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Dear Director:

Thank you for the opportunity to comment on the proposed oil and gas development lease sale in the Arctic National Wildlife Refuge.

I object to all the tracts offered for lease for a multitude of reasons, which will be detailed below. The lease of any of the tracts disregards the human rights and subsistence/cultural needs of the local Gwich’in Peoples; is based on a rushed and flawed EIS; degrades the habitat of and threatens the populations of polar bear, caribou and migrating birds in the area; is of questionable economic viability; increases the climate threat with no mitigation proposal; violates the surface area development limitations put forth in the Tax Cuts and Jobs Act of 2017; threatens the tundra and flora because of low snow levels; and degrades the wilderness and recreational value of the Refuge which is part of it’s stated purpose.

1. HUMAN RIGHTS AND SUBSISTENCE RIGHTS OF THE INDIGENOUS POPULATION: The Gwich’in Peoples hold the coastal plain as sacred, a place where life begins. It is vital to the human rights of the Gwich’in; the rights to continue their cultural and subsistence lifestyle practices. ANILCA requires an 810 hearing for development that will substantially affect subsistence lifestyles, but none was held despite findings that the tract leases will impact the Porcupine Caribou Herd population. The Porcupine Caribou Herd utilize the majority of the Coastal Plain for calving and post calving activities, and the Herd is vital as both a food source and a source of cultural practices for the People. The Gwich’in filed a lawsuit in August, on the basis that the rushed and flawed EIS did not take into account the effects of the development on climate change and wildlife and habitat on the Coastal Plain

2. THE EIS WAS RUSHED AND FUNDAMENTALLY FLAWED: It was designed to be finished within a year’s timeframe, despite the fact that most EIS plans require an average of 5 years to be completed. It had an abbreviated comment period of 45 days; 90 days is average and a group of Senators asked that it be extended to 120 days. Alternative A, No Action, was declared to be out of consideration by the BLM because of the tenants of the Tax Act. All three of the action alternatives (B,C and D) offer more acreage than required by the Tax Act of 2017.

Additionally, the EIS failed to demonstrate that it was in adherence of one of the stated purposes of the Arctic National Wildlife Refuge under ANILCA; to ensure “water quality and necessary water quantity within the Refuge to conserve fish, wildlife and habitat.” Water is scarce in the Coastal Plain, but no new analysis was made of how much water was available therefor there could be no analysis of the impact of the project on water quantity. The minimum of 540 wells would require 337 million to 1 billion gallons of water just to drill; ice roads would need 1 million gallons per mile, and each ice pad would require a half a million gallons. Additionally, production of 50,000 barrels of oil a day would require an additional 2 million gallons of water per day. With no new figures established of what quantity of water is now available in the coastal plain, there is no way to know if this water requirement would leave sufficient surface water to support the needs of the wildlife, birds, fish and people that have historically utilized the area.

The oil spill threat was also not sufficiently addressed. The EIS erroneously stated that there have only been 3 oil spills of over 100,000 gallons in the Arctic. In truth, there have been 5 spills of that size or better between 2002 and 2016; and a total of 16 major spills of over 10,000 gallons of oil.

Because of these serious EIS flaws, all of the tracts should be excluded from the proposed lease sale.

3. THREATS TO WILDLIFE POPULATIONS AND HABITAT: The proposed lease sales of any and all of the tracts threaten the wildlife and wildlife habitat in the coastal plain, specifically of polar bears, caribou and migratory birds, and thus all of the tracts should be excluded from the sale.

Large areas of critical habitat for the Southern Bering Sea Polar Bears will be affected by the leasing of any and all of the tracts. There are only 900 polar bears of this subpopulation left, a decrease of about 50% in the last 30 years. The bears use the coastal plain for denning and for summer refuge. About 77% of the proposed project area is denning habitat. The EIS acknowledges that “the potential for injury or mortality could be high when developing new oil and gas projects in polar bear habitat”, but provided no estimate of the numbers of bears that would be killed, injured or displaced by the proposed leases and seismic testing activity. Additionally, the bears seek refuge on the Coastal Plain, and more and more of them will need the Coastal Plain for survival in the summer months as the ice packs further diminish due to warming waters and air. In fact, the carbon emissions by the oil and gas developments will hasten the warming trend and increase the sea ice loss faster than before.

All of the tracts should be excluded from the sale because the Refuge plain is critical calving and post calving habitat for the Porcupine Caribou Herd. The plain provides nutrient rich forage as well as protection from predators during this sensitive time. Additionally, the caribou use virtually all of the plain for all of its survival needs during the annual migrations. BLM acknowledges that oil and gas development would likely ‘disturb and displace’ caribou, especially the cows and their calves. It has been shown that anything that moves caribou herds from the Coastal Plain is detrimental to calf survival; the tundra to the East has poorer forage and more predator populations. Decreased calf survival means decreased or non-existent population growth. Despite this the only mitigation called for in the EIS, at best, is halting “major construction activities”, not drilling, for one month during calving, making no adjustment for the vulnerable post calving period.

Millions of migrating birds, from every state as well as much of the world, use the Refuge to breed, feed and molt. 180 bird species have been recorded in the refuge, and over 70 species are known to nest on the Refuge coastal plain. Disturbance of activities related to oil field development, such as helicopter traffic, stresses birds, especially those nesting nearby and those congregation during the molt and migration. Additionally, oil fields attract predators such as fox and ravens, which feed on migrating birds. It has been shown that in Prudhoe Bay, “increased predation on nesting waterfowl is a significant impact”. [Audubon Society, Alaska State Chapter]. Potential oil spills can be a big threat to bird population, especially waterfowl, shorebirds and loons, which are at risk on long term population damage if an oil spill were to contaminate coastal lagoon and wetland.

A special report by the Alaska State Office of the National Audubon Society concluded in part that “The construction and operation of a sprawling industrial oilfield would reduce populations through the inevitable loss, degradation and fragmentation of habitat in the narrow coastal plain.” Degradation and fragmentation of habitat will be more harmful to birds on the Refuge coastal plain than in the Prudhoe fields, where there is measurable decrease in shorebird numbers around the oil fields, because the Refuge coastal plain is narrow and there is limited coastal habitat to accommodate displaced birds. All of the proposed tracts should be excluded from leasing to protect the nesting, molting and migratory bird populations.

4. DOUBTS AS TO ECONOMIC VIABILITY: There is serious question as to if leasing of any of the tracts in the Refuge is economically viable. Every major national bank, most recently Bank of America, have publicly stated that they will no longer provide funds for oil and gas development. Besides pressure from environmental groups, the banks “can no longer tolerate the risk of drilling in one of the fastest-warming places on the globe”. [Bloomberg Dec. 1, 2020 “These Days, the Smart Money is Staying Away form Arctic Drilling”] Wells Fargo has reported that 47% of their past-due corporate loans in 2nd quarter 2020 were from the oil, gas and pipeline industries, which comprise just 3% of it’s commercial loan portfolio. Rystad Energy predicts that a break-even price for oil that can be extracted from the Refuge could be as high as $80/barrel, a price that hasn’t been equaled since October of 2018.

The value of the tract leases is also questionable. The only data on oil resources is from a single well, drilled in the 1980s, which had such disappointing results that drilling company pulled out without other exploration and with no public report. It will be about 10 years before oil will actually be extracted and sold from the leases, by which time the demand for fossil fuels will be greatly decreased in the face of improved energy economy and production from renewable energy sources. No estimate of the expected revenues has been provided, although a major factor in the Refuge development being attached as a rider to the Tax Cut and Jobs Act of 2017 was a projected $2 billion in government revenue (half to the State of Alaska, half to the Federal Government). All of the tracts should be excluded from the lease sale until and unless they can be shown to be economically feasible and provide the level of revenues that were the basis for opening the Refuge to oil and gas leases.

5. CLIMATE CHANGE THREATS: As stated above, investment in oil and gas development in the arctic is an intolerable risk partly because of working in one of the fastest warming place on the globe. This can be a circular problem, as increased oil and gas development will increase carbon emissions and further hasten global warming. The EIS grossly underestimated the carbon emissions that would result from the tract leases and the oil and gas developments thereon. The lease sales of any and all of the tracts will exacerbate the challenge of adapting to and mitigating climate change in the Arctic. No mitigation plan for the increased carbon emissions from the lease and subsequent development of the tracts was offered.

6. SURFACE AREA DEVELOPMENT IRREGULARITIES: The leasing of any and all of the tracts could result in development of far great surface area than the 2,000 acre limit stipulated in the Tax Cuts and Jobs Act of 2017. Under the EIS, ice roads and pads, elevated pipelines and gravel mines do not count as surface disturbances. Further, land used but no longer needed for oil and gas development will be considered “reclaimed”, the acreage deducted fro the surface area development footprint and the corresponding acreage credits towards more development, a ”rolling cap” interpretation of the surface area development limit. This unacceptable interpretation of the 2,000 acre limit is reason to exclude all of the tracts from the lease sale.

7. DAMAGE TO UNDERLYING TUNDRA AND FLORA DUE TO LOW SNOW COVER: Research from the University of Alaska [Arctic Today, September 5, 2019] found that drilling rigs and other industrial equipment used in the Refuge coastal plain will most likely harm the underlying tundra, due to inadequate snow cover to support heavy vehicles. Heavy equipment travel on the North Slope is allowed only when the top layers of the ground are hard-frozen and when there is sufficient snow cover to protect the tundra from compaction damage. These mitigating conditions are rare on the Refuge Coastal Plain, due to high winds moving snow and to the sloped nature of the terrain and deeply cut creek beds. During the 2018/2019 winter, adequate snow cover was never reached on a good part of the 1002 area, and none of the foothills region was opened to tundra travel. Should heavy equipment transportation and use in seismic exploration be allowed despite inadequate snow cover, permanent damage to the underlying tundra will result. If it is not allowed, it will further the cost of the projects and cast even more doubt on the economic feasibility of the lease sales. All of the tracts should be excluded from lease sales until the problem of protective snow cover can be properly addressed, if possible.

8. WILDERNESS AND RECREATIONAL VALUE DEGRADATION: All of the tracts should be excluded from leasing as oil and gas development there would degrade the wilderness and recreational value of the Refuge, which are two of the primary purposes of the Arctic National Wildlife Refuge as established in ANILCA. From high points in the wilderness, over 99% of the coastal plain is visible, so any oil and gas extraction development on any of the leases would be visible eyesores. Additionally, a GIS analysis by Dr. Stuart Smith found that development on virtually all of the leases would be visible to people rafting six of the major rivers in the refuge. Many of the lease parcels (1-3, 5-8, and 13-17) actually adjoin the designated wilderness area.

The above listed reasons provide more than enough basis to exclude all of the tracts from the lease sale. I have no doubt that a properly thorough EIS, with complete scientific vetting and commenting process, would have found many more problems with the proposed lease sales and resulting oil and gas exploration and development. We have so few intact ecosystems left, and complete arctic ecosystems such as the Arctic National Wildlife Refuge should be held up and protected in their entirety as national (indeed global) treasures.

Sincerely,

Loren Karro

