



# Audubon | ALASKA

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## VIA ELECTRONIC MAIL

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U.S. Department of the Interior

Bureau of Land Management

Arctic Field Office

222 University Ave.

Fairbanks, AK 99709

**Re: Audubon Alaska's concerns with *SAExploration Inc. Seismic Application on the Coastal Plain of the Arctic National Wildlife Refuge (DOI-BLM-AK-R000-2018-0040-EA)***

August 17, 2018

Dear Sir or Madam,

Audubon has a long history of involvement with the Arctic National Wildlife Refuge and a proven record of providing scientific input to administrative comment periods involving birds, wildlife, habitat, and public lands in Alaska. Audubon is opposed to oil and gas development in the Arctic Refuge. However, as the administration continues to advance toward decisions involving oil and gas development within the Refuge, we feel impelled to provide the scientific data and insight that are relevant to those decisions. Ultimately, we think that an Environmental Assessment (EA) evaluating the *SAExploration Inc. Seismic Application on the Coastal Plain of the Arctic National Wildlife Refuge (DOI-BLM-AK-R000-2018-0040-EA)* (hereinafter "SAExploration plan") should lead into an Environmental Impact Statement (EIS). However, we have also found the agency review process on the SAExploration plan to be confusing, contradictory, and extremely difficult to navigate. This is an issue of local, national, and global importance and deserves the utmost caution and consideration. We ask that the agency conduct a thorough review and, furthermore, to communicate more effectively with the public about whether, when, and how the public may provide input on all issues related to oil and gas development in the Arctic National Wildlife Refuge.

Audubon has operated an office in Alaska since 1977, and has engaged on topics concerning the Arctic National Wildlife Refuge for nearly four decades. For example, Audubon submitted a comment letter leading up to the 2015 revised Comprehensive Conservation Plan for the Arctic

Refuge. More recently, we submitted technical comments,<sup>1</sup> including input and concerns over potential oil and gas seismic activity, in response to BLM's "Notice of Intent to Prepare an Environmental Impact Statement for the Coastal Plain Oil and Gas Leasing Program, Alaska." We also intend to submit comments on any future draft EIS for the proposed leasing program.

Audubon is opposed to oil and gas development in the Refuge, but we are also extremely concerned with providing the best available science to the agency's decisionmaking process. We therefore rely on clear communication from the agency about the appropriate timing and requested input, in order to effectively and meaningfully contribute our expertise to the applicable process. Unfortunately, the public process offered by the Bureau of Land Management (BLM) and the Department of the Interior (DOI) on the SAExploration plan has been troublingly confusing and contradictory. What follows is a timeline that illustrates our experience with trying to navigate how and when to provide comments to the agency on the SAExploration plan:

- June 1, 2018 – Through a story in the Washington Post,<sup>2</sup> we learn that SAExploration Inc. and two other corporations have submitted a plan of operations to the Bureau of Land Management and Fish and Wildlife Service for oil exploration activities on the Coastal Plain of the Arctic Refuge, but that the plan had been deemed incomplete.
- July 18, 2018 – We learn from colleagues that BLM has posted a 7-page summary document titled "Seismic Proposed Action" for the SAExploration plan on its ePlanning website, but we receive no other public alert or outreach. The ePlanning page directs the public to "Please submit any comments about the proposed action to [blm\\_ak\\_coastal\\_plain\\_seismic\\_ea@blm.gov](mailto:blm_ak_coastal_plain_seismic_ea@blm.gov)." BLM does not provide the public with a copy of the permit application on its ePlanning site.
- July 27, 2018 – BLM statements to media indicate that there will be a more defined 30-day comment period for the public to provide input on the SAExploration plan and a forthcoming Environmental Assessment in the future:

"We felt that there would be insignificant impact, so we're planning on doing an environmental assessment and when that is available we'll post that environmental assessment, with a draft finding of no significant impact," Ellis-Wouters said.

An environmental assessment is kind of the junior cousin of a full "environmental impact statement." It's less rigorous and less detailed. Wouters said if the BLM learns something unexpected in the assessment, or in the public comment period that follows, it could order a more thorough examination.

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<sup>1</sup> Letter from Audubon Alaska, to Nicole Hayes, Bureau of Land Management (*Re: Comments on the Notice of Intent to Prepare an Environmental Impact Statement for the Coastal Plain Oil and Gas Leasing Program, Alaska*) (June 19, 2018).

<sup>2</sup> Steven Mufson and Juliet Eilperin, Companies take first steps to drill for oil in Arctic National Wildlife Refuge, Washington Post, June 1, 2018.

“At the end of the 30-day public comment period if we don’t receive substantial input to change our finding of no significant impact, we would issue a decision record, and then the activity could be authorized,” Ellis-Wouters said.<sup>3</sup>

- July 31, 2018 – BLM statements in media indicate that the agency is currently collecting comments. However, it is unclear whether BLM still intends to provide a 30-day comment period in the future after the release of the EA:

BLM is currently collecting public comment to guide the EA, Ellis-Wouters said. If the review uncovers possible significant impacts from the proposed activity, an EIS will be required, she added.<sup>4</sup>

- August 1, 2018 – Alaska conservation organizations, including Audubon Alaska, meet with BLM Alaska personnel including the Acting State Director, the Associate State Director, and Media Relations. The agency indicated that comments would be closed when the EA is complete. The agency was unable to confirm in response to questions when the EA would be complete or when it would no longer accept public comments. The agency also would not confirm whether there would be a defined 30-day public comment period on the EA at some point in the future. Nor was it made clear to us how a comment letter submitted a day before the EA was complete would factor into the development and analysis of the EA.
- August 3, 2018 – A report in the New York Times indicates that a 30-day comment period on the Environmental Assessment was yet forthcoming:

Ms. Ellis-Wouters said there would be a 30-day public comment period when the assessment is finished. She said there was no time frame for a decision as yet.<sup>5</sup>

- August 5, 2018 – BLM statements to media indicate the agency is accepting public comments on the SAExploration plan, but did not mention whether there would be a more defined comment period at a later date:

At this point, Ellis-Wouters said she didn't have a timeline for the full assessment, but said that the public is invited to send in comments. While the process is moving along, it's important to note the permit for seismic survey work has not yet been issued — and no decision on that will be made — until the environmental assessment is complete.

- August 6, 2018 – BLM posts the SAExploration plan on the ePlanning website.
- August 10, 2018 – BLM updates the ePlanning website to insert a deadline for submitting public comments, stating, “Scoping period will end August 17, 2018. Please submit any comments about the proposed action to: [blm\\_ak\\_coastal\\_plain\\_seismic\\_ea@blm.gov](mailto:blm_ak_coastal_plain_seismic_ea@blm.gov).”
- August 13, 2018 – Audubon Alaska receives an email from the BLM Office of Communications stating, “BLM Alaska would like to remind everyone the scoping period

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<sup>3</sup> Liz Ruskin, BLM projects ‘insignificant’ impact from seismic work in ANWR, Alaska Public Media, July 27, 2018.

<sup>4</sup> Pamela King, BLM expects ‘minimal impacts’ from seismic testing in ANWR, E&E News, July 31, 2018.

<sup>5</sup> Henry Fountain, See the Scars that Oil Exploration Cut Across Alaska’s Wilderness, New York Times, August 3, 2018.

for the SAEExploration seismic permit EA will end August 17, 2018.”<sup>6</sup> Since BLM sent this email notification, our colleagues have been unable to confirm whether or not BLM will be providing additional opportunity for comment on the SAEExploration plan or on the EA.

The agency has been neither reasonable nor clear in its communications with Audubon and with the public on how to provide input on the environmental review process for the SAEExploration permit. Oil and gas exploration in the Arctic National Wildlife Refuge raises the potential for substantial impacts to ecological and biological resources and therefore necessitates an EIS. We additionally point to a letter submitted by Trustees for Alaska and other groups, which Audubon has also signed, and which raises other issues the agency must address. However, with the closure of what the agency is only now calling a “scoping period,” we are uncertain how our input will factor into the development of the EA and the decision on whether to develop an EIS.

Furthermore, we find the lack of transparency, the contradictory statements, and the overall haphazard approach to oil and gas development in one of our nation’s most iconic wildlife refuges all cause for concern. We ask that the agency communicate more effectively with the public on this and other matters related to the Arctic National Wildlife Refuge.

Thank you for your attention to these important matters.

Sincerely,

A handwritten signature in cursive script that reads "Susan Culliney".

Susan Culliney  
Policy Director  
Audubon Alaska

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<sup>6</sup> Email from James Hart, Office of Communications, Alaska State Office for the Bureau of Land Management, to Susan Culliney, Policy Director for Audubon Alaska (Monday August 13, 2018, 2:47 PM).