

Document 00366

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There are so many reasons that I support the renewal of the TAPS right of way it is hard to cover them all. First Alaska and ALL Alaskans have benefited dramatically by economic engine that is driven by TAPS. 85% of Alaska's Gross Domestic Product is driven by oil. Without TAPS there would be no economy here save for a few t-shirt shops. The revenue made available to Alaska because of TAPS has paid for roads, schools, fire and police services and just about everything else state and local government does here. That would all go away if you do not renew the TAPS right of way. I favor at least 30 year renewal period. The oil industry has treated Alaska well, and a period of less than 30 years jepordizes future industry investment here. The importance of TAPS to Alaska cannot be understated because everything here depends on it. A 30 year renewal period makes sense because building the infrastructure required for development here is very expensive and investors need to be asured to the maximum degree possible that these investments will be paid off. The oversight and maintenance of TAPS is unparalleled. TAPS' overall performance reliability rate is in excess of 99% since start-up. Alyeska's corrosion control program, valve maintenance program and spill response plans are the leaders in the industry. In addition, over twenty State and Federal agencies already regulate the pipeline and millions of dollars are spent each year on its upkeep and meeting an ever changing regulatory climate. One of the issues raised by some members of the public is the need for a citizens advisory group to oversee pipeline operations. This concept is not appropriate for evaluation in the DEIS. Please refrain from including it in the Final Environmental Impact Statement. The cost for this would be significant and could reduce the economic viability of remaining North Slope reserves which, in turn, reduces State revenues. Moreover, federal and state laws traditionally do not favor the creation of citizen oversight groups with regulatory authority. Such groups are duplicative and unnecessary as TAPS is already heavily regulated with intense and comprehensive oversight. The Prince William Sound Citizens Oversight organization that already exists is very ineffective, and I do not see any reason to make the same mistake again with TAPS. The DEIS mentions climate change and its possible effect on the pipeline. TAPS' design represents state-of-the-art engineering for cold climates. The design was based on protecting the permafrost from pipeline impacts and the pipeline from permafrost problems. The notion that some soil conditions may change over time is built into this design. Alyeska monitors these conditions constantly, maintains the heat protection systems, and when necessary repairs and replaces any that require adjustment due to changes in soil conditions. Alyeska's ongoing monitoring approach (with plenty of Government oversight) is more than sufficient to provide adequate response time. Please issue a renewal to the TAPS right of way. Make it as long as you can, but in no case should you make it less than 30 years.

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Responses for Document 00366

- 00366-001:** Thank you for your comment.
- 00366-002:** Thank you for your comment.
- 00366-003:** The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."
- 00366-004:** Thank you for your comment.
- 00366-005:** Thank you for your comment.

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Thank-you for the opportunity to submit formal comments on the TAPS EIS. I am concerned that the TAPS Renewal EIS process has been a non-critical rubberstamp process. The EIS seems to be written to completely minimize any negative environmental consequences of the pipeline. I tend to view this entire exercise as a sham. It is the government's position that the TAPS simply must be renewed, regardless. I believe that TAPS renewal is not to be assumed as a given. It should be earned. The government should renew only if certain precautionary actions and additional analyses are undertaken and satisfactory and proactive actions are carried out. For instance, the analysis of consequences of a guillotine-break spill is ridiculous. It states that the worst impacts are revenue loss! What about damage to the environment? Loss of wildlife? It states that if it occurred on a river crossing, that it may be polluted several miles up or downstream. Does the Exxon Valdez oilspill ring a bell? The soiling of a pristine environment and loss of wildlife was a horrible blow to the country, as well as a cost for Mobile of several billion dollars! I believe the TAPS renewal needs to acknowledge the destructive potential of spills, and it also should require proactive actions such as greater planning and placement of spill equipment, use of the newest high-tech detectors, and stepped up maintenance inspections. I have read that oil flowing in the pipe has worn the insides of the pipe to a quarter inch in some areas. I find this very frightening. At this rate, in the 30 year renewal period this last quarter inch would be breached. What plans are in place for replacement of worn pipe? What are the requirements for inspections? These criteria should be specified as conditions for a renewal. I am very frightened at the casual analysis of the impacts of global warming contained in the EIS. The EIS states that future impacts will not be much more than those seen historically. How can this be? Alaska is undergoing an alarming rapid increase in temperatures. There is no expectation that this will not continue and even accelerate. Some predict more than a fifteen degree rise in average temperatures. Already the permafrost in many areas is melting. Roads and building foundations are cracking and breaking as a result of shifts and stresses due to the loss of the permafrost. It is inconceivable that these effects of rising temperatures will not significantly impact the structural integrity of the pipeline. Renewal should only be granted on condition of on-going and rigorous independent scientific analysis of climate change impacts and the resultant dangers to the pipeline. Additional conditions should be set for continuous inspections of all the pipeline foundations. There should be a formal criteria for shutting off flow through the line once a predetermined structural stress level is reached, as I fear it will be due to climate change during this thirty year renewal period. The recent incident of a hunter shooting a hole in the pipeline was astonishing and alarming. It also brings up a number of questions and concerns the EIS should address. What anti-terrorist planning should be done and what protections put in place? Protection of this oil flow is critical to the economy of the United States. Loss of oil flow, or environmental damage due to a puncture are both important concerns. I also want to suggest that a no hunting zone be established for one mile either side of the pipeline, for its entire length, to protect against any errant bullet hitting the pipeline. Also to protect against any terrorist activity, I think it makes sense to make this two mile buffer zone closed to any and all entry. To conclude, I fear that this EIS has not been written from a critical or a realistic basis. More science and less economics should underlie the analysis. Renewal should only be granted in conjunction with a set of conditions designed to address concerns such as those outlined above. Thank-you, Bryan Wyberg

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Responses for Document 00367

00367-001: APSC's oil spill response capabilities and plans for TAPS are summarized in Section 4.1.4 of the EIS and explained in detail in the "TAPS Oil Discharge Prevention and Contingency Plan" (APSC 2001g) for the pipeline and in the "Valdez Marine Terminal Oil Discharge Prevention and Contingency Plan" (APSC 2001h) for the VMT. The Plans provide for significant resources, including equipment, trained personnel, and effective organization, to respond if oil does spill from the pipeline or at VMT. They are available to the public through various libraries in several major cities in Alaska.

Impacts of oil spills on fish and wildlife are discussed in Sections 4.4.4.10, 4.4.4.11, and 4.4.4.12 of the EIS. These sections state that a large spill, especially one to water, could have significant impacts on these species.

00367-002: For concerns specifically related to pipe wall thickness, see the EIS, Section 4.1.3.2.1, Mainline Pipeline Integrity Monitoring.

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.

00367-003: Historically, the warming of air temperature and permafrost in the past several decades is limited (see Section 3.12). It is very unlikely to have a 15 degree rise in average temperatures in the next 30 years. From field observations, the southern part of Alaska near the southern end of permafrost is mostly affected by the warming. VSM stability is obviously critical to TAPS integrity. As such, it is the focus of extensive monitoring and surveillance. BLM/JPO has agreed to intervention criteria that would require certain actions be taken when those engineering criteria are met. Please see Section 4.3.2 (Soils and Permafrost) of the FEIS.

00367-004: Security issues related to the TAPS have been added as Section 3.1.2.1.6.

00367-005: Thank you for your comment.

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I vote for the No-Action Alternative: Do Not Renew Federal Grant. The warming trend which is affecting Alaska gives rise to the increased possibility of earthquakes which of course would be disastrous for the environment. Wildlife has been negatively impacted for 28 1/2 years by this pipeline. This country needs to look into alternative energy, especially for automobiles. I just bought a hybrid electric-gas car. We can make cars this way if the oil people would allow it. Raising the cafe standard to 35 mpg would mitigate any need for more oil.

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Responses for Document 00368

00368-001: Thank you for your comment.

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[See Attachment](#)

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50019

August 17, 2002

BLM TAPS Renewal EIS
State of Alaska, DNR/TPO
US Dept. of the Interior
Argonne National Lab EAD/900

Attn: TAPS Renewal Team

Dear Gale Norton, BLM and the TAPS Renewal Team,

First I would like to say that I am a resident of Kenny Lake Alaska and have had the pipeline in my viewshed for many years. The pipeline dominated our valley and effects the lives of our citizens in many ways from supplying jobs to effecting where and where we can not cut firewood. Since the Trans-Alaska Pipeline System (TAPS) right-of-way lease permits are up for renewal for the first time in 30 years, I wanted to make sure my concerns were appropriately addressed. I tried to read the EIS, but short time frame, during the fast paced summer months and short deadlines only allowed me to give it a fast look. First, I would like to argue the statement by federal and state regulatory agencies that the aging 800-mile pipeline and its support systems that were originally built to last 30 years, can be sustained for an unlimited duration, with minimal costs and change in the operating and maintenance procedures. This is hardly credible given the numerous problems with the pipeline. The permafrost is melting, the ground is moving, the pipeline is corroding, the infrastructure is shifting, and the 800-mile Trans-Alaska Pipeline System (TAPS) was only built to last 30 years.

00369-1

I am concerned about the Bureau of Land Management TAPS Renewal Team's hurried push to move forward plans to renew the aging pipeline which travels across the tundra, through mountains and forests and traverses hundreds of rivers and streams, south to the Gulf of Alaska for another 30 years with no public awareness and marginal response to public concern. In Cordova for example, the BLM TAPS Lease Renewal Team scheduled a public hearing at 7pm on a Friday night in late July in a fishing community with less than 10 day's notice? Last time there was a public hearing regarding oil transport in Cordova, the hearing began at 8am and lasted until 8pm.

00369-2

I had worked with the BLM for 27 years and have worked on countless EIS's, from powerplant siting, MX missiles, Wilderness EIS's, coal leasing to extensive land use plans. I have never in my 27 years been faced with such a short deadline for comment on such a complex issue. BLM's own EIS Procedures and CEQ guidelines provide for extensive public comment procedures on EIS's with significant public controversy. Why wasn't the public informed about the short deadlines. Why wasn't the public given the chance to comment on a public participation plan outlining their responsibilities for review. It appears to me that you are setting yourself up for further delays brought about by lawsuits based on lack of public input. If this renewal process does not constitute significant public controversy, I don't now what would. I believe the comment period needs to be extended at least another 45 days, that another hearing needs to be scheduled after fishing season at a reasonable hour, and that there needs to be sufficient notice of

00369-3

such a hearing. Why was the public given such a short time frame in which to respond to concerns .

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(Cont.)

Beyond those logistical requests, I have been informed about concerns regarding the safety of the pipeline renewal and the toxicity of oil and what they mean for our coastal fishing communities. Since the pipeline crosses more than 250 salmon-bearing streams along the 800-mile pipeline corridor, oil pollution affects salmon spawning and reproduction at a tiny amount of 1 part per billion, and there is no workable oil spill response plan for the waterways in the case of an earthquake or an accident, and because the TAPS was an engineering feat only built to last 30 years. I, along with many Alaskans was concerned about the potential and very-likely threats to the wild sustainable salmon fisheries. For example, the fall 2001 pipeline startup, after the repair of the Livengood bullet hole spill, resulted in a 21-inch shift in a section of pipeline that went undetected for 3 months. This is an obvious examples of problems with the TAPS.

Alaskans have already been devastated by oil pollution from the infamous Exxon Valdez tanker. Alaskans depend enormously on the waterways to make a living, to feed their families, and for clean drinking water. Perhaps the BLM /State is concerned because Alaskans know all too well that there is no way to clean up an oil spill once it has happened. In our rivers. If there were and earthquake that ruptured the TAPS, there is no way Alycska Pipeline, the state, or the Federal agencies could mobilize cleanup operations in a timely enough manner that would make a difference. Oil spill contingency plans for the overland portions are sorely inadequate or lacking. The potential for disaster is real and Alaskans have already felt its effect on the social and economic fabric of the Prince William Sound communities from the Exxon Valdez 1989 spill. In addition, the remote Alaskan communities depend increasingly on tourism as a source of much-needed revenue. Many people go to Alaska to enjoy the serenity and magic of the wild, in such places as the unprotected Copper River Delta and the myriad of wildlife it boasts, including eagles, trumpeter swans, dusky Canada geese, black and brown bears, marmots, goats, wolves and moose.

00369-4

Several major conservation, public safety, and corporate watchdog groups are concerned about the affects of the aging infrastructure, the possibility of additional terrorist attacks and global warming's melting permafrost along the 800-mile pipeline corridor. Oil is toxic to fish, wildlife and the pipeline workers. Past oil spills, as large as the Exxon Valdez, and as small as bullet hole last October have taken far too long to cleanup, have polluted inland and coastal waters and have cost millions to contain. All in all, once oil is spilled, Alaskans lose their food supply, fishing economy, clean water and natural heritage oil is impossible to clean up and its damage lasts untold generations. The Alaska Forum for Environmental Responsibility (AFER) in its report, *The Emperors New Hose*, by Richard Fineberg, details some of the serious operational and maintenance problems facing Alycska and the pipeline over the last couple of years. In this report AFER makes recommendations about how to change and improve pipeline operations and they insist that these changes be implemented prior to the Grant and Lease renewal of the right of way lease for the Trans Alaska Pipeline System.

These recommendations include:

1. The public comment period must be extended by at least 45-days to ensure ample time for meaningful input.

00369-5

2. There needs to be a Citizen's Advisory Council established to oversee operations of the pipeline. The grant lease should establish a citizens oversight group (COG) funded by the TAPS Owners through the Department of the Interior.

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3. The TAPS owners should be required to place the dismantling, removal, and restoration funds directly into an escrow account so that they no longer continue to profit off of these funds, and a portion of these funds should be used to fund a Citizens Advisory Council Grant and Lease renewal should be made conditional on satisfactory completion of an immediate comprehensive independent field audit, as well as an independent technical review and field audit every five years for the duration of the life of the pipeline. There is currently no assurance that the owners will have the resources to dismantle the pipeline, unless these funds are placed in escrow and immune from corporate tampering as we have seen recently in the news.

00369-7

4. TAPS Employee Concerns Program should be incorporated into lease and right-of-way renewal to ensure critical problems are adequately addressed to prevent spills.

5. Stipulations attached to the original federal and state Grant and Lease agreements should be carefully reviewed to ensure that they reflect a) scientific and technological advances during the last three decades and b) experience with the operation of TAPS.

00369-8

I fully support these recommendations to be implemented before the Grant and Lease renewal is approved that were compiled by the Alaska Forum for Environmental Responsibility. TAPS is a national security issue affecting all US citizens, not only those who live in Alaska. We must reduce our dependence on oil, not only as a national security issue, but also as a public health issue. I am not suggesting that the lease not be renewed. I am suggesting that serious consideration be given to the recommendation cited above and caution be given to before renewing the lease. Let us not revisit the mistakes of the past because of deadlines and a rush to keep things as they are.

00369-9

Thank you for the opportunity to submit my concerns and comments.

Sincerely,

Paul G. Boos

Responses for Document 00369

00369-001: Incidents, such as, those mentioned in the comment, have resulted in modifications to the manner in which TAPS is operated. Programs are in place to monitor and respond to shifting ground, melting permafrost, corrosion, and other potential problems. 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 ongoing 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 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. Reducing risk in TAPS-critical systems directly translates to reducing risks to safety and the environment.

00369-002: The reader is directed to Section 5.2 of the FEIS.

00369-003: 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.

00369-004: 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.

APSC's oil spill response capabilities and plans for TAPS are summarized in Section 4.1.4 of the EIS and explained in detail in the "TAPS Oil Discharge Prevention and Contingency Plan" (APSC 2001g) for the pipeline and in the "Valdez Marine Terminal Oil Discharge Prevention and Contingency Plan" (APSC 2001h) for the VMT. The estimated response times for various spill locations considered in the DEIS are provided in Table 4.4-13 on page 4.4-44 of the DEIS. The C-Plans provide for significant resources, including equipment, trained personnel, and effective organization, to respond if oil does spill from the pipeline or at VMT. They are available to the public through 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 the text box in Section 4.4.3, "Oil Spill Planning for the Copper River Drainage."

6Since the Exxon Valdez Oil Spill in 1989, and the enactment of the Oil Pollution Act in 1990, significant improvements have been made in the procedures, staffing, and the equipment needed to prevent and respond to potential oil spills from tankers in the Prince William Sound. Among the improvements made are the following: (1) APSC's Ship Escort/Response Vessel System was established in July 1989 to help tankers navigate through the PWS and to respond to potential oil spills, (2) New procedures were established and regulations put in place by the United States Coast Guard to better control the tanker traffic in the PWS, (3) PWS Regional Citizens' Advisory Council was created to help plan for and oversee the oil spill prevention and response operations, (4) The amount of equipment and personnel available for oil spill prevention and response was increased, (5) more stringent training and personnel monitoring programs were established, (6) Government oversight was increased, and (7) the spill prevention and response budget was increased dramatically. The currently available oil spill response capabilities and plans for the PWS are summarized in Section 4.1.4 of the EIS and are provided in detail in the Prince William Sound Oil Discharge Prevention and Response Plan (Prince William Sound Tanker Plan Holders 1999).

- 00369-005:** 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.
- 00369-006:** The reader is referred to Section 2.5 of the FEIS, “Alternatives and Issues Considered but Eliminated from Detailed Analysis.”
- 00369-007:** The reader is directed to the discussion of escrow funds found in Section 2.5.
- 00369-008:** 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.
- 00369-009:** Thank you for your comment.

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I am a scientist and engineer with over 30 years experience in the petroleum and energy industry. I have had involvement with the Alaska North Slope oil fields and TAPS directly and indirectly for over 20 years as a reservoir engineer for Phillips Petroleum Company and as a Management and Operating contractor employee at the U.S. Department of Energy's (DOE) Idaho National Engineering and Environmental Laboratory. As a contractor for the DOE, I have analyzed the long-term value to the Nation and to Alaska of the North Slope production and the impact a shut down of the TAPS would have on the Nation and Alaska. The impact would be great as clearly spelled out the DEIS. This work has also given me the opportunity to know from the earliest days of production from the Prudhoe Bay field the care and concern the industry has taken to prevent operational problems and environmental impacts. It is clearly in the best economic interests of the TAPS owners to use the latest technology and risk management methods to minimize any spills and shutdowns of TAPS. The excellent record of TAPS proves that they have always done this and can be expected to continue to do so in the future; its just good business. The impacts of spills on the environment are critical to all concerned including the industry and the impacts of negative publicity are so enormous that to take shortcuts that raise the probability for spills will not be allowed to occur. The industries technical expertise coupled with the extensive regulation and oversight that is already provided in the State of Alaska and federal agencies through the Joint Pipeline Office, makes the renewal of the pipeline right of way and permit for the full 30 years as recommended in the DEIS, a good sound decision. The next 30 years can be expected to bring about unexpected challenges but the expertise of American industry and federal government research programs at the nation's universities and national laboratories will also be making progress in leak detection technology, corrosion prevention and detection technology, and rapid response and remediation technology. The TAPS operator is actively involved in research to improve the technical capabilities in these areas. The technical and scientific capability to respond effectively to the results of climate change and aging of the pipeline exists and will continue to improve over the 30-year extension period. The expansion of the industry into the ultra deepwater regions of the Gulf of Mexico will also provide challenges that can be expected to provide improved technical capabilities for leak detection and corrosion inhibition as well and will provide synergistic benefits to continued safe and environmentally responsible operation of TAPS. The need for additional public oversight is not needed given the extensive oversight currently in place for TAPS and obvious need for the operators to operate in a safe and environmentally responsible manner. Charles P. Thomas, Ph.D. Senior Energy and Environmental Policy Analyst Science Applications International Corporation Alaska Energy and Environmental Office Anchorage, Alaska

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Responses for Document 00370

00370-001: Thank you for your comment.

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Renewal of the TAPS right-of-way for a 30-year period is crucial to Alaska's economy. While the state and its leaders acknowledge we must diversify the state's economy, we also know that we will continue to depend upon the revenues generated by marketing the oil from Alaska's North Slope to fund state services for many years to come. Alaska's economy drives most industries. Our industry, transportation, is no different. Without the economic support the state receives from TAPS, the state's economy would suffer, and so would our company's. Without sufficient revenues to fund reinvestment in our sea- and shore- based assets, we would find our services becoming marginalized. We would not be able to sustain the levels of service that we traditionally have provided. Very possibly we would be forced to reduce the service levels of an industry that the entire state relies upon. We believe that the right-of-ways must be renewed for the maximum 30 year period. Without long term leases, the pipeline owners and operators would not be able to justify and expend the necessary capital to maintain the pipeline. Additionally, we do not feel that any sort of citizen watchdog group would do anything other than drive up the cost of pipeline operations. Thank you. CSX Lines of Alaska, LLC

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Responses for Document 00371

00371-001: Thank you for your comment.

00371-002: The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."

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Renew TAPS for 30 years. Record of performance by Alyeska Pipeline is impeccable.
Citizen oversight just adds more bureacracy. Let the professional reguallors regulate

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Responses for Document 00372

00372-001: Thank you for your comment.

00372-002: The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."

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I support the EIS alternative to renew the Trans-Alaska Pipeline System (TAPS) grant for right of way on federal lands for less than 30 years (commencing 2004) unless the Joint Pipeline Office and oil industry agree to allow an independent audit of TAPS operations, maintenance, and environmental safety prior to grant renewal and at least every five years thereafter during the next 30 years. Although outside the scope of the TAPS EIS, I also support formation of a citizen oversight group composed of Alaska residents for independent monitoring of TAPS operations, maintenance, and environmental standards. A recent model for this type of oversight group was the Citizen Oversight Committee for Oil and Other Hazardous Substances, which was formed following the Exxon Valdez oil spill. The TAPS oversight group should have the ability to hire researchers, subpoena witnesses, take testimony, conduct investigations, and appoint advisory panels with specialized knowledge. These abilities are necessary to ensure transparency and adequate disclosure in reporting the status of our aging TAPS during the next lease period, which could be an additional 30 years beyond its original engineered lifetime. The oversight group should include representation from urban and rural communities, tourism, fishing/aquaculture, recreation, Native groups, and environmental organizations.

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Responses for Document 00373

- 00373-001:** 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.
- 00373-002:** The reader is referred to Section 2.5 of the FEIS, “Alternatives and Issues Considered but Eliminated from Detailed Analysis.”

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A thirty year extension of the pipeline right of way is absurd. A shorter and well monitored extension would be appropriate given the well documented efforts of the pipeline consortium to muzzle critics and conceal mistakes. For the BLM- the agency known for losing millions of dollars in Indian Trust monies- to spearhead this inquiry is a sorry joke. Apparently it was chosen for its own incompetence. The National Missile Defense site at Fort Greely is but a few miles from the pipeline. This adds new dangers to protection of the pipeline that were not treated in any environmental impact statement and rarely mentioned in the hearings. That a single bullet was fired at the pipeline was the result of dumb luck. The devastating results of this puncture and the lackluster response is further proof of the line management's incompetence. The odds favor one or more larger accidents in the future. The response of industry is to fight needed citizen oversight such as that which proved so important after the EXXON Valdez spill. Industry also has worked hard to cap its legal liability, fully anticipating a disaster. Thirty years in the short life of Alaska is a lifetime. Industry simply wants and expects a politically expedient result that will insure less interference in the coming decades. It has not earned the trust of Alaskans who will pay the price for this decision if the thirty year right of way is approved. steve conn, executive director, alaska public interest research group.

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Responses for Document 00374

- 00374-001:** The reader is referred to Section 2.5, “Alternatives and Issues Considered but Eliminated from Detailed Analysis.” The text box in Section 4.1.1.8 provides an extensive discussion on the bullet hole incident in October 2001 at pipeline MP 400 near Livengood.
- 00374-002:** The reader is referred to Section 2.5 of the FEIS, “Alternatives and Issues Considered but Eliminated from Detailed Analysis.”

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[See Attachment](#)

[Document Info](#) | [Done](#)

Testimony on TAPS Renewal

By

Jerry Neal Moore
4156 Hood Court
Anchorage, Alaska 99517
August 19, 2002

Today I attended the Anchorage Chamber of Commerce where Steve Jones spoke on the Taps Renewal process. It was a very informative speech and several good questions were forth coming at the end of Mr. Jones' speech. I ask Steve what individual or company, had not yet "stood up to be counted" could do and he suggested I send in my thoughts on the subject. The following are my current thoughts on some major areas related to the TAPS renewal process.

SCOPE

I believe it will be best if persons responsible for giving the final TAPS Right of Way Renewal approval keep a few important issues in mind during their deliberation regarding the renewal process: 1) What is in the best interest of the Federal Government, 2) What is in the best interest of the State of Alaska and 3) What is in the best interest of the Alaska communities that benefited from and will continue to benefit from the flow of oil. Instead of what is in any individual(s) or group(s) perceived "own" best interest. I realize there has likely been a few, maybe several, individuals or groups who have a "axe to grind"; however, I ask that you see their comments for what they real are and look at the "overall picture" and do what's in the best interest of the majority.

ADVISORY GROUP

I understand that a few members of the public wish to see a citizens advisory group to oversee the future pipeline operation. As I understand it, we currently have a public regulatory oversight that may be the most comprehensive of any pipeline in the country that deals with rigorous requirements unmatched by any other pipeline right of way. I don't believe our elected officials needs another citizens group to tell them what they should be doing, especially since this citizens group would likely not be as well trained as the people they would be trying to oversee. I see no reason why this "Citizens Advisory Group" should even be considered.

00375-1

DURATION OF RENEWAL

The Trans Alaskan Pipeline is the key to oil development in the northern portion of Alaska and represents a major financial support for the State of Alaska. It is also important for the Federal Government, since a sizeable amount of the oil used by the United States comes from via this pipeline. I understand that some don't want to see a renewal at all - totally unacceptable. There are others that wish to see a minimum, maybe 5 to 15 years - I don't think this is practical. TAPS has been in operation for a bout 30 years now and I think it has been operated very well. Had the original permit been for 15 years and then second permit given for the last 15 years, would we have seen any benefit from the process - I don't believe so. There would have been some individuals and groups that would have "padded their pockets" and it would have been a costly process, just like the current process is, but I don't think the pipeline would have been run anymore efficient or safer.

00375-2

I believe the owners of the pipeline have done a good job - not been too many times when even a minor problem has occurred and when it did it was corrected quickly and the flow of oil was once again moving towards the Lower-48. I've worked on the North Slope and firmly believe oil will be flowing from that area for the next 30 to 50 years - we may be running liquefied coal through it by 2050. I believe the renewal should be the longest that is permitted under Federal law. I understand that would be 30 years.

00375-3

CONCLUSION

I've lived in Alaska since 1970, worked on the North Slope, been associated with the oil industry and broadcasting for several years. I support what the oil companies have done both in the safe drilling for oil and the delivery of oil through TAPS for use in the Lower-48. I believe what has been done has been done in the best interest of the greatest number of persons, not the wishes of a few. I would like to see that process continued.

I respectfully request that the State and Federal governments issue their "Right of Way" permit with the same comprehensive requirements that are currently in place without adding another level of oversight and that the permit be for 30 years.

00375-4

Respectively Submitted,
Jerry Neal Moore, President

Alaska Originals Inc.
21111 Eastside Drive
Chugiak, AK 99567
Office: (907) 688-4092
Fax: (907) 688-4093
Email: Jerry.Moore@AlaskaOriginals.Com

Responses for Document 00375

- 00375-001:** The reader is referred to Section 2.5 of the FEIS, “Alternatives and Issues Considered but Eliminated from Detailed Analysis.”
- 00375-002:** Thank you for your comment.
- 00375-003:** Thank you for your comment.
- 00375-004:** Thank you for your comment.

Document 00376

[Document Info](#) | [Done](#)

[See Attachment](#)

[Document Info](#) | [Done](#)

To Whom This May Concern:

A 30-year renewal of the right-of-way for the Trans-Alaska Pipeline System should be contingent upon the following conditions:

- A detailed audit of the current TAPS operations and hardware by an independent entity such as the National Academy of Sciences. Any deficiencies discovered by the independent review must be corrected prior to renewal of the TAPS right-of-way. 00376-1
- Independent audits shall be conducted every five years for the duration of the TAPS to identify any areas needing remediation to comply with the best available technologies and science.
- Creation of a citizens' oversight council for the pipeline comparable to the Regional Citizens Advisory Council currently responsible for oversight of the TAPS terminal operations and oil tanker operations. The council would be responsible for oversight of operation of the TAPS and conduct of the five-year audits. 00376-2
- Staging of appropriate and sufficient oil spill containment materials and equipment adjacent to all pipeline river crossings. 00376-3
- Development of site-specific oil spill prevention and cleanup plans for all river crossings along the pipeline route. 00376-4
- Creation of an owner funded trust with sufficient funds to retire the pipeline, remove all infrastructures from the corridor, and restore any damaged resources and amenity values. 00376-5
- A yearly contribution of \$1,000,000 by the owners to a research fund for the purpose of conducting base-line research of natural resources at risk from any oil spills along the TAPS corridor. Particular areas of research interest are salmon and other aquatic habitats, bird staging and nesting areas, subsistence resources, wetlands and estuaries. The Oil Spill Recovery Institute established by Congress in OPA 90 should administer the funds. 00376-6
- Compliance by the TAPS owners with all agreements regarding native and minority hire. 00376-7
- A down payment by EXXON-Mobil of \$1 billion toward the eventual settlement of all EVQS plaintiffs' claims. 00376-8

We feel that the foregoing are the minimum conditions required to insure safe operation of the TAPS and to protect the adjacent resources that are vital to the communities along and downstream from the TAPS corridor. The costs of these precautionary measures will

seem cheap compared with any potential oil spill cleanup expenses and compensation for losses to other resource users.

Thank you for your attention.

Sincerely,

Karl Becker and Nancy Bird
Box 1185
Corlova, Alaska 99574

Responses for Document 00376

00376-001: 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.

00376-002: The reader is directed to Section 2.5 of the FEIS and the text that discusses citizen oversight of TAPS.

00376-003: 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 TAPS Oil Discharge Prevention and Contingency Plan for the pipeline (C-plan), prepared by APSC (2001g – see Section 3.30 of the FEIS for reference), provides for significant resources, including equipment, trained personnel, and effective organization, to respond if oil does spill from the pipeline. 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 5 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.

00376-004: 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 reference), provides for significant resources, including equipment, trained personnel, and effective organization, to respond if oil does spill from the pipeline. 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 5 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.

00376-005: The reader is directed to Section 2.5, “Alternatives and Issues Considered but Eliminated from Detailed Analysis.”

- 00376-006:** The BLM recognizes that there may be interactions between the TAPS and subsistence resources, including 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.
- 00376-007:** Thank you for your comment.
- 00376-008:** The reader is directed to Section 2.5, “Alternatives and Issues Considered but Eliminated from Detailed Analysis.”

Document 00377

Document Info Done

I am opposed to a 30 year renewal. Rather I prefer three incremental renewals of 10 years each with the following requirements. 1. Appoint a Citizens Oversight Panel. This is necessary for Alaskans to have some input on the operations of the pipeline. If a Citizens Oversight Panel is not appointed or established the ROW permit should not be renewed. 2. Allow open and fair access to all producers who want to utilize the pipeline. The current operators have monopolistic operating procedures and this is a big disservice to all Alaskans. A Citizens Oversight Panel would help ensure equal access to the pipeline by all potential producers. 3. Develop real spill response plans and teams. The recent bullet hole spill at Livengood only illustrates the total lack of response that Alyeska actually has planned and in place. This spill, 75 miles by road from Fairbanks should have been contained much quicker. It was a disgrace to Alyeska and a proves their inability to respond. A realistic response plan needs to be developed for all spill scenarios. Valuable rivers and streams, especially anadromous ones need to have the highest level of protection that can be designed. Local response teams need to be trained and ready to respond. It was great public relations for Alyeska to hire the folks from Minto in the cleanup at Livengood, but those folks lacked training at the time of the spill. These crews need to be trained and ready before a spill occurs and special attention needs to be focused on cleanup procedures that protect valuable rivers and streams. 4. The BLM must require that the fund established to dismantle the pipeline is intact and accessible at all times. World wide economic forces could render north slope crude oil stranded and no longer economic to produce. No one can predict when that will occur so the fund established for the dismantling should be viable and accessible at all times. In summary, only if certain steps are taken should the ROW permit be extended, and then only incrementally. This will ensure that Alaskans and Americans have input into the continued use of this valuable right of way. Sincerely, Tom DeLong President Tolovana Hot Springs, Ltd. PO Box 83058 Fairbanks, AK 99708

00377-1

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00377-3

00377-4

Document Info Done

Responses for Document 00377

- 00377-001:** The reader is referred to Section 2.5 of the FEIS, “Alternatives and Issues Considered but Eliminated from Detailed Analysis.”
- 00377-002:** Please see Section 2.5 of the FEIS for information regarding citizens’ oversight.
- 00377-003:** See the text box on the MP 400 bullet hole incident in Section 4.1.1.8 of the FEIS.
- 00377-004:** The reader is directed to the discussion of escrow funds found in Section 2.5.

Document 00378

[Document Info](#) | [Done](#)

[See Attachment](#)

[Document Info](#) | [Done](#)

August 19, 2002

State of Alaska
 Department of Natural Resources
 411 W 4th Ave
 Anchorage, AK 99501

BLM TAPS Renewal EIS
 Argonne National Laboratory
 EAD/900
 9700 South Cass Ave.
 Argonne, IL 60439

Dear Sirs:

The Alaska pipeline has been in place since the 1970s, and has been an effective and environmentally friendly method of providing strategically important domestic oil supplies. It has not resulted in any significant adverse environmental impacts. It has provided a significant BENEFICIAL socio-economic impact on the lives of Native Alaskans, and on the lives of all Alaska residents, and is economically beneficial for the State of Alaska. The pipeline enables the State of Alaska to provide an oil-revenue sharing yearly benefit to its residents, which is particularly beneficial for low-income and minority populations within the State. A refusal to renew the right-of-way permit, or to place unreasonable and unnecessary additional stipulations on the existing right-of-way, absolutely MUST be documented by a full EIS to analyze the adverse economic impacts on the residents of Alaska that such changes would cause. If the government is going to deny a renewal of the permit, the government should prepare a full EIS, of the same level as that prepared for the original right-of-way, before taking any steps that may have adverse socio-economic impacts on the people of Alaska.

00378-1

Given the particular benefits for low income and minority peoples provided by the State oil-revenue sharing fund, and the ability of the State to provide services without taxing low-income residents, the government must analyze any disproportionate impacts of such actions on low-income and minority populations, in accordance with Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations".

00378-2

The annual State oil-revenue sharing fund benefit checks are a critical part of the yearly budget for many minority and low-income people, often making the difference between adequate nutrition and hunger for the children of these people, or the difference between the ability to adequately heat their houses or freezing to death for many poor, elderly people. I very strongly recommend that the government re-authorize the Alaska Pipeline with no changes to the current terms and conditions of the right-of-way.

00378-3

I would also call your attention to the Federal Land Policy and Management Act (43 USC 1701, 90 STAT 2744 -2794)

"Sec 102(a) the Congress declares it is the policy of the United States that -

(12) the public lands be managed in a manner which recognizes the Nation's need for domestic sources of minerals, food, timber, and fiber from the public lands including implementation of the Mining and Minerals Policy Act of 1970 (84 Stat. 1876, 30 USC 21a) as it pertains to the public lands: ..."

Sincerely,

George R Humm



Responses for Document 00378

00378-001: Thank you for your comment.

00378-002: Disproportionate positive impacts to low-income and minority populations due to the permanent fund dividend are discussed in Section 4.3.25 under environmental justice. Advantages of public services and other programs to rural Alaskans, many of whom are minority and/or low-income, are discussed in Section 4.3.21.

00378-003: Thank you for your comment.

Document 00379

Document Info | Done

The Trans Alaska Pipeline System, management, needs to better exercise and practice potential oil spill contingency plans. The shooting of the pipeline is an example of poor coordination of all parties managing the T.A.P.S. The lease should be for a shorter period of time. The pipeline has showed signs of corrosion, and destabilization in some permafrost regions. When will major upgrades and maintenance be considered for preventive maintenance? Why are there so many budget cuts at the pump stations? Top priority should be manpower to maintain the existing structures. How long does it take to respond to an accident on the Dalton Highway? It will take even longer to respond to a major accident. At what point in time will you address the negative impacts the T.A.P.S. has already had on the natural resources? If you cannot meet the 20% native hire requirement, how can the industry claim they have met all their management goals? Please consider and revise the management of the current TAPS for major improvement, and improved communication with all Native Corporations, and Tribal Governments. When the Pipeline is all used up, who will clean it UP? I hope I receive answers to all my concerns. This will be a great start in improved communications. Thank you for the opportunity to comment after over 25 years. Sincerely Doreen Lampe

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Document Info | Done

Responses for Document 00379

- 00379-001:** A lessons learned report was prepared for the MP 400 incident (see Section 4.1.1.8). The reader is also referred to the text box in Section 4.4.4.3 on the Copper River Drainage.
- 00379-002:** The reader is directed to Chapter 2 and the discussion on the less than 30-year renewal alternative (Section 2.3).
- 00379-003:** The reader is directed to Sections 3.12.7 and 4.1.3.2 for discussion on climate change and the mitigation/engineering of vertical support members (VSM).
- 00379-004:** Spill response is directed by the Comprehensive Monitoring Program (CMP). The reader is directed to Section 4.1 which discusses spill response.
- 00379-005:** The reader is directed to the mitigation section (4.8.4) of the FEIS and the discussion on Alaska Native hiring practices.
- 00379-006:** BLM and the JPO are committed to open communication with Alaska Natives. In addition, BLM conducted extensive government-to-government consultations throughout the renewal process (see Section 5.3).
- 00379-007:** The reader is directed to Section 2.5, especially the part that addresses escrow accounts for termination activities of TAPS.

Document 00380

Document Info Done

I write to support the recommendations of the Alaska Forum for Environmental Responsibility with regard to the Draft Environmental Impact Statement for the TAPS lease renewal. I am not a member, but what they say is quite reasonable. Having witnessed the public comments hearing in Fairbanks, I am deeply troubled by the willingness of the business and political communities to trust big oil to protect human and environmental health. Money is what matters to these well-protected entities, and cutting corners is part of the business. I find the reluctance to establish a citizen's oversight committee appalling, though no surprise. The concern over additional costs is typical, shortsighted, and greedy. If Alyeska is doing such a great job, additional oversight from independent parties wouldn't be expensive - but the reality is that many improvements need to be made for safe long term maintenance of the TAPS, especially in light of climate change and the likelihood of seismic activity. They can put on all the fins they want, but as permafrost warms and thaws, the ground under the pipeline will destabilize; only installing freezers would change that. Combined with an earthquake and an aging pipeline, this could get disastrous in a hurry. And what of contingency plans? There was a plan for dealing with bullet holes, which Alyeska failed to implement. Why were they praised for their recent response instead of being expected to run drills until they knew how to handle the situation promptly. What if such a thing occurs at a river crossing? Built by the world's richest nation, through some of our most valued wild country, this SHOULD be the most thoroughly regulated pipeline in the world. With new issues of national security at hand, Alyeska should be held to higher standards than ever. Don't make this a give away. At the very least, establish a citizen's oversight committee - including Carl Benson, if at all possible. We need independent engineers and experts, as well as local residents, to determine what risks are worth taking, and how best to mitigate them. Thank you for your time, Anna Godduhn

00380-1

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00380-3

Document Info Done

Responses for Document 00380

- 00380-001:** Additional information on climate change and pipeline maintenance appears in Sections 3.12.7 and 4.1.3.2 of the FEIS.
- 00380-002:** A lessons learned document has been prepared for the MP 400 incident (Section 4.1.1.8). The reader is also referred to the text box in Section 4.4.4.3 on the Copper River Drainage.
- 00380-003:** The reader is directed to Section 2.5, especially the part that addresses citizen oversight.

Document 00381

Document Info

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obviously, the thirty - year renewal of the right - of - way lease is essential for the economy of the state of alaska and for the construction of the proposed alaska natural gasline. however, the renewal ought to be contingent on certain factors.. so many changes have occurred during the past 25 years, global politics and the climate, for instance, that the pipeline's owners and operator need to leave off their "if it ain't broke, don't fix it" attitude toward maintenance and security. The TAPS owners and it's operator need to put a percentage of their oil profits into security upgrades on TAPS, to better prevent criminal or structural damage to the pipeline. If nothing else, more security and maintenance oversight would create more jobs in the Alaska bush. thanks for listening.

00381-1

Document Info

Done

Responses for Document 00381

00381-001: Security issues are discussed in Section 3.1.2.1.6.

Document 00382

[Document Info](#) | [Done](#)

[See Attachment.](#)

[Document Info](#) | [Done](#)

30118
8/19/02

To: BLM TAPS Renewal EIS
Argonne National Laboratory EAD/900
9700 S. Cass Avenue
Argonne, IL 60439
Toll Free Fax: 1-866-542-5904

2 pages

From: Brenden and Julie Raymond-Yakoubian

Re: TAPS Renewal Comments

We are of the shared opinion that the TAPS right-of-way should not be re-authorized. Virtually every major head of state, domestic and international scientific body and conservation group around the world are in agreement that humans, largely through the burning of fossil fuels, are artificially and dramatically warming our earth beyond its natural ability to adapt. The polar regions are most severely affected by these self-induced changes. Additionally, the petroleum mono-economy of Alaska is subject to fiscal pitfalls of gigantic proportions, and the TAPS is the major crutch upon which this shaky foundation rests. Re-authorizing TAPS is simply permitting our own poor judgment to continue to poison our future.

However, recognizing the extent of governmental myopia on issues of natural resources, we recognize that the TAPS right-of-way will be re-authorized, and therefore submit the following as our opinions as to new conditions which should be put to the oil companies before such re-authorization is granted.

First, a citizen's oversight committee must be established with jurisdiction over the pipeline. Such a committee would cost a pittance in comparison to the revenues generated by the oil companies in Alaska; additionally, the Joint Pipeline Office is merely a state-funded arm of the oil companies and provides little in the way of critical oversight concerning pipeline operations. Real citizen oversight is desperately in order.

00382-1

1 of 2

Secondly, the oil companies utilizing and running the pipeline should be required to invest a substantial and demonstrable sum of funds towards alternative energies; the bare minimum should be 25% of expected net profits derived from oil production in Alaska.

00382-2

Thirdly, if the right-of-way is re-granted, stronger consideration must be given to the indisputable fact that the pipeline is aging and in need of more focused and intensive monitoring and maintenance. The oil companies' maintenance and monitoring budgets for the pipeline should be required to increase every year, without exception. This is simple mechanics; we do not expect to spend less on maintenance for our automobiles as they grow older, so why should we expect any different with regards to the pipeline? Additionally, further funding needs to be devoted to protecting the pipeline from human-induced attacks, be they terrorist in origin or otherwise. The incident at Livengood was inexcusable - better policing of the pipeline is in order, and faster spill response must be implemented.

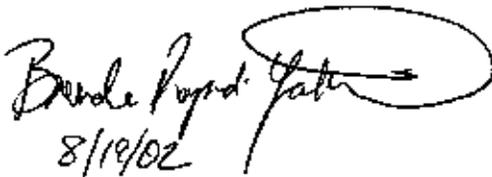
00382-3

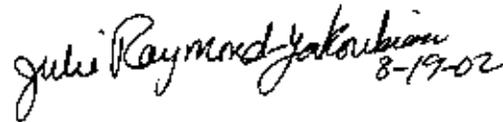
00382-4

To ignore the fact that the pipeline is aging and in need of greater maintenance is willful ignorance. Right-of-way reauthorization must be continually re-evaluated, at shorter time intervals. If the oil companies are failing to meet their end of the bargain in maintaining, servicing, monitoring and protecting the pipeline and the environs through which it passes, they need to be shut down until their act is in order. Accusations that these measures are too costly are ludicrous; the oil companies can simply add it to the cost of doing business, a very profitable business at that.

00382-5

Thank you for the opportunity to comment.


8/19/02


8-19-02

Brenden and Julie Raymond-Yakoubian

August 19, 2002

2 of 2

Responses for Document 00382

- 00382-001:** The reader is directed to Section 2.5 of the FEIS, especially the part that addresses citizen oversight.
- 00382-002:** The use of corporate funds for other energy sources is outside the scope of this EIS.
- 00382-003:** BLM and agencies of the JPO require a set of standards, stipulations, and requirements for TAPS operations, and requirements for TAPS operations. These oversight requirements on TAPS must be met. However, BLM and JPO agencies do not dictate budget levels to meet these oversight requirements.
- 00382-004:** The reader is directed to Section 3.1.2.1.6 on security issues.
- 00382-005:** The reader is directed to Chapter 2 and the discussion on the less than 30-year renewal alternative (Section 2.3).

Document 00383

[Document Info](#) | [Done](#)

[See Attachment](#)

[Document Info](#) | [Done](#)

20/20

LOUDEN TRIBAL COUNCIL

P.O. Box 244 Galena, AK 99741
Phone 907-656-1711 Fax 907-656-1716

August 18, 2002

Bureau of Land Management
TAPS Renewal Scoping Argonne National Laboratory
EAD/900
9700 S. Cass
Argonne, IL 60439

To Whom It May Concern:

I am writing to you in regard to the Trans-Alaska Pipeline System (TAPS) permit renewal. The Loudon Tribe depends on the Yukon River for our life. The Yukon River provides not only food and transportation for our people but also a spiritual connection that will not be broken. TAPS has the potential to threaten our sacred river unless many things are taken into consideration.

My first concern is that adequate time was not given to adequately assess the EIS. With limited staff a thousand page document is overwhelming and to be thoroughly read and understood requires more time for review.

00383-1

Secondly, the Trans-Alaska Pipeline System does not pertain to only those people in Alaska. It is a national concern. It would be extremely beneficial to open up the comment process to people throughout the United States.

00383-2

Thirdly, the original lifespan of the pipeline was estimated at thirty years. It makes no sense whatsoever to renew the permit on this system for another thirty years. The permit should be established in five-year increments at the maximum instead so that the system can be properly evaluated for the safety of human health and the environment.

00383-3

There is also a concern that consultation with Tribes was not adequate. This should be seriously considered as a flaw in this process. More consultation with Tribes should be performed prior to approval of this permit. Tribes throughout Alaska are affected by the TAPS and should have had the opportunity for consultation.

00383-4

Next, it is my belief that the environmental impacts to the Yukon River and the Yukon River watershed have not been adequately assessed. It is extremely negligent to have the

00383-5

pipeline cross any river without having emergency shut-off valves on both sides of the river. If a leak or a horrible event such as the shooting that occurred along the pipeline it could be devastating to waterbodies such as the Yukon River and to the people who depend on them for their lifeways.

00383-5
(Cont.)

In closing, my main concern is to the health and welfare of Alaskan ecosystems and people. It is imperative that rigorous environmental controls are used in regard to the pipeline. We cannot allow massive spills to occur and contaminate our air, water, food and land. Protection of the environment should be first and foremost in your mind.

Thank you for considering these requests. It is extremely important that all parties are heard and that the environment and the native peoples are given due consideration.

Sincerely,

Carole Holley
Environmental Director
Louden Tribal Council

Responses for Document 00383

- 00383-001:** 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.
- 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.
- 00383-002:** The reader is referred to Sections 5.1 and 5.2 in which statistics show that scoping comments and comments on the DEIS were received from individuals throughout the United States.
- 00383-003:** The DEIS evaluated a less than 30-year renewal period (see Section 2.3).
- 00383-004:** The reader is directed to Section 5.3 and the discussion on government-to-government consultation.
- 00383-005:** Control valves to prevent leaks into the Yukon River are present on both sides of the river. The FEIS analyzes “worst-case” spill scenarios into major rivers in Section 4.4.

Document 00384

Document Info | Done

See Attachment.

Document Info | Done

Cascadia Wildlands Project

Alaska Field Office

POB 653
Cordova, AK 99574

September 24, 2002

BLM TAPS Renewal EIS
Argonne National Laboratory
EAD/900
9700 S. Cass Ave.
Argonne IL 60439

RE: COMMENTS ON THE DRAFT EIS FOR RENEWAL OF THE FEDERAL GRANT
FOR THE TRANS-ALASKA PIPELINE SYSTEM RIGHT-OF-WAY

To whom it may concern:

It is with great frustration, and in great haste, that I submit these comments on behalf of myself, and the Cascadia Wildlands Project. The evident lack of regard for public comments displayed thus far is an embarrassment. The allotted period for public comment is insufficient even to reasonably read and digest the document.

CWP endorses the No-Action alternative, particularly for the applications of Exxon and Unocal. The pipeline should be shut down as soon as possible. We don't need the money or the gas—but we do need our land, water and critters.

We are appalled by the cowardly decision not to allow additional time for public comment. Public hearing have been cheap political theatre—clearly designed to discourage meaningful public comments. We would like to take this opportunity to officially request that the comment deadline be extended by *at least* 90 days.

This decision has been treated from day one as a foregone conclusion. Apparently DOI and state agencies are depending on widespread apathy and feelings of powerlessness to get this NHPA process completed. The title of the document, "renewal of the federal grant..." even fails to portray that there is a decision to be made. This EIS is a pro forma document, composed in a bad faith effort at excusing the oil industry from their responsibilities. Our grandchildren's grandchildren will be paying the price for this decision.

§1.2 Scope of the Decision and Analysis

00384-1

The scope is too narrow. Should consider impact of oil all down the line, as far as we are able to trace it. The scope of review is a function of available knowledge and ability to foresee impacts.

Should consider impacts of tankers as they continue out to sea. 200 mile international limit would be reasonable, perhaps.

The impact of refineries, transportation and consumption is immense. Lower Cascadians don't deserve dirty air, even if it made Upper Cascadians rich. Fossil fuel consumption is causing some of the most profound changes to life on our planet ever to occur.

While it is understandable to segregate analysis for organizational purposes, sections for analysis (eg. north slope, tanker traffic, TAPS) are overly isolated into fragments. Scope of analysis must be holistic—because the impacts are more than the sum of their parts.

§1.3 Description of TAPS

Description should include more than just physical aspects—also describe regulatory environment, and power dynamics.

Description of the owner companies would be appropriate here. How much do they make? Who are their board members? What are their criminal histories? What is their reputation? What is their relationship with other related entities (Alyeska, refineries, Taliban, etc.)

We submitted comments during scoping, and at the DEIS hearing in Cordova, detailing the reasons why Exxon and Unocal should be considered criminal outcasts. Again, we beg you to evaluate the human rights records of these two companies. Exxon is guilty of crimes against humanity and nature in Aceh province, Indonesia, and Prince William Sound in Alaska. Unocal has aggressively supported some of this nation's most notorious enemies, and is guilty of widespread human rights violations (child slavery, forced relocation of indigenous people, disappearances, etc.) during construction of the Yadana pipeline in Burma.

Good job on the maps, and aerial photos.

§1.4 Relationship of TAPS to BLM

Last sentence says you assume NPR-A would need TAPS. Why not also assume ANWR? That is a real relationship don't ignore it because it's controversial.

§ 2 Alternatives

Why not consider alternative of granting application to some companies, not to others? It is insulting and illegal to ignore an issue brought up in Scoping. That this was an alternative was even acknowledged in the summary of scoping comments. Yet, no

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mention is made of this potential alternative in the DEIS. Again, please consider the alternative of denying Exxon and Unocal's applications based on their status as social pariahs.

00384-6
(Cont.)

§ 2.2.1 Projected TAPS Operation

It is unreasonable to rely entirely on what applicants say they foresee doing. Please do an independent analysis & economic projection for TAPS system. No oil company has reason to do that—hasn't done that—the public interest demands that be done.

00384-7

§2.2.3 Projected BLM Oversight

Why not even consider a greater oversight role for BLM, JPO, or anyone else?

Why is there just a cursory description of what you might do? Please provide a more thorough work plan in the FEIS, that includes staff #s and budgets.

00384-8

§2.4 No Action Alternative

Why is this alternative so speculative in terms of what DR&R would involve? You should get cracking on this environmental analysis in order to be ready to start taking the sucker apart on Jan. 23rd, 2004.

00384-9

§2.5 Alternatives and Issues Considered but Eliminated for Detailed Analysis

#1 Transfer TAPS ownership to someone else. You say the owners have certain rights, and strong reasons are needed. There ARE strong reasons to kick those assholes out.

Please require that Exxon pay 55 billion dollars before even reading their application for a right of way lease. To say that their betrayal of Alaskans is not reasonably related to their asking Alaskans for something, is insulting.

Y'all are saying you don't have the authority to fine the TAPS owners? This is an excuse, because you have the authority to change the lease agreement, which sets the rules. More authority over the owners is critical to protect worker safety and whistleblowers. This has been shown time and again.

00384-10

The dismissal of independent audits (#6) is cowardly and uninspired. We know you've done audits, but they've been schwag. Richard Finerberg puts out more useful information than do the bureaucracy's reports. Also, government auditors are essentially employees of the oil companies—they are asked to critique their bosses, their customers.

On a similar note, we don't trust Argonne to do this EIS. Why is that warranted? What do scientists in Illinois know about Alaska? This DEIS is a marketing ploy, from the government to the oil industry.

The issue of native hire is not responded to. You say native hire is up, but that's no reason why you couldn't consider it.

00384-11

"Oil spill response planning is a separate process and not part of the decision on the application to renew the Federal Grant." (p.2-7) This kind of fragmentation is bullshit. In any event, it should have been disclosed in the section on scope of analysis.

00384-12

§3.1.2.1.2 Fuel Systems

on pg. 3.1-6, you say "the fuel gas pipeline is maintained and operated in accordance with federal regulations..." Does this mean in compliance, or are you just saying those are the laws that would apply. This statement looks to be an attempt to bury the line's history of trouble with federal regulations.

00384-13

§3.1.2.1.4 Road System

DEIS does not fully disclose the role of TAPS on the Dalton Highway. That the Brooks range is not continuous wilderness is because of this. TAPS is the sole cause of that road.

The road is also on-and-off the focus of attention for security reasons. A checkpoint was introduced following September 11, which caused significant disruption to the local community. The security system is integrally part of the road system, and should be disclosed and analyzed. (*note: this would not require any breach to secrecy or national security. It is reasonably possible to analyze the environmental impacts of projects, even while keeping whatever secrets are necessary. Air Force bases commonly find it possible to prepare EIS's detailing the environmental impacts of on-base construction and training, for example, even when those projects involve elements of secrecy.)

00384-14

§3.1.2.1.5 Communication System

This description presents an idealized version of how the TAPS communication system is *supposed* to work, not a description of how it actually does.

Relying on Alyeska and the pipeline owners alone for the description of communication systems is unreasonable and irresponsible. Perhaps this explains the author's apparent ignorance of the substantial, ongoing problems surrounding this system—they read what the company said, and dutifully paraphrased it.

The description of the leak detection system, for example, says that it "can identify the probable location of a leak by pipeline section; and alarms will signal deviations in pressure, flow, or flow rate balance. If emergency condition occur, the Pipeline Controller can shut down and entire pump station..." Why is there no mention of the limits of this detection system, given its inability to detect "small" but persistent leaks?

00384-15

A brief mention is made of the fiber-optic system, which you say "is currently used for noncritical voice and data communication," and is "being considered to serve as the primary...system." However, no description is given of the substantial and well-

documented troubled with this system. No explanation is given as to why it isn't used for critical communications now, but may be in the future. The public is left to guess what communications are considered "non-critical." Does that mean calls to mom? Or does it include, say, reports of leaking oil?

00384-15
(Cont.)

Please provide us with a meaningful analysis of the existing communication system that discloses all relevant aspects of the system, including technical limits, results of inspections and testing, any reported failures and the consequences of those failures, and any other relevant information.

§3.1.2.1.6 Site Safety Services

on p. 3.1-15, you incorrectly state that "operation and maintenance of the TAPS do not directly affect fire suppression decisions." Great effort is expended to keep wildfires away from the pipeline, while pipeline-related operations pose a constant risk of starting fires.

It is also incorrectly stated that "fire suppression has had no pronounced effect on the natural fire cycle [in Alaska]." The DEIS author repeats from the TAPS owners an absurd and obsolete reference. Fire suppression in and around populated areas (especially Fairbanks, Anchorage & the Mat-Su, and the Kenai Peninsula) has certainly changed the natural fire cycle. Naturally, basically all forested land in interior Alaska will burn in a wildfire, sooner or later. TAPS and related facilities occupy much of this land, and fires are suppressed near those places. Therefore, the natural regime is interrupted.

On p. 3.1-16, you say "An IRT should be able to control a small volume spill." Based on what? Depending on what? Are small volume spills in fact contained? What is the success/failure rate?

00384-16

It is further stated that "TAPS is required to comply with ... (CF-35-1)." Does it? Don't tell us what they are *supposed* to do—tell us what they *actually* do.

Re. Security: The lonely paragraph on security is not reassuring to a country which has pronounced itself at war with so much of the world. What, really, do they do to protect the pipeline? Anything? Does the U.S. military play a role? How much taxpayer money is being spent to protect the TAPS owners' pipeline? Give us a real description, please.

The statement that "security is enforced...by...fencing all facilities" is untrue. There are numerous places along the pipeline—almost the whole thing, in fact, that are wide open to the world, unfenced and in the wild. If there WERE fences at all facilities, as you say, then that would have an entirely unexamined and profound impact on animal migration.

A quick glance at Table 3.1-6 reveals that there is a shortage of oil spill response equipment. You list a total storage capacity of 973,400 gallons... not even enough for a

spill 1/10th the size of the Exxon *Valdez*. There are only two "communication modules" listed, which certainly wouldn't be enough for a complex spill response.

Perhaps table 3.1-6 is not a complete list? If it is only a partial list, then what is it supposed to be communicating? Why are you telling us they have 30 anchors and 22 space heaters? This table looks to be a good example of the overall approach to this EIS—designed to look impressive without actually communicating any useable information.

00384-16
(Cont.)

§3.1.2.2.1 Marine Transportation System

Please include more information on the marine transportation system, including where they go, how they unload, how big they are, who owns them, what sorts of issues are related to them, etc. This section reads more like a PR piece by Exxon, attempting to erase the history of the Exxon *Valdez* by doing penance for their sins. "Significant improvements have been made,"—true. But equally true, and of more importance to this decision, are the myriad ways things have not gotten better at all; they have, in fact, gotten steadily worse. It is irresponsible to list only mitigation measures, without ever even actually describing the thing that's being mitigated. We've heard of the Exxon *Valdez*. That's the only TAPS-loaded tanker that ever spilled oil? It sounds like some folks have put in a lot of work

Tell us about the tankers moored off of Knowles Head, dumping bilge while clearcuts bought and paid for by the Forest Service with Exxon compensation money for the *Valdez* spill—loom in the background. Tell us who works on those boats—how many jobs it creates, and what those jobs are like for them. Tells us about the federal and state infrastructure—including security systems—that goes along with the marine transportation system. Where are these ships built? Where do they go to die?

00384-17

The study by Net Norske Veritas et al. is an unreasonable basis for predicting future spill rates, and is an inappropriate cite here. No information about the estimate of a 75% decreased risk is cited. Where does this estimate come from? Who funded their study? Reduced by 75% from *what* to *what*? Given that the *Valdez* spill happened, reducing the odds by 75% still leaves us with a one in four chance of it happening again. Is this true?

Figure 3.1-5

Please use a better, more detailed map of Prince William Sound in the FEIS. There are many fantastic maps available in various formats, and we urge you to use a better one than this, which has been copied from the TAPS Owners.

00384-18

Figure 3.1-6

Please use a better, more detailed map of the North Slope oil fields. The map gives the impression that there are no roads up there, when in fact there is extensive ice-roading and tracks left behind from exploration equipment. Also, we know of at least several

00384-19

wells in NPR-A, which are not depicted on this map. Do not just copy from the TAPS owners—their material is notoriously undependable and self-serving.

00384-19
(Cont.)

§3.1.2.2.2 North Slope

Please use up-to-date information with regard to volumes produced from each field, and include all of the fields—not just those volunteered by the TAPS owners.

It is unreasonable not to contain *any* mention of the numerous huge prospects, which are opened up by a decision to renew the TAPS ROW. Among the more obvious examples are the Arctic National Wildlife Refuge, National Petroleum Reserve—Alaska, Brooks range foothills, upper Copper basin, Gulf Coast, and Katalla.

00384-20

It is also unreasonable not to contain any mention of the mines, roads, pipelines, drill rigs, capped wells, contaminated sites, gravel pads, parking lots, power plants, living quarters, airstrips, etc., which actually comprise the North Slope oil fields. These places aren't just names that produce numbers—they are an on-the-ground mess of industrial sprawl.

3.3.2.2 Permafrost Degradation and Aggradation

Problems with frost heave and subsidence are unpredictable, and have huge impacts. Please include new, on-the-ground information regarding these ongoing problems in the FEIS.

00384-21

Table 3.3-1 Active Contaminated Sites along the TAPS

This list should also include the contaminated sites caused by the TAPS. Thousands of places have been contaminated by the oil industry since drilling began on the North Slope, and it is misleading to present only those directly along the pipeline.

Even incomplete, this list clearly illustrates that the extent of damage done by TAPS is severe. The information presented here flies in the face of the constant assurance that spills can be and are promptly cleaned up. There are reports a decade old here, still being reviewed for assessment.

00384-22

Please update the table. For example, ID# 6 & 61 lists "system installation planned for 2001." This DEIS, produced in 2002, should have been easily capable of disclosing whether or not that promise had been met. Has it?

What is the source for spill volumes? How is spill volume determined? Who determines it? What efforts are made to verify these volumes? What are the results of any verifications?

Table 3.3-2 Active Contaminated Sites at the Valdez Marine Terminal

For the spill volumes and soil volume treated sections that are listed “not available,” why aren’t they?

00384-23

§3.4 Seismicity

The Valdez Marine Terminal is not on “high ground.”

00384-24

§3.5 Sand, Gravel, and Quarry Resources

This aspect of TAPS operations is immense, and should be fully disclosed.

00384-25

§3.6 Paleontology

The North Slope area is a treasurehouse for information on the more distant past. Please describe the existing state of archaeology in the TAPS/North Slope area, and its importance to the state of human endeavor.

00384-26

§3.7.1.5 Surface Water Resources—Glennallen to Valdez

Please re-title this section “Copper River.” The extent of the pipeline’s existing and potential impact to that river ecosystem is incredible.

00384-27

The Copper river does not “discharge into Prince William Sound.”

§3.7.2.6 Historical Spills of Crude Oil

4,283 spills between ’77 and ’99 is an incredible figure—and an unacceptable cost for the benefits TAPS provides.

Does this figure include spills on the North Slope oil fields?

Please provide up-to-date information on historical spills in the FEIS. What is the reasoning behind ending your spill tally in 1999?

Please give an independent accounting of how many historical spills of crude there have been. It is unreasonable to suppose that the TAPS owners—who have very strong incentives to fanny the numbers down—are giving the complete picture. Please also tell us the total volume of these spills.

00384-28

It is not true that “no direct spills to surface water have been documented.” There are spills at the Valdez terminal fairly regularly, and the Exxon *Valdez* certainly was a direct spill to surface water. What is the reasoning behind such a flagrantly incorrect statement?

§3.11.1 Discharges from the Valdez Marine Terminal

This operation has and continues to dump toxic crap into the ocean, amidst commercial fishers trying hard to market their product as clean, fresh, Alaska salmon.

Please also provide an explanation and analysis of the alien species introduced via bilge from oil tankers.

00384-29

Why say they are in compliance with permits for discharge of trace elements, rather than disclosing what trace elements they are discharging, and what impacts that is having?

§3.11.4.1 Tanker Traffic

The table, titled “spills associated with TAPS-related marine transportation,” is in fact a short list of some of the mitigation measures in place. What spills are associated with marine transportation? How many have there been, how much have they spilled, and what impacts have they had?

00384-30

§3.11.5 Exxon Valdez Spill

This section is a shameful pack of lies. Who wrote this? We cannot express enough our outrage at the shoddy work done here.

The only sources given for information are the TAPS Owners, who have been lying about the *Valdez* spill from the get-go, and one study (Boehm et al. 1998) of two contaminated bays. That is absurd, especially given the wealth of knowledge available to anyone with access to a library. Millions of dollars and hundreds of studies have been done, and their overall conclusion is that the impact was awful, and that it continues to be awful. It is not possible the DEIS authors could have overlooked this evidence. That you have buried it completely, preferring to parrot Exxon and the other TAPS owners, is disgraceful.

One study of two bays is an absurd basis for statements such as “all concentrations were well below the low effects range.” That is misleading to the point of being an outright lie. Who funded this study?

00384-31

Prince William Sound has NOT recovered from the Exxon *Valdez*. To suggest that it has is disrespectful to those who live here—and who can today readily find *Valdez* oil on our beaches. Of the species analyzed by the EVOS Trustee Council for recovery, only perhaps a couple of them are even close. Wildlife has not recovered. The fishery has not recovered, and actually appears to be near collapse. Subsistence foods are harder to find, and many are probably poisonous to eat. The economic “compensation” for the spill gave us clearcuts and dead-end roads.

Why is there not even a mention of the substantial, ongoing controversy surrounding the spill? Exxon has lived up to its promise (perhaps for the first time) to stretch the civil damages lawsuit into the next millennia, at the expense of thousands of Alaskans whose lives were damaged (and, in some cases, utterly destroyed) by the spill. How can a

background of the spill fail to mention *any* of the lawsuits, congressional inquiries, criminal convictions, or strongarm tactics?

00384-31
(Cont.)

§3.12.7.2 Historical Climate Trends in Alaska

Thank you for acknowledging that Alaska is warming up. Global climate change is clearly one of the most alarming developments in our world, and demands immediate attention. In the FEIS, please take the next step and recognize the role of fossil fuels in causing that warming.

00384-32

§3.16 Hazardous Materials and Waste Management

It is not true, as the DEIS states on page 3.16-4, that contaminated soil is trucked out “always after no more than 2 years of storage.” Only a small fraction of the contaminated soil is ever even touched, let alone trucked somewhere for treatment. As evidenced by the time-frames involved in spill cleanups, the target goal of 2 years is often not met.

00384-33

§3.17.1 Occupational health and safety

Please include the existing conditions on the North Slope oil fields, and among spill cleanup workers.

00384-34

§3.19.1.3 Prince William Sound—fish

The Exxon *Valdez* had, and continues to have, incredible impacts on fish in Prince William Sound. The herring collapse is directly attributable to the spill. Saying that scientific consensus hasn’t been reached on the extent of damage isn’t useful. Of most relevance is the fact that sufficient evidence exists to say that crude oil is very, very bad for fish. From reading this description, a person would think the impacts might be “uncertain,” were they to fill their fishbowl with motor oil.

We urge you to use the best, most up-to-date science in the FEIS regarding the impacts of oil on fish. It is our understanding that one part per billion is sufficient to cause problems for salmon—a number 1,000 times lower than was previously thought.

00384-35

Prince William Sound and the Copper River watershed are a world-class commercial and subsistence fisheries resource, and should be recognized as such.

§3.23.5 Subsistence

Why are you trying to put a dollar figure on the worth of subsistence foods? \$3 per pound might be what subsistence foods would be worth in a grocery store, but their value extends far beyond that when local circumstances are taken into account. A subsistence food is “worth” much more than \$3 when you are cold, hungry, isolated and can’t just run down to the corner store. When it enables one to live, its value is that of life itself.

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Also, subsistence is not merely an economic pursuit, but a cultural and spiritual endeavor as well. We strenuously object to equating it as purely economic, and urge the DEIS authors to begin serious discussions with Alaska Natives and rural residents.

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(Cont.)

§3.25.1.1.2 Eyak

It is an insult and a lie that “a discussion of Eyak culture in the 21st century is impossible.” Try talking to some Eyak people (there *are* some), before telling them they are “mere remnants,” and that their culture is worthless. This section demands an apology.

00384-37

§3.8.2 Wilderness

Please describe the role of TAPS in cutting the Gates of the Arctic NPP Wilderness in half. Please describe the role of TAPS in precluding all areas in its vicinity from wilderness designation. Please describe the role of TAPS in possible designation of the Arctic National Wildlife Refuge.

00384-38

§3.29 Environmental Justice

The benefits of TAPS flow almost exclusively to rich, white people. The negative consequences fall heaviest on poor, native people. That repeated, heated struggle has been necessary to get the oil companies to live up to their (repeated) promises for Alaska Native hire should be disclosed and described in this section.

In addition to analyzing and profiling poor and minority folks, it is also necessary to similarly profile rich, white people. How can we compare the justice of the situation without the other half of the equation? Please provide information in the FEIS on the decision’s impact to the best-off, say, 5% of the population. A reasonable sample set would be to take a data set of the boards of all the applicant corporations, plus Alyeska, and disclose this decision’s impact on their lives.

00384-39

What are their chances of being exposed to oil-contaminated shellfish? What are the odds of them getting a good job on an oil spill cleanup crew? What are their economic prospects? How much do they stand to gain?

If honestly evaluated, it is beyond doubt that TAPS benefits the rich, much, much more so than the poor. It is also beyond doubt that the negative impacts—destruction and/or poisoning of subsistence foods, sociocultural changes and urbanization, higher prices, etc.—fall most squarely and severely on the backs of Alaska Natives, as well as other poor, rural folks in Alaska.

§4.1 Existing Mitigation Measures

Mitigation measures are not environmental consequences of the decision—they are part of the decision to be made. It looks like every effort was made to discuss every form of

00384-40

oversight, *except* the oversight being exercised under this decision. The Grant and Lease are the fundamental tools guiding operation of the pipeline—they are the essential authority of the U.S. over the TAPS owners.

It would be useful to list mitigation measures as they relate to the decision to be made, under the description of alternatives section. That would allow the decision-maker to make changes where they are warranted to account for updates in technology and knowledge. We could see the options available: An independent citizen oversight board, ESCROW accounts, an independent audit every five years, repealing grants & leases for gross violation of human rights, etc. —and then make decisions about what is useful and what isn't.

It is not useful to present an idealized vision of the existing mitigation measures. Reading back mission statements does not substitute for reasoned analysis of agency roles.

§4.1.1 JPO Oversight

Please read the reports on pipeline oversight issued by Richard Fineberg (I am sure he submitted copies), and consider and disclose that information in the FEIS. If we are going to seriously evaluate the role of JPO oversight, it will have to involve a consideration of failures, as well as worthy and important goals.

Current JPO oversight is grossly inadequate to the task at hand—great work by great people notwithstanding. There is simply no independent oversight. The state gives the oil companies land, tax breaks and permits. The oil companies give the state money—the bulk of our state revenue and state worker paychecks. JPO works for the TAPS owners, referring to them as the “customer.” CWP has been monitoring TAPS operations since 1998, and we have never seen an example of JPO strictly enforcing laws, regulations, or anything else. JPO is a token group, that doesn't have the power to enforce any real compliance on the TAPS owners. Their energy is stretched already, just finding ways to claim that TAPS is in compliance with all statutes and regulations. JPO attempts to regulate a few of the most powerful entities on the planet. Exxon alone could dispatch ten lawyers for every one JPO inspector, and consider it cheap.

An authentically independent citizen oversight group is imperative if the pipeline is to last another 30 years, without very many catastrophic accidents. The

§4.2.2.4.3 Surveillance and Monitoring Activities

It is untrue that surveillance and monitoring operations “have no notable impacts.” The impacts of helicopters on birds, and of boats on whales, have been documented, and should be disclosed and analyzed. ATVs, snowmachines, trucks, aircraft and heavy machinery leave scars on the land, and disrupt and displace wildlife. Digging up sections of pipeline to do corrosion monitoring also involves a locally intense intrusion on the land.

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(Cont.)

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00384-42

Re. Changes to management strategies

It is unnerving that the DEIS has such unconditional confidence in the TAPS owners to manage TAPS operations to the benefit of the public. Recent job cuts, including in areas important for security and safety, indicate a willingness to cut costs, at the expense of the environment and people of Alaska. Given the repeated, past failures of similar shifts in management strategy, we wonder on what basis this DEIS has confidence in the latest round.

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(Cont.)

§4.3 Proposed Action Alternative Analysis—Routine Operations

This section is fatally flawed, because it does not analyze or disclose the environmental impacts of the proposed action. There is plenty of description of the way different issues are handled, but almost none of actual impacts.

The burden should not fall on the public, at this stage of NEPA analysis, to again identify what the significant issues for analysis are.

§4.3.3 Seismicity

The risk of earthquakes causing a spill is a major concern. The DEIS correctly identifies it as “credible.” However, where is the analysis of the impact? If a large earthquake were to occur, causing a pipeline leak, that would be a uniquely awful scenario, and should be disclosed. Are spill response mechanisms going to be in place after an earthquake? Would emergency equipment and personnel be drawn away from other pressing needs?

00384-43

§4.3.4 Sand, Gravel, and Quarry Resources

Two paragraphs is nowhere near sufficient to describe the impact of hundreds of mines and quarries. How much acreage would be dug up? How many more quarries might be needed? What kind of vegetation would be removed? How much silt will it dump into salmon streams?

00384-44

§4.3.5 Paleontology

Renewal of this grant & lease would adversely impact known palcontological resources. A key lesson of the *Valdez* spill was that response crews cannot be turned loose without destroying historically and culturally significant artifacts. Please disclose the impact of another 30 years of arctic oil drilling on palcontology resources.

00384-45

§4.3.6 Surface Water Resources

TAPS impacts to surface water are unacceptably severe, and warrant a decision not to renew the lease. They use too much water and dump it back fouled. We need that water for drinking, and watering the food we eat. Many critters use the water for living in.

00384-46

It is inaccurate to state that the impacts will be “small, local and temporary,” given the known, profound impacts of oil spills on surface water. TAPS has produced negative impacts to surface water that are large, widespread, and permanent. Releases of hydrostatic test water are in the millions of gallons, not at all small. Alterations in hydrology on rivers are permanent. Ongoing consumption and dumping of water takes place on a large scale.

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(Cont.)

§4.3.12 Hazardous materials and Waste Management

The amount and variety of toxic garbages generated by TAPS alone should give us pause. Had the DEIS included waste generated through, for example, refining and consumption, it would be even more clear what a mess TAPS is creating. This is unacceptable, and offers strong support for the no action alternative.

Merely stating that a state or federal agency is in charge of overseeing something does not obviate a responsibility to reveal the effects. Throughout this section mention is made of the way a poison is managed, without any explanation of the actual impacts. For example, under “Radioactive Wastes,” (p.4.3-35), the DEIS says only that there will be no changes in waste volumes or procedures, and that if radioactive materials were all replaced, then there would be no more radioactive materials. What radioactive waste?

00384-47

§4.3.13.1.4 Electrical Systems Issues

If TAPS owners were out of compliance, and the JPO inspections have shown the condition to have improved, but not corrected, then the TAPS owners are still out of compliance, no?

00384-48

§4.3.13.2.3 Potential for Exposure to PBT Chemicals

The many spills associated with TAPS, over space and time, are cumulatively adding to PBT exposure far beyond the DEIS's. It is known that this causes cancer. Please disclose in the FEIS how many people can be expected to die of cancer because of continued TAPS operations.

00384-49

§4.3.14 Biological Resources Overview

TAPS operations have a huge and unacceptable impact on biological resources. While this section lists many of those impacts (eg. habitat fragmentation, altered habitat, spills, obstructed movements, etc.), no effort is made to analyze their effects. It is our observation that TAPS, for some species in some area, has been devastating. For virtually all species, TAPS has significant negative impacts. These impacts justify denying the application for ROW renewal.

00384-50

§4.3.15 Terrestrial Vegetation and Wetlands

Impacts of TAPS are very significant, and justify denying the application for ROW renewal. The cumulative area disturbed by TAPS is huge, when all factors are taken into account. Dust shadows, for example, and tracks across the tundra, are notable scars that have become a significant, unnatural element of the North Slope ecosystem. Where work occurs, the disturbance is locally very intense. Efforts to revegetate disturbed areas are only sometimes successful, and by no means entirely mitigate for the impacts.

00384-51

Introduction of invasive, alien species is a particular problem, which has unpredictable, potentially very large impacts.

§4.3.16 Fish

The impact of TAPS on fish is significant, and justifies denying the application. The Copper River salmon deserve particular attention. Please provide a detailed analysis in the FEIS of the impact of ongoing TAPS operations on that fish.

00384-52

§4.3.16.1 Alteration and Loss of Habitat

It is untrue that ADF&G does not permit water withdrawals in overwintering areas, as stated on p.4.3-50.

00384-53

§4.3.17 Birds and terrestrial mammals

This section is an overly vague and cursory listing of ways TAPS harms critters. Some effort at analyzing these harms—rather than just listing them out as though they were hypothetical—is in order. TAPS has a cumulatively massive impact on birds and critters, seriously alters the ecosystem, and risks permanently contaminating vast areas of valuable habitat.

00384-54

§4.3.17.2 Disturbance and Displacement

Habituation should not be confused with “no impact.” Critters may come to tolerate certain levels of disturbance, but still be negatively affected by them.

00384-55

§4.3.18 Threatened, Endangered, and Protected Species

It is untrue that TAPS “does not directly or indirectly affect the waters of the Beaufort Sea.” (p.4.3-59). Significant drilling work takes place there, and the risk of spills is real.

00384-56

In Table 4.3-5, the potential impacts for the listed marine mammals is that “effluent discharged from Valdez... would be monitored and kept within permitted levels.” This tells us nothing about the impacts of the decision on those species. What would those discharges do to them? How intense would the effect be?

00384-57

This section fails to disclose any of the projects impacts on the listed species, except to state simply that it will be some impact, but not too much. However, no indication is

00384-58

given how those conclusions were reached. It communicates nothing to explain mitigation measures, without describing the impact that it's hoped to be mitigating.

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(Cont.)

The analysis of impacts to ESA listed and other sensitive species relies entirely on the presumption that there will be operational mishaps. That is an unreasonable assumption, given the thousands of operational mishaps which have occurred. TAPS risks massive taking of ESA listed species, by killing them directly and degrading their habitat with oil spills.

§4.3.19.1.1 Assumption Relating to Oil Production..

Why are the economic benefits oilfield development considered here, while the environmental harms of that same development are excluded from other sections?

00384-59

It is unreasonable to suppose that "employment in the oil fields would remain constant," (p.4.3-65), given ongoing and repeated cuts in the size of the labor force.

Table 4.3-22 Government-to-Government Interaction Summary

The activities listed here do not comprise a meaningful government to government interaction. Sending scoping letters, and having brief meeting between unidentified personnel is insufficient.

00384-60

Environmental justice demands that Alaska Native groups be afforded proper respect as sovereign peoples. Furthermore, meetings and letters are empty gestures if requests and recommendations are not taken seriously. The inability of this DEIS to incorporate even one idea or recommendation of an Alaska Native government indicates that these negotiations are not an exchange of equals.

§4.4.1 Spill Scenarios

The risk of oil spills having catastrophic impacts to Alaska is very real. The risk is far too high, compared with the benefit being sought. The decision amounts to a gamble. It is not O.K. to gamble with the health of our planet.

Why doesn't the spill analysis "imply that these spills are 'expected' ...events."? It should be expected that renewal will result in oil spills at least as large and frequent as during the first 25 years. At least the scenarios up through the "likely" category should be expected. Oil spills will happen!

00384-61

The four frequency categories appear to have been selected at random, and represent a subjective judgement. A spill estimated to happen once every 60 years, for example, means there is a 1 in 2 chance of it occurring during the renewal period. A 50-50 chance of something does not make it "unlikely."

On page 4.4-3 it is stated that spill data were derived from "a number of available sources." What were those sources, and how reliable are they? What effort was made to ensure that TAPS owner-reported spill volumes match the spills as they exist on the ground? Because these numbers comprise the heart of the DEIS's statistical spill analysis, special effort must be made to ensure that they are accurate.

The ongoing questions and controversy over the real amount spilled by the Exxon *Valdez* indicate that the TAPS owners numbers should be greeted with healthy skepticism. They have every incentive to lie, have failed to build a record worthy of trust, and can not reasonably be trusted to accurately report spill volumes. Yet, the DEIS appears to rely entirely on the TAPS owners report for historical analysis and statistical distributions of spills.

Table 4.4-1 & 4.4-2 Summary of Spill Scenarios...

Why are the expected frequencies for each individual scenario given, without any corresponding idea of how often they will occur. Simply saying that small leaks will probably happen more than twice a year doesn't give us the best available information. How many small leaks would you expect, given the over 4,000 which have occurred so far? There is, on average, a spill directly relating to TAPS at least once each day. This table blurs that reality. How much volume do they expect to spill?

The number of major scenarios (eg. which fall under the "likely" category) is upsetting. Those spills are all *expected* to occur. Quite simply, that is not a price we should be willing to pay.

How accurate are these predictions? At what level of confidence, specifically?

On p. 4.4-9, the DEIS states that "if a particular postulated event is calculated to potentially cause large consequences but occurs with low frequency, the calculated risk would be small." What is the basis for that judgement? This is a poor method of impact analysis. The greater the potential damage of an event, the less likely it has to be before it becomes a major risk.

For example, the odds of an airplane crashing into the pipeline by sheer accident is something around once every 100-400 years. That means the odds of it happening are between one in three and one in twelve. A one in three chance of an accident of that magnitude is a huge risk. Would you get in a plane that had a one in three chance of crashing?

§4.4.2 Hydrological Analysis of Spill Events

This section presents the most optimistic information about the persistence and transportation of oil. Evidence gathered since the *Valdez* spill clearly demonstrates that oil remains longer, in greater quantities, than was previously thought.

00384-61
(Cont.)

00384-62

00384-63

§4.4.3 Fire Analysis of Spill Events

It is incorrect to assume that for a vandalism (terrorism) event, an ignition source could only come from a spill response team. It's not giving away any national secrets to admit that the pipeline could get blown up.

00384-64

§4.4.4 Impacts of Spills on Environmental Receptors.

Please refrain from using any of the biased, Exxon-funded science in the FEIS.

00384-65

§4.4.4.1. Soils and Permafrost

It is absurd to state that the maximum area contaminated by a spill is 84 acres. A spill into the Copper river system, which escaped downriver into the delta, could very rapidly contaminate thousands of acres. A spill into the Yukon river, none of which could be cleaned up, could contaminate land the whole length of the river. It would also be foreseeable that a small, persistent spill could go undetected for a long period of time, and could expand to a large area.

00384-66

§4.4.4.1.2 Impacts for Selected Spill Scenarios

It is untrue that "the worst event among the anticipated spill scenarios would be an instantaneous leak of 100 bbl..." The worst event would be a much larger spill, that leaked slowly and undetected.

It is inaccurate to state that "prompt cleanup would reduce the impacts to negligible," for a 100 bbl spill. It is entirely conceivable that the leak wouldn't be discovered for some time. "Cleanup," as often as not, consists of leaving the contaminated ground where it is, and hoping nothing happens.

00384-67

It is absurd that among the worst case scenarios presented here, not one even comes close to approaching the size of the *Valdez* spill. Where has this mythical 2,268,000 gallon limit come from? Why do you assume that, worst case, it would take 48 hours to stop the leak. The *Livengood* spill took 36 hours to plug, and that was hardly the most difficult potential scenario.

§4.4.4.2 Paleontology

Oil spill response wrecks havoc on paleontological resources, as evidenced by the *Valdez* spill. Please disclose this effect.

00384-68

§4.4.4.3 Surface Water Resources

Oil spills will have unacceptable impacts on surface water resources, if the application is granted. Recent information has revealed that one part per billion is enough to impact salmon reproductivity. The impact of a major oil spill into a river, especially into the

00384-69

Yukon or Copper River watersheds, would have devastating impacts to fish, wildlife, and subsistence values.

00384-69
(Cont.)

What would be the impact of a spill to water, beneath ice sheets? Saying that the situation would be complex shouldn't stop the DEIS from at least informing us of what the risks are. Rivers along the ROW are frozen a great deal of the time, and such a situation is easily conceivable.

00384-70

The listed percentages of oil that would be recovered from a spill into one of the named rivers don't mesh with reality. Saying you'll recover 100% is a silly thing to say—no honest assessment could possibly guarantee that any spill will be 100% contained. Why present percentages subject to containment at the containment sites, when it is also recognized that for virtually any of the rivers, the oil slick would be miles and miles past that point by the time crews were able to respond. Again, it appears the DEIS is presenting the rosiest possible picture.

00384-71

It is a mistake to assume spills would occur instantaneously, given the likelihood and impacts of slow, undetected leaks. Changing this assumption also changes entirely the presumption of fast, effective and flawless remediation.

00384-72

§4.4.4.7.1 Impacts from exposures to contaminated soils and groundwater resulting from spills to land

Presenting us with the process used to identify the impacts of a spill when it occurs, is not a substitute for an analysis of what those impacts are likely to be. While ADEC may require that spills be cleaned up, in fact many of them are not, and exposure pathways continue to exist. The Happy Valley Camp spills are a good indication of how spills can continue to contaminate the land, decades after the cleanup should have been completed were the law followed to the letter.

00384-73

§4.4.4.7.2 Impacts from inhalation exposures resulting from spills

Table 4.4-30 appears to give some good raw data, but fails to indicate what any of it means. If I'm reading the data correctly, the inhalation hazard would be substantial for a couple miles downwind, correct? How big is that hazard? What happens to a person who breathes this stuff?

00384-74

§4.4.4.7.4 Impacts from Foodchain Exposures Resulting from Spills to Water

It is a mistake to assume that the *Valdez* accident represents the worst of foodchain impacts. Spills in different regions, with different critters and different ways and degrees of eating them, could well have even more pronounced impacts. The arctic environment breaks down oil even more slowly than Prince William Sound. Contamination would probably persist longer in colder, more stable environments, perhaps increasing their buildup in subsistence foods.

00384-75

Are you seriously meaning to say that it's safer to eat fish heavily contaminated by a crude oil spill, than it is to eat smoked fish? That is patently absurd.

Are PAHs the only risks associated with spills? Why is that the only toxin being addressed?

It is foolish to assume total cleanup for a spill into a river, when at least 2/3 of a spill into the Yukon would not be cleaned up—even under optimistic scenarios.

§4.4.4.8 Biological Resources Overview

The impact of oil spills on biological resources is severe, and justifies denying the application.

Statements that what the impacts are depend on the size of the spill, effectiveness of the cleanup, etc., are obvious and do nothing to inform the reader as to what those effects might be. Will animals die? Will their babies have genetic deformities? Will their reproductive success rates decline over the long term? Will the composition of species change? Through the fog of these sections, it is possible to glean that oil is really, really bad for any critter that comes in contact with it. The DEIS should do more than give a vague sense that oil is bad for animals—it should map out in detail how bad it is.

A river spill could affect protected species, including migratory shorebirds on the Copper River Delta, swans, steller sea lions and whales.

§4.4.4.10 Fish

The impact of oil spills on fish is huge. Any spill that came into contact with the Copper river fishery would, regardless of its magnitude, have devastating impacts on that fishery. Fish are also a critically important subsistence food to many people along the corridor.

An oil spill into any river would be devastating, and the benefits of renewal are not worth the cost.

§4.4.4.11 Birds and Terrestrial Mammals

The hundreds of thousands of birds and mammals which have been killed by TAPS were an unacceptable price to pay. The idea that we can comfortably decide to kill several tens of thousands more is disturbing.

The evidence from the *Valdez*, showing that bird populations do not quickly recover from spills, should serve as a warning.

The response strategies listed to protect wildlife from spills are pretty grim. Hazing, collecting carcasses, and capturing and treating them are three very poor options—none of them should inspire the least degree of confidence. This list of response measures

00384-75
(Cont.)

00384-76

00384-77

00384-78

illustrates that, once it is released into the environment, the TAPS owners (and everyone else) doesn't have the slightest idea what to do with it.

00384-78
(Cont.)

§4.4.4.12 Threatened, Endangered, and Protected Species

Spills are expected to occur, and we know that they would likely take listed and protected species. The proposed decision amounts to a death sentence for these creatures. Extinction of any species—even just a small risk—is an unacceptable cost for renewing the ROW.

00384-79

§4.4.4.13.2 Recreation and Tourism

Please disclose the impact of spills on marketing for tourism. A more visibly polluted environment would tend to compound the shortage of independent travelers, leaving the industrial package-tours with an even bigger market share. Millions would have to be spent marketing Alaska tourism again. The economic impact here could be huge—partially offsetting the money lost when TAPS is gone.

00384-80

§4.4.4.14 Subsistence

The impact of oil spills on subsistence is very severe, both physically and psychologically. Not only are subsistence foods directly killed, they are poisoned in the long term as well. Confidence in the health of the food decreases. Spill response impacts on the economy of affected communities interrupts subsistence.

The importance of subsistence is understated in this DEIS, and many subsistence areas we know of were left out (including all of those around Cordova). This causes your analysis of oil's impact on subsistence foods to be suspect as well. Please base the FEIS understanding of the impacts on meaningful community and tribal involvement, and scientific research not funded by Exxon.

00384-81

Subsistence is worth more than all the oil in the world. The certain and risked damage to subsistence warrants rejection of the ROW review.

§4.5 less than 30-year renewal

The analysis of this option is exceedingly shallow. Simply listing all the impacts as identical to the proposed alternative does nothing to inform the reader. Obviously, the impacts on all resources would be proportionately lessened with a shorter pipeline renewal.

00384-82

Also, impacts would be lessened substantially by the ongoing need for TAPS owners to maintain compliance with terms and conditions of the grant and lease. Their incentive to cooperate is greatly lessened, when they have a 30-year free-for-all.

§4.6 Description of the No-Action Alternative

The analysis here is fatally flawed by refusing to recognize the obvious fact that, sooner or later, the pipeline is going to have to be cleaned up. The impacts of that cleanup are inevitable—and would be the same regardless of when it is done. The No-Action alternative doesn't introduce anything into the equation that isn't already there if the application is granted.

00384-83

The economic impacts of No-Action would be better than for the action alternative. The bulk of the oil money to be had has already been gotten. The risk of massive, permanent damage to other systems (eg. subsistence, fisheries, tourism, etc.) is substantial so long as the pipeline is operating. By getting out now, we'd retain the bulk of economic advantages, while also retaining relatively healthy and intact ecosystems, on which a sustainable economy could and would be built.

00384-84

§4.7.1.1 Approach (to cumulative effects)

On page 4.7-1 it is stated that "no action has not received engineering and environmental study and its description remains somewhat speculative." This statement admits that the No-Action alternative has not been meaningfully analyzed.

It is also stated, on the same page that "the environmental impacts of the no-action alternative would result in a greater change in impacts to the existing environment than the impacts of the proposed action." This is incorrect. As mentioned above, the impacts of DR&R are inevitable—the consequence is the same, regardless of the alternative selected.

00384-85

While you all do an O.K. job in the section of describing the impacts of different other projects, virtually no effort has been given to linking those projects to TAPS. Part of the cumulative impact analysis must include the relative importance of the decision at hand, as it relates to these other projects.

§4.7.3.2 Proposals Considered but Excluded

The decision to omit analysis of both ANWR and the gasline is unreasonable. The Gas pipeline has been funded, and enabling legislation has been passed. While uncertainty remains, certainly, it is a reasonably foreseeable consequence of the decision to grant the application.

00384-86

We are somewhat confused as to whether the gasline is in fact being considered, since it is listed in table 4.7-2 as a potential contribution to cumulative effects. We urge that that project be analyzed as a result of TAPS.

§4.7.4.2 Oil Refining

Why are the refineries in Alaska considered as relating to TAPS, while the rest of the refineries it serves are not? Refining capacity can reasonably be expected to increase to serve TAPS.

00384-87

§4.7.4.4.2 Alaska North Slope Natural Gas Commercialization

The description of the proposed project is inaccurate. You list the project cost as \$10 billion, when most published reports reference a \$17-\$20 billion tab. It also is listed as being 600 miles long, when in fact the proposal would involve laying something over 3,000 miles of pipe.

00384-88

Please provide sources for your information on this project.

§4.7.4.5.2 Habitation and Development

Gleannallen/Copper Center are the site of a large, new luxury lodge built by Princess Corp. Please include that development in the description of those communities.

00384-89

§4.7.4.8.1 National Parks, Preserves...

Visitor number for the Wrangell-St. Elias are neither precise nor accurate. The new Princess lodge is adding something around 20,000 new visitors. Also, nobody has ever actually counted the number of visitors - the cited figure of 25,000 annual visitors can only be guesswork.

00384-90

§4.7.4.8.3 Military

Information on Ft. Greely is outdated. Construction there has already begun, and many elements of the project are becoming clear.

This section should include the extensive military testing of missile defense systems proposed in Alaska. A proposal to launch SCUD missiles north from Fairbanks, plus the use of Kodiak facilities for NMD testing, should be considered as part of this section.

00384-91

Table 4.7-7

This table is impossible to read. We appreciate your efforts to incorporate complex analysis in simple form, but this table communicates very little.

00384-92

§4.7.6

On page 4.7-62, it is incorrectly stated that the cumulative impact of the proposed action would be smaller than that of no-action and construction of a gasline. It is not reasonably foreseeable that a gasline would be built, if TAPS is taken out. The gasline is a consequence of TAPS. The impact of shutting down the pipeline, as stated previously, is an inevitability.

00384-93

§4.7.6.4 Surface Water Resources

The volume of water use is astounding. That is having a cumulative impact on water availability, with unknown long-term impacts.

It is naïve to assume that “implementation of the foreseeable actions would require compliance with all applicable permit restrictions, laws and regulations.” It is common practice for variances and exceptions to these laws and regulations to be made. In fact, permits are almost never not granted. This statement also flies in the face of the multitude of violations which regularly occur. It is standard industry practice to comply only with those laws they absolutely have to, in order to keep working. Since JPO never seriously considers actually forcing compliance, the existing situation is one of widespread violations of laws and regulations. Mitigation measures, such as laws and regulations, do not substitute for reasoned analysis.

00384-94

§4.7.6.6 Physical Marine Environment

Impacts to the marine environment are large and long-lived, especially when considered cumulatively .

The statement that “small spills from all vessels are rapidly responded to and cleaned up...” (p. 4.7-70) is false. Small spills off ships of all sorts are routine and are rarely reported, let alone cleaned up.

00384-95

The assumption (on p.4.7-71) that any spill into the Sound would be contained within six hours is unjustified, and flies in the face of experience.

§4.7.6.9 Transportation

The extent to which the existing transportation network is created, expanded and maintained in connection with TAPS operations is greatly understated. That the North Slope is road-accessible at all is directly attributable to TAPS. A great proportion of the train traffic here is tied to TAPS. Huge amounts of material and personnel are constantly being shipped to and fro, at great expense to the taxpayer.

00384-96

Also undisclosed is the impact that TAPS has—via its unique requirements for extra security—on access. The Dalton highway can be closed in moments of national nervousness. The vulnerability of Alaska to attack is entirely due to the presence of TAPS.

§4.7.6.10 Wastes

It is incorrect to state that “TAPS operations do not contribute to the generation of NORM wastes,” because they are shipped to Louisiana. Wherever they are disposed of,

00384-97

that junk goes somewhere. The cumulative impact is increased, not lessened, by shipping garbage elsewhere.

The claim (on p.4-7-77) that “permit conditions would limit the extent of...impacts [to out of state disposal locations] to acceptable levels” is incorrect. That disposal is permitted only indicates that a disposal is legal - it says nothing about the scale of its impact, or whether or not it is “acceptable,” from an environmental point of view.

00384-97
(Cont.)

§4.4.7 Biological Resources

The cumulative impact of TAPS on Alaska’s biological resources is severe. Evidence is abundant that the environment here is seriously degrading. Climate change, bioaccumulation of toxics, and other impacts have greater potential impacts due to the fact that TAPS has weakened the resilience of ecosystems to respond to those changes.

00384-98

This section should include some discussion of the overall state of Alaska’s environment. The fact is that it is degrading at an unsustainable rate. We might be able to debate the causes of this degradation, but that it is happening is a matter of record.

§4.7.2.4 Effects of Oil, Fuel, and Chemical Spills on Fish

The statement (p.4.7-93) that “the Exxon Valdez oil spill probably had some impacts on fish...however...by 1995, fish populations and habitats had largely recovered” is false. The herring fishery is nowhere near recovered, and we are still discovering the true extent of that spill’s impact to fish.

00384-99

§4.7.2.5 Summary

The assertion that none of the cumulative impacts on fish are expected to “affect the viability of species’ populations,” and that “oil spills would not significantly add to cumulative impacts,” runs contrary to available evidence. Various salmon runs, and other fisheries, have been wavering in various states of crisis for the last several years. The portrayal that all is well with Alaska’s fisheries is irresponsible.

00384-100

§4.7.3 Birds and Mammals

§4.7.3.1 Habitat Loss, Alteration, or Enhancement

The cumulative loss of habitat due to TAPS operations is huge. Lost habitat is spread over an extremely large area, making its impact in terms of fragmented habitat far larger than the 21,550-acre figure you cite.

North Slope development activities cause significant changes in species composition. By favoring scavenging critters, and destroying large predators, these operations have a significant impact.

00384-101

The cumulative impacts to birds and mammals should include a recognition that weakening the ecosystem's ability to adapt to other, large-scale changes (eg. global warming), can push the area beyond an invisible threshold where adaptation will no longer be successful.

00384-101
(Cont.)

§4.7.7.3.2 Disturbance or Displacement

1,200 helicopter flights in support of offshore operations alone indicates that TAPS is introducing a profound disturbance. Helicopters are very annoying to most critters, and have been documented to affect the viability of populations.

00384-102

The assertion on p. 4.7-98 that "operation of the gas pipeline project would have a negligible impact," is unfounded, and is patently false. The largest construction project in the history of the nation would only have a "negligible" impact? Where does this information come from?

§4.7.7.3.3 Mortality

Please provide documentation and data to support the conclusions regarding mortality of predators (especially bears). This data should be easily available from ADF&G.

00384-103

§4.7.7.3.4 Obstruction to Movement

Please provide the latest documentation on the cumulative impact of movement blockage on critters.

00384-104

The assertion that "the gas pipeline...would...have no impact" is false. Clearings, disturbance and roads fragment habitat for many species.

§4.7.7.3.6 Summary

Please provide some reasoning for the statement that "it is expected that none of these activities would significantly increase impacts or affect the viability of species' populations." The on-the-ground truth, that critters are dying, and that the land is getting unhealthy, provides indications to the contrary. Something is very wrong. To say that everything is fine, and nothing will get any worse, is silly.

00384-105

§ 4.7.7.4 Threatened, Endangered, and Protected Species

The cumulative impacts to species of concern, including ESA-listed species, have self-evidently been significant. If they are pushed to the brink of extinction, quite clearly *something* has gone wrong. Please provide documentation to support the conclusions that impacts to ESA-listed and protected species are negligible.

00384-106

It is incorrect to state that "the proposed action would not affect the waters of the Beaufort Sea..." Offshore drilling there, with attendant pipelines, disturbance, and risk

00384-107

of spills, is integrally connected with TAPS. If the no-action alternative is selected, there would be substantial reduction in risks to the Beaufort Sea.

00384-107
(Cont.)

§4.7.8.1 Subsistence

It is incorrect that “any negative impacts that occurred would be extremely small.” Oil spills could wipe out some of the most significant and productive subsistence resources in the world. Even this DEIS, which makes every effort to excuse and diminish the reality of those impacts, admits as much.

00384-108

§4.7.8.2 Sociocultural systems

It is inaccurate to discuss impacts to the Native village of Eyak. The community of Cordova and village of Eyak are—for any practical purpose—one and the same place.

The statement that “the only documented subsistence areas in Prince William Sound are in Chenega Bay and Tatitlek,” is entirely false. There are subsistence use areas throughout the sound.

00384-109

§4.7.8.3 Economics

The figure of \$5-\$6 billion total costs for gasoline construction runs contrary to all reports we’ve seen. The cost would be somewhere around \$20 billion.

00384-110

The statement, on p. 4.7-116, that the Exxon *Valdez* spill created “significant benefits to the state and local economy that more than offset the economic damage to the fishing and tourism industries in Prince William Sound,” is incorrect, insulting, and demands apology to the fishers and natives whose livelihoods were destroyed.

Even what you evidently term “benefits” —the huge cash payments to individuals and corporations—hardly count as such. There are thousands of acres of elcacuts here now—created in an effort to get a footing after the spill, and aided and abetted by Exxon money. Tens of millions were spent building a tunnel from Whittier to the road system, with significant cumulative impacts to the Sound.

00384-111

§4.8.3 Irreversible and Irrecoverable Commitment of Resources

In what must be an astounding oversight or editing error, petroleum is not listed here as a resource which is irretrievably committed. Granting the application for ROW renewal will result in something like 9 billion barrels of oil, and unknown billions (or trillions) of cubic feet of natural gas being extracted and consumed. Once that stuff is sucked out of the earth, it isn’t going back. This omission borders on pathological denial.

00384-112

Thank you for thoughtfully considering these comments.

Sincerely,

Gabriel Scott
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Gabriel@etcak.net

Responses for Document 00384

- 00384-001:** 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.
- 00384-002:** The EIS addresses direct and indirect impacts of oil transportation from Pump Station 1 through the loading arm at the Valdez Marine Terminal. The cumulative analysis addresses impacts from North Slope oil production and marine transport in the tanker fleet. The analysis presented in the EIS is not fragmented, but as it considers the regulatory oversight authority of BLM for TAPS infrastructure and operations. The cumulative analysis reflects the natural boundaries of the North Slope and the marine environment of Prince William Sound. In response to your comment and others, the FEIS has added more analysis in Section 4.7, "Cumulative Effects."
- 00384-003:** The EIS clearly lists the owner companies in Section 1.1. Evaluation of corporate history that does not have a direct relationship to the TAPS renewal process is beyond the scope of this EIS.
- 00384-004:** Thank you for your comment.
- 00384-005:** Petroleum development in the Arctic National Wildlife Refuge was not considered in the DEIS because such an action is not possible without authorization by Congress. Without Congressional authorization, this action was considered to not be "reasonably foreseeable." As required by NEPA regulations, cumulative effects should include "reasonably foreseeable future actions." Because petroleum development in NPR-A has been authorized, development in this area is included in the cumulative effects assessment.
- 00384-006:** The reader is directed to Section 2.5, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."
- 00384-007:** The BLM has conducted an independent evaluation during this EIS process. Obviously, certain operational components of TAPS are under the direction of the applicant. When required for the EIS analysis, this operations information was used by the BLM.
- 00384-008:** A more detailed presentation of JPO oversight is presented in Section 2.2.3 of the FEIS.
- 00384-009:** Full evaluation of dismantlement, removal, and restoration (i.e., termination) activities will require separate National Environmental Policy Act documentation. The scope of this EIS could not cover detailed termination plans. Indeed, extensive engineering and environmental data will have to be collected prior to any termination decisions. However, Chapter 2 provides the basic assumptions concerning no action, and these basic assumptions were used in the EIS analyses.
- 00384-010:** Please note that Section 2.5 in the FEIS has been substantially revised to reflect public comment received on the DEIS.
- The BLM and JPO expect to continue to evaluate the effectiveness of APSC's ECP through a confidential survey that will seek input from all TAPS employees. Like the three prior surveys, this effort can provide broad measures of the confidence that TAPS workers have in APSC's ECP and can suggest areas needing improvement.
- The Bureau of Land Management is the lead federal agency for preparation of this EIS. Regardless of assistance provided in preparation and review of the EIS, BLM is responsible for its content.

00384-011: The issue of native hire is included in the discussion of consequences to sociocultural systems (Section 4.3.21.1). Beyond an evaluation of how Native hiring practices may produce impacts under the alternatives considered in the EIS, the topic is outside the scope of this impact analysis.

00384-012: Oil spill planning is required by the federal grant. Prescriptive requirements for contingency plans are established by State of Alaska regulations and federal statutes. See the discussion on spill contingency planning in Section 4.1.4. See the discussion of spill contingency planning in the Copper River Drainage in Section 4.4.4.3. See also the synopsis of the response to the bullet hole incident in October 2001 near Livengood in the text box in Section 4.1.1.8.

00384-013: The statement is meant to say that the fuel gas pipeline is maintained and operated in compliance with federal regulations. The statement has been revised to clarify that point.

00384-014: The relation between the Dalton Highway and the TAPS pipeline is explained in Section 3.1.2.1.4 of the EIS. Security for the TAPS is an issue of national importance. There are elaborate security measures and plans in place, involving numerous Federal and State agencies.

BLM has reviewed these confidential plans and agrees with them. Opportunities to strengthen these measures will always be pursued diligently by the agencies involved. Analyzing the disruption of traffic along the Dalton Highway due to security concerns, weather, accidents, and other highway activities is beyond the scope of the EIS.

00384-015: The communication system used along the TAPS pipeline is described briefly in Section 3.1.2.5 of the EIS. The system used to detect leaks in the pipeline is mentioned in the same section and is explained more fully in Section 4.1.2.9. BLM is aware of the capabilities and limitations of both systems and is making sure that they are relied upon only to the extent that they can support. BLM and other JPO member agencies would appreciate being notified of any specific problems and issues related to these systems. The public can contact the appropriate agency to report any problems.

00384-016: The fire protection and management systems at the TAPS facilities and relating to wilderness fires along the TAPS ROW are described in Section 3.1.2.1.6 of the EIS. Operation and maintenance of the TAPS could affect the fire suppression decisions near the TAPS ROW.

The statements about the IRT and TAPS being required to comply with the TAPS Pipeline Oil Discharge and Prevention Plan (CP-35-1) (C-Plan) in Section 3.1 are correct and retained as is. BLM and other JPO member agencies make sure that the C-Plan is followed.

Security for the TAPS is an issue of national importance. There are elaborate security measures and plans in place, involving numerous Federal and State agencies. BLM has reviewed these confidential plans and agrees with them. Opportunities to strengthen these measures will always be pursued diligently by the agencies involved.

Table 3.1-6 is a summary of the major oil spill contingency equipment available for the TAPS.

Details on the equipment available and procedures in place for emergency response are given in the Oil Discharge Prevention and Contingency Plans cited in Section 4.1.4 of the EIS. These documents are available to the public during Plan review periods through various libraries in several major cities in Alaska.

- 00384-017:** Further information on present and future TAPS trade tankers is provided 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 focus of the EIS is on activities associated with continuing TAPS operations. The activities not associated with TAPS are considered only as part of the cumulative impact analysis, which is given in Section 4.7 of the EIS.
- The "Prince William Sound, Alaska Risk Assessment Study (Det Norske Veritas et al. 1996 – see Section 4.9 of the FEIS for reference) was a detailed analysis of the potential causes, frequencies, and volumes of postulated spill scenarios associated with TAPS tanker operations. The 75% reduction in risk is an estimate based on enhanced spill capabilities, revised operational changes, etc. that were implemented after the Exxon Valdez spill.
- The comment is incorrect in stating that there is a "one in four chance" of an Exxon Valdez-size spill. The frequency of catastrophic spill events in the Prince William Sound is provided in Table 4.7-6 of the EIS.
- 00384-018:** Figure 3.1-5 in the DEIS (Map 3.1-2 in the FEIS) is intended to show the major features related to tanker traffic in the PWS. The current figure meets the intended goal for the EIS and has been retained.
- 00384-019:** Figure 3.1-6 in the DEIS (Map 3.1-3 in the FEIS) is intended to show the major features related to the North Slope. The current figure meets the intended goal for the EIS and has been retained.
- 00384-020:** The TAPS EIS includes many activities associated with oil development, including oil field support. The TAPS EIS is based on the best estimates of the future oil throughput and it includes future development and production. In order to bound this range, the assessment of the impacts of TAPS operation for the renewal period was based on the bounding potential consequences of this range. The production of oil from areas where this activity is permitted will depend upon a great many factors, including pricing and availability from existing fields. It is not possible to predict how future demand will be met on an oil-field-by-oil-field basis. The EIS considers exploration, development, and production in ANWR to not be reasonably foreseeable according to current law and regulations.
- 00384-021:** Potential problems caused by heave and subsidence are being monitored regularly (Section 3.3.2.2). JPO oversight ensures that VSM stability is maintained.
- 00384-022:** Tables 3.3-1 and 3.3-2 in the EIS list the active contaminated sites along the TAPS pipeline and at the VMT, respectively. Contamination on the North Slope from oil exploration and production activities is addressed in Section 4.7 of the EIS as part of the cumulative impact analysis.
- With regard to the spill volumes listed in Table 3.3-1, the data reported were taken directly from the referenced 1999 APSC report on the status of contaminated sites along the pipeline. TAPS owners provided spill volumes to the contractor who developed the cited report. Since the EIS spill analyses relied on the TAPS Spills database along with data reported to ADEC (reference ADEC 2001b, the official record on historical spills), for consistency purposes, the data on spill volumes from the ADEC official database are now reflected in Table 3.3-1. There is no independent verification of the spill volumes reported by the TAPS owners.
- 00384-023:** Where reported in either the official TAPS spills or the ADEC spills database, spill volumes have been provided in Table 3.3-2.
- 00384-024:** The storage tank farms of the Valdez Marine Terminal are on bedrock, and their elevations are 400 ft above the local sea level. Other on-shore equipment is located above the 30-foot run-up of the tsunami reported by the USGS in the 1964 earthquake. The Valdez Marine Terminal is, therefore, considered to be on "high ground."
- 00384-025:** The volume of sand and gravel and quarry stones used by the TAPS can be found in Table 3.5-1.
- 00384-026:** The prehistory of the North Slope is summarized in Table 3.26-1. The table includes the primary known prehistoric cultural traditions that have been identified for the North Slope.

00384-027: Section 3.7.1.5 has not been retitled. Section 4.4.4.3 discusses the impacts to the Copper River drainage and two of its tributaries, the Gulkana and Tazlina Rivers. See specifically the text box on oil spill planning for the Copper River Drainage.

00384-028: The total number of identified spills in the DEIS from 1977 through 1999 are specific to the pipeline and Valdez Marine Terminal. It includes both crude oil and refined petroleum product spills (e.g., diesel fuel), but does not include any of historical crude and product spills recorded at the North Slope and in PWS.

A total 10,577 crude and product spills have occurred for all operational segments of TAPS over the identified period. Therefore the pipeline and the terminal account for approximately 40% of the total number of spill for the entire system. It should be noted that most of these spills (~ 75%) were in very small quantities, less than 10 gallons and over 90% of the spills were less the 100 gallons.

The data on historical oil spills discussed in DEIS was based on an analysis of spills (from 1977 to end of August 1999) that was not updated to include small spills that may have occurred since September 1999. However, in light of the Livengood incident, the further analysis of oil spills was conducted through November 2001. Over the 27 month period, from the end of August 1999 through November 2001, an additional 132 spills occurred along the pipeline and at the Valdez Marine Terminal. Over 90% of these spills were also less the 100 gallons. The spills since August 1999 included 18 spills over 1 bbl and 4 spills over 10 bbls. Only one spill, the Livengood bullet hole, was over 100 bbls.

The TAPS spills database shows a total of 64 spills to water at the VMT, mostly associated with tankers. Information on the Atigun spill of June 1979 added to the text. In this spill, oil entered the Atigun River and produced an oil slick that traveled 25 miles downstream. Behr-Andes et al. reference (Tundra Spill Cleanup and Remediation Tactics: A Study of Historical Spills and Literature 2002) added to the reference list.

00384-029: The possibility of the introduction of nonindigenous organisms via untreated segregated tanker ballast water is addressed as part of the analysis of cumulative effects in Section 4.7.7.2.1.

The EIS correctly identifies that BWTF discharges are below current NPDES permit limits and that concentrations of monitored chemicals are within levels established. This does not mean that there is not some accumulation of PAHs in sediments surrounding the BWTF diffuser near the VMT, just that those levels do not exceed the current sediment quality guidelines for protecting aquatic organisms.

Accumulation of PAHs 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. Instead of stating that BWTF effluent is unlikely to impair sediment quality, the EIS was revised to state that sediment concentrations of PAHs in sediments and water due to BWTF operations are not expected to change substantially as a result of the proposed action and to cite and discuss results of the recent monitoring efforts.

00384-030: The title of the Text Box on page 3.11-6 of the DEIS has been changed to "Spill Prevention Measures Associated with TAPS-Released Marine Transportation."

A total of 345 crude oil spills associated with TAPS-related marine transportation has been recorded from 1977 to 1999. This includes spills at the loading dock, harbor, harbor approaches, and domestic destination ports (e.g., California, Hawaii, and Washington State). A total of 279,727 barrels of crude oil was spilled during this time period. The Exxon Valdez oil spill incident on March 24, 1989 had the greatest impact of all recorded oil spills; the impact of this oil spill was catastrophic in the short-term.

00384-031: 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 during the renewal period. The EVOS is also included as a past action, which is cumulative with present and future action in Section 4.7, which addresses cumulative impacts. This EIS is not intended to provide an exhaustive treatment of the environmental EVOS and does not attempt to provide a detailed list or to quantify the impacts caused by the EVOS. The basis for the discussion of EVOS and the environment after EVOS is based on the best scientific reports available for that purpose. Also, please see Section 4.4.4.13.

00384-032: Please see Section 4.3.2 of the FEIS (Soils and Permafrost) for additional information.

00384-033: The text in Section 3.16.5 has been modified to reflect the fact that soil may remain at the ADEC-approved stockpile locations for longer periods (4 years in the case of the VMT) or for periods sufficient to accumulated sufficient volumes to support efficient transport. In any case, stockpiling of soils is performed in accordance with an ADEC-approved plan. The record shows that substantial quantities of contaminated soils have been delivered to the commercial facility for thermal treatment. See C.6.12 for details.

00384-034: Chapter 3 deals with the affected environment of the TAPS right-of-way. However, potential cumulative health and safety impacts (see Section 4.7.6.11) were evaluated for the North Slope oil fields. For example, the issue of occupational exposures to naturally occurring radioactive material (NORM) was discussed for oil production operations workers on the North Slope or during pipeline dismantlement. However, procedures in place for surveying equipment for the presence of NORM indicates little potential for exposures. Also discussed in the cumulative impacts section is that the risks of injuries and fatalities from physical hazards to oil and gas exploration workers are expected to be comparable to the historical industry rates.

Protection of spill clean-up workers is regulated under the Occupational Safety and Health Act and is beyond the scope of the EIS. However, as emphasized in the section on potential impacts of oil spills on human health and safety, minimizing the exposures of spill cleanup workers is a very important consideration. The BLM and JPO are committed to ensuring the effectiveness of APSC's health and safety program.

00384-035: Additional references and discussion have been added to Sections 3.19, 4.3.16, 4.4.4.10, and 4.7.7.2. Section 4.4.4.10 also includes additional information about the status of fish populations potentially affected by the Exxon Valdez oil spill and identify that while some species appear to have recovered, herring have not.

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.

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.

00384-036: The section cited in the comment (3.23.5) is in the description of the economic affected environment; in that passage, it notes that assigning a monetary value is difficult, and that it is done to establish relative economic importance. An entire section devoted to subsistence (Section 3.24) follows the economics discussion, and the DEIS devotes two appendices specifically to subsistence (Appendices D and E). The treatment of subsistence in Section 3.24 explicitly acknowledges three roles that subsistence plays: economic (in the sense of providing necessary resources, not necessarily measured in terms of monetary value), sociocultural, and ceremonial, which is consistent with the claim made in the comment. The treatment of subsistence, particularly with regard to Alaska Natives, follows this economic-sociocultural-ceremonial approach throughout the DEIS. Subsistence impacts are in no way evaluated in terms of monetary value.

With regard to beginning discussions with Alaska Natives, beginning in April 2001, contact was established with Alaska Natives throughout the State of Alaska regarding the TAPS right-of-way renewal and the planned EIS. Eventually, the Bureau of Land Management identified 21 villages that may be directly affected, and government-to-government interaction has occurred with those villages throughout the DEIS preparation. In April 2002, a meeting was held with representatives of the Alaska Federation of Natives and Tanana Chiefs Conference to discuss this and other issues associated specifically with the evaluation of subsistence impacts. Although some information was provided, no actual data were sent that would enable the improvement of the subsistence analysis. That same month, the 21 directly affected tribes associated with the TAPS were contacted by certified letter to invite their participation in providing additional traditional ecological knowledge explicitly associated with subsistence issues in the DEIS. To date, no response to those letters has been received.

00384-037: Nowhere does the EIS state or imply that the Eyak culture is worthless. Section 3.25.1.1.8 in the FEIS has been reworded to clarify its intent and the discussion of the Eyak as a sociocultural system. It is important to distinguish between the traditional Eyak sociocultural system and the Native Village of Eyak, which the revised section attempts to do.

00384-038: Gates of the Arctic National Park and Preserve and the embedded wilderness areas were designated in December 1980, after the TAPS was in place and operating. The pipeline corridor is east of the east boundary of the park and the wilderness. Because TAPS was in place prior to most wilderness designations in Alaska, its existence pre-empted wilderness consideration of the pipeline corridor. The Arctic National Wildlife Refuge was originally designated as the Arctic National Wildlife Range in 1960, prior to the existence of the TAPS, and was subsequently expanded and renamed as the Arctic National Wildlife Refuge, in 1980, after the TAPS was in place and operating.

00384-039: Environmental justice evaluations focus on low-income and minority populations, as directed by the Executive Order that defined this issue in the context of activities by federal agencies (see Section 3.29). Environmental justice impacts, which must meet the requirement of high and adverse, are anticipated under the no-action alternative (Section 4.6.2.25), certain spill scenarios associated with the proposed action (Section 4.4.4.19), and certain spill scenarios under cumulative impacts (Section 4.7.8.7; note that text has been changed in this section to reflect such impacts). The evaluation of impacts to wealthy persons is beyond the scope of this EIS.

00384-040: Thank you for your comment. Existing mitigation measures are presented in Section 4.1 as they relate to potential impacts of the proposed action and alternatives. Possible mitigation measures that could be implemented as part of the renewal are provided in Section 4.8.4. The implementation of mitigation measures are not National Environmental Policy Act alternatives, and are therefore not discussed under the description of alternatives.

Please see Section 2.5 regarding the subject of an escrow account for DR&R.

Please see Section 2.5 regarding the subject of periodic audits.

Section 29 is a specific provision in the Federal Grant of Right-of-Way for TAPS that addresses aspects of Alaska Native employment on the TAPS (APSC and contractor employment). The need for this provision arose in the early 1970s in conjunction with the settlement of Alaska Native land claims and the construction of the TAPS.

Section 29 of the Federal Grant requires four things of the permittees:

- 1) An agreement with the Secretary regarding recruitment, testing, training, placement, employment, and job counseling of Alaska Natives;
- 2) A training program for Alaska Natives designed to qualify them for initial employment and later advancement;
- 3) Try to secure employment of successful trainees and report to the BLM's Authorized Officer regarding discharge of Alaska Natives; and
- 4) Furnish required information about Alaska Native employment to the Authorized Officer.

Alaska Native Utilization Agreement (ANUA) was first executed in 1974 and more recently updated on a tri-annual basis, starting in 1995. The most recent agreement was signed in 2001. The agreement provides the basis for implementing the requirements of Section 29. The BLM has a Native Liaison officer whose responsibilities include close oversight of the Section 29 program at APSC. Any shortcomings or other agreement goals not being met are highlighted for special attention. Like any other provision of the Federal Grant, the BLM can enforce this provision by requiring permittees to take actions to remedy any deficiencies noted.

The BLM recognizes the need to provide long-term assurances that the provisions of Section 29 will not, over a long period of time, be forgotten about. Therefore, based on comments received, the BLM has engaged APSC in negotiations that will lead to a written mechanism or a procedure for ensuring that the provisions of the ANUA (and hence, Section 29) are adhered to.

00384-041: The reader is referred to Section 2.5 of the FEIS, "Alternatives and Issues Considered but Eliminated from Detailed Analysis."

00384-042: The section referred to in this part of the comment points out that nominal impacts result from site access by various means, although the actual inspection activities have no notable impacts. Subsequent sections immediately following this one in the EIS describe impacts that could be expected to result from repair work undertaken as a result of monitoring, e.g., corrosion digs.

The BLM and member agencies of the JPO work diligently to ensure the safe operation of TAPS. The BLM has the necessary authority under the Federal Grant and TAPAA to rigorously enforce compliance with all current and future stipulations.

Section 4.3 of the EIS describes anticipated impacts that would result from renewal of the TAPS right-of-way in significant detail. It describes impacts that could be expected from routine operations and includes a separate spills analysis sub-section as well. In both cases, impact analyses are classified by environmental, social-cultural, and economic elements to facilitate review of the document.

00384-043: The analysis of the impact caused by spills, including potential earthquake-triggered spills, are provided in Sections 4.4.1.3 and 4.4.4. The Trans Alaska Pipeline System Pipeline Oil Discharge Prevention and Contingency Plan details the response in case a spill occurs.

- 00384-044:** The volume of sand and gravel and quarry stones used by the TAPS can be found in Table 3.5-1. The locations of these Operations Material Sites (OMSs) and their size of work areas are also listed. Most of the sites are co-used with the Alaska Department of Transportation and Public Facilities.
- Standard engineering practices are implemented to minimize the amount of silt in runoff water from the excavation sites.
- 00384-045:** No paleontological resources are currently known to exist in the ROW. As stated in Section 4.3.5, no impacts to paleontological resources are anticipated. If paleontological material is discovered along the pipeline it will be reported under Stipulation 1.9.2 of the federal Grant and lease. Section 4.4.4.2 states that the heavy machinery used during spill response represents the greatest risk to paleontological material during a spill. No studies have been conducted to identify the effect of oil on paleontological resources. The revised version of Section 4.7.8.4 discusses the early phases of the Exxon Valdez oil spill cleanup.
- With regard to impacts of oil exploration and development in the Arctic, which in some cases could be a cumulative impact, Section 3.6 notes the federal and state laws that protect such resources. Any potential impacts to paleontological resources would be addressed under those statutes.
- 00384-046:** As discussed in Section 4.4.3, major impacts to hydrological resources could be produced by unlikely and very unlikely spill events (e.g., an airplane or helicopter crash into the pipeline that causes a guillotine break of the pipe and a release of the crude oil directly to a river or stream). Impacts from water use, however, are small based on the volumes of water required. Historically, these impacts have been small, local, and temporary. With use projected to be about the same as that seen previously, the anticipated impacts are expected to be the same.
- 00384-047:** The EIS discusses the management of hazardous wastes and materials at TAPS facilities and the regulatory controls thereof. Regulatory controls are established to prevent adverse impacts to public health and the environment. Thus, it is important to discuss how those regulatory controls apply to TAPS activities. As to radioactive waste, see Section C.6.10 for a description of radioactive wastes associated with TAPS operations.
- 00384-048:** The last sentence in that section refers to JPO surveillances that indicate, "that APSC's electrical code compliance has improved." JPO (2001a) states that APSC is, in fact, in compliance with the National Electrical Code (NEC). The improvement is in the recent overall trend in NEC compliance on TAPS.
- 00384-049:** The only PBT chemical associated with TAPS operations is benzo[a]pyrene, a component of crude oil. Potential for inhalation exposure of the general public to this substance is low, because it is not volatile. The main potential pathway for exposure would be through foodchain pathways, risks from foodchain exposure pathways are extensively discussed in Section 4.4.4.7.
- 00384-050:** The EIS summarizes available information that characterizes past impacts of TAPS and existing conditions in the TAPS region. Based on this review of available information, the EIS does not conclude that the impacts of TAPS have been devastating for any species. Although TAPS may have an effect on individual organisms in the vicinity of the facility, there is no evidence to indicate that species populations have been jeopardized by TAPS construction or operation.
- 00384-051:** The impacts identified in the comment have been included in the impact analysis in Section 4.3.15. The impact analysis took into consideration recently established restoration performance requirements which include the requirement that restoration of disturbed areas "be completed as soon as practical after the disturbance", and "restoration will be evaluated by the Authorized Officer and Pipeline Coordinator on a site-specific basis", considering, among other things, whether the disturbed site has been returned, to the extent possible, "to its original or normal physical condition and natural biological productivity and diversity with reestablishment of native plant and animal species" (Brossia and Kerrigan 2001).

00384-052: Impacts to fish from the proposed action are discussed in Section 4.3.16. The conclusions of that analysis are that that while the proposed action could affect fish habitat and individual fish, operations are not expected to substantially affect fish populations during the renewal period.

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.

00384-053: Text in Section 4.3.16.1 has been corrected to identify that an ADF&G Title 16 permit is required for water withdrawals in overwintering areas.

00384-054: As discussed in Sections 4.3.17 and 4.7.7.3, some individuals are adversely impacted by the operation, monitoring, and maintenance of TAPS. However, no population-level adverse effects would be expected. As discussed in Section 4.4.4.11, even the largest land-based spill (that has an unlikely to very unlikely potential to occur) would only impact a relatively small area (i.e., <84 acres). Thus, permanent contamination of vast areas of valuable habitat would not be expected.

00384-055: As discussed in Sections 4.3.17.2 and 4.7.7.3.2, some individuals are adversely affected by disturbance (e.g., from aircraft noise or human presence). However, results from the research studies on this topic that are cited in the EIS have demonstrated that no adverse population-level effects have occurred from disturbance. Additionally, a number of mitigative measures (e.g., permit stipulations) are in effect that place spatial and temporal restrictions on activities that could disturb wildlife resources.

00384-056: Section 4.3.18 discusses the impacts of routine operations of TAPS. Routine operations do not result in any impacts to the Beaufort Sea. Drilling and other related activities that could affect the waters of the Beaufort Sea are considered in Section 4.7.7.4, which discusses cumulative impacts. The impacts of spills are considered in Section 4.4.4.12.

00384-057: The accompanying text in Section 4.3.18 provides a discussion of the potential impact of effluent discharge on species in Port Valdez. Table entries have been modified to indicate that impacts of effluent discharge on threatened and endangered species are not anticipated.

00384-058: Section 4.3.18 of the EIS describes the impacts of routine operations of TAPS on threatened and endangered species. The impacts of spills on these species are presented in Section 4.4.4.12.

00384-059: Other environmental impacts of production and exploration in the North Slope are considered in Section 4.7, “(Cumulative Impacts) of the EIS.”

While employment in the larger, more productive fields has been declining, an increasing share of production is expected to come from a larger number of smaller, more labor-intensive fields. Because it is difficult to predict the extent to which employment in newer, smaller fields would replace employment in older, larger fields, North Slope oilfield employment was assumed to remain constant.

00384-060: Government-to-government consultants heard prior to and during the preparation of this EIS are discussed in an expanded section in the FEIS (see Section 5.3). The executive order 12898 defining environmental justice is discussed in Section 3.29; its focus is on the identification of high and adverse impacts that affect minority and low-income populations, not on the sovereign status of Alaska Natives. The role of an EIS is to evaluate the likely environmental consequences of specified federal actions. It has absolutely nothing to do with the implementation of recommendations from Alaska Natives or any other group, apart from considering suggestions on the scope of the impact analysis (see Chapter 2, including Section 2.5).

00384-061: The comment states “renewal will result in oil spills at least as large and frequent as during the first 25 years.” In estimating the spill volumes for spills belonging to the anticipated and likely categories, the EIS staff used the historical data from TAPS, in effect, agreeing with the assumption made in the comment. However, the TAPS owners in conjunction with the appropriate regulating bodies have instituted a number of activities that are intended to reduce spill volumes and frequencies (See Section 4.1 of the EIS). To the extent that these activities are successful, it may be expected that future spill frequencies and volumes will be less than those historically seen in the past.

The rationale for the four frequency ranges is provided in the third full paragraph of Section 4.4.1.1 of the EIS. These frequency ranges are consistent with recent NEPA documents for other pipeline projects.

A listing of available literature considered in the spills analysis is provided in the first full paragraph on page 4.4-2 of the EIS. Historical spills data was confirmed by a number of sources, including the ADEC database and information from the U.S. DOT Office of Pipeline Safety. In addition, spill scenarios considered in the EIS are consistent with contingency planning data from the Alaska Regional Response Team.

00384-062: The frequencies in Tables 4.4-1 and 4.4-2 are estimates of how often a spill of a given magnitude may occur. That is not to say that these spills will occur, only that it is probable that a spill of this magnitude will occur over the time period specified.

A large number of spills have occurred over the 25 years of TAPS operations, however, a large number of these spills were of low magnitude (on the order of gallons) and occurred on locations such as the work pad where the spills were cleaned or no permanent contamination of the environment occurred.

The frequencies shown in Tables 4.4-1 and 4.4-2 were derived from available data, including spills that occurred during 25 years of TAPS operations and from sources such as the U.S. Department of Transportation, Office of Pipeline Safety, and other NEPA documentation. A medium level of confidence may be expected from application of these various sources of spill frequency data.

The impacts from postulated spill scenarios along the pipeline and at VMT are provided in Sections 4.4.2 through 4.4.4 of the EIS. In general, the consequence of a low-frequency event is higher than the consequence of a high-frequency event. However, the risk, which is obtained by multiplying the frequency and the consequence of an event may be higher or lower for accidents belonging to different frequency categories, depending on the relative magnitude of the two values being multiplied. Generally, the risk is lower for high consequence events because of the much lower frequency, but if one of those accidents were to occur, the consequences would be much higher. Table 4.4-1 in the EIS indicates that the frequency of a guillotine break accident due to an aircraft crash without fire is 0.0086 per year for the entire length of the pipeline. For any given short segment of the pipe, the frequency estimate is considerably less, and for some parts of the pipeline far from airports, the frequency estimate is essentially zero. Given the generally larger consequence for large break accidents, one would expect that the risk from such an accident would be larger than a smaller accident but with similar frequency.

00384-063: Section 4.4.2 discusses the fate and transport of crude oil in inland waters. As discussed in this section, lighter oil fractions are likely to evaporate quickly from the water surface. Less volatile components are likely to remain for substantial periods of time. As stated in the text, in sheltered rock shores and marshes, it can take on the order of one year to lose one-half of the material deposited. Depending on the volume of oil deposited, these areas could remain significantly contaminated for many years. No change is required in the text.

00384-064: An example of an ignition source was given in the EIS, and it did not state that this ignition source was the only way that a pipeline fire could occur.

00384-065: The DEIS and FEIS utilized information from a variety of government, industry, academic, and not-for-profit sources. There was no attempt to a priori exclude sources of information for use in the EIS.

00384-066: The size of the maximum contaminated area applies to the land only. Additional impact to surface water bodies is likely to occur if a spill occurs near the surface water bodies. Such impacts are addressed in Sections 4.4.4.3, 4.4.4.4, and 4.4.4.5.

00384-067: The text referred to in the comment deals with "Anticipated spills" with an expected frequency of 0.5/year or more. In this frequency range, the worst event would be an instantaneous leak of 100 barrels of diesel fuel during pipeline or pump station operations. A much larger spill would not occur in this frequency range.

The spill scenarios shown in Section 4.4.4.1.2 of the DEIS deal with continued TAPS operations; postulated spills during marine tanker operations (akin to the Exxon Valdez spill) are provided in Section 4.7.4.10.4 of the DEIS.

The upper bound of 2,268,000-gallons arises from the installation and operation of fast-closing valves along the TAPS that limit the amount of crude oil that could be spilled during a leak or break of the pipeline.

The value of 48 hours to stop the leak is based on a simple time-and-motion analysis that considered leak detection, movement of repair crews to the spill site, etc. It did not consider spill cleanup that would occur after the spill has been successfully stopped.

00384-068: No impacts to paleontological resources (fossils of vertebrate and invertebrate organisms) were identified during the Exxon Valdez spill. Section 4.4.4.2 notes that driving of heavy machinery over paleontological resources during cleanup activities likely would cause the greatest impacts to such resources due to a spill. Section 4.7.8.4 has been revised to discuss impacts to archaeological resources in the vicinity of Prince William Sound following the Exxon Valdez oil spill.

00384-069: Potential impacts to surface water resources from oil spills are discussed in Section 4.4.4. Note that it is not a total oil concentration of 1 ppb that has been shown to have potential effects on fish reproduction, but 1 of PAHs, one component of oil. Section 4.4.4.10 considers a spill in the Yukon River, and concludes that the dilution of oil in such a large river with high flow would reduce impacts to fish. However, potential impacts from aqueous phase contaminants (such as PAHs) are still considered. 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 TAP 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 the river. Section 4.4.4.14 is consistent with the conclusions regarding potential impacts to fishery resources. Revisions in the FEIS also include the possibility of impacts from perceived damage to subsistence resources.

00384-070: Impacts of a spill to frozen water are discussed qualitatively in Section 4.4.4.3. Because site and time-specific conditions would control the fate and transport of oil, it is not possible to quantify such a spill with any certainty. Because of potentially increased response times (due to cold weather), and the possibility that the oil could get into open water beneath the ice, impacts could be substantial, depending on the volume of oil released. The text was modified to state that the situation is further exacerbated by the presence of ice that could impede recovery activities.

00384-071: As discussed in Section 4.4.4.3.2, the effectiveness of remediation activities once a slick is either contained or diverted to an appropriate containment site is not evaluated. Instead, the percentage of oil "subject to capture" is calculated as a measure of response effectiveness for each of the spill scenarios analyzed. Additional text has been added to clarify that 100% of the oil being subject to capture does not mean that 100% of the oil would be removed. In fact, such high recovery rates are generally impossible even under ideal flow conditions.

00384-072: The DEIS did not assume that all spills were instantaneous in nature. In fact, most of the spill scenarios that have larger releases were assumed not to be instantaneous in time.

The text in Section 4.4.1.1 of the DEIS indicates that the spill duration accounted for the time required to detect a leak, locate it if it is not immediately obvious, and shut down the pipeline. One of three spill release duration ranges was assigned to each spill scenario, instantaneous (less than one hour), short (few hours up to a day), and prolonged (several days to months). Tables 4.4-1 and 4.4-2 provide the release duration for various spill scenarios for the TAPS pipeline and the VMT.

00384-073: The impacts of spill on land are through the destruction of surface vegetation cover, which can result in the degradation of permafrost. They are described in Sections 4.4.4.1 and 4.3.2. Final disposition of cleanup is regulated by the Alaska Department of Environmental Conservation.

00384-074: The text of Section 4.4.4.7.2 gives additional information to aid in interpretation of Table 4.4-30. The table estimates "impact distances" for likely, unlikely, and very unlikely oil spill scenarios. The impact distance is the distance from the boundary of the spill area to the location where the ambient air concentration drops below the level possibly associated with serious health effects for short-term exposures of 15 minutes to an hour. The impact distance identified in the table for a likely scenario spill of 10,000 barrels assuming minimum hazard weather conditions and an oil pool depth of 3 in. is about 0.04 km (about 130 feet). The impact distance identified for a very unlikely scenario spill of 42,101 barrels assuming maximum hazard weather conditions and an oil pool depth of 1 in. is about 1.3 km (about 0.8 miles). Individuals located within these distances from similar oil spills could experience serious health effects, such as nerve disorders. The text states that any members of the general public located within the impact distance downwind of an oil spill should be evacuated for a period of several hours up to 24 hours, until the plume caused by the emitted air pollutants could dissipate. It should also be noted that the conditions of individual spills vary; impact distances would vary accordingly. The impact distance estimates given in this section are intended to gain an understanding of the range of likely impacts from varying types of oil spills under varying conditions.

00384-075: The DEIS text clearly acknowledges that fish and shellfish noticeably oil-contaminated (for example, visually or by smell) are not fit for consumption. It is assumed that noticeably contaminated items would not be eaten and therefore would not present a human health hazard, although there would be serious negative ecological and economic impacts, as discussed in Sections 4.4.4.8 and 4.4.4.13.

Research to date indicates that fish and mammals exposed to fairly high levels of PAHs from spills or industrial contamination do NOT show high levels of PAHs in edible tissues, because of rapid metabolism and excretion of these compounds (many of these studies are cited in the Field et al. 1999 publication Evaluating and Communicating Subsistence Seafood Safety in a Cross-Cultural Context: Lessons Learned from the Exxon Valdez Oil Spill.) One of the chapters of Field et al. 1999, "Hazard and Risk Assessment of Crude Oil in Subsistence Seafood Samples from Prince William Sound: Lessons Learned from the Exxon Valdez", was written by Bolger and Carrington, toxicologists from the Food and Drug Administration responsible for evaluating the safety of seafood ingestion after the oil spill. Their assessment concludes that other components of crude oil, such as alkanes and low-molecular weight aromatic hydrocarbons, generally undergo environmental degradation and do not accumulate in seafood. These authors support the assessment of PAHs as the primary contaminants of concern for seafood possibly contaminated by crude oil spills, but also acknowledge some uncertainties with respect to bioaccumulation and toxicity of other substances such as heterocyclic aliphatic hydrocarbons (i.e. condensed thiophenes). Assessing the potential health impacts of PAHs in edible shellfish is currently state-of-the-art, but methods including analysis for and assessment of mutagenic condensed thiophenes may be developed in the future.

As stated in Section 4.4.3, the percentage of oil subject to recovery in a river such as the Yukon is used as a measure of the effectiveness of a response action. Text was added to indicate that considerably less than 100% of oil subject to capture would actually be removed at a containment site even under ideal conditions because of site and time dependent factors, such as high flow velocity, turbulence, the presence of ice, sediment load, dissolution, etc.

00384-076: Section 4.4.4.8 is an overview of the impacts to biological resources of spills. A more detailed discussion of these impacts (as requested in this comment) are presented in the follow-on sections focusing on impacts to vegetation, fish, wildlife, and threatened and endangered species.

00384-077: 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 TAP 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. Also, see the text box in Section 4.4.4.3 on oil spill response in the Copper River Drainage.

- 00384-078:** Your comments about the loss of bird life due to the EVOS are noted. Since the Exxon Valdez oil spill in 1989 and the enactment of the Oil Pollution Act in 1990, significant improvements have been made in the procedures, staffing, and the equipment needed to prevent and respond to potential oil spills from tankers in Prince William Sound. Among the improvements made were the following: (1) APSC's Ship Escort/Response Vessel System was established in July 1989 to help tankers navigate through PWS and to respond to potential oil spills, (2) new procedures were established and regulations put in place by the United States Coast Guard to better control the tanker traffic in PWS, (3) PWS Regional Citizens' Advisory Council was created to help plan for and oversee the oil spill prevention and response operations, (4) the amount of equipment and personnel available for oil spill prevention and response was increased, (5) more stringent training and personnel monitoring programs were established, (6) government oversight was increased, and (7) the spill prevention and response budget was increased dramatically. The currently available oil spill response capabilities and plans for PWS are summarized in Section 4.1.4 of the EIS and are provided in detail in the Prince William Sound Oil Discharge Prevention and Response Plan (Prince William Sound Tanker Plan Holders 1999).
- 00384-079:** Section 4.4.4.12 discusses the impacts of spills on threatened and endangered species. Large spills could have significant impacts on these species and these impacts are described in the text. None of the impacts are expected to jeopardize the continued existence of any species.
- 00384-080:** Changes in tourism marketing strategies as a function of oil spills related to renewal of the right-of-way for TAPS are speculative at best and are considered insignificant relative to the overall cost of marketing Alaska tourism.
- 00384-081:** Subsistence is extremely important; the EIS notes sociocultural and ceremonial roles in addition to its economic role (providing necessary resources) in Section 3.24. The importance of this topic is testified to by the amount of pages dedicated to the examination of subsistence, which total more than any other single topic. Oil can have a severe impact on subsistence and subsistence resources. Potential impacts on the latter are discussed in Section 4.4.4.14, in some cases being identified as serious and long-term, and the discussions of impacts on biological resources also notes the severe impacts possible (see Sections 4.4.4.8, 4.4.4.9, 4.4.4.10, 4.4.4.11, and 4.4.4.12). The text acknowledges long-term perceptions that affected the harvest and use of subsistence resources following the Exxon Valdez oil spill. The EIS relies on a range of sources to examine subsistence. Most have not been sponsored by Exxon, and in fact the data used to characterize subsistence are from the Alaska Department of Fish and Game (the most recent data collection funded by the Exxon Valdez Oil Spill Trustee Council).
- Section 4.7.8.1 has been modified to discuss subsistence before and after the Exxon Valdez oil spill in the five villages included in the EIS as directly affected by that spill. Section 4.7.8.2, in turn, has been modified to include a discussion of psychological impacts following the spill.
- Sections 4.4.4.15 and 4.4.4.15 (impacts to subsistence and sociocultural systems due to spills) have been modified to note disruption due to involvement of subsistence practitioners in oil cleanup activities.
- 00384-082:** The BLM agrees that the duration of impacting factors would be less if the Federal Grant is renewed for less than 30 years. However, the types and intensities of the impacting factors are not different between a 30-year renewal and a less-than-30-year renewal period. Thus, the less-than-30-year renewal period refers the reader to the 30-year renewal for a more detailed evaluation of impacts.
- 00384-083:** Termination activities (dismantlement, removal, and restoration) are fully recognized under the no-action alternative. Implementation of termination activities will require a separate National Environmental Policy Act decision-making process.
- 00384-084:** Thank you for your comment.

- 00384-085:** The TAPS EIS analyzes the environmental impacts of the no-action alternative, not renewing the federal grant and lease, which would result in termination of TAPS. The TAPS EIS analyzes the environmental impacts of the proposed action, renewing the federal lease, which would not result in termination. The fate of the TAPS at the end of the renewal period is speculative; the applicant may have the option of requesting further renewal or the applicant may not wish to renew. For this reason, termination activities are not analyzed for the proposed action. This approach is consistent with the requirements of NEPA and implementing regulations. At the time that termination is anticipated, further NEPA documentation will be prepared, including an analysis of specific termination activities. See Section 2.5 for additional discussion of the relationship of the proposed action and no action.
- The cumulative impact assessment, as required by NEPA implementing regulations addresses the impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency ... or person undertakes such other actions.” These actions include actions related to TAPS operations, such as oil transportation, as well as other actions with little or no relationship to TAPS operations, such as tourism. It is not the purpose of the cumulative impact assessment to analyze how other actions are related to TAPS operations.
- 00384-086:** In Section 4.7, a natural gas pipeline is included as one of the other reasonably foreseeable past, present, and future actions that were addressed in the cumulative effects assessments. However, petroleum development in ANWR was judged not to be reasonably foreseeable for the reasons stated in section, and thus was not addressed.
- 00384-087:** Refineries in Alaska are included as ‘other actions’ in the cumulative impact assessment because they are located within the geographic area where environmental impacts from continued TAPS operation are expected. The purpose of the cumulative impact assessment is to add the impacts of TAPS operations (and no action) to the impacts of other actions.
- There is no indication that renewal of the TAPS would lead to an increase in refining capacity in Alaska or elsewhere. As included in the TAPS EIS, the volumes of oil carried by TAPS have decreased in recent years and are expected to continue to decrease.
- 00384-088:** Cost estimates and mileage for a natural gas pipeline vary widely, depending on proposed right-of-way, facilities included in the estimate, and method of economic assessment. The source of the information is cited in the TAPS EIS. Routing alternatives and costs of natural gas pipeline development are continuously under revision. Recent media accounts mention much higher cost figures. The information provided in Section 4.7 is a representative of the range of options. The length of pipeline used in the TAPS EIS represents the Alaska portion of the route.
- 00384-089:** Section 4.7.4.5.2, Habitation and Development, has been modified in the FEIS to include the information provided in this comment.
- 00384-090:** As noted in other responses on this subject, the text in Section 4.7.4.8.1 of the FEIS has been changed to reflect this information.
- 00384-091:** As described in Section 4.7, the cutoff date for including other actions in the EIS was April 1, 2002.
- 00384-092:** Your opinion regarding the value of Table 4.7-7 is noted. This table is provided for anyone wanting to follow the links from impacted resources to past, present, and future actions. This is necessary because any one resource can be affected by several different activities associated with several actions. One of the major points of cumulative impact assessment is to look at the multiple causes of environmental impacts.
- 00384-093:** The natural gas pipeline is assessed as one of many reasonably foreseeable actions. Under the No Action alternative, these multiple actions would include construction of a gas pipeline and removal of the existing TAPS pipeline. Because natural gas could still be produced on the North Slope without oil production (although perhaps with more difficulty), construction of the natural gas pipeline is considered to be independent of TAPS operation. Thus, on page 4.7-62 for the No Action alternative, soils and permafrost would be impacted by both removal of the TAPS and construction of a natural gas pipeline.

00384-094: As described in the reference document (ADNR 2001), typical annual water use for oil exploration is about 27 billion gallons. While this quantity of water is very large, it is much smaller than the quantity of water available (about 10,000 billion gallons) on the North Slope in any given year. Because it is unlikely that all water needs would be met from a single source area, impacts would be small, scattered, and localized (as described in Section 4.7.6.4).

For analysis purposes, one must assume that laws, regulations, and permits would be followed. Clearly, violations of permits could have adverse impacts to the environment, but the degree of impact is uncertain and not quantifiable unless the magnitude and duration of the violation is known. If permit violations are known, it is the responsibility of the observer to report these infractions to the proper agencies (e.g., JPO) in order to prevent such events from occurring again. Similarly, if the observer does not agree with the conditions of the permit, proper agencies should be contacted to determine if adjustments are required in the permit to protect the environment.

00384-095: The comment is incorrect in stating that “small spills are rarely reported” because the State of Alaska requires operators to immediately notify the ADEC any discharge or release to water. This is in addition to federal requirements for operators to report spills to the National Response Center (NRC).

Most pollution incidents in Prince William Sound can be expected to be minor in nature involving spills of diesel oil, lube oil, crude oil and waste bilge oil. Determining response strategies in Prince William Sound is difficult due to the presence of seasonal icebergs, extremely deep water, remote geography, high winds, heavy seas, and environmentally sensitive flora and fauna. Not all spills in the PWS can be cleaned up. In the event that the location of a spill or weather conditions do not permit open water containment/recovery, protection of the shoreline areas of greatest environmental sensitivity becomes paramount.

00384-096: The existing transportation network in Alaska is more extensive because of the construction of TAPS as discussed in Section 3.15, but actual TAPS operations have shown a decrease in the use of the network over time as pipeline flow decreases. Pump stations have been and may be taken off-line, resulting in less transport of supplies and personnel along the pipeline. In addition, heavy use of the rail network is not made by TAPS operations. The majority of supply shipments and personnel transport are over the road or air networks, and maintenance and surveillance activities are also primarily conducted by road or air. The transportation network also supports oil refining and North Slope oil exploration and production. As discussed in Section 4.7.6.9, these later activities are significant users of rail transport. Such costs are borne by the users, the companies involved in these activities, not the taxpayer.

Security for the TAPS is an issue of national importance. There are elaborate security measures and plans in place, involving numerous Federal and State agencies. BLM has reviewed these confidential plans and agrees with them. Opportunities to strengthen these measures will always be pursued diligently by the agencies involved.

00384-097: Production of NORM wastes is not directly associated with the operation of TAPS. They do, however, result from North Slope oil production activities. As such, it is the North Slope oil production activities whose waste is ultimately shipped to Louisiana, not TAPS waste. Records reviewed indicate that management of North Slope NORM wastes is in conformance with applicable regulations. In addition, records (e.g., surveys) show that interim management of NORM wastes at North Slope locations also have had minimal impacts to the environment and public safety. See Section 4.7.6.10 and C.6.11.

Since state regulations for NORM waste transportation, disposal, and treatment are established by the appropriate regulatory process, which include public participation, at levels expected to prevent adverse effects on the environment and public health, it is reasonable to conclude that when the North Slope operators conform with these regulations there will be no adverse impact to the environment and public health.

00384-098: Your concern regarding environmental conditions and trends in the State of Alaska are noted. Existing baseline conditions for biological resources in the region influenced by TAPS are discussed in Section 3.18, 3.19, 3.20, 3.21, and 3.22. The cumulative impact of the proposed action and other actions is discussed in Section 4.7.

00384-099: The cited statement from Section 4.7.7.2.4 has been revised. Additional references and discussion have been added to Sections 4.4.4.10 and 4.7.7.2. regarding the status of fish populations potentially affected by the Exxon Valdez oil spill. Information provided by the Exxon Valdez Trustee Council (2002) reports that the sockeye and pink salmon are considered “recovering,” while Pacific herring is considered “not recovering.”

00384-100: Section 4.7.7.2.5 identifies that a large oil spill to aquatic habitats could have impacts similar to those that occurred as a result of the Exxon Valdez oil spill. It was concluded that small oil spills would not add significantly to cumulative impacts or affect the viability of fish populations.

00384-101: As discussed in Section 4.7.7.3.1, developments within the Arctic Coastal Plain (including the northern portion of TAPS) occupy only about 0.02% of the available land area. Reasonably foreseeable actions would not significantly add to habitat loss within the North Slope (see Section 4.7). Generally, the carrying capacity of wildlife in the North Slope are not habitat limited. Policies are now in place regarding food handling and wildlife encounters that lessen the potential to increase scavenger populations or the need to destroy predators to protect life and property. As summarized in Section 4.7.7.3.6, impacts associated directly with TAPS are only a small component of the cumulative impacts that occur to wildlife within Alaska.

While climate change and other global changes in the environment affect Alaska as well as other arctic areas, impacts from these large-scale changes cannot be attributed to renewal of TAPS. Assessing the impacts of global warming is beyond the scope of the EIS. No evidence was found that the effect of TAPS together with the other actions discussed in the cumulative effects analysis would push populations beyond a threshold where they could no longer adapt to global change.

00384-102: The statement referred to in the comment pertains primarily to disturbance or displacement of wildlife from operation and maintenance of a gas pipeline. As is the case for the operation and maintenance of TAPS (see Section 4.3.17.2), some individuals do experience disturbance and displacement. However, no population-level impacts have been observed. Once operational, maintenance and monitoring of a gas pipeline would be less substantial than for TAPS. Thus, the potential for impacts to wildlife would be lower. Additionally, stipulations to mitigate impacts to biological systems would be required for construction, operation, and maintenance of a gas pipeline (see Table 4.2-2 for relevant stipulations).

00384-103: Additional documentation and data to support conclusions regarding mortality of predators (especially bears) has been added to Section 4.7.7.3.3.

00384-104: Section 4.3.17.4 addresses impacts of ROW clearings on wildlife; while Section 4.3.17.2 addresses disturbance and displacement, including those associated with ROW monitoring and maintenance. Impacts from the gas pipeline addressed for cumulative effects, Section 4.7.7.3.4, would be similar to, but less than, those from TAPS. The gas pipeline would be buried, so localized impacts to wildlife associated with the gas pipeline ROW would primarily occur where trees would be removed for the gas pipeline. Localized impacts that occur from the aboveground portions of TAPS would not occur for the gas pipeline. Also, less disturbance would occur from the gas pipeline as there would be less need for vehicle inspections for an underground pipeline.

00384-105: The information (and supporting literature) provided in Sections 3.20, 3.21, 4.3.17, 4.4.4.11, and 4.7.7.3 provides a thorough discussion of the bird and terrestrial wildlife resources and their potential to be impacted by TAPS and other actions. While there have been adverse impacts to individuals of some species, no species populations have been jeopardized due to the construction, operation, and routine maintenance of TAPS or from developments within the North Slope oil fields.

00384-106: Section 4.7.7.4 acknowledges the significance of cumulative impacts on listed species. For this reason, cumulative impacts to threatened species are defined in the text as “moderate” and those to endangered species are defined as “large.” Please refer to Tables 4.7-9, 4.7-10, and 4.7-11.

00384-107: The proposed action addressed in the TAPS EIS is renewal of the grant and lease for a 30-year period. The TAPS EIS assesses the impacts of TAPS operation in and adjacent to the TAPS right-of-way, which extends from Mile 0 to the Valdez Marine Terminal. This area does not include the Beaufort Sea.

However, other activities, which send their oil to TAPS for transportation, such as oil development on the shores of the Beaufort Sea, are included in the cumulative impact assessment found in Section 4.7. This section includes a variety of oil development activities on the North Slope, including the Beaufort Sea.

- 00384-108:** The passage cited in the comment explicitly refers back to Section 4.3.20, which discussed the impacts of the proposed action, during routine operations, within the TAPS right-of-way, which ends at the Valdez Marine Terminal. Spills, which are not part of normal operations, are discussed in Section 4.4.4.14. In that section, spills into rivers or streams under some circumstances, are recognized to have “serious consequences for subsistence fisheries” which seems consistent with the position taken in the comments. When cumulative impacts are taken into account in Section 4.7, the marine transport of oil from Valdez is incorporated into the analysis, and the text has been revised to provide a fuller summary of the literature on subsistence impacts of the Exxon Valdez oil spill. However, with augmented spill prevention and containment practices, a spill of the magnitude of the Exxon Valdez is of exceedingly low probability, and so it is not included in the analysis of “reasonably foreseeable” activities.
- 00384-109:** The text has been corrected to note that Eyak is a part of Cordova, though mention of the village is maintained because it is one of the 21 directly affected villages identified by the BLM for special attention. The text also has been corrected to note the presence of subsistence harvest areas of Cordova in Prince William Sound as well (and these areas have been added to Map 3.24-1 and as a map in Appendix D).
- 00384-110:** Recent, unofficial accounts indicate that the estimated cost for the gas pipeline and associated facilities may be higher than earlier estimates.
- 00384-111:** 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.
- 00384-112:** 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.”

Document 00385

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Bristol Bay Native Corporation, an Alaska Native regional corporation, ABSOLUTELY believes that the right-of-way for the Trans Alaska Pipeline should be renewed for another 30 years. The renewal should be for 30 years because anything less could dissuade continued investment and exploration on the North Slope. The TAPS is vital to the State of Alaska's and its residents' economies.

00385-1

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Responses for Document 00385

00385-001: Thank you for your comment.

Document 00386

Document Info | Done

BLM TAPS Renewal EIS Argonne National Laboratory EAD/900 9700 S. Cass Ave.,
Argonne, IL 60439 Toll-free fax: 866-542-5904 Greetings!

I am strongly concerned for the protection of the Alaska Native Allotment Law under the Act the U.S. Congress, 1906. This precedence of legislation has not been given the consideration of individual allotment protection in the first granting of Right-of-way to the Alyeska Pipeline Service System. I personally, am concerned, particularly since the pipeline cuts off my access to the Highway and from my home, and futhermore lowering the value of my property and limiting my access to my property to four wheeler or by snow machine only. This problem was caused by the rush to build the pipeline and neglect to properly notify me as land owner as to adjusting a access height of the pipeline. Therefore, no effort to provide access was ever made. The Interior Secretary has not consulted Alaska Native Allotment owners in regard to impact of the Alyeska Pipeline Service System. Therefore, I would appreciate your consideration and effort to protect the Alaska Native Allotments created by the U.S. Congress. Thank you.

00386-1

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Responses for Document 00386

00386-001: BLM did not grant the TAPS ROW across Native allotments and is not renewing the TAPS ROW across Native allotments. Access issues on Native allotments are negotiated between the allottees, their representatives and the pipeline owners.

Document 00387

Document Info

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There have been several letters to the editor recently concerning the establishment of a citizen's advisory panel for the pipeline. A citizen's advisory panel is not needed and I advise against establishing one. A panel of this type would cost millions with no value added. Any individual or group already has ample access to get their concerns heard and acted upon. This can be done in any number of ways including direct contact with Alyeska, contact with any agency of the JPO, through the newspaper, etc.

00387-1

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Responses for Document 00387

00387-001: The reader is directed to Section 2.5 of the FEIS, especially the part that addresses citizen oversight.