

1 Arctic National Wildlife Refuge, we do not want to put
2 anymore oil through that pipeline than has already gone
3 through there.

4 And I know that in this renewal process
5 that you're trying to show us that you're taking
6 responsibility and you're going to listen to as many
7 people as you can before you make your decisions. But I
8 know that this is a draft and so, you know, please listen
9 and hear what we're saying and incorporate those into
10 your discussions and work with us because we do want to
11 believe in you.

12 And, you know, before the oil spill ever
13 happened, I took a lot of things for granted and I
14 realize that I had to quit fishing in order to help
15 protect this environment. And, you know, please do your
16 job and we'll do ours.

17 HEARING OFFICER GEARY: Thank you, Dune.

18 MR. LANKARD: Thank you. 00130

19 HEARING OFFICER GEARY: Nancy Bird.

20 MS. BIRD: Yes, Nancy Bird. I am vice-
21 mayor of Cordova but I want to make clear that most of my
22 statements -- I have some preliminary statements, I
23 think, I can make on behalf of the City Council.

24 And those are that from listening to the
25 comments tonight, I came here, I have not read either the

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1 Draft Environmental Impact Statement or the State
2 document you're referring to. I don't think anybody on
3 City Council has. I know our City Manager was
4 disappointed that he didn't receive notice of this
5 meeting until just a couple of days ago and so I would, I
6 think, I'm safe, even though my City Councilmembers have
7 not talked about this amongst ourselves directly to state
8 that we would really endorse a much longer comment
9 period, at least 45 days, preferably 90 days, I think.

10 I guess I would go on to state, sort of
11 on my own behalf and in support of that, that the Chugach
12 National Forest recently went through a major revision of
13 their planning document which I think might be compared
14 to something like what you're doing for the pipeline
15 renewal. They took over two and a half years. I believe,
16 to finish from start to end, they extended the comment
17 period numerous times because of the interest,
18 particularly by Cordova. So I think a 45 day comment
19 period is very, very short for an issue of this
20 magnitude.

21 So with that stated, the rest of my
22 comments are for sure only my own and I'll try to be
23 relatively brief because I don't feel like I am as well
24 informed on some of the specifics. I have been here
25 since the beginning of the pipeline, I actually arrived

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1 just a month before the pipeline began operating so I
2 have lived through the Exxon Valdez Oil Spill, I think
3 that I can't emphasize enough how important the Copper
4 River fishery is to this community. Some of the comments
5 you heard earlier gave you economic figures of the
6 importance of that fishery. It's always concerned me,
7 even before the oil spill the number of river crossings
8 that the pipeline has and after the oil spill, we've done
9 a lot of work on improving the oversight system, the lack
10 of -- you know, to not be complacent anymore for
11 transport of oil from the terminal and the terminal
12 operations through Prince William Sound. There's always
13 room for improvement. But I don't have any of the
14 assurance that the same kinds of things have been done
15 for the pipeline itself and particularly for the river
16 crossings and the incident that occurred earlier this
17 year of the pipeline being shot by a drunk was one that
18 obviously was of concern to this community as many people
19 have said, if it had happened any place near one of the
20 rivers, it would not have been stopped and we don't know
21 what kind of damage there would have been. It would have
22 all depended on when it happened, what resources it would
23 have been critically impacting and such. But, you know,
24 there's a lot that should be done to improve the
25 oversight systems.

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1 I would support the creation of another
2 citizen's oversight group. I would support the audit
3 that's been -- independent audit that's been mentioned
4 several times. It seems very reasonable to me to do
5 those kinds of things, to require the spending of that
6 kind of money in advance of -- as part of your
7 prevention. The valves, the corrosion issues are of
8 great concern to me. From the reading I've done it
9 appears that there's not enough information on that.
10 There's not enough oversight.

11 I would say that there's been a lot of
12 change in the 13 years since the Exxon Valdez on the oil
13 industry's response to concerns of the fishing community
14 in Cordova, particularly. On the other hand, I know
15 they're always looking at the bottom line, Alyeska
16 continues to, as was stated earlier, have good
17 intentions, good plans, but their budgets don't always
18 stay at the levels that they think they're going to be at
19 the beginning of the year and every time budget cuts
20 happen, it's based on what the minimum that they have to
21 do is and I think we have to raise that minimum to ensure
22 that we get the oversight we deserve.

23 Just two more things I wanted to comment
24 on, the statement that Dume read earlier that he quoted
25 from the Draft EIS disturbs me because it's not the kind

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(Cont.)

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1 of subjective statement I would expect to see in an EIS.
2 I would take great issue with it and, I mean, I'm sure an
3 economist may have made it and maybe there's some good
4 back up for it but I'd sure like to see it, I haven't
5 seen that kind of information that would support that
6 statement.

130-4
(Cont.)

7 Based on that, I guess, it concerns me
8 that there may well be many other errors of like
9 magnitude. Other people have spoken of statements made
10 regarding the subsistence use of resources by Cordovans
11 and I would attest to, I mean there are subsistence
12 studies that the Division of Department of Fish and Game
13 have done in the past that indicate Cordova is one of the
14 higher communities of subsistence users in the state. So
15 I don't know where some of the information is coming from
16 that people are quoting.

130-5

17 I guess the final statement I would make
18 is just regarding sort of the issue of trust that several
19 people have spoken to and, yes, this community continues
20 to not have a great deal of trust in what is promised us
21 by industry as well as State and government agency
22 people. You know, I think that we're not generally of
23 the belief that the Exxon Valdez happened because of one
24 person's error, there were errors all down the line and
25 they began with the captain and they went on to DEC, the

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1 Federal oversight, there were lots of lots of people to
2 blame, the oil industry, the lack of money and so I guess
3 I, as a public official, I like to see people questioning
4 what is going on and constantly asking us. And so I
5 guess I would echo that and say that we deserve to get
6 some answers and be more assured and not have people
7 think that we can ever be complacent again.

8 Thank you very much for your time and
9 look forward to an extension of the comment period.

10 HEARING OFFICER GEARY: Thank you. Udi
11 Lazimy. 00131

12 MR. LAZIMY: My name is Udi Lazimy. And
13 I'm speaking on behalf of myself.

14 First of all I'd like to extend my
15 gratitude to everybody involved in this decisionmaking
16 process for accepting comment on this process. It's only
17 prudent that the communities of Prince William Sound and
18 the rest of Alaska and the national public have ample
19 time and space to submit comment, invoice their opinions
20 at public testimony as regarding an issue of this
21 importance.

22 After spending time studying the status
23 reports of the Trans-Alaska Pipeline system, I've come to
24 the conclusion that allowing the lease renewal to go
25 through unabated and without extreme policy changes and

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(Cont.)

1 reorientations of management processes of the pipeline
2 would be unwarranted and not in the best interest of the
3 Alaskan people or the global community, seeings how so
4 many people, especially in North America, at least,
5 depend on this oil and we need to see a decrease in that
6 dependence.

7 TAPS is constructed with an objective
8 optimal operational lifetime of 30 years and the physical
9 mechanisms that support the transport of oil across the
10 state are now beginning to show their age. If the
11 pipeline is to be maintained at its current structural
12 condition, oversight and management changes must be made
13 to ensure proper environmental and economic security.

14 The following are my recommendations for
15 the TAPS renewal decision process.

16 1. That the TAPS leases not be renewed
17 at this time as the structural integrity of the pipeline
18 is poor at this point in time and the dangers involved in
19 allowing the current structure to remain operational are
20 far to great. TAPS was intended to be used for only a 30
21 year period at its original structural design. And the
22 structural and mechanical foundations were designed for
23 optimum performance for no longer than this time. This
24 period of time is over. The pipeline has exceeded 25
25 years of operation and there are numerous examples of

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1 poor structural integrity along the length of the
2 pipeline. The community of Cordova specifically is
3 threatened by the renewal of the TAPS lease. Because of
4 the poor structural integrity of segments of this
5 pipeline that not only pass through the Copper River
6 watershed upon which Cordova depends for subsistence and
7 commercial resources, but also throughout the entire
8 state. As has been stated before by a number of the
9 people in this room, the pipeline does pass over 76
10 anadromous salmon streams and 20 percent of it does cross
11 the Copper River watershed.

131-2
(Cont.)

131-3

12 I had the honor and the chance to raft
13 the river recently, last week and the resources and the
14 beauty and the wildness that I found there was
15 unbelievable and I haven't seen that anywhere in the
16 country and I lead backpacking trips around the country
17 and to have any kind of threat to that pristine wild
18 place that we have here in our backyard, it's just
19 totally unfounded. Cordova is predominately a community
20 dependent on commercial and subsistence fishing dependent
21 on that ecosystem that we have in our backyard. Over 85
22 percent of its residents subsistence fish. A breach in
23 the pipeline within the boundaries of the Copper River
24 watershed would degrade the habitat of wildlife upon
25 which the community depends for commercial and

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1 subsistence needs.

2 Upon reading the BIS, the sociocultural
3 system section lacks recognition of Federally-recognized
4 tribes and relies inappropriately on the Handbook of
5 North American Indians rather than the tribes themselves
6 for information about their history and culture. The
7 people that have for so long relied on this place for
8 subsistence needs. Completely and wholly inaccurate
9 information about the Native Village of Eyak and tribal
10 members are included in this document. To state that
11 because so few Eyak people remain, a discussion of Eyak
12 culture in the 21st Century is impossible raises serious
13 questions about environmental justice and its renewal.
14 We just heard from just one of these wonderful people
15 that has called this place their home for thousands of
16 years. Complete lack of understanding of subsistence is
17 seen in this document. It incorrectly analyzed the
18 subsistence needs of these people in conjunction with
19 economics, not just, of course, the Native people of whom
20 there are so few remaining but the entire community of
21 Cordova.

22 I'd like to require that TAPS companies
23 fund research into effects of pipeline on subsistence in
24 the past, present and future.

25 I'd also like to say and reiterate the

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1 points that have been made from the folks that have been
2 using a lot of the research done by APER. As has been
3 shown a lot of the comments that have been made in the
4 past have been completely looked over and passed up. And
5 so I feel like I need to reiterate those points just to
6 add strength to that argument.

7 That first, the grant and lease should
8 establish a citizen's oversight group funded by the TAPS
9 owners through the Department of Interior to ensure
10 through community involvement that the pipeline is 131-7
11 maintained if it is to continue and operated in a manner
12 that safeguards the natural resources of Alaska and
13 ensures the safety of continued oil shipment.

14 Also that the funds that TAPS owners have
15 collected for the future dismantling, renewal and
16 restoration of TAPS be immediately placed in an escrow
17 account. And contribute a small portion of the excess 131-8
18 income that they will earn from past dismantling, removal
19 and restoration collections to establish a fund that
20 would generate millions of dollars per year to finance
21 the TAPS.

22 Also if the lease is to be renewed, it
23 should be made conditional on satisfactory completion of
24 an immediate comprehensive field audit as well as 131-9
25 independent and technical review and field audits every

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1 five years.

2 There should also be an employee concerns
3 program. And stipulations attached to the original
4 Federal and State grant and lease agreements that it
5 should be carefully reviewed to ensure that they reflect
6 the scientific and technological advances during the last
7 three decades and past experience with the operation of
8 TAPS.

9 I'd also like to point out that in the
10 latest revision of the Chugach National Forest plan, the
11 Forest Service has opted to join in the planning
12 priorities that have been shown on the Tongass National
13 Forest recently as well which is not acting on the public
14 voice to protect the lands of the Copper River Delta and
15 Prince William Sound for the purpose of managing them as
16 not only wilderness but so that subsistence and
17 commercial priorities be focused on, mainly. That the
18 Copper River Delta remains as a 501(B) designation which
19 does not allow strong enough protection for its resources
20 is simply wrong. It should not be thought of as a place
21 for people to be allowed to drive all sorts of off-road
22 vehicles all over it and jet boats up and down it.
23 That's not right. They don't need to in order to
24 subsist.

25 Finally, I'd like to say that the public

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(Cont.)

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1 comment absolutely must be extended at least 90 to 180
2 days to ensure ample time and meaningful input. I was
3 one of the people collecting signatures today and not
4 enough people knew about this meeting. We spoke to over
5 a hundred people that had no idea what we were talking
6 about and I think that that would be -- your scoping of
7 public opinion would be greatly helped and would benefit
8 by allowing people to know about your meeting a lot
9 earlier.

10 So I urge you strongly to consider all of
11 my above recommendations because I believe that they are
12 in the greatest interest of the communities of Alaska,
13 Prince William Sound and the Copper River watershed.

14 Thanks.

15 HEARING OFFICER GEARY: Thank you. We
16 will mark that as number 5.

17 (Hearing Exhibit 5 marked)

18 HEARING OFFICER GEARY: Next is Sierra
19 Drake.

00132

20 MS. DRAKE: My name is Sierra Drake and I
21 live in Cordova and I'm speaking for myself. Can I say
22 anything I want.

23 HEARING OFFICER GEARY: Whatever you want
24 to present to be considered in the decision.

25 MS. DRAKE: Okay. First of all, I want

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(Cont.)

1 to say that to call this meeting a public meeting is
2 total bullshit. A large fraction of the public can't
3 even be here. Everybody here knows this is a fishing
4 town but apparently the people who scheduled the meeting
5 don't. It's like scheduling a public meeting in the
6 middle of a city at 2:30 in the afternoon. You can't
7 schedule a meeting when everybody's at work, that's just
8 bullshit. And I don't think this process should go on
9 until there's actually been a real public meeting where
10 everybody has a chance to come to it.

132-1

11 I think that the public comment period
12 should be extended, 180 days would be great. I barely
13 cracked the document and what I saw in there was again,
14 just total bullshit, lies about Cordova, lies about what
15 we do here, lies about who lives here, lies about what
16 the fish mean to us, lies about what the river means to
17 us. And I just think that's sick. It just shows that
18 oil companies don't care. Nobody except us seems to
19 really care what happens. And I think if you guys are
20 getting commentary from the oil industry you should just
21 throw that stuff away because those guys just want money
22 and they don't need money. We don't need to help them
23 make money. It's not a good reason to take the risks
24 that the pipeline takes and it shouldn't. It shouldn't
25 keep operating just for that reason alone. I can't think

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1 of any good reason it should really keep operating.
2 Those guys don't need to get rich, period, any richer
3 than they already are.

132-3
(Cont.)

4 In this country when corporations first
5 started operating they're granted charters, they still
6 are and back then corporate charters were revoked when
7 corporations betrayed the public. They were considered
8 to be public servants and the public would take their
9 right to operate away if they started harming the public
10 or harming the public interests. And I think that we
11 should still act that way and we should still think that
12 way and those laws are still on the books and we should
13 still take advantage of that.

14 I agree with what everybody else has said
15 so far. Everybody I know in Cordova is trying to put
16 away fish right now for winter. Everybody's getting
17 ready to pick berries, very excited about it.
18 Everybody's talking about hunting, getting together their
19 groups of people who are going to go out. And everybody
20 here has said how much subsistence means to all of us and
21 I just want to echo that, too.

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22 Basically, I think that all these oil
23 companies that are making money off the pipeline,
24 whenever they make a mistake their insured and they don't
25 have to pay. They didn't lose money from the Exxon.

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1 Valdez spill, Exxon didn't lose money from that, they
2 made money from that. And as long as the costs of their
3 mistakes are going to fall on anybody but themselves,
4 they shouldn't be allowed to do anything at all.

5 And that's all I have to say.

6 HEARING OFFICER GEARY: Thank you for
7 your comments. Ross Mullins. 00133

8 MR. MULLINS: Yeah, my name is Ross
9 Mullins. I'm a longtime resident of Cordova. And I'd
10 like to take this opportunity to just comment on a couple
11 of the issues that have already been addressed by most
12 people but my approach is slightly different.

13 My concern is with the industry attitudes
14 and whether or not we can trust the kind of material that
15 they present as facts to the government monitoring
16 entities. We've seen enough of the malfeasance of
17 corporate, as George W says, evil-doers in the last few
18 months, they'll probably get some insight into the nature
19 of the corporate mind.

20 I look back at the way this whole thing
21 began in 1969 in Cordova as a series of broken promises.
22 We first were confronted with the initial NEPA Draft EIS
23 process hearings that took place in Anchorage in 1969, I
24 believe September and this was the first test of the NEPA
25 Federal policy and there were hundreds of people there

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1 testifying about their concerns for the transport of oil
2 through Prince William Sound and the pipeline, et cetera.
3 And we were given all kinds of assurances, most of which
4 fell on pretty much deaf ears. The fishermen felt that
5 the only way they could get attention on their concerns
6 about the risks of oil transport was to go to court which
7 we ended up doing in late 1969 or early 1970 where we
8 sued the Department of Interior and the Department of
9 Agriculture and we succeeded in holding up the permit
10 issuance or the application had been denied by the fact
11 that the Department of Agriculture was illegally trying
12 to issue a land lease for more acreage than they were
13 authorized by law to do. Well, as we all know, the
14 outcome of that was for the Congress to take it out of
15 the hands of the court and through the illustrious Spiro
16 Agnew who broke the tie in the Senate, they issued the
17 permit and the TAPS project began.

18 At that time we were most concerned about
19 the marine transport in because that's where we make our
20 living out here in the waters of both Prince William
21 Sound and the Copper River. And the Prince William Sound
22 elements seemed to be the most threatened because of the
23 super tankers and their ingress and egress through the
24 Sound to pick up these huge quantities of oil and we held
25 many meetings, went to Washington testified at various

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1 congressional hearings. I remember sitting in Ted
2 Stevens' office with several other fishermen where
3 Senator Stevens said I can assure you not one drop of oil
4 is going to touch the waters of Prince William Sound, he
5 says, Dr. Warner VonBraund himself told me that the
6 technology we have today will preclude that from ever
7 happening.

8 Well, you know, these are the kinds of
9 broken promises that make you a little bit skeptical when
10 you see what happened in 1989. We held here in 1977, as
11 referred to as Richard Fineberg, an oil symposium that
12 the fishermen put together where we brought tanker
13 captains, oil spill experts, scientists of all stripes
14 here to try to elevate the consciousness of people on the
15 threats that might be out there in order to keep their
16 feet to the fire, we were assured we'd get transponders,
17 we were assured, you know, there'd be the latest
18 technologies applied and what did we get, we got none of
19 those and we ended up with this oil spill in '89.

20 Now, I fear that we're looking at the
21 same type of scenario here on this renewal of the TAPS
22 pipeline. As has been said, it's nearing the end of its
23 original design life, 30 years, they're asking for
24 another 30 years, which, under the circumstances you can
25 understand because the oil's still up there and they got

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1 ANWR and I'm sure Murkowski's going to keep beating the
2 drum on ANWR until he finally gets it so there's a
3 million gallons a day coming down out of ANWR for another
4 30 years. This thing is going to be critical to the
5 health of this area. We were decimated by the '89 spill.
6 We still haven't recovered from that.

133-2
(Cont.)

7 And when I say this is about attitude,
8 industry attitude, and in a sense government cooperation
9 with these industry attitudes, I think to myself of the
10 comment Exxon submitted to the court, Judge Holland's
11 court about 10 days ago in one of their briefs where they
12 recharacterize history to indicate that, hey, in reality,
13 this oil spill was a blessing for Alaska and a blessing
14 for the fishermen. They made more money than they would
15 have ever made, the state had a greater economic infusion
16 for that period than they would have normally ever had.
17 This was a blessing. Well, that just goes to show you
18 the attitude the industry has. I don't trust these
19 people. When you can come out and make those kind of
20 egregious statements in the face of the reality, then
21 you've got to be skeptical as a public of what other
22 kinds of bald-faced lies they may be telling.

23 And in this regard, I think we have to
24 have strong monitoring and my own preference, as has been
25 stated by many, an independent audit by a third-party,

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1 independent of the industry of this pipeline before we
2 issue the permit. Now, I know Congress has just passed a
3 new Pipeline Safety Act. I haven't seen the text of it
4 but I would doubt if a great deal has changed but I would
5 hope that because of the apparent concern that's abroad
6 in Washington, that an independent audit would be
7 considered a reasonable request. Something that any
8 prudent person would look to rather than take assertions
9 of the industry which are then picked up by the other
10 drafters of documents and incorporate them. This is
11 where a lot of the incorrect stuff comes from. I just
12 don't trust these people and for anybody to just say, oh,
13 yeah, we'll give them the benefit of the doubt, I think
14 is a huge mistake because we've given them the benefit of
15 the doubt in the past and we know where we are today as a
16 result of it. We're still in court with Exxon 13 years
17 later. When they came here within a week of the oil
18 spill and said, we will make you whole, don't worry. If
19 your nets don't fill up with fish, Exxon will take care
20 of it. That was a bald-face lie.

21 I agree with the other comments that have
22 been made about the extension of time. I just saw this
23 for the first time in the paper yesterday and I got an e-
24 mail this morning also on it. I think it's
25 unconscionable with the thickness of these documents that

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(Cont.)

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1 we be given such a short shrift of time to comment. We
2 definitely need a minimum of 45 to 90 days and preferably
3 longer. Since the pipeline permit expiration is not
4 until 2004, I think there's adequate time to extend this
5 comment period so that people can become adequately
6 informed on the issues, many of which are quite technical
7 that we need to inform ourselves on before we can make a
8 reasonable presentation.

133-4
(Cont.)

9 I'm going through this historical drill
10 because I don't have the technical information here, but
11 I would far prefer to be able to comment on flaws in the
12 pipeline that you should be addressing. But, you know, I
13 do know that there have been many maintenance people at
14 Alyeska who have raised alarms about standards, quality
15 issues. Their shut-down procedures that have been
16 mentioned shifted the pipeline 21 inches on a restart.
17 In several instances the pipeline is sitting on the edge
18 of its vertical support beams. What's that mean in terms
19 of an earthquake? Those are supposed to give motion
20 stability under the pipeline. Well, do you think the
21 earthquake's going to know that it's on this edge so the
22 earth's going to shift that way so the pipe will have
23 room to roll, no, it might just go the other way and then
24 it falls over or breaks.

133-5

25 You know, these things are known, we just

133-6

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1 have to have independent auditing to verify it and
2 document and as the industry gets squeezed more and more
3 by slower throughput of oil and profits commensurate with
4 that and begin to cut it more and more, their budgets,
5 you're going to find this maintenance program to become
6 marginal at best. And I think an independent audit would
7 help to identify a lot of the problems that are out there
8 and help us address them in a real type of EIS statement.

133-6
(Cont.)

9 Quickly, a citizen's oversight group, I
10 fully support that. I think RCAC has done a wonderful
11 job here at Prince William Sound and we could use
12 something similar on the pipeline over land portion to
13 monitor it and it's an independent entity more or less
14 that's able to alert the public to problems and the
15 public can bring pressure to bear on the politicians to
16 get these things corrected.

133-7

17 And I think a whistleblower protection
18 clause in the approval process is also necessary so that
19 maintenance workers, if they do identify problems can
20 report them without fear of losing their jobs.

133-8

21 Thank you very much.

22 HEARING OFFICER GEARY: Thank you, Ross.
23 Kristin Smith.

00134

24 MS. SMITH: Thanks. I represent a
25 community based nonprofit called the Copper River

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1 Watershed Project and I sit on the Cordova City Council.

2 And one of the things I really want to
3 say tonight is that I think it's unconscionable that this
4 process has been set up in the way that it does to
5 discourage public participation, a Friday night is a
6 pretty deliberate choice of timing to make it more
7 difficult for people to come. And I know that when
8 you're going to Glennallen you're meeting in the
9 Glennallen High School auditorium. We have a high
10 school. But we're here in a building that is not
11 handicapped accessible and I think that's probably close
12 to illegal. And I think the BLM and the DNR that
13 organize a lot of public meetings probably know that.

134-1

14 And I also wanted to comment on the
15 Environmental Impact Statement. The document itself is
16 pretty lacking in analysis. There's a section that talks
17 about soils and permafrost in the environmental
18 consequences section. The text reads similarly,
19 saturated soils are on slopes are weak mechanically. The
20 permafrost under those saturated soils could provide a
21 potential plain for a landslide to occur. And it also
22 says, if the warming trend in Alaska continues for the
23 next 30 years of the proposed renewal period, the risk of
24 encountering liquefaction and land slides would be
25 expected to increase. Senator Ted Stevens has also

134-2

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1 stated, quote, that Alaska is harder hit by global
2 climate change than anyplace in the world. But that's
3 it, in a section of this environmental impact statement
4 called environmental consequences, there's no analysis
5 that I could see. There's no comment on what that means
6 for the depth of permafrost, the effect that could have
7 on vertical support members and other pipeline
8 infrastructure. So I want to state for the record that
9 the Environmental Impact Statement is severely lacking.

10 There's another section called regional
11 economic impacts. There's no discussion about the
12 consequences of a spill event, not even having been
13 through with the Exxon Valdez Oil Spill having provided
14 ample first-hand experience with the consequences of a
15 spill, there's no discussion in this document about the
16 economic impact on these communities. There are two
17 dozen communities alone in the Copper River watershed
18 with half of them being located near the Gulkana, the
19 Klutina, the Tazlina and the mainstem of the Copper
20 Rivers. Those tributaries to the Copper all have
21 pipeline crossings and a natural event such as an
22 earthquake or a landslide or something else, like a
23 maintenance accident causing a spill into any one of them
24 would be devastating for fish habitat. And you know that
25 salmon sustained the commercial, sport and subsistence

134-2
(Cont.)

134-3

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1 economies of this region but there's no mention of that
2 in that Environmental Impact Statement.

134-3
(Cont.)

3 I'm testifying and you've heard this
4 comment already but it bears repeating, that one-fifth of
5 the Trans-Alaska Pipeline system travels through the
6 Copper River watershed which is an intact ecosystem that
7 supports commercial, sport and subsistence fisheries.
8 The pipeline crosses 76 fish streams and so that's all
9 critical spawning habitat. I think there's been a lot of
10 focus on what's happened in Prince William Sound and the
11 fact that there's a Copper River fishery at the mouth of
12 the river, but the critical spawning habitat is all these
13 tributaries that are crossed by the pipeline.

134-4

14 And so I think I want to just emphasize
15 the five recommendations -- or there were six actually
16 that were made by the Alaska Forum for Environmental
17 Responsibility. I concur with all those recommendations.

18
19 Create a citizen's oversight group.

134-5

20 Create an escrow account for the funds
21 set aside for the dismantling, removal and restoration of
22 the pipeline. It's not enough to say that the money will
23 be there. We've seen plenty of examples lately of how
24 accounting on paper does not ensure safekeeping of needed
25 resources.

134-6

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1 Conduct a technical review and an audit
2 every five years of the pipeline operations use of best
3 available technology.

134-7

4 Make the terms of the grant and lease
5 renewal identify a single responsible managing party and
6 a stable source of funding for the Trans-Alaska Pipeline.

134-8

7 Establish a viable employee concerns
8 program as part of the grant and lease renewal. And take
9 advantage of the past 25 years of experience, incorporate
10 what they've learned in how to manage the pipeline
11 because there's a lot of good information out there.

134-9

12 And I do want to thank you for coming to
13 Cordova to hear us. I think because the pipeline is
14 critical to our everyday lives and to those of people up
15 and down the West Coast that you should be having
16 hearings in all of the communities affected by the Trans-
17 Alaska Pipeline including Washington, Oregon and
18 California at a minimum. Lots of other communities have
19 experience with pipelines in their backyard and they
20 probably have insights to share and I think it would all
21 be beneficial.

134-10

22 And I, too, look forward to seeing an
23 extension of the comment period. The way the document
24 has been distributed, the way this process has been
25 advertised, it all warrants an additional 90 days at a

134-11

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1 minimum.

2 Thank you.

3 HEARING OFFICER GEARY: Thank you, 00135
4 Kristin, Phil Huffman.

5 MR. HUFFMAN: Hi. My name's Phil
6 Huffman. I'm actually a resident of Waitsfield, Vermont.
7 And I have a few comments as a U.S. Citizen and resident.
8 Mostly sort of general comments on the process as opposed
9 to any specifics on the documents that are in question
10 tonight.

11 My wife and I are the newcomers to the
12 region, we've actually been in Cordova for about 12 hours
13 and in Alaska for about 48. It's the first time either
14 of us have ever been here. And we certainly didn't come
15 to Cordova specifically to attend this hearing but I'm
16 actually very glad that our visit happened to coincide
17 with it. Given the sort of short notice on this, even
18 more so for us. Forgive me if my comments are a little
19 bit scattered, I've been sort of scribbling notes wildly
20 over the last hour or two.

21 I guess my overall point is that I
22 certainly can't speak with any of the expertise or first-
23 hand knowledge of the other folks in the room and I think
24 it's abundantly evident. But I guess what I hope to do
25 is bring a different perspective, which is, simply just a

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1 reminder that this is a national issue as well something
2 obviously of huge significance to folks here in Alaska.
3 My wife and I haven't experience the
4 magic of this region yet but we were drawn here by the
5 significance and the uniqueness and the majesty of the
6 region's environment which we've heard a lot about
7 through various channels. In the coming weeks we're
8 going to be having the incredible fortune and opportunity
9 to experience some of it through sea-kayaking on the
10 Sound, through doing a rafting trip from Chitina on down
11 to the Delta and then also hiking in the Wrangells. And
12 we feel really immensely fortunate, I can't emphasize
13 that enough to have that opportunity. We're really among
14 the fortunate few from outside of Alaska who do have an
15 opportunity to experience this directly and the wonders
16 that this region has to offer. But even if we never had
17 the chance to come here and to see this, I think, we feel
18 as -- and we would feel, as I'm sure many, many others,
19 thousands, millions elsewhere in the U.S., in the Lower
20 48 and Hawaii would feel and probably internationally as
21 well, no doubt, that this region has incredible value for
22 a variety of reasons. There's extrinsic value to the
23 natural wonders of a place like this, whether or not you
24 ever get to see it, whether or not you benefit from the
25 economic returns that it can provide through fishing and

135-1
(Cont.)

135-2

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1 so forth. There's just extrinsic value knowing that a
2 place like this is intact and spectacular as it is,
3 exists. Also it has incredible significance for
4 migratory species that depend on habitat that this area
5 provides but that also reside or pass-through other parts
6 of the United States and other countries.

7 We've been away from the news for the
8 last several weeks on part of a -- sort of an earlier
9 part of this overall adventure but I would strongly doubt
10 that many people elsewhere in the country have any idea
11 that this issue is even going on right now, I certainly
12 had I no clue and I work in the conservation field. I
13 try to pay attention to issues beyond just the Northeast
14 and had no idea. I can't imagine there's been a lot of
15 coverage in this in the New York Times, let alone in
16 papers like the Burlington Free Press or whatever. I'm
17 sure there are loads of people in the Lower 48 and beyond
18 who are uninformed. And because of that I guess I would
19 strongly support the suggestions that have been made by
20 most of the other people earlier this evening about
21 extending the comment period and specifically, I think at
22 least 180 days would be a minimum for adequate time for
23 folks, both here in Alaska and throughout the rest of the
24 country to get educated about this and to have an
25 opportunity to participate. It's obviously a hugely

135-2
(Cont.)

135-3

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1 significant issue and has very complicated aspects to it,
2 technical, political, social, environmental and so forth
3 and there probably could never be enough time but I would
4 certainly say that the comment period at this point is
5 inadequate.

6 Also sort of related to that I would say
7 that given the significance of the issue, I think it's
8 reasonable to have a great deal more public meetings, not
9 only here in Alaska but also outside the country on the
10 West Coast, as was alluded to before, but also I think
11 elsewhere. You know, there are folks who would, I think,
12 would like to get educated and would like to have an
13 opportunity to participate. I think the Valdez spill in
14 '89 brought this region to the attention of a lot of
15 folks who didn't know about it before and who would
16 really like to have an opportunity to weigh in now.

17 Related to that, also, I guess, I don't
18 know the extent of congressional oversight on this issue
19 and on the process but given the national significance if
20 not international significance of it, I certainly hope
21 there is a substantial amount. And I certainly intend to
22 write the Vermont Congressional Delegation urging them to
23 pay close attention to what's going on here, both in
24 terms of the process and the substance of what's
25 occurring.

135-4

135-5

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1 I wanted to also augment earlier comments
2 that were made about the economic significance of the
3 fisheries and the subsistence implications of the
4 pipeline and potential spills here in the watershed and
5 so forth but it really applies more broadly to the entire
6 extent of the pipeline throughout Alaska. Really with
7 the reminder that I think my wife and I represent about
8 the economic benefits from tourism from folks like
9 ourselves that are potentially jeopardized by threats to
10 Alaska's magnificent environment by potential failures
11 of the pipeline, by other spills and other impacts
12 related to the extraction of North Slope oil.

13 And I guess, finally, I would just say
14 that as I alluded to before, you know, I certainly don't
15 have any prior or first-hand involvement with the spill
16 -- or excuse me with TAPS and Valdez and so forth, I have
17 a sort of broad familiarity with it from national media
18 coverage and so forth, don't have any of the direct
19 expertise or the detailed knowledge, first-hand
20 experience that many folks here in this room and
21 obviously, undoubtedly elsewhere in Alaska that have,
22 there's obviously a huge amount of knowledge and I think
23 a lot of good ideas. And I guess I would just urge you
24 to really pay attention to the wisdom that's being shared
25 in the room this evening from the others who have spoken

135-6

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1 and to adopt their recommendations.

2 Thanks very much for your time.

3 HEARING OFFICER GEARY: Thank you. Carol
4 Hoover.

00136

5 MS. HOOVER: Hi. Carol Hoover, I'm
6 representing myself as a United States citizen.

7 I want to say that I agree with
8 everything here that's been said tonight. And I'm really
9 appreciative of all the knowledge that I've heard and
10 more that I've learned tonight about this issue. But
11 from my own perspective I want to, again, acknowledge
12 that the pipeline carries a very toxic substance and it's
13 a poison and we can't forget that. It's very, very
14 poisonous. And as we are now learning currently it's
15 actually a thousand times more toxic than we previously
16 thought, so I want to underscore the fact that we know
17 now and I'm sure you'll be hearing this more over the
18 next few years, that it is one part per billion of
19 hydrocarbons dissolved in saltwater that harms the
20 reproductive ability of salmon and it's multi-
21 generational. In other words, it hurts the salmon's DNA
22 and it hurts the embryos and it compounds and so it's
23 much worse in the food chain than we previously thought.

24 So I say that if the pipeline is going to
25 continue running down in the middle of Alaska that as an

136-1

136-2

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1 American citizen, I demand that there are no spills. I
2 demand it. It's absurd to say that we don't have the
3 technology to demand that and if we can't afford it then
4 I have to say I completely agree with Gabe, that there
5 should be no pipeline. That it should be shut down until
6 we know that it's safe and I think I speak for everybody
7 in that regard. And for the wild salmon and for our
8 sustainability on the planet and so on.

136-2
(Cont.)

9 Also I have to say that we don't know how
10 to cleanup oil spills. I don't care what anybody says.
11 Dune went out into the Sound a few months ago, they
12 landed on a beach, they dug and there was oil. We don't
13 know how to clean it up. Anybody that knows the facts of
14 the spill knows that it was a sham. So therefore, I
15 don't trust the oil industry. I've done a lot of
16 research myself, I kind of know what's happening across
17 the world, I've seen films of mothers standing in fields
18 trying to stop planes from coming into their indigenous
19 lands. I know of a woman here in town who has stood in
20 front of -- well, there was a blockade here in the Sound,
21 you know, and they're even thinking about bringing the
22 Valdez back into Prince William Sound, it should never
23 have come back here. So I don't trust the oil industry.
24 I actually despise the fact that I have to use petroleum
25 as much as I do.

136-3

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1 And unfortunately and, please, I say this
2 with all due respect, I do not trust the effectiveness of
3 government agencies to oversee the monitoring of this
4 pipeline renewal, lease renewal system, especially after
5 the knowledge and the wisdom and the words that I've
6 heard here tonight from people who are very, very well
7 respected, like Richard Fineberg and Kristin and
8 everyone, so I do so say that with great respect about my
9 lack of trust.

136-4

10 So therefore, I demand as a United States
11 citizen that all parties concern face the fact that we're
12 being pressured by an administration that's pushing oil
13 at all costs and pushing profits at all costs and pushing
14 deregulation at all costs. And I say that you people
15 here tonight have to have the courage to speak for that
16 fact. That you're going to be pressured to get this
17 lease to be renewed. And so, I also demand that a
18 process must be put in place that we can trust and if
19 not, then there should be no pipeline renewal.

136-5

20 I also demand that a 180 day comment
21 period is what is needed at the very least. And that
22 this does, thanks to our friend here, I agree, must be a
23 national discussion, this is not just an Alaskan
24 discussion. Although their opinions and experiences
25 should be first and foremost in front of the public.

136-6

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1 Again, the Copper River Delta is one of
2 the last wild salmon bearing areas on the planet of this
3 magnitude. If there's a spill in the Copper there'll be
4 hell to pay.

136-7

5 I say no renewal.

6 Thank you very much for your time.

7 HEARING OFFICER GEARY: Thank you, Carol.

8 Altana Olsen.

00137

9 MS. ALTANA OLSEN: My name is Altana
10 Olsen. I'm an Alaska Native. My parents -- my mother
11 was born in Tatitlek and it says that she -- because she
12 was from Tatitlek she does subsistence but Cordovans,
13 according to the EIS does not say that we survive on
14 subsistence and I disagree with that. It needs to be put
15 in there what Alaskan Natives in Cordova actually do and,
16 yes, we do survive on subsistence.

137-1

17 I have lived here all my life with the
18 exception of four years in Anchorage. Many of my
19 classmates fished and many of them have had to do another
20 job because of what has happened with the Exxon Valdez
21 Oil Spill. And with the Exxon Valdez Oil Spill, it needs
22 to be paid before this renewal happens. You guys need to
23 look at Cordova as people and not as -- quit looking at
24 just what the oil brings in.

137-2

25 And so the other thing that I have to say

137-3

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1 is this comment of 45 days is not long enough.

137-3 (Cont.)

2 And also that this meeting should not be
3 held on a Friday night, it should be with individual
4 groups on their own territory. You guys should be
5 meeting with the Native Village of Eyak as a group at the
6 tribal council office or at one of the places that the
7 Native Village of Eyak decides it should be. You should
8 meet with the Copper River fishermen on their time, not
9 when they're fishing, not when they're out there trying
10 to make money to survive, you should be meeting with them
11 when they can be there, not when it's convenient for you
12 guys to come here and meet. A public opinion needs to be
13 met with everybody involved who is effected. And
14 everyone who's involved should be able to have the right
15 to be able to speak.

137-4

16 I thank you for taking the time to come
17 here. And I would really like that it to be longer, at
18 least 45 more days, if not longer than that. And take
19 into consideration what Alaska Natives live here,
20 subsistence is not only brought to my house, it is also
21 brought to other people outside of Cordova and you're not
22 only affecting me, you're affecting everyone else that I
23 give subsistence foods to.

137-5

24 Before 1989, I used to look forward to
25 our herring fisheries, Cordova was bright lively,

137-6

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1 wonderful place to live, now, I don't know if my son will
2 be able to come back here and live in this town because I
3 don't know what's going to happen with the economy and
4 that is a direct result of Exxon Valdez Oil Spill and I
5 want people to take that into consideration and think
6 about everyone that is being affected.

7 Thank you.

8 HEARING OFFICER GEARY: Thank you. All
9 right, I have no more cards for folks indicating that
10 they're going to speak so let's go ahead and we'll take
11 another 10 minute break and at the end of the break see
12 if there's anyone else who would like to speak. So we'll
13 take 10 minutes, off record.

14 (Off record)

15 (On record)

16 HEARING OFFICER GEARY: All right, I want
17 to call this meeting back to order. All right, during
18 the break we've been provided comments from Scott
19 Metzger, Brian Parson and Walter Cox that will be added
20 to the record.

21 (Hearing Exhibit 6, 7, 8 marked)

22 HEARING OFFICER GEARY: All right, we
23 have some more speakers that would like to make some
24 presentations and the first is Sheelagh Mullins. 00138

25 MS. MULLINS-ROWANE: Hello. My name is

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137-7
(Cont.)

1 Sheelagh Mulline-Rowane. I first came to Cordova in 1963
2 and started fishing the Copper River Flats. And I've
3 been involved in Cordova -- I've lived in Cordova for
4 many, many years.

5 I want to reiterate, basically what
6 everyone has said here, almost everyone. It's most
7 important that we extend the date of any input from the
8 fishermen. Our fishermen are fishing right now. It
9 seems quite remiss that this could occur when the bulk of
10 the population are not here to comment.

138-1

11 Secondly, I do believe that what happened
12 before the oil spill is that we requested baseline
13 studies of Prince William Sound and were promised that
14 there would not be one drop of oil in Prince William
15 Sound. Well, I do feel that we need to have baseline
16 studies of the pipeline before any leases are renewed.
17 So that needs to be done by an independent company prior
18 to any leases being renewed.

138-2

19 We also need to have audits, independent
20 audits. We have new science that's available constantly
21 to us, particularly regarding global warming and we need
22 to have input from all responsible scientific research on
23 that.

138-3

24 And we also should have input from the
25 employees. That is very, very important. They are the

138-4

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1 people that know what is going on and where. We can read
2 about it, we can see pictures of it but we're not there
3 actually hands-on as the employees are and there should
4 be a program for employees to be able to do that without
5 any consequence to their employment.

138-4
(Cont.)

6 Now, most of the talk tonight has been on
7 subsistence and commercial fishing, or a lot of it
8 anyway. What we need to point out here is that Copper
9 River Delta is one of the most productive wildlife
10 nurseries in the world. Any damage to it would impact
11 the planet. It is that enormous. It is the most
12 important stopover for millions of shorebirds and that
13 includes most of the western sandpipers. It is a part of
14 the western hemisphere shorebird reserve network. It is
15 the most important part. These birds then go on up to
16 the Yukon-Kuskokwim Delta and the Arctic and reproduce.
17 If those particular species are wiped out because they --
18 most of them come through here, there are, of course,
19 many other shorebirds that come through here, if these
20 species are wiped out, it will have an impact on the
21 planet.

138-5

22 And the herring actually were only
23 mentioned once tonight, to my knowledge. Altana Olsen
24 mentioned the herring and that was a very important
25 commercial fishery for us, it has collapsed. But more

138-6

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1 importantly, I believe, in the whole picture here is that
2 the herring are an important oily fish that are crucial
3 in the food chain, so we're seeing problems now with sea
4 lions who are very definitely impacted by the lack of
5 herring. Our herring have not survived the Exxon Valdez
6 Oil Spill. So we don't have a fishery and we don't have
7 a part of the food chain in sufficient quantities.

138-6
(Cont.)

8 So we need to look at the whole picture
9 and not just commercial fishing and subsistence and, you
10 know, the social impacts, we need to look at the Copper
11 River Delta and Prince William Sound as being very, very
12 important in the whole ecology of this planet.

138-7

13 Thank you.

14 HEARING OFFICER GEARY: Thank you.

15 Lauren Padawer.

00139

16 MS. PADAWER: Padawer.

17 HEARING OFFICER GEARY: Padawer?

18 MS. PADAWER: Yeah. Thanks. Well, I'm
19 not from Alaska, I'm from another river called the
20 Mississippi and I've rafted down the Copper and I can see
21 firsthand the 180 degree differences between these two
22 watersheds. I know that there is miles of dead zone at
23 the delta of the Mississippi and I would hate to see that
24 here in Cordova.

139-1

25 I know people have said nearly everything

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1 that could be said, which is why I didn't come up here
2 until late. But I want to reiterate that this one public
3 meeting isn't enough due to all the reasons of people
4 being out fishing in the middle of the season, on a
5 Friday night, you know, 7:00 p.m., I hope to see another
6 meeting scheduled here in the next 90 to 180 days.

139-2

7 Another reason I came up here is because
8 I have this vision of, like, lines, you know out of this
9 building, people waiting to say something because this
10 community, more than any other community maybe on the
11 planet or as much as any other community, understands
12 environmental injustice to rural places and corporate
13 irresponsibility. The finite amount of oil up there is
14 not worth the risk. It's not the worth the risk to open
15 up the Arctic National Wildlife Refuge. It's not worth
16 the risk to continue bringing it down the pipes. The
17 pollution of hydrocarbons out of exhaust is already
18 contaminating water more than one part per billion. It's
19 already destroying fisheries on a global level. Even the
20 oil companies realize that the end of petroleum and
21 renewable fossil fuels is in view.

139-3

22 They've invested -- or they're only
23 interested in sucking the last drops of oil out of here
24 like a vampire on the earth. Well, they're also
25 investing in alternative energies like solar, wind and

139-4

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1 fuel cells. They have abused us and they'll continue to
2 use us until the last oil is gone.

139-4
(Cont.)

3 Our grandchildren will probably know
4 Exxon not as an oil company but as a hydrogen company.
5 And may our grandchildren also know that the Copper River
6 is a river of life and not a region devastated by oil.

7 My one last comment is that if there's
8 one thing all Alaskans can agree on, whether you're an
9 oil rig operator or whether you're a school teacher or
10 whether you live in Cordova, the North Slope, Anchorage,
11 Fairbanks, is that, we like fish and we like clean water
12 and many people have spoken to the fisheries end of
13 things but clean water, too, is our birthright. And
14 since I didn't grow up in Cordova or Alaska, I certainly
15 don't take this for granted that I can walk 10 minutes
16 from my house and fill up a jug of water and drink it
17 just like that and, to me, I know it's a gift and at the
18 same time I feel it's a human right and I hope that
19 Cordovans in perpetuity can enjoy that living in this
20 watershed.

139-5

21 So may our compassion for these people
22 and overcome, you know, their greed and our abuse. Thank
23 you.

24 HEARING OFFICER GEARY: Thank you. Kate
25 Williams.

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1 MS. WILLIAMS: My name is Kate Williams
 2 and I work for the Native Village of Eyak as an
 3 anthropologist and it is part of my job to review this
 4 EIS and I've worked on it eight hours a day since it's
 5 been released and I have not read the whole thing. I
 6 have read one volume which my comments address.

7 The first comment is that there must be
 8 an extension for people to adequately address the EIS.

140-1

9 Section 2.5.5 states that BLM has an
 10 Alaska Resource Advisory Committee that advises the
 11 agency on matters related to the Trans-Alaska Pipeline
 12 system. Who is on this committee? Does it have tribal
 13 representation? The DEIS says that they can't form
 14 another committee. This is not true. The DEIS also
 15 cites that quote, the Federal grant provides significant
 16 discretion to the authorizing officer in exercising
 17 authority to correct problems. It enables the government
 18 to change requirements to respond to changing situations.
 19 There must be a review of this committee and there must
 20 be tribal representation on this committee.

140-2

21 The Native Village of Eyak objects to the
 22 treatment of subsistence as part of economics. The Draft
 23 EIS states in numerous sections that as wage employment
 24 increases, subsistence needs decrease and vice-versa.
 25 This demonstrates a lack of understanding of subsistence

140-3

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1 and culture. Subsistence by tribal members has very
2 little to do with economics and everything to do with
3 culture. Tribal and Fish and Game sponsored research has
4 demonstrated that subsistence occurs regardless of what
5 wages one might be bringing in and it's not replaced
6 simply because food items are available at a grocery
7 store.

140-3
(Cont.)

8 Section 3.19.1.3 on Prince William Sound
9 fish, reptiles and amphibians relies on very few
10 references to the enormous amount of data that exists on
11 fisheries alone. This section pits data collected by
12 consultants funded by Exxon money with scientists funded
13 by the Exxon Valdez Oil Spill Trustee's Council at
14 respected State and Federal agencies and universities.
15 It is not appropriate to base conclusions about effects
16 of the TAPS on Exxon funded bias research.

140-4

17 Section 3.24 on subsistence states that
18 the flow of subsistence resources through primarily
19 Natives sociocultural systems via several exchange
20 mechanisms is one of the factors of complexity. Because
21 subsistence resources disproportionately effect Alaska
22 Natives, this issue should also be analyzed as one of
23 environmental justice in the Draft EIS as required under
24 Executive Order 12898.

140-5

25 We object to the incorrect

140-6

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1 characterization of subsistence as, quote, a collection
2 of opportunistic behaviors in Section 3.24.1 community
3 harvest patterns. Subsistence is a way of life that is
4 scared, deeply embedded in a culture of a tribe and its
5 members and passed down from generation to generation in
6 a very deliberate and ritualistic way.

140-6
(Cont.)

7 Section 4.7.8.2 sociocultural systems
8 incorrectly states that impact from tanker spills to
9 sociocultural systems in Prince William Sound would be
10 small due, in part, because, quote, the only documented
11 subsistence areas in Prince William Sound are in Cheoega
12 Bay and Tatitlek, end quote. This is untrue. And
13 impacts from the Exxon Valdez Oil Spill were not small.

140-7

14 The EIS cites numerous times the lack of
15 quality subsistence data. The Department of Energy, the
16 Department of the Interior and the Bureau of Land
17 Management must fund tribes and other organizations to
18 conduct research into subsistence and effects of the TAPS
19 on subsistence prior, present and future. Tribes have
20 the capability, research, experience, credentialed staff
21 and know better than many others what subsistence means
22 and how it is linked to their culture and very existence.

140-8

23 The length of the comment period, again,
24 is too short. Government to government consultation has
25 not been done in this comment period. BLM has a

140-9

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1 consultation policy that is not being followed. All
2 agencies that form the Joint Pipeline Office are bound by
3 either Federal trust responsibility, executive orders
4 and the own approved Department Consultation Policy or by
5 the Millennium agreement with the State. Sending letters
6 to tribal council presidents and meeting face to face
7 should be the beginning of meaningful dialogue. NVE's
8 comments and concerns have not been given the attention
9 they deserve.

140-9
(Cont.)

10 Attention to Federally-recognized tribes
11 in the Draft EIS is inadequate. We have problems with
12 language used regarding tribes and consultation and
13 subsistence and sociocultural system sections. This
14 demonstrates a lack of understanding that these aren't
15 simply communities or villages, these are recognized
16 forms of government with elected tribal councils and are
17 afforded status as sovereign nations.

140-10

18 The Department of Energy funds a lab
19 called Argonne National Laboratory at the University of
20 Chicago. This is who conducted the Draft EIS. We
21 believe it is a conflict of interest for the Department
22 of Energy to be funding research into the renewal of the
23 TAPS. In addition, no Alaska Natives or any Cordovans
24 were employed on this EIS and there's a plethora of
25 knowledge among those people that should have been

140-11

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utilized.

Section 3.11.5, Exxon Valdez spill background and 3.11.5.2 current conditions site only TAPS owners and Exxon funded researchers as sources for the effects of the spill. There's no mention of the EVOS Trustee Council funded research over a 13 year period to-date. The DEIS states, quote, there was no evidence of large scale, offshore transport of Exxon Valdez crude to subtidal sediments, end quote. They also cite research that there was more oil naturally occurring in unoiled sites in Dryer Bay than at the oiled Bay of Isles at Knight Island. This is incorrect research. It is not reliable research and it should not be the basis for decisions that are made in the EIS.

Thank you.

HEARING OFFICER GEARY: Thank you. Ms. Williams, are your comments such that you can let us have a copy of it?

MS. WILLIAMS: Yes, we will be submitting written comments

HEARING OFFICER GEARY: Thank you. All right, that's the last of the folks that have signed up to testify tonight. Is there anyone else in the crowd that has not yet spoken who would like to? With that, I would like to thank you all for attending tonight and

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140-11
(Cont.)

140-12

1 encourage you all to take advantage of the ability to
2 comment, either in writing, by phone, by e-mail and the
3 other methods that we mentioned tonight.

4 MS. HOOVER: I have one question.

5 HEARING OFFICER GEARY: Yes.

6 MS. HOOVER: Who would decide to -- I
7 mean how can we get the comment period extended?

8 HEARING OFFICER GEARY: That request has
9 -- it's my understanding that request has been made and
10 is currently under consideration.

11 MS. HOOVER: By who? Who's considering
12 it?

13 MR. BROSSIER: I can answer that Dennis.

14 HEARING OFFICER GEARY: Please.

15 MR. BROSSIER: The request is made by the
16 Secretary of the Interior.

17 MS. HOOVER: Secretary of the Interior.

18 MR. BROSSIER: Yes.

19 MS. HOOVER: And what's that person's
20 name?

21 MR. BROSSIER: Gail Norton.

22 MS. HOOVER: Oh, Gail Norton, oh, yes, I
23 see.

24 MR. FINBERG: And also to Pourchot on
25 the State side.

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136-8

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MS. HOOVER: Pourchet, okay.

MR. FINEBERG: Yes.

MS. PADAWER: What's the e-mail address
for submitting comments?

HEARING OFFICER GEARY: It's listed on
the forms on the back table back there. All right, with
that, I'm going to close the hearing. As an
administrative note we've been asked that there was a
nice desert potluck back here tonight and we can't leave
it here, so I would just ask that for those of you helped
organize it, maybe you could help make sure that it gets
to a nice home tonight.

Thank you all for coming.

(ADJOURNMENT)

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Responses for Document 00115

- 00115-001:** Text has been added to Section 4.7.8.3 of the FEIS providing additional sources of information about the impact of the Exxon Valdez oil spill (EVOS) on communities, including intangible impacts, such as psychological stress, and in the fisheries, recreation, and tourism industries in the Prince William Sound area. In addition, compressed overviews of selected impacts of the EVOS have been added to Sections 4.7.8.1 and 4.7.8.2.
- 00115-002:** Text has been added to Section 4.7.8.3 of the FEIS providing additional sources of information about the impact of the Exxon Valdez oil spill (EVOS) on communities, including intangible impacts, such as psychological stress, and in the fisheries, recreation, and tourism industries in the Prince William Sound area. In addition, compressed overviews of selected impacts of the EVOS have been added to Sections 4.7.8.1 and 4.7.8.2.
- 00115-003:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.
- 00115-004:** The current Federal Grant and associated stipulations, along with the provisions of TAPAA, provide BLM with extensive and ongoing regulatory control of TAPS operations. These conditions would not change upon renewal.
- The reader is referred to Section 4.1.1 (JPO oversight) and specifically to Sections 4.1.1.2 (Adaptive Nature of the Grant in Compliance Monitoring), 4.1.1.3 (Risk-based Compliance Monitoring), 4.1.1.4 (JPO Comprehensive Monitoring Program), and 4.1.1.8 (Coordinated Planning and Response to Abnormal Incidents) for more information on the role of adaptive management as a JPO business practice.
- 00115-005:** The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."
- 00115-006:** For Spills Impact Analysis, data from the TAPS owners were mainly used to determine the appropriate assumptions for location and volume of oil spills. For Human Health and Safety, Food Chain Impacts, the DEIS analyses mainly relied on peer-reviewed seafood contamination data from NOAA which were obtained through the oversight of the Oil Spill Health Task Force.
- Data on the toxicity of the PAH components were obtained from EPA and the open literature (see Section 4.4.4.7.4 for citations). Similarly, to assess the potential human health impacts from inhalation of crude oil components in the vicinity of a spill, toxicity data from appropriate independent agencies were used (e.g., American Conference of Governmental Industrial Hygienists; see Section 4.4.4.7.2). To assess potential impacts from chronic inhalation of emissions from TAPS associated facilities, EPA toxicity values were used (see Section 4.3.13).

00115-007: The Grant/Lease holds APSC responsible for maintaining normal operating conditions throughout the Grant period. The Design Basis for TAPS has undergone review and approval, as have any subsequent changes to the design basis. Thus, the normal operating condition of TAPS is a legitimate reference point from which to identify and evaluate environmental impacts. That being said, off normal conditions can exist in a number of TAPS subsystems without compromising the subsystems' ability to meet performance objectives or resulting in adverse environmental impacts. For instance, there is no evidence that the alleged problems with waxy solids in the BWTF 90s tanks have resulted in off-normal effluent discharges from the BWTF, which have had an impact on the environment or public health and safety. The Alyeska Annual Data Report for June 2000-May 2001, filed with the EPA and ADEC pursuant to Part III.B.6 of NPDES Permit No. AD-002324-8, shows the effluent from the BWTF did not exceed the specific limits established in the Permit regardless of certain less than optimum plant subsystem operations. The EIS does address with the impact of contaminants on the environment and public health from all TAPS sources, at times, based on compliance filings, using the permit limits as the maximum contaminant discharge to the environment.

00115-008: The DEIS reported a total of 26 tankers, which is composed of 10 tankers operated by the Alaska Tanker Company, LLC; 8 tankers operated by Polar Tankers, Inc.; 6 tankers operated by SeaRiver Maritime Inc.; and 2 tankers operated by Seabulk International, Inc. The list of tankers was based on data provided by the APSC and confirmed using information collected by the British Columbia Oil Spill Task Force Prevention Project (available at <http://www.ecy.wa.gov/programs/spills/prevention/bap/TAPS%20Trade%20Tanker%20Report.htm>).

The comment is incorrect because the expected TAPS throughput is projected to be around 0.21 million barrels per day in 2034, which is lower than the cited value of 1 million barrels per day. The lower TAPS throughput coupled with the provision that all TAPS tankers will have double hulls can be expected to reduce the risk of marine transport of North Slope crude oil.

00115-009: Events such as the EVOS accident are considered rare events. Rare events, although would have a low probability of occurrence, could happen anytime. Simply because a rare event has occurred over a time span in the past, is no guarantee that it will occur again over the same time period in the future. The probabilities of rare events are estimated based on a consideration of a single or a series of smaller occurrences that lead to the final accident. The probabilities of intermediate occurrences are estimated based on historical data, engineering design specifications of the equipment involved, experience with similar industries or designs, and in some cases expert judgment and are combined to come up with the probability of the overall event.

After the EVOS spill incident, numerous improvements have been made to reduce the likelihood and/or expected outfall from a catastrophic tanker spill. These measures include the creation of the Ship Escort Response Vessel System (SERVS) and phase-in of double-hull tankers. Double-hull tankers alone are expected to reduce spills by more than 80%. Other key spill prevention measures include provision of tanker escorts, more stringent weather constraints on tanker operation, use of ice routing measures, and mandatory alcohol testing of tanker officers.

00115-010: The EIS makes a clear distinction between regulatory controls and environmental impact assessment. Section 4.1 of the EIS discusses regulatory controls that address mitigation of environmental impacts. Section 4.2 of the EIS develops impacting factors that could result in changes to the environment. These impacting factors serve to focus the assessment that follows.

Responses for Document 00116

00116-001: The BLM and member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide BLM and JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.

The reader is referred to Section 4.1.1 (JPO oversight) and specifically to Sections 4.1.1.2 (Adaptive Nature of the Grant in Compliance Monitoring), 4.1.1.3 (Risk-based Compliance Monitoring), 4.1.1.4 (JPO Comprehensive Monitoring Program), and 4.1.1.8 (Coordinated Planning and Response to Abnormal Incidents) for more information on the role of adaptive management as a JPO business practice.

00116-002: The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."

00116-003: The BLM appreciates the concern expressed in this comment and believes that the following items when taken collectively show that resources and legal commitments are in place to ensure full cost recovery for the dismantlement, removal, and restoration of the right-of-way upon termination of the TAPS system.

1. The Code of Federal Regulations (43 CFR 2883.1-4) requires each owner company (the parent company) individually and jointly to demonstrate its financial ability to remove all improvements and equipment and to restore the land to a condition satisfactory to the Authorized Officer or to pay the cost of such removal and restoration. The Federal Grant stipulation 1.10 (Completion of Use) implements this code by stating that owner companies "promptly remove all improvements and equipment, except as otherwise improved in writing by the Authorized Officer, and shall restore the land to a condition that is satisfactory to the Authorized Officer or at the option of Permittees pay the cost of such removal and restoration."

2. TAPS ownership is defined as joint and several and thus if one or more owner company cannot meet its DR&R obligations, the other companies are liable.

3. Under the terms of the Federal Grant the Authorized Officer can add additional requirements for removal and restoration actions.

4. While requiring actual cash escrow accounts for dismantlement, removal, and restoration is not within the jurisdiction of the Department of the Interior, the Federal Energy Regulatory Commission (FERC) in the Department of Energy has primary authority in this area. See the FERC Settlement Agreement for further details.

5. DOI has total protection in the guaranties.

6. Trans-Alaska Pipeline Authorization Act (Title I, amendment of Sec 28 of the Mineral Leasing Act, Section 28 (r)(2)(B)(5) provides further protections and recourse, if the Secretary has reason to believe that any owner or operator is not fulfilling any of its obligations as a common carrier, including completion of use.

00116-004: The reader is referred to Section 2.5 of the FEIS, in which audits are addressed under Alternatives and Issues Considered but Eliminated from Detailed Analysis.

00116-005: The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."

00116-006: The BLM and the agencies within JPO acknowledge both that there have been legitimate issues related to APSC's Employee Concerns Program (ECP) and that APSC has undertaken considerable efforts to improve and refine its ECP program.

The BLM and JPO expect to continue to evaluate the effectiveness of APSC's ECP through confidential surveys that will seek input from all TAPS employees (see Section 4.8.4 of the FEIS). Like the three prior surveys, these efforts can provide broad measures of the confidence that TAPS workers have in APSC's ECP and can suggest areas needing improvement.

The JPO also notes that a confidential hotline (1-800-764-5070) currently exists for employees or members of the public to report issues and concerns about TAPS. Recorded messages are checked daily by the BLM-Alaska Special Agent's office. The purpose of the hotline is to identify issues relating to pipeline integrity, public safety, environmental protections and regulatory compliance for incorporation into the JPO work program. The BLM also refers employees seeking personal relief (e.g., restoration of employment or lost compensation) to the U.S. Department of Labor or other appropriate authorities for further investigation.

00116-007: The BLM and member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide BLM and JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.

The reader is referred to Section 4.1.1 (JPO oversight) and specifically to Sections 4.1.1.2 (Adaptive Nature of the Grant in Compliance Monitoring), 4.1.1.3 (Risk-based Compliance Monitoring), 4.1.1.4 (JPO Comprehensive Monitoring Program), and 4.1.1.8 (Coordinated Planning and Response to Abnormal Incidents) for more information on the role of adaptive management as a JPO business practice.

00116-008: The reader is referred to Section 2.5 of the FEIS, in which audits are addressed under Alternatives and Issues Considered but Eliminated from Detailed Analysis.

00116-009: The seismic design of the pipeline took all active faults into consideration. To reduce the likelihood of pipe rupture at the fault crossings, the pipe is above ground and on supports that allow relative displacement across the fault. The pipeline design was based on the possibility that severe seismic events could occur. Section 4.4 of the EIS discusses the spill scenarios considered and the estimated impacts from those scenarios. The scenarios range from high frequency/low consequence events to low frequency/high consequence occurrences. Potential seismic activity and fault displacements along the pipeline were included as potential spill initiators. The discussion includes potential impacts in the Copper River drainage area. Oil spill prevention and response capabilities and related activities specific to the Copper River drainage area are discussed more fully in the text box that has been added to Section 4.4.4.3.

00116-010: As described in the FEIS, Section 3.13.2, ambient air quality conditions are monitored at the Valdez Marine Terminal, and the data are used to determine compliance of TAPS facilities with state and federal standards.

00116-011: Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.

Responses for Document 00117

00117-001: Your concerns are well focused on TAPS components and controls, the performance of which are thought to be critical to pipeline integrity.

Corrosion control programs are outlined in Section 4.1.2.3. Instrument pigs as well as surveillance and monitoring of TAPS corrosion control systems provide the data with which to evaluate the continued adequacy of the TAPS corrosion control programs and undertake necessary repair actions before corrosion can advance to compromise pipe integrity.

Continued stability of vertical support members (VSMs) is obviously essential to pipeline integrity. Various natural forces (e.g. river scouring, floods, glacial movement, and earthquakes) can impact VSM stability. Man-made factors such as warm oil in the pipeline can induce thawing of the permafrost in which some VSMs are installed, and thus also jeopardize VSM stability. All such impacting factors were anticipated and mitigative design requirements were included in the grant stipulations and incorporated into the original design basis for the pipeline. The mitigative design features are discussed in Section 4.1.2. River crossings provide unique challenges. Natural factors such as river scouring, erosion, ice formation, flooding, and river channel meandering can all impact VSM stability. Special design considerations were used when the potential for such natural destructive forces was present. In addition, river crossings are inspected on a routine schedule and after each significant precipitation event to ensure that mitigative design features remain effective. River training structures are also installed when natural river forces threaten VSM stability. Special design considerations for river crossings are discussed in Section 4.1.2.5. In addition, continuous monitoring and surveillance programs ensure the continued adequacy of these mitigative design features. Integrity monitoring of VSMs as well as other components comprising the pipeline structural supports is discussed in Section 4.1.3.2.1.

00117-002: VSM stability is obviously critical to TAPS integrity. As such, it is the focus of extensive monitoring and surveillance. The impact of warming in Alaska on the stability of TAPS is presented in Section 4.3.2, "Soils and Permafrost."

The warming in Alaska in the last several decades is recognized. Evidences of warming in areas surrounding Alaska, including the Arctic Sea, as well as air temperatures, permafrost temperatures, and field observations in thermokarst lakes and glaciers are presented in Section 3.12.7.

00117-003: RCM is a sound tool, but is not the whole of government monitoring for the next 30 years. Section 4.1.1.2 presents JPO's adaptive management and interagency monitoring efforts.

Responses for Document 00118

- 00118-001:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.
- 00118-002:** Please see the text change in Section 4.3.2 (Soils and Permafrost) of the FEIS.
- 00118-003:** The potential impact of earthquakes has been recognized and considered in the design of the pipeline. The stability and integrity the pipeline are critical to the pipeline's operation.
- Please note that the pipeline behaved according to the design criteria under the stresses imposed by the November 3, 2002 earthquake.
- We know of no valves that leak oil to the environment. There are several valves with measurable leak through, but the rates are so low, they would not significantly impact spill volumes. The TAPS Valve Maintenance Management Program monitors valve condition (Section 4.1.2.8).
- APSC is currently involved in a multiyear valve testing and repair program, which will address problems with the valves. Recent investigations of certain valves on the TAPS have shown internal leaking where product in the pipeline leaks through a closed valve designed to stop oil flow. Although leaking of the valve is not a leaking of oil to the environment, valve leaking could increase the potential volume of a pipeline spill. Risk assessments are conducted to determine the risks associated with leaking valves, and valve repair and/or replacement jobs are prioritized based on the risk estimates.
- 00118-004:** The BLM has the necessary authority under the Federal Grant and TAPAA to rigorously enforce compliance with all current and future stipulations.
- The BLM and member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide BLM and JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.
- The reader is referred to Section 4.1.1 (JPO oversight) and specifically to Sections 4.1.1.2 (Adaptive Nature of the Grant in Compliance Monitoring), 4.1.1.3 (Risk-based Compliance Monitoring), 4.1.1.4 (JPO Comprehensive Monitoring Program), and 4.1.1.8 (Coordinated Planning and Response to Abnormal Incidents) for more information on the role of adaptive management as a JPO business practice.
- 00118-005:** Oil spill prevention and response capabilities and related activities specific to the Copper River drainage area are discussed more fully in a text box that has been added to Section 4.4.4.3.
- 00118-006:** The reader is referred to Section 2.5 of the FEIS, in which audits are addressed under Alternatives and Issues Considered but Eliminated from Detailed Analysis.
- 00118-007:** The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."

Responses for Document 00119

00119-001: Please see Section 5.2 in the FEIS for information on the public notice and involvement implemented for review of the DEIS.

00119-002: Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.

00119-003: Oil spill prevention and response capabilities and related activities specific to the Copper River Drainage are discussed more fully in the text box in Section 4.4.4.3 of the EIS entitled "Oil Spill Planning for the Copper River Drainage."

The BLM and member agencies within the JPO utilize an adaptive management approach in the oversight of TAPS operations and maintenance. Adaptive management uses ongoing surveillance, monitoring and testing that provides APSC and JPO with the data and information necessary to evaluate and change, if conditions warrant, the operations and maintenance of TAPS. Examples include:

- On-going oil spill contingency planning (tri-annual) and response capability reviews (annual),
- Field surveys of stipulation requirements, such as fish passage inspections,
- Comprehensive Monitoring Reports (12 published since 1996),
- Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the APSC workforce (e.g., electrical),
- Inspections by the State Fire Marshal as part of the JPO, and
- Routine surveillance that is outside of formal audits.

In addition, the BLM and member agencies of JPO in close cooperation with APSC have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The BLM is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety and environmental risks.

00119-004: The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."

Responses for Document 00120

- 00120-001:** Thank you for your comment.
- 00120-002:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.
- 00120-003:** The reader is directed to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."
- 00120-004:** Additional consultation with ADFG and the US Forest Service resulted in access to GIS data documenting the traditional subsistence use area of Cordova residents (including Eyak Tribal members) based in interviews conducted by ADFG in the late 1980s. This subsistence use area is now included in Map 3.24-1, and displayed in more detail in Section D.2.3.4.2.
- With regard to seeking Tribal input on this document, in April 2002 EIS personnel contacted the 21 directly affected villages/tribes by certified mail to explore the acquisition of additional information, including traditional ecological knowledge pertaining to subsistence (which could have included geographic information on subsistence harvest areas). These letters were sent to the tribal councils of Eyak, Pt. Graham, and Nanwalek. To date, no response to those letters has been received. In addition, the EIS process has been coordinated through government-to-government interaction between the Bureau of Land Management, the State of Alaska, and federally recognized tribes in Alaska that has been ongoing since April 26, 2001, as described in Section 5.3, Table 5.3-1.
- 00120-005:** The authors of the DEIS and FEIS evaluated and used references from academia, not-for-profit organizations, industry, and government sources. Sources of funding for the authors of the studies were not used as a criteria for selecting references or source material.
- 00120-006:** In the identification of subsistence concerns explored in this EIS, the document identified sociocultural and ceremonial roles of this activity for Alaska Natives in addition to economic roles. Although the EIS briefly considers the monetary value of subsistence harvests (see Section 3.23.5), it does so only to provide a rough sense of the relative economic importance of such harvests compared to state income and expenditures and is by no means the focus of the subsistence analysis. A discussion of federally recognized Native Villages has been added to Section 3.25.1.2.
- The EIS does use the Handbook of North American Indians to frame the discussion of Alaska Natives. It is not the only source used, however, and in preparing the FEIS additional sources have been consulted. The authors of the EIS requested additional information from the 21 directly affected federally recognized Tribes in April 2002 via certified mail. To date, none of these Tribes has responded.
- Only a portion of the members of the Native Village of Eyak are ethnically Eyak, and then their heritage is mixed. This does not mean the contemporary Native Village of Eyak is not forging its own culture from the many Alaska Native sociocultural systems represented there, including Eyak, Alutiiq, Tlingit, and Athabascan. That in no way makes the resulting sociocultural system of any less worth than traditional Eyak culture.
- 00120-007:** Thank you for your comment.

00120-008: Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.

While comments on the DEIS had to be received by the end of the 45-day comment period in order to be addressed in the Final EIS, additional provisions for involvement in the decision-making process apply to Tribal governments and Native organizations. The process of government-to-government consultation allows these groups to continue dialogue with the Bureau of Land Management.

00120-009: The FEIS contains information on spill planning, response, and mitigation for the Copper River Drainage (see the text box in Section 4.4.4.3).

Responses for Document 00121

- 00121-001:** Thank you for your comment.
- 00121-002:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.
- While comments on the DEIS had to be received by the end of the 45-day comment period in order to be addressed in the Final EIS, additional provisions for involvement in the decision-making process apply to Tribal governments and Native organizations. The process of government-to-government consultation allows these groups to continue dialogue with the Bureau of Land Management.
- 00121-003:** The BLM has jurisdiction over the TAPS right-of-way. The right-of-way begins at Pump Station 1 and ends at the loading arm(s) located at the Valdez Marine Terminal. The EIS analyzes the cumulative impacts of transporting oil on tankers through Prince William Sound and West Coast ports. The transport of oil by tanker in the marine environment is under the jurisdiction of the U.S. Coast Guard and the U.S. Department of Transportation.
- 00121-004:** The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."
- 00121-005:** The EIS addresses the no-action alternative of not renewing the Federal Grant of Right-of-Way. Analyzing other means of transporting oil to market from the North Slope is beyond the scope of this renewal decision.
- 00121-006:** Please see Section 2.5 of the FEIS for information regarding citizens' oversight.

Responses for Document 00122

- 00122-001:** Thank you for your comment. Previous reports were considered in preparing the DEIS.
- 00122-002:** As part of the renewal application process, an applicant provides the BLM with a description of how TAPS would be operated. The description of the operation then becomes a the starting point of an independent impact analysis conducted by the BLM. In addition, the JPO conducts a number of independent analyses and studies, many of which are conducted by well respected third parties. These studies provide essential background information.

Responses for Document 00123

- 00123-001:** Please see Section 5.2 in the FEIS for information on the public notice and involvement implemented for review of the DEIS.
- 00123-002:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.
- 00123-003:** The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."
- 00123-004:** The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."

Responses for Document 00124

- 00124-001:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.
- 00124-002:** While maps in the printed version of the EIS and the environmental atlas appendix were not provided as overlays, the entire document is available as a high-resolution file that can be downloaded from the Internet, and is also available on a CD-ROM.
- 00124-003:** The BLM and member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide BLM and JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.
- The reader is referred to Section 4.1.1 (JPO oversight) and specifically to Sections 4.1.1.2 (Adaptive Nature of the Grant in Compliance Monitoring), 4.1.1.3 (Risk-based Compliance Monitoring), 4.1.1.4 (JPO Comprehensive Monitoring Program), and 4.1.1.8 (Coordinated Planning and Response to Abnormal Incidents) for more information on the role of adaptive management as a JPO business practice.
- 00124-004:** The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."
- 00124-005:** Spill prevention and response are discussed in the EIS in Section 4.1.4. This section includes a discussion on the requirements for contingency planning. The C-plan for the Copper River provides for significant resources, including equipment, trained personnel, and effective organization, to respond if oil does spill from the pipeline.
- Response crews and equipment for initial deployment are stationed at Pump Station 9, Glennallen, Pump Station 12 and Valdez. The entire region crossed by the pipeline has been characterized with respect to the potential flow of spilled oil. Appropriate containment tactics are described in the C-plan with site-specific descriptions for each identified containment site.
- The Region 5 plan, which contains all Contingency Areas that could affect the Copper River, lists 12 Contingency Areas and 38 Segment areas. Each of these 38 segment areas lists priority control actions, and specific containment instructions. Each Regional plan includes tables detailing materials and equipment available for oil spill response at all stations and containment sites.
- A primary objective of these strategies is to contain oil before it reaches the Copper River. The C-plan includes establishing containment at the point of entry into the Copper River if oil were to travel that far. Discussions of control actions to take if oil does reach the Copper River are limited, however, there are descriptions of suitable strategies, tactics, personnel and equipment for containment and recovery of oil for the river.

Responses for Document 00125

- 00125-001:** Sections 3.24.2.4.2 and D.2.3.4.2 discuss subsistence in Cordova, while Tables 3.24-1, 3.24-2, and D-26 present subsistence data for Cordova. Both the text and the tables convey that the vast majority of households in Cordova are involved in harvesting subsistence resources and even more use subsistence resources. The data presented indicate that relatively large amounts of subsistence resources, coming from a wide variety of species, are harvested. All of the text and tables cited indicate that subsistence is important to Cordova. The EIS does not state or otherwise imply that subsistence is unimportant in Cordova, and none of the data presented would lead to this conclusion.
- 00125-002:** Thank you for your comment.
- 00125-003:** Your concerns about the adverse impacts of a large oil spill are acknowledged. The information on the impacts of oil spills on birds found in Sections 4.4.4.11 and 4.7.7.3.5 (as well as the overall spill analysis discussion presented in Section 4.4.4) supports the conclusion that most oil spills directly attributable to TAPS would be localized and cause little loss of wildlife resources. The likelihood of a large oil spill from TAPS (especially one into a river) or a tanker spill that could impact thousands of birds would be unlikely to very unlikely, especially since new system requirements and emergency response procedures have been formulated to minimize and contain oil spills.
- 00125-004:** Thank you for your comment.
- 00125-005:** The last paragraph of Section 4.8.3 addresses this issue. However, the text has been revised to more explicitly define use of North Slope oil resources as “depletion and use.”
- 00125-006:** Thank you for your comment.
- 00125-007:** Thank you for your comment.
- 00125-008:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.
- 00125-009:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.
- 00125-010:** Comments received during scoping are aggregated into a record of public scoping and are used to frame the issues and the analyses in the DEIS. Scoping comments are not listed and identified individually or responded to in the DEIS. Comments received on the quality of the analysis in the DEIS are addressed specifically in the FEIS and may result in text changes to the FEIS as well.
- 00125-011:** Thank you for your comment.

Responses for Document 00126

- 00126-001:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.
- 00126-002:** Thank you for your comment.
- 00126-003:** Sections 3.24.2.4.2 and D.2.3.4.2 discuss subsistence in Cordova, while Tables 3.24-1, 3.24-2, and D-26 present subsistence data for Cordova. Both the text and the tables convey that the vast majority of households in Cordova are involved in harvesting subsistence resources and even more use subsistence resources. The data presented indicate that relatively large amounts of subsistence resources, coming from a wide variety of species, are harvested. The EIS does not state or otherwise imply that residents of Cordova do not heavily rely on subsistence, and none of the data presented would lead to this conclusion.

Responses for Document 00127

- 00127-001:** Thank you for your comment.
- 00127-002:** The reader is directed to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."
- 00127-003:** The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."

Responses for Document 00128

- 00128-001:** The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."
- 00128-002:** The reader is directed to the discussion of escrow funds found in Section 2.5.
- 00128-003:** The reader is referred to Section 2.5 of the FEIS, in which audits are addressed under Alternatives and Issues Considered but Eliminated from Detailed Analysis.
- 00128-004:** The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."
- 00128-005:** The BLM and the agencies within JPO acknowledge both that there have been legitimate issues related to APSC's Employee Concerns Program (ECP) and that APSC has undertaken considerable efforts to improve and refine its ECP program.
- The BLM and JPO expect to continue to evaluate the effectiveness of APSC's ECP through confidential surveys that will seek input from all TAPS employees (see Section 4.8.4 of the FEIS). Like the three prior surveys, these efforts can provide broad measures of the confidence that TAPS workers have in APSC's ECP and can suggest areas needing improvement.
- The JPO also notes that a confidential hotline (1-800-764-5070) currently exists for employees or members of the public to report issues and concerns about TAPS. Recorded messages are checked daily by the BLM-Alaska Special Agent's office. The purpose of the hotline is to identify issues relating to pipeline integrity, public safety, environmental protections and regulatory compliance for incorporation into the JPO work program. The BLM also refers employees seeking personal relief (e.g., restoration of employment or lost compensation) to the U.S. Department of Labor or other appropriate authorities for further investigation.
- 00128-006:** The BLM and member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide BLM and JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.
- The reader is referred to Section 4.1.1 (JPO oversight) and specifically to Sections 4.1.1.2 (Adaptive Nature of the Grant in Compliance Monitoring), 4.1.1.3 (Risk-based Compliance Monitoring), 4.1.1.4 (JPO Comprehensive Monitoring Program), and 4.1.1.8 (Coordinated Planning and Response to Abnormal Incidents) for more information on the role of adaptive management as a JPO business practice.
- 00128-007:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.

00128-008: The oil spill planning and prevention effort in the JPO is a large-scale, multi-agency endeavor. Each participating agency (Alaska Department of Environmental Conservation, Environmental Protection Agency, BLM, and the Alaska Department of Natural Resources) has a particular focus, but these are all considered collectively in the JPO TAPS oil spill response and planning group. This inter-agency group generally meets monthly with APSC and maintains a continuous monitoring program on TAPS oil spill planning and related issues. The group also coordinates with the Office of Pipeline Safety, which reviews the Pipeline Oil Spill Contingency Plan.

The emphasis of all agencies is on the prevention of spills. This is accomplished through a combination of: 1) oversight of spill contingency planning (including 64 exercises on TAPS annually) and, 2) through JPO's comprehensive TAPS operations oversight, monitor issues which could contribute to a spill in the future. In the event of a spill, however, JPO has a number of highly-trained individuals who are fully prepared to respond quickly and effectively.

The text box in Section 4.1.1.8 provides a synopsis of the MP 400 bullet hole incident. Details of the spill and the response are provided. Changes to the pipeline's spill contingency plan that are being made as a result of lessons learned are also discussed.

The TAPS Oil Discharge Prevention and Contingency Plan for the pipeline (C-Plan), prepared by APSC (2001g—see Section 3.30 of the FEIS for the reference), provides for significant resources, including equipment, trained personnel, and effective organization, to respond if oil does spill from the pipeline, including at river crossings.

The C-Plan is updated periodically and lessons learned from actual occurrences as well as from regular exercises conducted along the pipeline are incorporated into the C-Plan. In addition, the C-Plan is reviewed annually by BLM, every three years by ADEC, and every five years by DOT. EPA also reviews the plan as it applies to pump stations. As part of this process, APSC and the federal and state agencies with oversight responsibilities for TAPS make sure that the appropriate emergency response equipment and personnel are made available along the TAPS.

Responses for Document 00129

00129-001: Text has been added to Section 4.7.8.3 of the FEIS providing additional sources of information about the impact of the Exxon Valdez oil spill (EVOS) on communities, including intangible impacts, such as psychological stress, and in the fisheries, recreation, and tourism industries in the Prince William Sound area. In addition, compressed overviews of selected impacts of the EVOS have been added to Sections 4.7.8.1 and 4.7.8.2.

00129-002: Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.

While comments on the DEIS had to be received by the end of the 45-day comment period in order to be addressed in the Final EIS, additional provisions for involvement in the decision-making process apply to Tribal governments and Native organizations. The process of government-to-government consultation allows these groups to continue dialogue with the Bureau of Land Management.

00129-003: The oil spill planning and prevention effort in the JPO is a large-scale, multi-agency endeavor. Each participating agency (Alaska Department of Environmental Conservation, Environmental Protection Agency, BLM, and the Alaska Department of Natural Resources) has a particular focus, but these are all considered collectively in the JPO TAPS oil spill response and planning group. This inter-agency group generally meets monthly with APSC and maintains a continuous monitoring program on TAPS oil spill planning and related issues. The group also coordinates with the Office of Pipeline Safety, which reviews the Pipeline Oil Spill Contingency Plan.

The emphasis of all agencies is on the prevention of spills. This is accomplished through a combination of: 1) oversight of spill contingency planning (including 64 exercises on TAPS annually) and, 2) through JPO's comprehensive TAPS operations oversight, monitor issues which could contribute to a spill in the future. In the event of a spill, however, JPO has a number of highly-trained individuals who are fully prepared to respond quickly and effectively.

The text box in Section 4.1.1.8 provides a synopsis of the MP 400 bullet hole incident. Details of the spill and the response are provided. Changes to the pipeline's spill contingency plan that are being made as a result of lessons learned are also discussed.

Similarly, other incidents (such as, those mentioned in the comment) have resulted in modifications to the manner in which TAPS is operated. In order to be more proactive, the BLM and member agencies of JPO in close cooperation with APSC have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability-centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The BLM is committed to RCM and believes that this process represents a pro-active approach to oversight.

00129-004: The oil spill planning and prevention effort in the JPO is a large-scale, multi-agency endeavor. Each participating agency (Alaska Department of Environmental Conservation, Environmental Protection Agency, BLM, and the Alaska Department of Natural Resources) has a particular focus, but these are all considered collectively in the JPO TAPS oil spill response and planning group. This inter-agency group generally meets monthly with APSC and maintains a continuous monitoring program on TAPS oil spill planning and related issues. The group also coordinates with the Office of Pipeline Safety, which reviews the Pipeline Oil Spill Contingency Plan.

The emphasis of all agencies is on the prevention of spills. This is accomplished through a combination of: 1) oversight of spill contingency planning (including 64 exercises on TAPS annually) and, 2) through JPO's comprehensive TAPS operations oversight, monitor issues which could contribute to a spill in the future. In the event of a spill, however, JPO has a number of highly-trained individuals who are fully prepared to respond quickly and effectively.

The TAPS Oil Discharge Prevention and Contingency Plan for the pipeline (C-Plan), prepared by APSC (2001g—see Section 3.30 of the FEIS for the reference), provides for significant resources, including equipment, trained personnel, and effective organization, to respond if oil does spill from the pipeline, including at river crossings.

The C-Plan is updated periodically and lessons learned from actual occurrences as well as from regular exercises conducted along the pipeline are incorporated into the C-Plan. In addition, the C-Plan is reviewed annually by BLM, every three years by ADEC, and every five years by DOT. EPA also reviews the plan as it applies to pump stations. As part of this process, APSC and the federal and state agencies with oversight responsibilities for TAPS make sure that the appropriate emergency response equipment and personnel are made available along the TAPS.

Response crews and equipment for initial deployment are stationed at Pump Station 9, Glennallen, Pump Station 12, and Valdez. The entire region crossed by the pipeline has been characterized with respect to the potential flow of spilled oil. Appropriate containment tactics are described in the C-Plan with site-specific descriptions for each identified containment site. For example, the Region 5 plan, which contains all contingency areas that could affect the Copper River, lists 12 contingency areas and 38 segment areas. Each of these 38 segment areas lists priority control actions and specific containment instructions. Each regional plan includes tables detailing materials and equipment available for oil spill response at all stations and containment sites.

The reader is also referred to the text box in Section 4.4.4.3 where spill planning, response, and mitigation for the Copper River Drainage are discussed.

Information has been added to Section 4.7, "Cumulative Impacts on Oil Tanker Transport to their Refinery Destinations."

00129-005: The text box in Section 4.1.1.8 provides a synopsis of the MP 400 bullet hole incident. Details of the spill and the response are provided. Changes to the pipeline's spill contingency plan that are being made as a result of lessons learned are also discussed.

00129-006: Government-to-government consultation concerning the TAPS ROW renewal began between the BLM and federally recognized tribes in April 2001—at the onset of renewal activities. Over the approximately 18 months of EIS preparation several other instances of government-to-government interaction occurred (see Table 5.3-1). Such interaction is anticipated to continue throughout the remainder of this project and activities that follow. Oil spill prevention and contingency plans are discussed in Section 4.1.4.

- 00129-007:** Additional information about the fate and effects of aqueous phase oil has also been added to the discussion of impacts from spilled oil in Section 4.4.4.10. PAH accumulation was detected in mussels used to monitor water quality in Port Valdez as part of a PWS RCAC-sponsored monitoring program (Salazar et al. 2002). In that study, it was found that all measured concentrations of PAHs in water and estimated on the basis of bioaccumulation in mussel tissues indicated that the concentrations of PAHs in Port Valdez waters are in the low parts-per-trillion range, well below the levels that have been associated with adverse effects in herring and salmon embryos (Salazar et al. 2002). In addition, Salazar et al. (2002) did not detect reductions in overall growth of caged mussels that could be attributed to PAH burdens.
- 00129-008:** Thank you for your comment.
- 00129-009:** The reader is directed to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."
- 00129-010:** Discussions of the Eyak have been modified (and expanded) to provide a more balanced discussion of these people and the Native Village of Eyak in the 21st century (see Sections 3.25.1.1.8 and D.2.3.4.2). In particular, references to Eyak culture in the 21st century have been revised, among other things, discussing the Native Village of Eyak and its composition and alternative criteria for sociocultural affiliation. Section 4.4 of the EIS discusses spills, the likelihood of spills, and impacts of possible spills, effectively addressing the condition of the TAPS with respect to accidents.

Responses for Document 00130

- 00130-001:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.
- 00130-002:** Text has been added to Section 4.7.8.3 of the FEIS providing additional sources of information about the impact of the Exxon Valdez oil spill (EVOS) on communities, including intangible impacts, such as psychological stress, and in the fisheries, recreation, and tourism industries in the Prince William Sound area. In addition, compressed overviews of selected impacts of the EVOS have been added to Sections 4.7.8.1 and 4.7.8.2.
- 00130-003:** The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."
- 00130-004:** Text has been added to Section 4.7.8.3 of the FEIS providing additional sources of information about the impact of the Exxon Valdez oil spill (EVOS) on communities, including intangible impacts, such as psychological stress, and in the fisheries, recreation, and tourism industries in the Prince William Sound area. In addition, compressed overviews of selected impacts of the EVOS have been added to Sections 4.7.8.1 and 4.7.8.2.
- 00130-005:** Subsistence data presented in the EIS for Cordova appear in Tables 3.24-1, 3.24-2, and D-26, and are discussed in Sections 3.24.2.4.2 and D.2.3.4.2. Many of the data presented and discussed are from Alaska Department of Fish and Game research in the area over the past two decades. Those data indicate relatively large per capita harvests, relatively large numbers of resources exploited, and relatively high participation and use. All of this evidence of subsistence activity in Cordova is consistent with the comment.
- 00130-006:** Thank you for your comment.

Responses for Document 00131

00131-001: The BLM and member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide BLM and JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.

The reader is referred to Section 4.1.1 (JPO oversight) and specifically to Sections 4.1.1.2 (Adaptive Nature of the Grant in Compliance Monitoring), 4.1.1.3 (Risk-based Compliance Monitoring), 4.1.1.4 (JPO Comprehensive Monitoring Program), and 4.1.1.8 (Coordinated Planning and Response to Abnormal Incidents) for more information on the role of adaptive management as a JPO business practice.

00131-002: The operation, maintenance, age, and condition (to include structural integrity) of TAPS were considered in the analysis. Structural supports have moved laterally or vertically at various times and locations along TAPS. APSC has repaired those supports before the structural integrity of the pipeline was endangered.

While targeted audits, inspections, field surveys, and monitoring programs provide useful information on the condition of the TAPS, targeted assessments of specific activities do not generally provide the necessary framework to systematically address all critical TAPS functions and their associated reliability. Thus, the BLM and member agencies of JPO in close cooperation with APSC have begun a systematic process to identify the critical functional components of the TAPS. The process, called Reliability-Centered Maintenance (RCM), is an ongoing system-by-system audit that determines function, failure modes, consequence, and preventive maintenance of critical systems. The BLM is committed to RCM and believes that this process represents a proactive approach to oversight and regulation of TAPS. In addition, RCM is widely used in the airline and other industries as the standard tool for reducing risk of failure to critical system components. Reduced risk in TAPS critical systems directly translates

00131-003: The EIS recognizes that there would be potential for impacts to salmon resources if an oil spill occurs in a salmon-bearing stream or river (Section 4.4.4.10). The extent of the impacts would be related to the amount of oil spilled, the size of the receiving stream, and the location of various salmon resources and life stages relative to the spill location. The estimated probabilities of various oil spill scenarios occurring at particular locations along the TAPS are presented in Section 4.4.1.1. APSC's oil spill response capabilities and plans for the TAPS are summarized in Section 4.1.4 of the EIS and explained in detail in "TAPS Oil Discharge Prevention and Contingency Plan" for the pipeline and in the "Valdez Marine Terminal Oil Discharge Prevention and Contingency Plan" for the Valdez Marine Terminal. The plans are available to the public at various libraries in several major cities in Alaska. Oil spill prevention and response capabilities and related activities specific to the Copper River drainage area are discussed more fully in a text box that has been added to Section 4.4.4.3.

00131-004: The comment statements about the importance of commercial and subsistence fishing are consistent with information presented in the EIS (see Sections 3.24.2.4.2 and D.2.3.4.2). The impacts of a spill into a river are discussed in Section 4.4.4.10 for fish and Section 4.4.4.14 for subsistence. The discussion of impacts of spills considers rivers representative of a particular type (based on width, depth, flow, and other characteristics), rather than each of the roughly 800 waterways crossed by the TAPS (see Section 4.4.4.3).

Depending upon the timing and the quantity of oil, it is true that major impacts could occur to salmon in the Copper River if a large amount of oil from a pipeline break were to reach the Copper River. Spills into the Gulkana and the Tazlina Rivers, both tributaries of the Copper that are crossed by the TAPS were considered as part of the spill scenario analyses in Section 4.4.4.10.1. Text has been added to Section 4.4.4.10.1 to reiterate the importance of the Copper River for salmon production in the area and to recognize the potentially severe impacts to salmon in the event of a large spill entering those rivers.

The evaluation of spill impacts did not conclude that a terrestrial spill would necessarily enter surface water to the degree that causes serious impacts, or that a spill in the Copper River drainage would be carried all the way to Prince William Sound in an amount that would cause severe habitat degradation.

00131-005: A discussion of federally recognized Native Villages and Tribes has been added to Section 3.25.x.x. While the Handbook of North American Indians was used to frame the discussion of Alaska Natives it was not the only source used. Input from Alaska Natives regarding traditional knowledge was welcomed throughout preparation of the EIS. In April 2002, this input was explicitly sought by a certified letter mailed to all 21 federally recognized Tribes examined in this EIS. To date, there has been no response to this letter. Discussions of the Eyak culture in the 21st century have been modified in the FEIS (see Sections 3.25.1.1.8 and D.2.3.4.2).

Subsistence is examined in the EIS in terms of three important roles: economic (in the sense of providing key resources, not in terms of monetary value), sociocultural, and ceremonial (Section 3.24). Although Section 3.23.5 estimates the monetary value of overall subsistence harvests in the state, this is provided solely for comparative purposes with state revenues and expenditures and in no way reflects the document's position on subsistence. The FEIS examines subsistence for all of Cordova (including the Native Village of Eyak), presenting data that indicate high participation and relatively high per capita harvests—indicative of the importance of this activity.

00131-006: The BLM recognizes that there may be interactions between the TAPS and subsistence resources. The BLM also notes that current information does not show a relationship between TAPS and subsistence impacts. The BLM and State of Alaska within JPO are currently working with industry and others to develop a science-based approach to determine how TAPS and subsistence resources interact.

00131-007: The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."

00131-008: The reader is directed to the discussion of escrow funds found in Section 2.5.

00131-009: The reader is referred to Section 2.5 of the FEIS, in which audits are addressed under Alternatives and Issues Considered but Eliminated from Detailed Analysis.

00131-010: The BLM and the agencies within JPO acknowledge both that there have been legitimate issues related to APSC's Employee Concerns Program (ECP) and that APSC has undertaken considerable efforts to improve and refine its ECP program.

The BLM and JPO expect to continue to evaluate the effectiveness of APSC's ECP through confidential surveys that will seek input from all TAPS employees (see Section 4.8.4 of the FEIS). Like the three prior surveys, these efforts can provide broad measures of the confidence that TAPS workers have in APSC's ECP and can suggest areas needing improvement.

The JPO also notes that a confidential hotline (1-800-764-5070) currently exists for employees or members of the public to report issues and concerns about TAPS. Recorded messages are checked daily by the BLM-Alaska Special Agent's office. The purpose of the hotline is to identify issues relating to pipeline integrity, public safety, environmental protections and regulatory compliance for incorporation into the JPO work program. The BLM also refers employees seeking personal relief (e.g., restoration of employment or lost compensation) to the U.S. Department of Labor or other appropriate authorities for further investigation.

00131-011: Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.

Responses for Document 00132

- 00132-001:** The purpose of requesting public comments on a draft environmental impact statement is to obtain additional information that would improve the quality of the analysis in the document. In addition to holding a public hearing in Cordova for the purpose of receiving comments on this DEIS, five other ways were provided to submit comments within the 45-day comment period.
- 00132-002:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.
- 00132-003:** Prince William Sound and Cordova have been covered in Chapters 3 and 4 of the FEIS.
- 00132-004:** The EIS notes that subsistence is an important activity for many rural Alaskans and Alaska Natives, and that it fills economic, sociocultural, and ceremonial roles for the latter (see Section 3.24). Subsistence data presented in the EIS for Cordova in Tables 3.24-1, 3.24-2, and D-26 and discussions of subsistence in Cordova in Sections 3.24.2.4.2 and D.2.3.4.2 indicate that subsistence involves the great majority of households in that community.
- 00132-005:** Thank you for your comment.

Responses for Document 00133

- 00133-001:** The BLM and member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide BLM and JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.
- The reader is referred to Section 4.1.1 (JPO oversight) and specifically to Sections 4.1.1.2 (Adaptive Nature of the Grant in Compliance Monitoring), 4.1.1.3 (Risk-based Compliance Monitoring), 4.1.1.4 (JPO Comprehensive Monitoring Program), and 4.1.1.8 (Coordinated Planning and Response to Abnormal Incidents) for more information on the role of adaptive management as a JPO business practice.
- 00133-002:** Thank you for your comment.
- 00133-003:** The reader is referred to Section 2.5 of the FEIS, in which audits are addressed under Alternatives and Issues Considered but Eliminated from Detailed Analysis.
- 00133-004:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.
- 00133-005:** Routine surveillance of the pipeline includes identifying conditions of pipeline movement as noted in your comment. In addition, the monitoring system includes monitoring for seismic events and activating alarms within the VMT control center when seismic events could threaten the pipeline integrity so that shutdown could be initiated, if warranted. It is important to note, however, that pipeline shifting along the width of each horizontal support member was anticipated because of such factors as thermal expansion and contraction, as well as the movements related to start-up or shut-down activities. The November 3rd earth quake provided a lesson on the durability of the TAPS design.
- 00133-006:** The reader is referred to Section 2.5 of the FEIS, in which audits are addressed under Alternatives and Issues Considered but Eliminated from Detailed Analysis.
- 00133-007:** The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."

00133-008: The BLM and the agencies within JPO acknowledge both that there have been legitimate issues related to APSC's Employee Concerns Program (ECP) and that APSC has undertaken considerable efforts to improve and refine its ECP program.

The BLM and JPO expect to continue to evaluate the effectiveness of APSC's ECP through confidential surveys that will seek input from all TAPS employees (see Section 4.8.4 of the FEIS). Like the three prior surveys, these efforts can provide broad measures of the confidence that TAPS workers have in APSC's ECP and can suggest areas needing improvement.

The JPO also notes that a confidential hotline (1-800-764-5070) currently exists for employees or members of the public to report issues and concerns about TAPS. Recorded messages are checked daily by the BLM-Alaska Special Agent's office. The purpose of the hotline is to identify issues relating to pipeline integrity, public safety, environmental protections and regulatory compliance for incorporation into the JPO work program. The BLM also refers employees seeking personal relief (e.g., restoration of employment or lost compensation) to the U.S. Department of Labor or other appropriate authorities for further investigation.

Responses for Document 00134

- 00134-001:** Significant effort was made to advise people of the schedule and duration for the public review of the DEIS well in advance (one year). The purpose of requesting public comments on a DEIS is to obtain additional information that would improve the quality of the analysis in the document. In addition to holding a public hearing in Cordova for the purpose of receiving comments on the DEIS, five other ways were provided to submit comments within the 45-day comment period. The meeting room at the Moose Lodge in Cordova is provided with universal access via a ramp to the rear entrance.
- 00134-002:** Please see Section 4.3.2 of the FEIS (Soils and Permafrost) for impacts related to slope stability and liquefaction.
- 00134-003:** Text has been added to Section 4.7.8.3 of the FEIS providing additional sources of information about the impact of the Exxon Valdez oil spill (EVOS) on communities, including intangible impacts, such as psychological stress, and in the fisheries, recreation, and tourism industries in the Prince William Sound area. In addition, compressed overviews of selected impacts of the EVOS have been added to Sections 4.7.8.1 and 4.7.8.2.
- 00134-004:** Depending upon the timing and the quantity of oil, it is true that major impacts could occur to salmon in the Copper River if a large amount of oil from a pipeline break were to reach the Copper River. Spills into the Gulkana and the Tazlina Rivers (both tributaries of the Copper that are crossed by the TAPS) were considered as part of the spill scenario analyses in Section 4.4.4.10.1. Text has been added to Section 4.4.4.10.1 to reiterate the importance of the Copper and Lowe Rivers for salmon production in the area and to recognize the potentially severe impacts to salmon in the event of a large spill entering those rivers.
- 00134-005:** The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."
- 00134-006:** The reader is directed to the discussion of escrow funds found in Section 2.5.
- 00134-007:** The reader is referred to Section 2.5 of the FEIS, in which audits are addressed under Alternatives and Issues Considered but Eliminated from Detailed Analysis.
- 00134-008:** The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."
- 00134-009:** The BLM and the agencies within JPO acknowledge both that there have been legitimate issues related to APSC's Employee Concerns Program (ECP) and that APSC has undertaken considerable efforts to improve and refine its ECP program.

The BLM and JPO expect to continue to evaluate the effectiveness of APSC's ECP through confidential surveys that will seek input from all TAPS employees (see Section 4.8.4 of the FEIS). Like the three prior surveys, these efforts can provide broad measures of the confidence that TAPS workers have in APSC's ECP and can suggest areas needing improvement.

The JPO also notes that a confidential hotline (1-800-764-5070) currently exists for employees or members of the public to report issues and concerns about TAPS. Recorded messages are checked daily by the BLM-Alaska Special Agent's office. The purpose of the hotline is to identify issues relating to pipeline integrity, public safety, environmental protections and regulatory compliance for incorporation into the JPO work program. The BLM also refers employees seeking personal relief (e.g., restoration of employment or lost compensation) to the U.S. Department of Labor or other appropriate authorities for further investigation.

00134-010: The purpose of requesting public comments on a DEIS is to obtain additional information that would improve the quality of the analysis in the document. In addition to holding public hearings in Alaska for the purpose of receiving comments on the DEIS, five other ways were provided to submit comments within the 45-day comment period. Comments were received from many people outside Alaska.

00134-011: Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.

Responses for Document 00135

- 00135-001:** There has been significant national interest in the proposal to renew the TAPS right-of-way. Several ways to submit comments were provided, and those received during the scoping period and on the DEIS came from many locations outside Alaska.
- 00135-002:** Thank you for your comment.
- 00135-003:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.
- 00135-004:** The purpose of requesting public comments on a DEIS is to obtain additional information that would improve the quality of the analysis in the document. In addition to holding public hearings in Alaska for the purpose of receiving comments on the DEIS, five other ways were provided to submit comments within the 45-day comment period. Comments on the DEIS were received from many locations outside Alaska.
- 00135-005:** Thank you for your comment.
- 00135-006:** Thank you for your comment.

Responses for Document 00136

- 00136-001:** Additional information about the fate and effects of aqueous phase oil has also been added to the discussion of impacts from spilled oil in Section 4.4.4.10. PAH accumulation was detected in mussels used to monitor water quality in Port Valdez as part of a PWS RCAC-sponsored monitoring program (Salazar et al. 2002). In that study, it was found that all measured concentrations of PAHs in water and estimated on the basis of bioaccumulation in mussel tissues indicated that the concentrations of PAHs in Port Valdez waters are in the low parts-per-trillion range, well below the levels that have been associated with adverse effects in herring and salmon embryos (Salazar et al. 2002). In addition, Salazar et al. (2002) did not detect reductions in overall growth of caged mussels that could be attributed to PAH burdens.
- 00136-002:** As a large-scale engineering project, it is impossible to guarantee that something will not go wrong and some oil will not spill from equipment and the pipeline. However, what can be demanded is that the responsible organizations do everything that they can to prevent it and, if it occurs, to respond to a potential spill to minimize its impacts to the environment. The Joint Pipeline Office (JPO) oil-spill planning and prevention program is a large-scale, multi-agency endeavor, designed to accomplish that goal. Each of four participating agencies (Alaska Department of Environmental Conservation (ADEC), Environmental Protection Agency (EPA), Bureau of Land Management (BLM), and Alaska Department of Natural Resources (ADNR)) has a particular focus; however, their individual objectives are considered collectively in the JPO TAPS oil spill response and planning group. This interagency group generally meets monthly with APSC and maintains a continuous monitoring program on TAPS oil-spill planning and related issues.
- The emphasis of the four agencies is the prevention of spills. Spill prevention is accomplished through a combination of: 1) oversight of spill contingency planning (including 64 exercises conducted on TAPS annually) and 2) through JPO's comprehensive TAPS operations oversight, monitor issues which could contribute to a spill in the future. In the event of a spill, however, the JPO has a number of highly trained individuals who are fully prepared to respond quickly and effectively.
- The TAPS Pipeline Oil Discharge Prevention and Contingency Plan (APSC 2001g) provides for significant resources, including equipment, trained personnel, and effective organization, to respond if oil does spill from the pipeline.
- 00136-003:** Thank you for your comment.
- 00136-004:** Thank you for your comment.
- 00136-005:** Thank you for your comment.
- 00136-006:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.
- 00136-007:** Text has been added to Section 4.4.4.10.1 to reiterate the importance of the Copper and Lowe Rivers for salmon production and to recognize the potentially severe impacts to salmon in the event of a large spill entering those rivers.

00136-008: Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.

Responses for Document 00137

- 00137-001:** Sections 3.24.2.4.2 and D.2.3.4.2 discuss subsistence in Cordova, while Tables 3.24-1, 3.24-2, and D-26 present subsistence data for Cordova. Both the text and the tables convey that the vast majority of households in Cordova are involved in harvesting subsistence resources, and even more use subsistence resources. The data presented indicate that relatively large amounts of subsistence resources, coming from a wide variety of species, are harvested. The DEIS does not state or otherwise imply that subsistence is unimportant in Cordova, and none of the data presented would lead to this conclusion. The statement in the DEIS regarding wages in the Cordova economy (which is entirely consistent with data collected in the 2000 census) is not an indication that subsistence is unimportant.
- 00137-002:** Text has been added to Section 4.7.8.3 of the FEIS providing additional sources of information about the impact of the Exxon Valdez oil spill (EVOS) on communities, including intangible impacts, such as psychological stress, and in the fisheries, recreation, and tourism industries in the Prince William Sound area. In addition, compressed overviews of selected impacts of the EVOS have been added to Sections 4.7.8.1 and 4.7.8.2.
- 00137-003:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.
- 00137-004:** Significant effort was made to advise people of the schedule and duration for the public review of the DEIS well in advance (one year). The purpose of requesting public comments on a DEIS is to obtain additional information that would improve the quality of the analysis in the document. In addition to holding a public hearing in Cordova for the purpose of receiving comments on the DEIS, five other ways were provided to submit comments within the 45-day comment period.
- Villages, Tribal governments, and Native groups were provided opportunities to participate in the comment process through government-to-government consultation. As a result, meetings were held in villages, including the Native Village of Eyak, during the scoping period, prior to and during the public comment period, and continuing throughout the TAPS renewal decision-making process.
- Also see the revised Section 5.3, which addresses government-to-government issues.
- 00137-005:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.
- 00137-006:** Section 3.24, which characterizes subsistence in Alaska, notes the important role of exchange of subsistence resources to Alaska Native sociocultural systems. Tables of subsistence harvests presented in Appendix D include a column on the percentage of households using subsistence resources, as opposed to harvesting the resources themselves, to convey that subsistence is important beyond the individuals who actually do the hunting, fishing, trapping, or collecting. Table D-26 contains the most recently collected systematic subsistence harvest data for Cordova, with the high level of use of fish (as a case in point) noted in the accompanying text in Section D.2.3.4.2. The text has been changed to discuss sharing patterns, as shown in the tabular data.

00137-007: This EIS does not consider an oil spill due to a tanker accident to be related directly to the TAPS, but rather as an associated event that would be covered under cumulative impacts (see Section 4.7). Section 4.7.8.1 has been modified to discuss impacts of the Exxon Valdez oil spill on subsistence in Prince William Sound, and Section 4.7.8.2 has been changed to discuss more thoroughly the sociocultural impacts of this spill. In both of those sections, revisions discuss potential impacts of a large tanker spill to subsistence and sociocultural systems in greater detail.

Section 4.7.8.3 has been expanded to include additional sources information on the economic impacts of the Exxon Valdez spill on fisheries resources, recreation and tourism, and the psychological impacts of the spill in the local communities in the vicinity of Prince William Sound.

Responses for Document 00138

- 00138-001:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.
- 00138-002:** The reader is referred to Section 2.5 of the FEIS, in which audits are addressed under Alternatives and Issues Considered but Eliminated from Detailed Analysis.
- 00138-003:** The reader is directed to Section 2.5, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."
- 00138-004:** The reader is directed to Section 4.8.4.
- 00138-005:** The importance of the Copper River as a staging area for migratory shorebirds and other species is presented in Section 3.20.3. Please refer to the text box in Section 4.4.4.3 for a discussion on oil spill prevention and response capabilities and related activities specific to the Copper River Drainage area.
- 00138-006:** References and discussion pertaining to effects of oil on fish and invertebrates are presented in Sections 3.19, 4.3.16, 4.4.4.10, and 4.7.7.2. Section 3.19.1.3 also includes information about the status of fish populations potentially affected by EVOS and identifies that while some species appear to have recovered, herring have not.
- 00138-007:** Additional discussion has been added to Section 4.7, "Cumulative Impacts," concerning the impacts of oil transportation in the Gulf of Alaska.

Responses for Document 00139

- 00139-001:** A discussion on the impacts to two tributaries of the Copper River (Gulkana and Tazlina Rivers) is presented in Section 4.4.4.3. Additional details on the Copper River Drainage are given in the text box in Section 4.4.4.3, "Oil Spill Planning for the Copper River Drainage."
- 00139-002:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.
- 00139-003:** Thank you for your comment.
- 00139-004:** Thank you for your comment.
- 00139-005:** Thank you for your comment.

Responses for Document 00140

- 00140-001:** Although 45 days is understandably a short time to review a document of this size, the time period is consistent with the Council on Environmental Quality regulations for implementing the National Environmental Policy Act regarding the review of draft environmental impact statements. Significant effort was made to advise people of the schedule and duration of the review well in advance (one year). The DEIS was published on schedule and many substantive comments on the content of the DEIS, including yours, were received during the 45-day period.
- 00140-002:** Membership on the BLM Alaska Resource Advisory Council changes regularly. Tribal representation is included.
- 00140-003:** The text in the FEIS has been changed to reflect the fact that many subsistence activities have cultural significance to Alaska Natives, are not necessarily replaced by greater participation in the market economy as personal income increases in Alaska Native communities, and that decreases in income do not necessarily affect the productivity of subsistence activities.
- 00140-004:** We believe that the EIS fairly presents the status of the debate over ongoing impacts of the Exxon Valdez oil spill on fish populations in Prince William Sound. Additional references and discussion have been added to Section 3.19.1.3.
- 00140-005:** As discussed in the impact sections dealing with environmental justice (Sections 4.3.25, 4.4.4.19, 4.5.2.25, 4.6.2.25, and 4.7.8.7), subsistence impacts are considered under environmental justice.
- 00140-006:** Subsistence is defined at the beginning of Section 3.24. Included in that definition is the range of resources that subsistence activities provide, and the three main roles that subsistence by Alaska Natives plays: economic (in the sense of providing resources), socio-cultural, and ceremonial. The statement cited in the comment has been modified to refer to "flexible and strategic" behaviors, and is intended to convey the idea that specific subsistence activities change in response to a number of factors such as resource availability.
- 00140-007:** Map data on subsistence harvest areas for Cordova have not been published, but have been added to the FEIS to supplement the other two documented for Prince William Sound. Section 4.7.8.1, which deals with cumulative impacts of subsistence, has been expanded to discuss impacts of the Exxon Valdez oil spill on subsistence in Prince William Sound (which the DEIS never alleged were small) and to provide a clearer statement of possible tanker spill impacts.
- 00140-008:** The DEIS sections on subsistence received many critical public comments and, as a result, have received substantial revision. A small number of additional sources were identified, including the map of Cordova subsistence areas and North Slope studies of impacts on subsistence economies from oil development. Previous sources were considered more closely, as when time-series data were derived from the ADF&G Division of Subsistence studies, and harvest permit data were disaggregated to distinguish patterns of rural and nonrural residents. The contribution of Tribal members in existing research and the value of Tribal partners as co-investigators in future subsistence research are acknowledged. However, with additional analysis of these data, the EIS draws reasonable conclusions on the basis of existing information.

- 00140-009:** Executive Order 13175, "Consultation and Coordination with Indian Tribal Governments," requires that the federal government consult with Tribal governments during the preparation of an EIS. As the lead federal agency associated with this EIS, the BLM established government-to-government exchanges with all Tribal governments in Alaska and more focused exchanges with 21 Tribes directly affected by the TAPS. These 21 communities received more detailed mailings explaining the proposed ROW renewal, the EIS process, and the various sources of additional information. Meetings were held with all Tribal organizations and Native groups that requested them to discuss the EIS process and related issues in greater detail. At the meetings, specific emphasis was placed on how Tribal organizations and Native groups could participate effectively in the EIS and ROW renewal processes. Section 5.3 was rewritten to clarify the extensive government-to-government consultation process BLM used. While comments on the DEIS had to be received by the end of the 45-day comment period in order to be addressed in the Final EIS, additional provisions for involvement in the decision-making process apply to Tribal governments and Native groups. The process of government-to-government consultation allows these organizations to continue dialogue with the Bureau of Land Management and for their comments to be considered in the Record of Decision. The BLM and member agencies of the JPO are committed to ongoing government-to-government consultations and welcome invitations to participate in meetings and dialogue with Native Tribes.
- 00140-010:** Section 3.25 has been expanded to discuss federally recognized Tribes and their role in modern Alaska Native sociocultural systems.
- 00140-011:** The Bureau of Land Management is the lead federal agency for the preparation of this EIS and has consulted with affected Tribal and Native organizations throughout the TAPS ROW renewal and EIS processes. See Section 5.3 in the FEIS. A public scoping period at the beginning of work on the EIS produced useful comments from throughout Alaska and most other states.
- Regardless of the assistance provided in the preparation and review of the EIS, the BLM is responsible for its content.
- 00140-012:** The discussion of the EVOS is included in the document as background and to describe the environment that could potentially be affected by future pipeline operations. It is not meant to be an exhaustive treatment and does not attempt to list or quantify the impacts caused by the EVOS.
- The studies referred to come from refereed academic journals. Section 3.11.3 also presents the work of other researchers on the issue of background hydrocarbon levels in PWS.