas development include:

- The disruption of wildlife;
 - Deflection of caribou and other wildlife from aircraft, particularly aerial helicopter surveys;

- Hunter avoidance - many hunters avoid developed areas, whether wildlife is present or not, due to safety concerns, disturbances and perceived contamination of resources;
- Having to travel further to access wildlife;
- Loss of traditionally used subsistence areas;
- Degradation of air quality;
 - Decreased visibility, inversion and respiratory problems;
- Increased vehicle and air traffic;
 - Road dust;
- Disruption and transformation of traditional lifestyle;
- Impacts to fish habitat.

To address these issues and others, we strongly recommend that BLM and the Fish and Wildlife Service require or fund:

- The collection of baseline air quality data and the establishment of air monitoring stations;
- The establishment of an Air Traffic Monitoring and Control Plan;
- An update of baseline data on wildlife and fish diversity, density and population status with meaningful input from residents of the Borough and Kaktovik;
- Lessees to post a substantial bond for spill response, cleanup and demobilization, remediation and removal purposes;
- Developers to mitigate road, pipeline and construction related impacts to tundra travel.

Air Quality Baseline Data and Monitoring Stations

We need baseline air quality data for Kaktovik and the Coastal Plain region of ANWR in order to monitor the effects of development on air quality. This baseline data must be obtained before construction activities begin. We suggest that monitoring stations be constructed in (1) Kaktovik, (2) in the portion of the Coastal Plain where development might occur and (3) downwind of possible development. If this occurs, agencies should be able to determine the impacts to air quality from industrial activities within ANWR. We also encourage BLM to require air monitoring for Hazardous Air Pollutants, such as benzene, in addition to the criteria air pollutants, in order to more closely analyze possible effects of emissions on human health.

In projects around Nuiqsut, the government has required industry to conduct air monitoring and performs a regulatory and oversight role. ConocoPhillips maintains air monitoring stations in Alpine and in Nuiqsut, among other locations. It must be noted that Nuiqsut residents are skeptical of ConocoPhillips' air monitoring data, regardless of assurances from state and federal authorities. Having a public agency or an independent third party operate these air monitoring stations could help alleviate these concerns.

We suggest that the federal government increase funding to the Alaska Department of Environmental Conservation to allow this agency to set up monitoring stations in ANWR

as part of the State of Alaska's Ambient Air Monitoring Network Plan. Considering the revenues the federal government will receive from the leasing and development of ANWR, it is only appropriate that they increase funding to the State of Alaska to conduct air quality monitoring on the effects of this development.

Air Traffic Monitoring and Control Plan

BLM should require lessees to cooperatively develop and implement an Air Traffic Monitoring and Control Plan. This plan should include measures to reduce the number of flights, the noise they emit and their impacts on wildlife. Aircraft and helicopter use must be minimized to the maximum extent practicable. Aircraft likely to cause significant disturbance must avoid subsistence areas where species are sensitive to noise and movement. Additionally, such a plan should include rules governing altitude to avoid harassing caribou and other wildlife. Furthermore, certain areas, such as rivers and calving areas, should be closed to helicopter traffic during peak hunting season and calving season. A robust Air Traffic Monitoring and Control Plan with these features could substantially minimize the impact of development on wildlife populations.

Baseline Data on Wildlife and Fish Resources

The Fish and Wildlife Service (FWS) previously collected a great deal of baseline data on many wildlife, fish and plant species, including many that are important for subsistence, in ANWR. Similar studies need to be conducted now to allow for a better understanding of the current conditions and status of populations. These studies are necessary because of the large changes in the Arctic in recent decades. Up to date data will provide insights into the changes that have occurred in the past several decades without industrial activities in ANWR. That information will be vital in assessing and mitigating possible future impacts from industrial activities to important subsistence species.

Bonding Requirement and DR&R

BLM should require lessees to post a substantial bond to ensure adequate funding for spill response, cleanup and eventual decommission, remediation and removal (DR&R). DR&R must be addressed early in the process and negotiating appropriate DR&R with stakeholders should be an ongoing process as development and production is underway. It is necessary that DR&R be an ongoing process because oil and gas development will likely continue into the late 2000s. We need to avoid a situation where DR&R measures and stipulations are put in place in the planning phase and not addressed again for decades.

Access Issues

Infrastructure such as roads, gravel pads and buildings should not restrict access to subsistence resources. In Nuiqsut, hunters have complained of the difficulty of crossing elevated industry roads. Industry maintains that these roads need to be high and steep to support industrial traffic. We ask BLM to require developers to modify standard road

designs or identify other means to mitigate road-related impacts to tundra travel, including pullouts, ramps and crossing areas.

Kaktovik's residents want further assurances that all areas of the refuge will be accessible by motorized vehicle use. Any prohibitions on motorized vehicle use must be removed from the ANWR Coastal Plain.

Economic Concerns

Economic opportunities in Kaktovik are limited due to the community's isolation. Most employment is in the Borough, education and city services. Local residents also produce arts and crafts for sale, such as etched baleen, carved ivory and masks. There is also limited tourism. Onshore oil and gas development presents a major economic opportunity for Kaktovik and the North Slope Borough.

Kaktovik is surrounded by designated refuge and wilderness areas, which has limited the community's economic development. Because of these federal designations, we have been unable to develop lands retained by the Iñupiat people through the Alaska Native Claims Settlement Act (ANCSA). Arctic Slope Regional Corporation (ASRC) and the Kaktovik Iñupiat Corporation (KIC) own approximately 92,000 subsurface and surface acres in the Coastal Plain area of ANWR. However, due to the designations of ANWR and its Coastal Plain region, ASRC and KIC shareholders have not been able to utilize their ANCSA land claims. In a sense, the designation of the ANWR Coastal Plain could be considered as a taking without compensation. The Iñupiat people of Kaktovik and the North Slope deserve the opportunity to develop their ANCSA land claims.

Economic Opportunity Plan

The Borough requests BLM to require lessees to develop an Economic Opportunity Plan prior to construction activities in consultation with the Borough, affected communities, tribal governments and Native Corporations. An Economic Opportunity Plan should include a local hire plan, local business contracting plan, training program, mentoring program, monitoring program, and a socio-cultural value system component. We must ensure that our local residents are not left out of this process.

Utility Services

The Borough is interested in establishing a service area to provide utility services to industry in ANWR, similar to the services we provide in Service Area 10 (Prudhoe Bay). The Borough should provide waste disposal and wastewater treatment to help consolidate infrastructure and operations in ANWR. A landfill will be needed in the 1002 area to dispose of waste. Without a landfill on site, waste disposal costs would be unnecessarily burdensome and transporting waste out of ANWR presents potential environmental concerns. Therefore, we ask BLM to allow the Borough to create a service area and landfill in the 1002 area of the Coastal Plain.

Develop Local Infrastructure

The residents of Kaktovik have expressed a desire for a bridge connecting Barter Island to the mainland and, if feasible, a road connecting Kaktovik to future oil and gas infrastructure. Such a road would provide much greater access for subsistence activities and enable local residents to work at the oil and gas facilities and sell locally crafted native art to the industry workers. We would like to see proposed alternatives in future development plans that include a road connecting Kaktovik to the 1002 developments.

In the planning and permitting phase of ANWR development, BLM and industry should be cognizant of the Arctic Strategic Transportation and Resources (ASTAR) project currently being undertaken by the Borough and Alaska Department of Natural Resources. The purpose of the ASTAR project is to identify, evaluate and advance opportunities in North Slope communities through responsible infrastructure development. ASTAR hopes to lower energy costs, the cost of goods, utilities and other services and to improve infrastructure, public safety and community connectivity. We hope that the opening and development of the Coastal Plain will be used to advance the priorities of the ASTAR project.

Conclusion

Thank you for the opportunity to comment on this initial phase of the Coastal Plain Oil and Gas Leasing Program EIS.

Sincerely,


Harry K. Brower, Jr.
Mayor

cc: Forrest "Deano" Olemaun, CAO
 Gordon Brower, Director, Planning
 Taquik Hepa, Director, Wildlife Management
 Felipe Farley, Borough Attorney
 Matt Dunn, Deputy Director, Planning
 David J. Fauske, Director of Government & External Affairs
 Robert Suydam, Senior Wildlife Biologist
 Craig George, Senior Wildlife Biologist
 Tom Lohman, Environmental Resources Specialist
 Jason Bergerson, Assistant to Planning Director
 Brian Person, Wildlife Biologist
 Kevin Fisher, Assistant Borough Attorney

**NORTH SLOPE BOROUGH
RESOLUTION SERIAL NO. 77-2017**

**A RESOLUTION IN SUPPORT OF THE
RESPONSIBLE DEVELOPMENT OF THE 1002 AREA
OF THE ARCTIC NATIONAL WILDLIFE REFUGE
(ANWR)**

WHEREAS, the almost 1,600,000 acres known as the 1002 Area of the Arctic National Wildlife Refuge ("ANWR") was first protected under President Eisenhower in 1960, and ANWR was officially created under President Carter and the United States Congress with the passage of the Alaska National Interest Land Conservation Act, P.L. 96-487 ("ANILCA"); and

WHEREAS, for many years, there have been many debates on whether to open up the 1002 Area of ANWR to responsible oil and gas exploration and development; and

WHEREAS, responsible development includes constant attention to, and analysis of, impacts to local communities, including hunting and fishing traditions, subsistence resources and migration and spawning and calving areas, air and water quality, and emissions affecting human health; and

WHEREAS, responsible development includes consultation with local communities, native villages, village corporations, the regional native corporation and the North Slope Borough as partners as part of the planning process as a precursor to industrial development; and

WHEREAS, responsible development includes assessment and preservation of archaeological sites and historically important areas; and

WHEREAS, responsible development includes institution of conflict avoidance agreements after consultation with native village elders, tribal organizations, hunters, whalers, fishermen, and the North Slope Borough Wildlife Department, so that calving, spawning, migration and harvesting times are not harmed by industrial operations; and

WHEREAS, responsible development includes coordinating and consolidating air and ground traffic, so as to minimize disturbance of herds and other wildlife, minimize emissions and dust, minimize damage to sensitive tundra, and minimize engine idling and traffic near residential areas; and

WHEREAS, responsible development includes regular assessment of robust spill response plans, adequacy of pre-positioned equipment and personnel, and regular inter-agency drills; and

WHEREAS, responsible development includes industrial support of third-party monitoring of emissions, monitoring the right chemical constituents at the right times at the right places, with real-time public release of data, to build community trust and confidence in industrial operations; and

WHEREAS, responsible development includes orderly, rapid and full community notification in the event of emissions and spills, to protect the community and further build confidence in industrial partners; and

WHEREAS, responsible development includes regular reporting of financial wherewithal, or maintenance of performance bonds sufficient to properly decommission infrastructure should on-slope operations cease; and

WHEREAS, responsible development includes early, deliberate and thoughtful institution of generous employment, training, internship and educational opportunities for local residents, young and old, in conjunction with local schools and community colleges; and

WHEREAS, responsible development includes attention to, and steps to correct, any untoward pricing effects on the local housing market and availability of air travel by residents; and

WHEREAS, responsible development includes structuring the social interactions between workers and local communities, for the benefit of both; and

WHEREAS, responsible development includes revenue sharing to offset impacts, as exemplified by the NPR-A Impact Grant Program; and

WHEREAS, responsible development includes native villages, associations, and village and regional corporations owning, operating and managing oil and gas operations, by themselves or with partners, as well as implementation of plans to give the native villages, associations, and corporations the capacity to do so; and

WHEREAS, responsible development includes making energy resources of the North Slope directly available to communities of the North Slope, including planning and implementation of the provision of liquefied natural gas to the village of Kaktovik; and

WHEREAS, responsible development includes regular, frequent, and meaningful scheduled community meetings with industry on all the aspects of responsible development described above, with metrics developed, progress reported, data publicly available, and actions taken by industry to resolve concerns raised; and

WHEREAS, responsible development includes opening up ANWR to subsistence activities by North Slope Borough residents only, including hunting using motorized vehicles; and

WHEREAS, the opening of the 1002 Area of ANWR to such responsible oil and gas exploration and development would provide for economic benefits for the people of the North Slope of Alaska; and

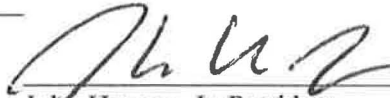
WHEREAS, the North Slope Borough would support such responsible oil and gas exploration and development.

NOW, THEREFORE, BE IT RESOLVED THAT:

The North Slope Borough offers its support to the opening of the 1002 Area of Arctic National Wildlife Refuge to responsible oil and gas exploration and development.

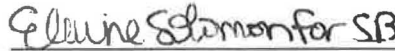
INTRODUCED: December 5, 2017

ADOPTED: December 5, 2017




John Hopson, Jr, President
Date: 12/5/17

ATTEST:



Sheila Burke, Borough Clerk
Date: 12/5/17



Harry K. Brower Jr., Mayor
Date: 12-5-17