



CoastalPlain_EIS, BLM_AK <blm_ak_coastalplain_eis@blm.gov>

[EXTERNAL] Yukon Conservation Society Comments on Draft Environmental Impact Statement, Coastal Plain Oil and Gas Leasing

2 messages

YCS Office <office@yukonconservation.org>

Wed, Feb 6, 2019 at 12:38 PM

To: blm_ak_coastalplain_eis@blm.gov

Cc: feedback@ios.doi.gov, Justin.Trudeau@parl.gc.ca, Catherine.McKenna@parl.gc.ca, Chrystia.Freeland@parl.gc.ca, Pauline.Frost@gov.yk.ca, DTizyaTramm@vgfn.net, Larry.Bagnell@parl.gc.ca

Hello Nicole,

Please see attached letter of response on the above noted subject.

Thank You,

Joan Norberg

Administrative Manager

Yukon Conservation Society

302 Hawkins Street, Whitehorse, Yukon Y1A 1X6

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YCS Office <office@yukonconservation.org>

Wed, Feb 6, 2019 at 2:25 PM

To: blm_ak_coastalplain_eis@blm.gov

Cc: feedback@ios.doi.gov, Justin.Trudeau@parl.gc.ca, Catherine.McKenna@parl.gc.ca, Chrystia.Freeland@parl.gc.ca, Pauline.Frost@gov.yk.ca, DTizyaTramm@vgfn.net, Larry.Bagnell@parl.gc.ca

Hello Nicole,

Please disregard my previous email. I inadvertently sent you a draft of our comments instead of the final document. My apologies for this.

Please find attached our letter of response on the above noted subject.

Thank you,

Joan Norberg

Administrative Manager

Yukon Conservation Society

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February 6, 2019

Nicole Hayes, Project Coordinator
Coastal Plain Oil and Gas Leasing Program EIS
222 West 7th Avenue, Stop #13
Anchorage, Alaska 99513 - 7504

By Email: Nicole Hayes
CC: Secretary Ryan Zinke (DOI)
The Hon. Justin Trudeau
The Hon. Catherine McKenna
The Hon. Chrystia Freeland
The Hon. Pauline Frost
Chief Dana Tizya-Tramm,
Vuntut Gwitchin First Nation
Mr. Larry Bagnell, M.P.

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Subject: Yukon Conservation Society Comments on Draft Environmental Impact Statement, Coastal Plain Oil and Gas Leasing

The Yukon Conservation Society (YCS) is a grassroots environmental non-profit organization, established in 1968. Our mission is to pursue ecosystem well-being throughout the Yukon and beyond, recognizing that human well-being is ultimately dependent upon fully functioning healthy ecosystems. We pursue this mission through a broad program of conservation education and analysis, including input into public policy and regulatory processes.

The Porcupine Caribou Herd (PCH) ranges between Alaska, Yukon and the Northwest Territories. It is the sole remaining healthy migratory barren ground caribou herd in North America.¹ Several other northern caribou herds have collapsed in recent decades, and development impacts have been associated with these collapses. The PCH is critically important to the nutritional health and cultural survival of the Gwich'in people in the Yukon and Alaska.

The ecological and cultural consequences of jeopardizing the PCH are thus so dire that it would be best if the Bureau reversed its decision to allow development in the 1002 lands of the Arctic National Wildlife Refuge (ANWR).

YCS has a long history of advocating for the continued health of the PCH. YCS actions have included a successful defence of the wintering grounds of the PCH in the Yukon against proposed oil and gas development. This success, which has had a significant benefit to Alaskan harvesters, cannot be sustained without protecting the critical calving grounds in the 1002 lands of the ANWR and respecting the International Porcupine Caribou Herd Agreement that calls

¹ <https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/cosewic-assessments-status-reports/caribou-barren-ground-population-2016.html>



upon the parties to consult with each other should any activity be contemplated that might affect the PCH.²

YCS is very concerned that the International Porcupine Caribou Herd Agreement is given minimal regard in the current process. It is the view of YCS that the activity proposed is of sufficient significance that government-to-government consultation is required prior to issuing any authorization.

YCS offers the following observations and recommendations.

Lack of “No Action Alternative”

YCS is also concerned that the scope of the Environmental Impact Statement (DEIS) does not include a “No Action Alternative”. In so doing, the DEIS fails to “rigorously explore and objectively evaluate” the impact of all alternatives as required by the Council on Environmental Quality (CEQ) regulations for implementing the National Environmental Policy Act (NEPA): 40 Code of Federal Regulations (CFR) 1502.24 (Methodology and Scientific Accuracy); 40 CFR 1508.7 (Cumulative Impact); and 40 CFR 1508.8 (Effects).

Therefore, YCS strongly recommends that the reviewing authorities recognize the assessment process as incomplete if it does not examine a “No Action Alternative”.

Project Footprint

The DEIS suggests that the total footprint will be 2000 acres. It also includes reference to a zone of influence around disturbances.

The DEIS does not provide references for its assertion of the footprint or how it defines the zone of influence. However, assuming that 2000 acres is accurate, simply applying the zone of influence included in the DEIS means the effective footprint is much larger.

Therefore, YCS respectfully recommends that the footprint of the project be recalculated to include the zone of influence as provided in its own figures.

Impact on Canadians and Indigenous communities in Canada

The communities of Old Crow and Dawson City in the Yukon, and Inuvik, Aklavik, Tsiigehtchic, Fort McPherson and Tuktoyaktuk, in the Northwest Territories, all harvest caribou from the PCH. For some of these communities, notably Old Crow, Yukon, a collapse of the PCH would create a cultural and health catastrophe. It was the very severe consequences of significant disruption to the PCH that led the United States to join with Canada in signing the IPCA. Respectful engagement with communities that depend on the Porcupine herd is at the heart of the IPCA.

² <http://extwprlegs1.fao.org/docs/pdf/bi-145059.pdf> Chapter 3, Section D



Therefore, YCS respectfully recommends that consultations take place in the affected communities in Canada.

Impacts on Migratory Birds

The United States is a co-signatory with Canada to the Migratory Bird Convention. The provisions of this convention were passed into law in the United States in 1918 with the passing of the Migratory Bird Treaty Act. This law requires the United States to protect migratory birds and prohibits killing birds or disturbing their nests without a permit. Permits are issued for hunting purposes. The 1002 lands are a key nesting and rearing area for migratory birds. Industrial activities during nesting and rearing season will destroy some nests, kill some hatchlings and disturb countless other birds.

Therefore, YCS respectfully recommends that no activity be permitted during the nesting and rearing seasons for migratory birds.

Impact on Caribou

The PCH utilizes the 1002 lands for calving each spring. The combination of nutritious vegetation and absence of predators provides a unique opportunity for successful calving. It must be recalled that all other major herds of migratory caribou are declining; the PCH is the exception. One of the reasons for this is the caribou's ability to take advantage of the 1002 lands. The coastal plain in this part of the North Slope of Alaska and Yukon is much narrower compared to further west, so there is much less land available to caribou if they are forced to move by disturbances. Calving caribou are considered to be so sensitive that the Gwich'in people avoid this place during calving time. There is no doubt that development-related disturbances will impact the PCH, and the impacts will likely be adverse and severe.

Therefore, YCS respectfully recommends that no activity take place in the 1002 lands during caribou calving season and that all traces of infrastructure be removed each year prior to calving season.

Impact on Water

The 1002 lands are underlaid by continuous permafrost. This means that water resources are limited and ephemeral – most streams and rivers freeze in winter. Experience in the Yukon indicates that availability of the vast amounts of water required by oil extraction activities is a serious constraint. The DEIS does not clearly indicate how and where water will be obtained; neither does it indicate the impact of these large withdrawals and disposals of water.

Therefore, YCS respectfully recommends that a comprehensive study of water resources take place prior to any decision regarding development in the 1002 lands.



Climate Change Impacts

The International Panel on Climate Change has stated that to avoid a climate change catastrophe, humanity must move away from using fossil fuels. Increasing production of fossil fuels will worsen the global impact of anthropogenic climate change. YCS is concerned that the tone and content of the DEIS minimize the reality of climate change and the climate impact of this proposed project.

Therefore, YCS respectfully recommends that the next iteration of the DEIS refer to the climate and social impacts of fossil fuel production directly and indirectly associated with development in the 1002 lands.

Summary of Recommendations

- The reviewing authorities should recognize the assessment process as incomplete if it does not examine a “No Action Alternative”;
- The footprint of the project should be recalculated to include the zone of influence as provided in its own figures;
- Consultations should take place in the affected communities in Canada;
- No activity should be permitted during the nesting and rearing seasons for migratory birds;
- No activity should take place in the 1002 lands during caribou calving season and all traces of infrastructure should be removed each year prior to calving season;
- A comprehensive study of water resources should take place prior to any decision regarding development in the 1002 lands; and
- The next iteration of the EIS should refer to the climate and social impacts of fossil fuel production directly and indirectly associated with development on the 1002 lands.

Finally, YCS concludes that because of the threat to the calving grounds of the PCH as a result of industrial development, the resulting reduced likelihood of the herd to persist over time, and the resulting risk to Indigenous Peoples in Canada and the United States, rejecting the project is the only viable option.

Respectfully,

Mike Walton, PhD
Executive Director, Yukon Conservation Society