



CoastalPlain_EIS, BLM_AK <blm_ak_coastalplain_eis@blm.gov>

[EXTERNAL] public comments Coastal Plain Oil and Gas Leasing Program EIS

1 message

John <jsandrw@matnet.com>

Thu, Jun 14, 2018 at 3:19 PM

To: blm_ak_coastalplain_EIS@blm.gov

PLEASE LET ME KNOW YOU RECEIVED MY COMMENTS IN GOOD ORDER. THANK YOU,
JOHN STRASENBURGH

PO Box 766
Talkeetna, AK 99676
June 14, 2018

BLM
Alaska State Office – Attention Coastal Plain EIS
222 West 7th Avenue #13
Anchorage, AK 99513-7599

Via Email: blm_ak_coastalplain_eis@blm.gov

To whom it may concern:

These are my scoping comments on the Notice of Intent to Prepare an Environmental Impact Statement for the Coastal Plain Oil and Gas Leasing Program (hereinafter “EIS”) within the 1002 area if the Arctic National Wildlife Refuge (hereinafter “Refuge”).

In this letter, I will provide an explanation of my personal experiences within the Refuge in general, and within the 1002 area in particular; the biological significance of the 1002 area; and issues of importance that should be considered in the EIS.

I have lived in Alaska since 1971 and I have visited the Refuge many times, on extended backpacking and river rafting and canoe trips. Most of my travels have been on the north slope, from the Continental Divide of the Brooks Range to the Beaufort Sea, including the coastal plain (“1002 area”).

These wilderness trips have been among the most memorable and inspirational experiences of my life. I could recount many tales of wildlife observations, such as being amongst 13,000 caribou and walking with them for days, hearing their grunts day and night, watching the calves race around playing with one another. And, the grizzly bear and caribou interactions. And the wolf and caribou interactions. I have observed and experienced much within this vast, true wilderness.

The foundation of this is the 1002 area, sometimes referred to at the “biological heart” of the Refuge.

The 1002 coastal plain is the calving area for the Porcupine Caribou herd. It is an area of abundant and nutrient-rich forage. The quality of forage diminishes towards the east, which means that the 1002 area is particularly critical for the caribou. Quality of forage is essential to the long term health and sustainability of the herd; just a 4.6% decline in calf survival rate means zero growth of the herd. A greater decline in calf survival means a reduction in the size of the herd. In

addition, the coastal plain, relative to lands west of the Canning River, is narrow, meaning that the Porcupine caribou, when displaced by oil and gas activities will not have a suitable place of high quality forage to retreat to and still maintain their numbers.

And it is not just caribou. More than 250 species of fish and wildlife come to the coastal plain/1002 area as an essential part of their life cycle, including the most important land denning place for the increasingly stressed and at risk polar bear populations.

In the words of then Congressman Morris Udall (Commonwealth North, regarding oil and gas development in the Arctic Refuge coastal plain, Anchorage Alaska, August 14, 1987,):

I am impressed once again with the magnificence of the Arctic Refuge. Any man with eyes to see and a soul to feel can sense the greatness of that place. What is at stake there is not just a number of caribou or polar bear or snow geese. It is a whole place, as true a wilderness as there is anywhere on this continent and unlike any other that I know of. You cannot move industrial civilization into that place without losing what it is.

For well over 30 years, I have actively fought oil and gas development in the Refuge's coastal plain, and supported its Wilderness protection.

I REMAIN ADAMANTLY OPPOSED TO OIL AND GAS DEVELOPMENT IN THE 1002 AREA.

I am frustrated to no end by the illegitimate process by which the drilling authorization came about. The misuse and inappropriate use of the budget reconciliation process to jam it through the Senate, requiring 50 votes rather than 60, is nothing less than an abuse of process. Drilling in the 1002 area is a legislative POLICY decision; not a budget decision. A matter of this vital importance and consequence must be debated on its merits; not used as a bargaining chip to buy a vote. By utilizing this illegitimate maneuver almost anything that Congress does could end up in a budget reconciliation. Our founding fathers feared "tyranny of the majority" as much as they did the tyranny of King George. They established checks and balances for a reason. This is tyranny of the majority and it stinks.

The 1002 area is critically important for many reasons, and the EIS should address and fully mitigate or eliminate negative impacts of each and every one of them, some of which I describe below.

1. Gwich'in reliance on Porcupine caribou herd

The viability of the Porcupine herd depends on its continued undiminished use of the 1002 area for calving and preparing for the annual aggregation and migration. Oil and Gas development in this area would put the health and size of the herd at high and unacceptable risk.

The Gwich'in of Arctic Village, Venetie, Old Crow (Canada) and other places in the northeast part of Alaska and northwest part of Canada depend on this herd for basic needs, for instance, food and clothing. The Porcupine caribou herd is integral to the Gwich'in culture and way of life.

This raises serious human rights, food and subsistence, and cultural issues for these indigenous people, all of which oil and gas development would adversely impact in significant ways. EIS needs to identify and rigorously examine all of the impacts, large and small all of this and fully mitigate or eliminate all of them.

2. Refuge purpose and management policy

On April 3, 2015, the Regional Director for the U.S. Fish and Wildlife Service, Alaska signed the Record of Decision (ROD) adopting Alternative E of the Arctic National Wildlife Refuge Comprehensive Conservation Plan and Final Environmental Impact Statement (CCP/FEIS). This ROD was the culmination of many years of work including extensive, meaningful participation from governments, agencies, tribes, NGOs, and general public, at all levels. The CCP/FEIS stipulates management policy and guidance for the Refuge. Alternative E, among other things, provides for Wilderness designation for the 1002 area.

Alternative E is consistent with the underlying purpose of the Refuge, stipulated by ANILCA (Alaska National Interest Lands Conservation Act), which is

(i) To conserve fish and wildlife populations and habitats in their natural diversity

including, but not limited to, the Porcupine caribou herd (including participation in

coordinated ecological studies and management of this herd and the Western Arctic caribou herd), polar bears, grizzly bears muskox, Dall sheep, wolves, wolverines, snow geese, peregrine falcons and other migratory birds and Arctic char and grayling;

(ii) To fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats;

(iii) To provide, in a manner consistent with the purposes set forth in subparagraphs (i) and (ii), the opportunity for continued subsistence uses by local residents;

(iv) To ensure, to the maximum extent practicable and in a manner consistent with the

purposes set forth in paragraph (i), water quality and necessary water quantity within the refuge.

The December 2017 tax bill added *(v) To provide for an oil and gas program on the Coastal Plain*. This latter “purpose” is inconsistent with all that has gone before, including the original ANILCA purpose and the recent Record of Decision and the management policy and guidance provided by the CCP itself. It is also inconsistent with the extraordinary wilderness values of the coastal plain. These inconsistencies, coupled with the illegitimacy of the process that led to the tax bill, makes this (v) the outlier. It doesn’t belong.

Oil and gas development is fundamentally incompatible with Wilderness. I request that the EIS rigorously address this problem and try to explain exactly how oil and gas development is consistent with Wilderness.

3. Water

The rivers flow north from the Brooks Range into the Beaufort Sea, and are generally braided within the 1002 area. They can run high during rainy periods, but often are low. It’s going to be very challenging to obtain the quantities of water to facilitate oil and gas operations.

The EIS should fully analyze the location of potential water sources and the impacts that withdrawals would have on water quality and quantity (left in the rivers or other water bodies), and on birds, fish, animals, aquatic organisms, insects, and the environment.

4. Gravel

Oil and gas development would require enormous quantities of gravel. The EIS should analyze the requirements for and sources of gravel and determine how such could be obtained without scarring the land or affecting the course of rivers or the quantity/quality of the water, or otherwise impairing Wilderness values.

5. Endangered or threatened species (especially polar bears)

The Beaufort Sea polar bears are in decline. I've seen it first hand. The 1002 area contains federally mandated critical habitat for these bears, particularly for their land based denning. I've seen maps of plotted denning sites and this area has a much higher concentration than the rest of the north slope coastal plain. And the land denning will in all likelihood become more important as climate change forces the polar bears off the ice and onto land. Dens are difficult to locate and therefore difficult to avoid. A disturbance, (e.g., a seismic vehicle comes too close to a den) could cause the female to flee the den. Oil and Gas activities would adversely affect the bears' ability to den successfully, hence hastening the decline of the Beaufort Sea population. Oil and Gas activities would also disturb and displace the bears' other land based activities, including passage from den to the sea.

The EIS must address this issue to ensure that protection of the polar bears is the top management priority, with oil and gas subordinate to that overriding purpose.

7. Treaties with Canada

The US and Canada have treaties and agreements that relate to conservation of the Porcupine caribou herd as well as polar bears. EIS should mandate full and complete compliance with the requirements and provisions of any and all treaties or agreements regarding the conservation of wildlife in Northeast Alaska.

8. 2000 acre "limitation"

The so-called 2000 acre limitation has been used by drilling proponents since the mid 1990's as a political ploy to deceive the public as to the true impact of opening the 1002 area to oil and gas development. The typical deception goes something like this: "surface development will be limited to only 2000 acres, which, relative to the 1.5 million acres of the 1002 area and relative to 19.3 million acres of the Refuge as a whole is an insignificant impact.... "

The impression that this ploy is intended to convey, of course, is that the impact of oil and gas development on the wildlife, habitat, and wilderness values would be minimal, almost trivial, relative to the size of the Refuge. It is not surprising that the perpetrators of this ruse do not explain their true intent: unfettered development. This would almost certainly lead to a spider web network of facilities, pipelines, airstrips all over the 1002 area.

For example, something like this could conceivably happen:

In order for the 2000 acre restriction [PL 115-97, Title II, Section 20001, (c)(3)] to have any meaning or reason for its existence (i.e., other than to deceive the public), it must be broadly interpreted. One way might be to include in the 2000 acres all areas that are impacted, directly or indirectly by development, whether they are touching or disturbing the ground, above the ground (for example, an above-ground pipeline), and areas affected by effects such as noise, dust, pollution, and so on. The word "covered" in the legislation is consistent with that interpretation. The proper way to do this is for the EIS to require all development within the 1002 area to be confined to 2000 contiguous acres.

I expect, at a minimum, that the EIS view the 2000 acre limitation in the context of impact. The rhetoric surrounding this 2000 acre Surface Development limitation is all about the impact and effect of oil and gas development. Why else would it be in the legislation? And to give meaning to this provision the EIS must consider its underlying context, which is the effect oil and gas development would have on the surrounding lands, waters, wildlife, and other living creatures.

For example, it is absurd to look at an above ground pipeline with vertical support members (VSMs), and count only the footprint of the VSMs within the 2000 acre limit. Obviously the pipeline itself has impact, whether or not it touches the ground. A pipeline is a barrier to movement and a disruption of normal wildlife behavior. I would argue that the impact of a pipeline would be the pipeline itself and a half mile on either side of the pipeline. That is the impact zone that should be counted as part of the 2000 acres.

Airstrips are another example. Airstrips generate a lot of noise, and the impact zone extends far beyond the physical airstrip, and that affected acreage, is a minimum of half mile all around.

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The point is, all of these things and more impair and degrade and otherwise adversely affect the natural environment and the animals that inhabit it.

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The EIS must not only interpret the 2000 limit to determine what counts in the 2000 acres; it must also analyze and determine how, as development proceeds, to keep track of the acreage applied against the 2000 acre limit, to monitor and audit for compliance so that those records are accurate, and to enforce the rules (including what to do if 2000 acres is exceeded).

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NEPA probably requires an analysis of cumulative impacts of the development within the 1002 area and on the Refuge as a whole, now and projected into the future. This is important in any EIS, but is especially important in this case, due to the priceless and unparalleled value of this pristine and intact wilderness ecosystem. The EIS must take this seriously and perform a thorough and rigorous analysis.

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11. EIS and leasing program should not be rushed

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Worse, the Anchorage Daily News reports on April 19, 2018 regarding the rush to lease:

The rush is especially egregious because it has clearly been stated in the press that the goal of this timeline is to meet the purely political deadline of holding a lease sale within this presidential term," the letter said. "Playing politics with our nation's most important and irreplaceable public lands is irresponsible, and this effort is wholly incompatible with your responsibility to move forward in a way that is compatible with protecting the wilderness and wildlife values of the Refuge and needs of the Gwich'in people.

I couldn't agree more. This rushed process and the Administration's lack of good faith and respect for this pristine biologically rich wilderness, the last in North America, is appalling.

The coastal plain of the Arctic National Wildlife Refuge is an extraordinary place. Its biological significance for caribou, polar bears, migratory birds, and other wildlife is well documented and readily apparent. The 1002 area is an integral part of the Refuge and its natural biological and environmental processes.

I have floated the Canning River three times, and each time have seen discarded oil drums on the west, contrasted with unmarred wilderness to the east. And I have flown over the coastal plain to the west of the Canning, which is land that is open to oil development. These lands are scarred by what appear to be either seismic lines or winter roads or both. These impacts, minor relative to the massive industrial development contemplated by a coastal plain oil and gas program, are utterly unacceptable, especially in the 1002 area.

Oil and gas exploration and development in the 1002 area would widely and significantly alter the biological/ecological process and values of the area as well as the wilderness experience of visitors, both directly through noise, helicopters, scars, and alteration of the land, infrastructure, oil spills, etc. and indirectly through altered wildlife populations, behavior, and natural diversity.

The job of the EIS is, in good faith and rigorously conducted, to identify all of the potential impacts of oil and gas development and fully mitigate or eliminate those impacts. It's a tall order, **and if the impacts cannot be fully mitigated or eliminated, the EIS should conclude that oil and gas development should not occur in the 1002 area.**

Sincerely,

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Comment Scoping EIS coastal plain Alaska 061418.docx
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PO Box 766
Talkeetna, AK 99676
June 14, 2018

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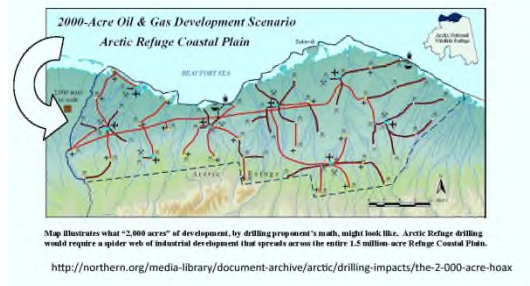
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