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[EXTERNAL] Comments on Coastal Plain Scoping EIS 1002 Area1 message

Greg Scott <gr8scott@arcticsolo.com>

Sat, Jun 2, 2018 at 1:22 PM

Reply-To: Greg Scott <gr8scott@arcticsolo.com>

To: blm_ak_coastalplain_EIS@blm.gov

Today, I attempted to submit my comments, below, via the website as an attached file and once I attached the file and clicked "next" the message "URL not found" appeared with no opportunity to go back to the previous page. Earlier, a link to [regulations.gov](https://www.regulations.gov) for submittal of comments was available, but it is no longer found by searching that site (I had submitted comments to BOEM in May on the Beaufort Sea 2019 proposed lease sale call for nominations). It appears that the vast majority of the American public is currently cut off from submitting comments via the website and no access to public hearings.

I am submitting my comments via email (and I hope they get through as they are quite large) and will try again to submit later via the project website to assure completion. You might get a duplicate copy of the comments, below, via these two means. I leave Monday for the Arctic Refuge through the end of the comment period.

Thank You, Greg Scott

Comments on Arctic National Wildlife Refuge

First Coastal Plain (1002 Area) Lease Sale

Scoping for Draft Environmental Impact Statement

To: Bureau of Land Management – Alaska

Attn: Coastal Plain Oil and Gas Leasing Program EIS

[222 West 7th Avenue](#), Stop #13

Anchorage, Alaska 99513

From: Gregory L. Scott

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Evergreen, CO 80439

Date: June 2, 2018

To Whom it may concern:

As I make final preparations for my twelfth trip to the Arctic National Wildlife Refuge (Arctic Refuge), eleven of which have been solo, including this one (1266 miles and 172 days on the ground/rivers since 2001), I wish to comment on the scope of the proposed lease sale for oil and gas development on the coastal plain. I plan to look out onto the 1002 Area from Red Hill in the west end of the Sadlerochit Mountains this year, hopefully not for the last time in its pristine state. As an environmental scientist and consultant, I have followed the proposed energy development on the coastal plain almost since the passage of ANILCA, through the extensive environmental studies and NEPA process of the 1980s and the extreme politics ever since. Through the experiences of both my professional career and my pursuit of wilderness as an adventurer and photographer, I must say that in an objective world, the Arctic Refuge would be the absolute last place to develop energy resources. It is only through the tainted world of politics that this proposal is moving forward after nearly forty years of controversy and millennia of absolute wilderness existence. I hope that the analysis of this complex environment will be conducted solely under the auspices of science and economics and ignore the political pressures that will inevitably be present.

My specific comments follow:

1. The Arctic Refuge is federal land belonging to all Americans alike. Yet, the scoping process provides for public hearings in only one city outside of Alaska (Washington, D.C.). I would like to request a public hearing in Denver, Colorado, so that all those American owners in that area have an opportunity to provide direct comment to this process. And, I am certain that concerned and involved American owners of the Arctic Refuge in other cities will make the same request. It would be unacceptable to deny our involved participation simply due to the time schedule imposed by the enabling legislation, which was rushed through Congress at the end of the year and was extremely short-sighted. And, since that legislation did not specifically limit the scope of public hearings, it would not be in conflict to expand the number and geographical representation of public hearings under the National Environmental Policy Act (NEPA) for this complex proposed action.
2. In order to accommodate an expanded schedule of national public hearings, as noted in Comment 1, the due date for the scoping process comments should be extended appropriately.
3. The original Legislative EIS (LEIS), published in Nov 1986 (draft) and Apr 1987 (final) was conducted by the Fish and Wildlife Service. It included years of field exploration and discovery of the existing natural environment and potential energy resources. Since the 1980s, several other studies of various aspects of the natural environment of the 1002 Area have been conducted and some certainly continue today. Given the scope of this proposed action for the first lease sale over the entire 1.57M acres of the coastal plain of the Arctic Refuge, and the potential for significant impacts in adjacent Congressionally-designated Wilderness, as well as offshore environs, it is imperative that this NEPA process be at least as comprehensive and detailed as its predecessor, the LEIS. Indeed, we now have more resources available in related studies to draw from, which in many cases have raised the specter of more complex issues (e.g., global warming and its effects on the arctic ecosystem) that were not perceivable, nor addressed, in the original NEPA process. While Title II of HR1 of the 115th Congress (HR1) imposes certain time restrictions on this process, it should leave no stone unturned in addressing the prospect of long-term heavy industrial activity in such a pristine natural environment. New field studies should be implemented to verify and update the earlier results and establish trends, where possible, although the time frame imposed by HR1 would tend to preclude such comprehensive approach.
4. Interior Secretarial Order 3355 (Aug 31, 2017) attempts to put a small lid on a very large vessel, particularly in this case. Not only would it limit the timeframe of this NEPA process arbitrarily to one year to completion of the Final EIS, but it would also limit the size of the draft and final EIS documents to 150 (300) pages, including appendices. As we know from the 1986-7 Legislative EIS, such limits are unwarranted, especially for a proposed action of this magnitude, both in geographic and temporal scale. I suppose to comply with the Order, one could utilize a nano-scale font to achieve effective compliance by putting thousands of pages of documents (a reasonable estimate of reality in this case) into the equivalent of 300, but that would not allow for adequate public review, as required under NEPA. Therefore, since the Order does not supersede NEPA, the NEPA process must prevail. There is no justification except for greed to attempt to circumvent an established body of regulation by what amounts to an off-the-cuff remark by Secretary Zinke in the form of an arbitrary order. I also note that HR1 did not address compliance with the earlier Order, so compliance need not be met.
5. Although it is the pronounced policy of the Trump administration that global warming (aka, climate change) is a hoax and they have attempted to eliminate it by redaction of all official publications, it should be the explicit theme of these EIS documents. Global warming is indeed a direct result of the proposed action, that being the development of carbon-based fuels primarily for combusive use world-wide, as science now understands it. And the arctic environs are receiving the lion's share of impacts by warming at some six times the global average in recent decades. Global warming and all potential impacts, both globally and locally, must be thoroughly addressed in the most comprehensive manner that current objective science will support.
6. While the leasing activity over the entire 1002 Area might be limited geographically, related activities will become a direct result of these proposed actions and must be addressed in this NEPA process. For example, should sufficient hydrocarbons be produced, they must be transported to global markets, first by pipelines across the arctic tundra and then via TAPS to Valdez, which would see a significant expansion of activities, and finally via ships to ports and refineries worldwide. Ultimately, a significant portion of any hydrocarbons produced from the 1002 Area will be combusted, adding pollution and environmental risks from their production, transport, refining and use on a local and global scale, particularly if billions of barrels are ultimately discovered and developed. Since the scope of this proposed action will inevitably lead to such global scale impacts, it must not be silent on that expanded topic.
7. The Trans-Alaska Pipeline System (TAPS) is over 40 years old and at least ten years beyond its design life. Yet there appears to be no plan for its replacement, even though the proposed action has an operational lifetime of many decades. Clearly if significant hydrocarbon resources are developed on the coastal plain of the Arctic Refuge, TAPS must be replaced as it is even now near the end of its useful life. The scope of this leasing EIS must address the eventual replacement of TAPS with a new pipeline, hopefully before TAPS fails, creating a massive environmental and economic disaster.
8. TAPS was originally designed before global warming was known and the original LEIS process did not address global warming in any way. However, TAPS was designed to prevent the melting of permafrost, and to that end, it has met its goal so far. But now, global warming is melting permafrost all over the arctic region, including in Alaska where village infrastructure is disintegrating daily under these forces and many coastal villages in Alaska are moving inland and to higher ground. Not only is TAPS old, it is also vulnerable to the forces of melting permafrost due to global warming due largely to the combustion of the very fossil fuels that it carries. The engineering design of a TAPS replacement must be significantly different, if it can be designed to withstand the deforming forces

resulting from melting permafrost at all. That changes the probability and consequences of spills, which must be addressed in this NEPA process. The existing TAPS is a disaster waiting to happen and this added risk must also be addressed.

9. The inevitable consequences of the failure of TAPS would not only create an environmental disaster, but an economic one, as well. The unanticipated failure of TAPS would not only create a massive spill, but also the world's largest tube of "chapstick" as the oil in the pipeline congeals. More importantly, it would strand all the hydrocarbon resources (and associated investment) on the entire North Slope and isolate them from markets. Such failure in the absence of alternative transport means might reasonably terminate all North Slope fossil energy development and production, including any that might develop offshore in the Beaufort and Chukchi Seas and in NPR-A. The consequences on the Alaskan economy would be devastating and permanent. The economic consequences on the U.S. economy would be significant and echo through the global economy. While we hear nothing of a plan to replace TAPS with a completely redesigned method (or methods) of hydrocarbon transport to market, it is an inevitable result of the specific activity and the long-term nature of the proposed action in the 1002 Area. Therefore, this NEPA process must address various alternatives of transport to market of any hydrocarbon resources found under leases in the 1002 Area, including replacement of TAPS.
10. Until recently, the entire world was moving away from fossil fuels, shifting to renewable energy sources and methods and higher efficiency in energy use. Such movement and its recognized necessity are evident in the universal acceptance of the Paris Climate Change Agreement. Now, although the U.S. has withdrawn and is seeking fossil "energy dominance," the global trend continues away from fossil fuels and within the early portion of the lifetime of the proposed action, global demand for oil and gas will decline. Further, since arctic hydrocarbons are some of the most expensive to develop on the planet, the oil from the 1002 Area conceivably might never be needed or remain economically recoverable in the near-future global market. This NEPA process must address this and other potential global market scenarios that would directly affect the scale of development in the 1002 Area and its economic viability, as well as impacts. What if the global market for oil collapses before a peak of production is achieved? What if it collapses before any production occurs – what are the environmental consequences of destroying the natural habitat for no economic gain?
11. The fossil fuel industry has historically undergone many boom and bust cycles, most recently the oil price decline in 2014 to present, which put the entire state economy of Alaska in a recession that persists today. Indeed, if not for the extensive state economic incentives to various oil producers in the state, much development activity would not be economically viable. While some in Congress and especially in the Alaska state legislature would rather ignore these very real conditions, this NEPA process must objectively address the economic effects of a prolonged bust cycle of fossil fuel prices on the Alaska and U.S. economies, particularly in light of the new trajectory back to heavy reliance on oil as a primary energy source for domestic consumption and in conflict with global trends.
12. Given the very real polarization of politics in America today, where one administration veers left on energy policy and the next backs hard right, the economic effects of these policy shifts can exacerbate the amplitude of the boom/bust cycle of fossil fuel economics. It is a very real possibility that even before the first lease sale is mandated in the 1002 Area in 2021, the entire proposed action could be repealed by the next Congress or the next President. At least one specific action alternative must address this very real scenario from a development impact and economic perspective.
13. In light of many of the above realistic scenarios, a strong and thorough analysis of the NO ACTION ALTERNATIVE must be undertaken. In fact, in light of the above, the no action alternative might likely become the preferred alternative in the end. It must not be short-changed or ignored.
14. In the 1980s LEIS process, polar bears were not yet listed under the Endangered Species Act as threatened, and so, the potential impacts of energy development in the 1002 Area were deemed acceptable. Now, with the significant and continuing loss of sea ice and hunting and denning habitat for polar bears and their adaptation onto the land of the Coastal Plain for survival, the perspective has changed greatly in just three decades. This is but one example of the scientific requirement for a comprehensive re-evaluation of all the aspects of the Legislative EIS, and more.
15. Further, not only do the Porcupine Caribou Herd frequent the 1002 Area for calving, but so does the Central Arctic Herd. I have found significant numbers of antler sheds in the Sadlerochit Mountains and the adjacent coastal plain, whereas, it is rare to find caribou antler sheds, save for female antlers, elsewhere in the Arctic Refuge. The sheds in the 1002 Area are clearly due to the Central herd, as the Porcupine do not inhabit the area during shedding season. Therefore, these two very distinct herds use the 1002 area for very different reasons and those and other independent impacts on habitat and survival must be addressed through literary research and perhaps, new field studies.
16. It has been reported that the population of the Porcupine Caribou Herd fluctuates widely over periods of several years. My reading has not revealed any agreed theory on the origin of this fluctuation. However, it is widely known that the Porcupine Herd nearly always calves on the coastal plain of the Arctic Refuge and frequently in the 1002 Area. With many more years of observations and research since the LEIS, the potential impacts on the survivability and population fluctuations of the Porcupine Herd must be thoroughly addressed, as they are vital to the subsistence lifestyle and survivability of the Gwich'in people of the area and are a vital species in this ecosystem.
17. Muskoxen initially thrived after reintroduction several decades ago. Recently, FWS counts have shown only a few may now survive on the coastal plain of the Arctic Refuge, although research has been sparse. I can personally attest that muskoxen sightings are rare on the coastal plain and foothills since 2001, at least in summer and fall. It

would appear that listing under the Endangered Species Act might be in order, given recent observations. This is another species that deserves renewed field observations and thorough study as part of this NEPA process.

18. The arctic ecosystem is extremely complex and no doubt we know much more about it than we did in the 1980s EIS process. But more knowledge leads inevitably to more questions and theories on species interdependency and interaction. Given the expansive scale of the proposed development of the 1002 Area, this is an excellent opportunity to develop an updated compendium on the arctic ecosystem in order to develop new techniques and processes to avoid, minimize and mitigate damage to the ecosystem unnecessarily. The potential for unnecessary catastrophic impacts is too great not to.
19. Air pollution respects no physical boundaries, including the political boundary of the 1002 Area. A great deal of air pollution will be generated by industrialization of the coastal plain and drift throughout the Arctic Refuge and offshore. Being powered mostly by diesel engines under harsh environmental conditions, diesel particulates, nitrogen oxides and in summer, ozone are just a few of the air pollutants to be emitted in an area that has virtually no air pollution (save for when forest fires that occur south of the Refuge). What are the effects of air pollutants on the lichens upon which the caribou and muskoxen feed, and what subsequent effect on subsistence activities and predator species? What effects on the long-range visibility? What effect on ozone during the never-setting sun? And what pollutants would become airborne from the well development, fracking fluids and the hydrocarbons, themselves?
20. Given the pristine nature of the air in the Arctic Refuge and environs, this area should be treated as a Federal Class I area (40CFR81) for purposes of evaluating the impacts on air quality from the unprecedented industrial activity under the proposed action. This area certainly meets the criteria for a Federal Class I area, including long-range visibility, which would be greatly diminished under the proposed action. Under the NO ACTION ALTERNATIVE, the Arctic Refuge would retain its eligibility for such future designation. It is some of the cleanest air on the planet, a reference point for pristine air.
21. As an alternative to the proposed action, perhaps as a subset of the NO ACTION ALTERNATIVE, this NEPA process should evaluate the alternative of meeting the equivalent production demand in areas elsewhere in the U.S. No doubt the oil companies are evaluating their rather significant other options; economically, perceptibly (as in, do we want the reputation of being the first to drill here), environmentally and legally. What if BLM holds a lease sale and nobody bids? It wouldn't be the first time you were stood up at the big dance. Economics, not politics, will ultimately drive industry decisions on whether to bid, and how much.
22. Also as part of the NO ACTION ALTERNATIVE, the international standing of the intact arctic ecosystem in the Arctic Refuge and on the coastal plain should be addressed. Virtually untouched in history by human presence, except for subsistence hunting by the Gwich'in people, the Arctic Refuge would certainly qualify as a World Heritage Site, although it currently is not, nor has it been nominated. Only through the NO ACTION ALTERNATIVE would the natural resources of the Arctic Refuge retain such character as to qualify for future nomination as a World Heritage Site, perhaps the world's largest.
23. Changes in the regulatory environment since mid 1980s could increase some reported impacts and decrease others relative to those projected in the Legislative EIS, and similarly with changes in technology. This EIS process needs to thoroughly address the differences in regulations and technology from the 1980s to present and project impacts for all alternatives based on current conditions. However, at the rate the Trump administration is rolling back regulations, this EIS process might need to evaluate several potential regulatory environments.
24. Onshore development will bring infrastructure that will increase cost-effectiveness, and therefore the likelihood, of offshore leasing and development. This analysis must evaluate the effects of sympathetic development offshore and the resultant additional impacts thereof.
25. HR1 limits the "footprint" of development to just 2000 ac., however, this term is poorly defined and there appears to be no consequence if it is exceeded. While technology is reducing ground disturbance area, each lease might need to include a "footprint" limit with specific consequences to assure compliance with the new law. The Alpine field west of Prudhoe Bay is considered state of the art for minimal footprint, but it consumed 1845 acres of surface disturbance over a leased area of 40,000 acres and is still expanding, suggesting that meeting the 2000-acre limit over the entire 1002 Area (at least 800,000 leased acres, as required by HR1) is not feasible and not only will the law be violated, but impacts will be greater than anticipated.
26. The Draft Legislative EIS recommended full leasing of the 1002 Area, except for special restrictions around Sadlerochit Springs on the eastern edge of the Sadlerochit Mountains. I can personally attest to the plethora of wildlife in that area from a backpacking trip in June 2003. Since HR1 did not exclude any specific areas of critical environment or necessarily make a provision for such exclusions, it is imperative that this NEPA process re-evaluate the entire 1002 area for critical habitats for exclusion from leasing and/or special restrictions on development in such areas.
27. The Draft Legislative EIS also stated that the entire 1002 Area is underlain by permafrost, but is that still true some 35 years later with the arctic warming rapidly? A comprehensive survey of permafrost underlayment must be conducted due to the effects on wildlife habitat and for areas of concern with respect to potential pipeline routes that could be destroyed by melting permafrost.
28. Table VII-5 in the Draft Legislative EIS projected proven oil reserves declining significantly between 1985 and 2000, however, current proven U.S. reserves are increasing, in part due to technology. A full reassessment of U.S. oil reserves and their viability for development should be included to prioritize areas of particularly "easy" reserves to develop in order to put into perspective the technical and economic viability of developing the 1002 Area as a priority, or not.

29. Supposing a major new oil field or fields are discovered in the 1002 Area. The effect on global oil markets would be to reduce the price, thus potentially making 1002 Area oil economically unrecoverable. A full economic analysis of several scenarios of the amount of oil and potential effects on global price and economic viability of developing the 1002 Area oil must be included to determine if the NO ACTION ALTERNATIVE is preferable to full development or any less extensive development scenario.
30. One of the four stated purposes for creating the Arctic Refuge was to fulfill international treaty obligations with respect to fish and wildlife habitats (Comprehensive Conservation Plan, 2015). The scope of this EIS must address how the proposed leasing and development of the 1002 Area will meet this international obligation and develop mitigation strategies to comply.
31. The 2015 CCP for the Arctic Refuge contains a vision statement that says, in part, that this vast wilderness must be passed on, undiminished, to future generations. However, the depletion of oil reserves under the leasing plan and HR1 would significantly diminish the resources available to future generations. This EIS must explore how energy development in the 1002 Area is consistent with the current CCP. This EIS must follow the direction of the 2015 CCP, except perhaps, where it directly conflicts with HR1.
32. The purpose of the 1980s Legislative EIS was to inform Congress as to how to manage the 1002 Area. Now we have the 2015 CCP to direct management of the coastal plain and nearby environs. However, HR1 specifically directs the development of an oil and gas program on the entire 1002 Area. Since the NEPA process must be followed at each step of development, any and all potential impacts that are not limited to site-specific details must be addressed comprehensively in this leasing EIS.
33. The BLM website for this EIS process did not contain any related public documents, save for some press releases and the NOI in the Federal Register. Since the 1980s Legislative EIS documents are completely appropriate as reference materials, a link to those documents and other related information should be provided. From the notices on this process, it appears that the physical background documents are only available in Anchorage, AK, and out of reach of most American owners of the Arctic Refuge. Limiting public access to necessary documents would violate NEPA.
34. In virtually every Congress since the 1980s, a bill has been proposed to designate the 1002 Area as Wilderness. Because this concept has been so consistently proposed, this EIS process must include as an alternative action, the designation of the 1002 Area as Wilderness. It was one of the alternatives considered in the Legislative EIS of the 1980s and should be included here..
35. HR1 is limited in scope, partly due to the constraints of the budget process under which it was passed. In part, it conflicts with established law. In such cases, this EIS process must presume the prevalence of established law over HR1, including NEPA, Endangered Species Act, Wilderness Act, National Wildlife Refuge Act, Clean Air Act, Clean Water Act, and others. And any leases that evolve from this process must also specifically require such compliance.
36. One area where HR1 creates a conundrum is that it established a hurry-up lease schedule that does not allow for an orderly update of the seismic data with 3D technology prior to the first lease sale. The result of this expedited lease schedule is that BLM does not know where any oil is, nor do the bidders, placing all risk on the bidders. The effect is that bids will be expected to be much lower, a squandering of public resources for a purely political purpose resulting in greater and more widespread environmental impacts. A better way to improve compliance with HR1 would be for BLM to work with the oil companies to conduct the 3D seismic update before the first lease sale, which action would require a separate NEPA process. That would reduce impacts to the environment by focusing the areas offered for lease to the most probable areas with recoverable oil (consistent with HR1). In this EIS process, the best way to implement this scenario is as an independent development alternative where the seismic update precedes the first lease sale.
37. If the first lease sale precedes the 3D seismic update, the result will likely be the failure of the lease sale proceeds to meet the criteria in HR1 to raise \$1 billion to offset the increase in the national debt created by HR1. Statutorily, if the lease sales do not generate the required revenue, the specific basis under which HR1 was passed would be violated, as there would be no HR1 without a minimum bid price (budget reconciliation allowed passage of HR1 on a simple majority in the Senate only if the budget instruction was met, that being the generation of \$1B from the two lease sales). HR1 effectively created a minimum bid price for both required lease sales which was certified by the Congressional Budget Office. Therefore, this EIS process and any subsequent lease sales must establish a minimum bid price requirement as a prerequisite for each lease sale, resulting in the rejection of all bids that do not meet the minimum. However, the actual minimum bid price will be dynamic, depending upon the number of acres actually leased and totality of bid proceeds for each sale. Thus, an initial minimum bid price would be superseded by the end result, and if that result did not meet the requirements of HR1, the lease sale must be cancelled. Only by placing a minimum bid price on all lease sale bids can these lease sales comply with the specific requirements of HR1 and the budget reconciliation process.
38. Nearly all lease sales have the goal of generating revenue, but due to the conditions under which Title II of HR1 was created and passed in the Senate, it has the unique statutory requirement that at least \$1B be raised in this process within the 10-year budgetary time frame ending in 2027. Since the fulfillment of this statutory requirement will not be known until after the second lease sale in 2024, a lease sale stipulation must be implemented from the very beginning that no development of any kind, including exploratory testing or drilling, can be permitted in the 1002 Area until full compliance with HR1 is confirmed after the second lease sale. Otherwise, HR1 would be violated during its implementation.

39. Because the proposed action of leasing would ultimately lead to the production and emission of hydrocarbons that contribute directly to global warming, it is necessary that global warming impacts be thoroughly addressed (see also comment 5). However, to do so accurately, it will be necessary to determine how much hydrocarbon will be produced over the life of this action. And, it is virtually impossible to estimate the impacts of the proposed action on global warming without knowing how much hydrocarbon is available to be produced. Therefore, it is necessary to conduct the 3D seismic update before the first lease sale as an input to this EIS process. HR1 put the cart before the horse.
40. If any comments submitted for the Leasing EIS scoping process are more appropriate to other NEPA process stages of this coastal plain oil and gas program, they should not be discarded, but carried forth to be addressed at the appropriate stage of development. The NEPA process is somewhat complex and the public may not be aware of its intricacies, but any well-intentioned comment should not be ignored on technicalities.

Thank you for considering and addressing my comments.

Respectfully submitted,

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