



THE WILDLIFE SOCIETY

5410 Grosvenor Lane • Bethesda, MD 20814-2197

Tel: (301) 897-9770 • Fax: (301) 530-2471

E-mail: twswildlife.org

8 January 2007

Mr. Jim Ducker, Team Leader
Northeast National Petroleum Reserve-Alaska
Bureau of Land Management
222 West 7th Avenue, #13
Anchorage, Alaska 99513-7599

Dear Mr. Ducker:

Per Federal Register Notice AK-020-1610-DO, The Wildlife Society provides the following comments to assist the Bureau of Land Management in the preparation of the Supplemental Northeast National Petroleum Reserve-Alaska Amended Integrated Activity Plan/Environmental Impact Statement (IAP/EIS). The supplement to the Amended IAP/EIS is being developed in response to the 25 September 2006 decision by the U.S. District Court for the District of Alaska that vacated the January 2006 Record of Decision and enjoined the Secretary of the Interior from further action (i.e., a planned lease sale) in the NE NPR-A under that ROD. The BLM will conduct additional analyses to address the deficiencies identified by the court and update relevant sections of the Amended IAP/EIS. The Federal Register Notice states the BLM will consider the full range of alternatives contained in the Amended IAP/EIS.

The Wildlife Society was founded in 1937 as the international non-profit scientific and educational association dedicated to excellence in wildlife stewardship through science and education. Our mission is to enhance the ability of wildlife professionals to conserve diversity, sustain productivity, and ensure responsible use of wildlife resources for the benefit of society. The society's membership includes over 7,000 professionals and students with expertise in all aspects of wildlife research and management.

In scoping comments provided to the BLM (30 October 2003), The Alaska Chapter of TWS recommended continued protection of the Teshekpuk Lake Surface Protection Area, including 588,998 acres that were deferred from oil and gas leasing and 268,861 acres of no surface activity, in the 1998 ROD. The Wildlife Society submitted comments on the Draft Amended IAP/EIS (19 August 2004) and Final Amended EIS/IAP (25 February 2005) recommending that the BLM adopt the No Action Alternative to ensure protection of large lakes used by molting geese; habitats used by the Teshekpuk Lake Caribou Herd during calving, migration and insect relief periods; and wetlands that hundreds of thousands of migratory birds depend on during breeding, brood-rearing and staging. TWS met with the BLM and re-emphasized (4 April 2005) opposition to BLM's Preferred Alternative that would allow oil and gas leasing on hundreds of thousands of acres of previously protected land.

On January 11, 2006, Chad Culvert, the Department of Interior's Deputy Assistant Secretary for Land and Minerals Management, signed the Record of Decision (ROD) for the Amended IAP/EIS for the 4.6-million acre NE NPR- A. An earlier IAP/EIS culminated in a 1998 ROD that allowed oil and gas leasing, exploration and development in 87 percent of the Northeast Planning Area while prohibiting leasing in the remaining 13 percent, most within the designated Teshekpuk Lake Special Area (TLSA). The TLSA includes Teshekpuk Lake, the largest lake on the North Slope, and the ecologically sensitive area around it and to its north.

The 2006 ROD adopts, with minor revisions, the BLM Preferred Alternative from the January, 2005 Final Amended IAP/EIS. The entire area north of the lake is available for leasing, with some restrictions on surface activities and buffers of varying sizes around important goose-molting lakes and caribou calving, migration, and insect-relief areas. In all, it makes 95 percent of the Planning Area available for leasing while deferring leasing on Teshekpuk Lake itself for 10 years. The 2006 ROD also rescinds clear stipulations authorized by the 1998 ROD (intended to impart maximum protection of surface resources within the TLSA as required by the Naval Petroleum Reserves Production Act) and replaces them with un-tested performance-based stipulations and required operating procedures.

Wetlands north and east of Teshekpuk Lake support tens of thousands of Pacific brant, greater white-fronted geese, Canada geese, and lesser snow geese during the flightless molt period. The area is unique and of international significance for North American and Russian populations of geese that are important to the nations of the United States, Canada, Mexico, Japan and Russia. The BLM proposes to protect geese via a "No Surface Occupancy" zone (NSO) within the goose molting area. However, the NSO appears to be based on buffers of variable width (ranging from 1/4 mile to 1 mile) around lakes used by molting geese, but the derivation of the NSO boundary is not described, nor is there a science-based evaluation of the effectiveness of the NSO zone in mitigating impact to molting geese.

Given what is known about the response of molting geese to disturbance, there is ample reason for concern about the effects of aircraft overflights and increases in predators likely to accompany development, and the proposed NSO zone will not substantially reduce these risks. Studies cited by the BLM show that geese in the Prudhoe Bay oil fields were disturbed by pedestrians and boat traffic at distances of well over 1/4 mile, and brant at Teshekpuk Lake responded to helicopters at distances of several kilometers, indicating that the NSO buffer widths will be ineffective in minimizing these types of disturbance. Helicopter take-offs and landings, and overflights at intermediate heights (1550-2500' above ground level), were particularly disturbing to flightless brant. We can predict (based on data from the nearby Alpine oil field) that a Processing Facility within the goose molting area would average 18 helicopter landings and take-offs per day during the summer months, when molting geese are present. Irrespective of the NSO zone, this level of activity will undoubtedly disturb birds, and altitude restrictions cannot mitigate this effect. The BLM has failed to acknowledge this, and the ROD is vague with respect to limitations on aircraft use when molting geese are present. As further evidence of the insufficiency of the NSO zone, pipelines and roads will be allowed, and the human activity associated with these structures could have profound negative consequences for molting geese.

The BLM Preferred Alternative offered for lease all of the insect relief and calving areas of the Teshekpuk Lake Caribou Herd in NE NPR-A. Within each of the seven proposed lease tracts north of Teshekpuk Lake, up to 300 acres of permanent surface disturbance (i.e., gravel fill) is allowed. In addition, linear features such as pipelines and roads are permitted. The resulting network of roads, pads, airstrips, and pipelines could interfere with the ability of the Teshekpuk Lake Caribou Herd to migrate to and from insect relief areas. The resulting change in land protection status could also significantly reduce calving success and productivity of the herd. Experience with the Central Arctic Herd has clearly shown that parturient cows are displaced by industrial activity and structures; it is not possible to reduce or mitigate disturbance of caribou during calving. No evidence suggests the Teshekpuk Lake Caribou Herd can simply move to another calving area.

TWS understands that proposed performance-based stipulations and required operating procedures are intended to protect important goose molting and caribou calving habitats while providing greater flexibility for oil exploration and development. However, the effectiveness of proposed stipulations and procedures remains unknown, as does the degree to which compliance will be achieved. These measures, *if* adopted and complied with, will still be hampered by difficulties in measuring wildlife response and the scarcity of practical options for major alterations in oil field design and operation once production is underway. TWS does not support reliance on unproven stipulations and required operating procedures as justification to allow leasing and development in essentially the entire goose molting and caribou calving areas. Unless corrected, these deficiencies will remain fatal to an adaptive management regime.

The 2006 ROD ignored the recommendations of The Wildlife Society, National Audubon Society, Pacific Flyway Council, Wildlife Management Institute, Ducks Unlimited, North Slope Borough, and the California Waterfowl Association. The Environmental Protection Agency recommended that the BLM maintain lands closed or under *No Surface Activity* restrictions as specified in the No Action Alternative. The U.S. Fish and Wildlife Service stated that avoiding surface disturbance in the most biologically sensitive areas, as presented in the No Action Alternative, would provide the greatest level of protection (and least risk) to wildlife, and was its preferred management approach.

The primary deficiency in the final Amended IAP/EIS identified by the U.S. District Court was the failure to adequately address cumulative impacts of development of the NE NPR-A concurrent with development in the NW NPR-A. TWS believes that a rigorous and meaningful cumulative impacts analysis should include the direct and indirect impacts associated with potential oil and gas exploration, development, and production activities *and* the potential effects of climate change. The BLM should incorporate findings of the Arctic Climate Impact Assessment (ACIA 2004), recent reports by the U.S. Geological Survey's Alaska Science Center that describe avian population and habitat responses to ecological change on the Arctic Coastal Plain, Alaska, and consider results from Riordan (2005) who examined surface water area loss in nine regions of Alaska, including Prudhoe Bay and the Arctic Coastal Plain from 1950 -2002. Jennifer Roach and Brad Griffith, Alaska Cooperative Fish and Wildlife Research Unit, are currently conducting a follow-up study to Riordan (2005) that will examine effects of climate change on wetland drying and impacts on subsistence resources. The supplemental IAP/EIS

should model the potential additive effects of oil and gas activities concurrent with realized or predicted shifts in fish and wildlife distribution, productivity, and survival due to climate change. Climate change effects on hydrology (e.g., coastal erosion, thawing of permafrost, lake drainage, wetland loss) and vegetation (e.g., conversion of tundra grass/sedge habitat to shrubs and trees) may exacerbate the direct and indirect effects of an expanding oil field infrastructure on the Arctic Coastal Plain (see National Research Council 2003).

TWS recommends the BLM convene a cumulative effects workshop or symposium similar to the Teshekpuk Lake Caribou/Waterfowl Analysis Workshop (Yokel 1997). Workshop participants should include research scientists with demonstrated expertise in climate change, cumulative impacts analyses, petroleum engineering and development, fisheries and wildlife ecology, and subsistence to ensure the supplemental IAP/EIS adequately addresses the cumulative impacts of climate change and leasing and development of the NPR-A. Because of the broad geographic range and complexity expected in this analysis, the North Slope Science Initiative could provide a potential conduit to design and implement such a workshop.

Recent TWS publications that may be of interest to the BLM include a technical review entitled “Global climate change and wildlife in North America” (Inkley et al. 2004) and Wildlife Monograph No. 160 “Cumulative effects of human developments on arctic wildlife” (Johnson et al. 2005). The plenary session at the 2006 TWS annual conference addressed climate change implications for habitats, wildlife populations, and subsistence; presentations by Mark Serreze, University of Colorado Boulder; Brad Griffith, University of Alaska Fairbanks; and Caleb Pungowiyi, former President and CEO of the Inuit Circumpolar Conference, will be published by TWS in forthcoming issues of *The Wildlifer*.

TWS appreciates the opportunity to provide these comments to the BLM. Please do not hesitate to contact me if you would like copies of referenced correspondence or studies or if we can provide any assistance on a potential workshop on the cumulative impacts of oil and gas activities in the NPR-A. Thank you for considering the views of wildlife professionals.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Hutchins', with a stylized, flowing script.

Michael Hutchins, Ph.D.
Executive Director/CEO