



U.S. Department of the Interior
Bureau of Land Management

Willow Master Development Plan

Supplemental Environmental Impact Statement

FINAL

Volume 8: Appendices B to C

January 2023

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U.S. Department of the Interior
Bureau of Land Management
Anchorage, Alaska

In Cooperation with:

U.S. Army Corps of Engineers
U.S. Environmental Protection Agency
U.S. Fish and Wildlife Service
Native Village of Nuiqsut
Iñupiat Community of the Arctic Slope
City of Nuiqsut
North Slope Borough
State of Alaska

Estimated Total Costs Associated
with Developing and Producing this SEIS: \$3,350,000



Mission

To sustain the health, diversity, and productivity of the public lands for the future use and enjoyment of present and future generations.

Cover Photo Illustration: North Slope Alaska oil rig during winter drilling.

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Willow Master Development Plan

Appendix B

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January 2023

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Willow Master Development Plan

Appendix B.1

Scoping Process and Comment Summary

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List of Acronyms

BLM	Bureau of Land Management
EIS	Environmental Impact Statement
NEPA	National Environmental Policy Act

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1.0 PUBLIC ENGAGEMENT AND SCOPING PROCESS

Public involvement is an integral part of the National Environmental Policy Act (NEPA) process and is required in the preparation and implementation of agencies' NEPA procedures. The Bureau of Land Management (BLM) published a Notice of Intent to prepare an Environmental Impact Statement (EIS) on August 7, 2018, and held public scoping meetings from August 20, 2018, to September 18, 2018 (Table B.1.1). Meeting dates and locations were advertised on the BLM Willow MDP ePlanning website and through local media (print and radio). Flyers on meetings were also sent to local organizations to be posted in public locations.

Table B.1.1. Scoping Meeting Dates and Locations

Meeting	Date	Location
Public meeting #1	August 20, 2018	Utqiagvik (Barrow)
Public meeting #2	August 22, 2018	Fairbanks
Public meeting #3	August 23, 2018	Anchorage
Public meeting #4	August 27, 2018	Atkasuk
Public meeting #5	August 29, 2018	Anaktuvuk Pass
Public meeting #6	September 18, 2018	Nuiqsut
Community open house	November 1, 2018	Nuiqsut

The original scoping period was 30 days; however, it was extended by 14 days due to public requests and officially ended on September 20, 2018. The community of Nuiqsut was given an additional 8 days to comment, for a total of 52 days, because many community members were whaling during much of the scoping period. The scoping period was announced in the *Federal Register*, local newspaper ads, radio announcements, postcard mailers to the mailing list (including all post office boxes in Nuiqsut), a BLM news release, and the BLM Willow MDP ePlanning website. Public comments were received via email and mail and at public meetings.

The presentation used during public scoping, transcripts of each meeting, public and agency input received during the scoping process, and a summary scoping report are available on the BLM Willow MDP ePlanning website.

2.0 COMMENT SUMMARY

A total of 1,430 respondents submitted comments during the scoping period. Of these, the majority of comments were submitted via email or mailed-in letters (98%) and the remainder (2%) submitted verbally at public scoping meetings. Of the comment letters, the majority (95%) were submitted as form letters (i.e., letters containing identical content), while the remainder were either form letters with slight modifications (1%) (e.g., one or two unique sentences added, but otherwise identical to a form letter) or unique comment letters (4%) (i.e., original letters that did not have identical or almost identical wording as another letter). The 1,330 form letter submissions all originated from a total of five unique form master letters, some of which shared overlapping phrases or bullet points.

Nearly all respondents were individuals (99%), with the exception of one tribe, two Native corporations, one business, four organizations, and eight government agencies (Table B.1.2). Individuals who provided their business title or employer information in their letter or testimony but did not state that they were an official representative were counted as individuals as opposed to businesses or organizations.

Table B.1.2. Respondent Group Types

Respondent Group Type	Respondent Title
Tribes/Alaska Native Claims Settlement Act corporations	Native Village of Nuiqsut* Kuukpik Corporation Doyon Limited
Businesses and organizations	Alaska Chamber Audubon Alaska North Star Terminal and Equipment Services Resource Development Council Combined comment from: Alaska Climate Action Network, Alaska Wilderness League, Center for Biological Diversity, Conservation Lands Foundation, Defenders of Wildlife, Earthjustice, Northern Alaska Environmental Center, and The Wilderness Society
Government agencies	Alaska Department of Fish and Game* Alaska Department of Natural Resources (DNR) Division of Mining, Land, and Water* Alaska DNR Division of Oil and Gas* Alaska DNR Office of Project Management and Permitting* Alaska Department of Fish and Game* Alaska Office of History and Archaeology/State Historic Preservation Office* North Slope Borough* U.S. Environmental Protection Agency* U.S. Fish and Wildlife Service*

*Cooperating agency

Within each comment letter or verbal transcript, individual comments (i.e., stand-alone comments that relate to a single issue, idea, or conclusion) were identified and grouped into one or more of the following categories listed in Table B.1.3. Comment categories are either defined by individual resources which may be affected by the project, individual elements of the proposed project, or specific phases and aspects of the EIS/NEPA process (Table B.1.3). Categories are intended to describe the main topic or resource that is discussed in the comment, regardless of whether the comment is expressing opposition or support for the project as it relates to that topic. Any comments identified within form letters were categorized only once and counted as a single comment no matter how many form letters with that same comment were submitted.

Table B.1.3. Comment Categories

Resource Topics	Project Element Topics	EIS/NEPA Process Topics
Caribou and General Wildlife	General Statement of Support	EIS Process/Timeline
Subsistence	Proponent Track Record	Stakeholder Engagement
Safety/Emergency Response	Project Description	Cumulative Effects
Human Health	Mitigation	Alternatives
General Socioeconomics	Minimal Environmental Impacts	Request for Extended Scoping Period
Nuiqsut Socioeconomics	Integrated Activity Plan (IAP)	
Air Quality		
Water Quality		
Teshekpuk Lake Special Area		
Domestic Oil Production/Trans-Alaska		
Pipeline System		
Climate Change		

A total of 377 individual comments were identified from the various letters and verbal testimonies and categorized, as shown in Table B-4. Half of all comments (50%) fell into the following top five categories: General Socioeconomics, Subsistence, Nuiqsut Socioeconomics, Alternatives, and Proponent Track Record. Additional details concerning the content of comments and their key points are summarized in Table B.1.5.

Table B.1.4. Comments Received

Comment Category	No. Comments Received	% Total Comments
General Socioeconomics	67	17.8%
Subsistence	39	10.3%
Nuiqsut Socioeconomics	29	7.7%
Alternatives	26	6.9%
Proponent Track Record	26	6.9%
General Statement of Support	23	6.1%
EIS Process/Timeline	21	5.6%
Caribou and General Wildlife	20	5.3%
Domestic Oil Production/Trans-Alaska Pipeline System	18	4.8%
Human Health	17	4.5%
Project Description	15	4.0%
Air Quality	12	3.2%
Stakeholder Engagement	11	2.9%
Minimal Environmental Impacts	10	2.7%
Safety/Emergency Response	7	1.9%
Cumulative Effects	6	1.6%
Mitigation	6	1.6%
Teshekpuk Lake Special Area	6	1.6%
Climate Change	5	1.3%
Water Quality	5	1.3%
2013 Integrated Activity Plan	4	1.1%
Request for Extended Scoping Period	4	1.1%
Sum	377	100%

Table B.1.5. Comment Summary

Comment Category	Summary of Key Points
General Socioeconomics	Commenters requested that the EIS include an analysis of potential benefits to local/state/national economies resulting from construction/operation/indirect jobs, increased tax revenue and royalties, reduced TAPS tariffs, the NPR-A Impact Mitigation Grant Program, project-funded environmental/biological research, project-funded infrastructure (e.g., roads or pipeline spurs), a low-cost natural gas supply for Nuiqsut, and potential indirect environmental benefits resulting from these socioeconomic improvements. Comments stated that the EIS should identify the specific communities (including any that are low income or minority), federally recognized tribes, and corporations that could be impacted socioeconomically as a result of changes in subsistence-based economies and access to traditional use areas and traditional foods.
Subsistence	Commenters requested that the EIS evaluate the potential benefits of new roads for subsistence hunting, and for people who don't have off-road capable vehicles or snowmobiles. Respondents also indicated that the EIS should evaluate potential adverse effects of air/ground traffic, blasting/mining activities, and project infrastructure (including roads, gravel island, haul routes, gravel mine, or pipelines) on caribou migration patterns and other species of wildlife, and the resulting impacts to subsistence hunting, fishing, or whaling, especially for the Nuiqsut community. Nuiqsut community members requested that mitigation should be provided for any adverse impacts to Nuiqsut subsistence hunting. Kuukpik Corporation encouraged any analysis of access road impacts to include a thoughtful and balanced analysis of both potential adverse impacts (on caribou/avoidance effect, air quality, water quality or other resources) as well as potential beneficial impacts to subsistence hunters/access (in terms of the number of trips, areas able to be accessed, areas subject to reduced pressure, etc.). One comment requested that the BLM should not allow the gravel mine to be reclaimed and used as a human-made lake with artificially introduced fish for subsistence use. Respondents requested specific attention be given to important subsistence areas such as Fish Creek, Judy Creek, and Harrison Bay.
Nuiqsut Socioeconomics	Commenters requested that the EIS evaluate potential adverse socioeconomic or environmental justice impacts to the Village of Nuiqsut resulting from: health impacts and cost of medical treatment, subsistence impacts and cost of food subsidies, and increased use of public resources including health clinics and emergency response resources, as well as evaluating whether project-created jobs could specifically benefit the village of Nuiqsut. Some comments also stated that the BLM should re-evaluate NPR-A royalty distributions, and whether or not royalties are being distributed in a fair and equitable manner where the number of royalty shares are commensurate with the severity of impacts felt by the community. The Native Village of Nuiqsut requests that any analysis of potential impacts to tribal communities and resources be performed in accordance with their Project and Land Management Evaluation Rubric as well as Section VIII of the Alaska National Interest Lands Conservation Act.
Proponent Track Record	Commenters expressed confidence in the Project Proponent's (ConocoPhillips Alaska, Inc.) ability to construct and operate a project on the North Slope in an environmentally responsible and safe manner, working cooperatively with stakeholders and in a way that respects and protects the subsistence lifestyle of local communities.
General Statement of Support	Commenters expressed their general support for "responsible oil and gas developments" in the NPR-A, including the proposed Willow Master Development Plan.
EIS Process/Timeline	Most comments within this category encouraged BLM to complete the EIS analysis in a timely and efficient manner, consistent with new executive orders and secretarial guidance and focusing on the issues that matter most to the public. Commenters added that the sooner the project gets approved, the sooner project-related socioeconomic benefits can be realized for local and state economies. In addition, commenters encouraged the use of a science-based approach. Some commenters requested that BLM ask for additional time or page allowances beyond what is allowed in recent executive and secretarial orders to facilitate a more thorough analysis that will be less vulnerable to legal challenges.
Domestic Oil Production/TAPS	Commenters requested that the EIS include an analysis of potential increases in domestic oil production and associated benefits to national energy and economic security, and the long-term viability and integrity of the TAPS.

Comment Category	Summary of Key Points
Caribou and General Wildlife	<p>Commenters requested that the EIS evaluate potential impacts to caribou and wildlife migration patterns, flora and fauna, fish species, aquatic habitats, wildlife habitat, and fragmentation and associated wildlife impacts. These comments also stated that the evaluation should be done in a scientifically sound manner and should reference existing protections for flora and fauna in the NPR-A IAP/EIS. Specifically, some respondents asked that the EIS evaluate potential impacts to: special areas protected under the IAP and which have been set aside for their importance to caribou, including Teshekpuk Lake Special Area and Colville River Special Area; tundra habitats and species from thermokarst development; caribou migration patterns or avoidance effects from module delivery, aboveground/elevated pipelines, ice roads, and winter activities; shorebirds and waterfowl from habitat loss and aircraft flushing; bird species of concern from habitat loss and roads; whales, seals, and other aquatic species from the gravel island in Harrison bay; and fish species from road crossings and gravel mining. Other requested analysis in comments included: impacts of gravel island and vessel traffic on nearshore/aquatic habitats, fish passage, whales and marine mammal movement, polar bear movement, and bird migration. Kuukpik Corporation requested that at least one alternative be developed and evaluated in the EIS that is specifically aimed at minimizing impacts to caribou, such as modifying some of the infield road alignments to run parallel, instead of perpendicular, to caribou migration patterns, or an elevated loop system to reduce caribou deflection.</p>
Project Description	<p>Commenters requested that the EIS include more detail and explanation for the following project components: timing, design, and location of the proposed developments; reclamation activities; miles of ice roads per year; the difference between “other proposed infrastructure” and roads and pipelines; details concerning the timing and duration of blasting activities; plans for reclamation or continued use of the gravel mine site following project construction; wastewater discharge details; anticipated solid and hazardous waste generation and management methods; injection wells; and dredging and sediment disposal details.</p>
Alternatives	<p>Commenters suggested alternative elements of the proposed action should include: eliminating gravel island/ocean overland transfer in favor of ice road/overland transfer; removal of gravel island in lieu of leaving it in place; a different mine site location to minimize gravel hauling distances; eliminating the new Willow airstrip/runway and using the existing one at Alpine; using the existing central processing facility in Prudhoe Bay instead of building a new one; alternative drill site and road locations or road alignments (east-west instead of north-south); innovative pipeline designs, such as an elevated loop system; widening Willow Road for use as an airstrip in lieu of constructing an entirely new standalone airstrip; road routes with or without connections to Greater Mooses Tooth 2; a roadless alternative (aircraft only); making Willow or Nuiqsut a hub for future NPR-A developments as opposed to Alpine; eliminating or minimizing the number of roads or other proposed facilities within Teshekpuk Lake Special Area and Colville River Special Areas (specifically, eliminating the approximately 7-mile north-south drill site access road through Teshekpuk Lake Special Area or eliminating drill sites BT2 and BT4 and the roads to them); or any other alternative design that reduces the footprint of the project and reduces the amount of new infrastructure being proposed. In addition, the U.S. Environmental Protection Agency commented if unavoidable impacts to jurisdictional wetland and waters are proposed, an alternatives analysis to satisfy the Section 404(b)(1) guidelines of the Clean Water Act will be required to support a finding that the proposed discharge represents the “least environmentally damaging practicable alternative.”</p>
Human Health	<p>Commenters requested that the EIS consider potential adverse impacts of the project on human health as a result of air pollution, water pollution, stress, limited access to medical resources, changes in socioeconomic status, or changes in traditional way of life and diet. Specific concerns expressed by respondents include asthma and other respiratory and cardiovascular diseases, cancer, genetic mutations and endocrine disruption, bioaccumulation of toxins in animals and food, general exposure to toxins in air and drinking water, reduced access to traditional food sources or inadequate food supply. Some commenters indicated that a health risk assessment or health impact assessment may be warranted and that the BLM should consider partnering with local, state, tribal, and federal health officials to determine an appropriate path forward and to identify data needs. The Village of Nuiqsut requested that a qualified third party with no conflicts of interest be responsible for preparing the health impact assessment.</p>

Comment Category	Summary of Key Points
Minimal Environmental Impacts	Commenters generally indicated that they felt the project would result in minimal environmental impacts if the following industry standards or project elements are implemented: implementation of North Slope best management practices, use of existing road and pipeline infrastructure in the Alpine/Kuparuk areas and Colville River/Kuparuk River Units to minimize project footprint, maintaining standards for safety and emergency response, maintaining rigorous industry standards for environmental and subsistence protections on North Slope, and use of modern technology or design refinements to minimize the project footprint.
Air Quality	Commenters requested that the EIS evaluate potential air quality impacts from project emissions including fine particulate matter, diesel exhaust, anthrax released from thawing permafrost, benzene, hydrogen sulfide, hazardous air pollutants, ozone, smoke, and volatile organic compounds. Respondents stated that any potential sources of emissions should be described along with their associated air pollutants, such as heavy machinery, flaring of gas, activities or equipment that can cause fugitive dust or leaks, and marine vessels. Some comments also asked that air quality modelling be performed to support the analysis presented in the EIS, and potential mitigation and control measures be identified.
Stakeholder Engagement	Many commenters expressed confidence in the Project Proponent's track record for engaging and cooperating with stakeholders on the North Slope. Conversely, several commenters, particularly people from, or advocating for, tribal communities such as the Village of Nuiqsut, requested an increased effort from BLM to engage with the tribe and address all of their comments and concerns in the development of the EIS. These commenters also requested that BLM better define and clarify the tribe's role in the NEPA process and recommended incorporating traditional cultural knowledge into the EIS analysis where appropriate. The Native Village of Nuiqsut expressed concern over their ability to provide meaningful input and engagement throughout the NEPA process for Willow given the number of regional planning projects currently underway and capacity challenges for the tribe.
Safety/Emergency Response	Commenters requested that the EIS evaluate potential beneficial or adverse impacts to emergency response as a result of new roads and airstrips, or the potential for public travel along project access roads leading to an increased need for emergency response (e.g., towing assistance). Commenters also requested that the EIS discuss spill and emergency response procedures and capabilities given the remote nature of the site, potential seismic risks, spill and leak detection methods, containment and cleanup operations, hazardous materials management and storage, and any toxic hazards.
Climate Change	Commenters requested that the EIS consider long-term and cumulative effects of climate change, including potential changes in weather, vegetation, seismic activity, or sea-level rise/flooding. In addition, commenters requested that the EIS discuss the relationship between thermokarst and climate change and how this might have a cumulative effect on environmental resources when combined with project-related impacts.
Teshekpuk Lake Special Area	Commenters requested that the EIS evaluate potential impacts to wetlands and caribou and other wildlife species and habitats within the Teshekpuk Lake Special Area, and any resulting subsistence impacts to North Slope communities. Respondents stated that the EIS should also describe protections for the Teshekpuk Lake Special Area and how the project complies with applicable use or development restrictions.
Water Quality	Commenters requested that the EIS characterize existing aquatic habitats and water resources in the area and evaluate potential water quality impacts including: introduction of water pollutants, compliance with water quality standards, downstream impacts, water use during construction or operation, groundwater injections, erosion and sedimentation, wastewater discharges, mercury and anthrax released from thawing permafrost, and xylene and benzene.
IAP	Commenters stated that the project conforms to the BLM's 2013 IAP, with no appreciable changes, which further supports and justifies statements of minimal environmental impacts and commenter requests for a timely and efficient EIS process.
Mitigation	Commenters requested that the EIS identify all activities needing mitigation and the types of mitigation activities proposed during construction, operation, or decommissioning of the project. Respondents noted that the EIS should identify the responsible parties for implementing mitigation, monitoring requirements, and where the public can find mitigation effectiveness and monitoring results as they become available. Commenters encouraged the use of the mitigation hierarchy (avoidance, minimization, and compensatory offsets) to ensure that unavoidable impacts are effectively and meaningfully offset with appropriate mitigation.

Comment Category	Summary of Key Points
Request for Extended Scoping Period	Commenters requested additional time to submit scoping comments, based on the complexity of the project, severity of potential impacts, timing of scoping overlapping with timing of subsistence activities, and/or multiple other concurrent or connected development actions currently being planned and reviewed within the region.
Cumulative Effects	Commenters requested that the Cumulative Effects analysis consider future/concurrent/nearby leases and proposed explorations such as Nanushuk, Smith Bay, Alpine CD-5, Special Alaska Lease Sale Areas, and Greater Mooses Tooth 1 and 2, or other projects planned for development on Nuiqsut's traditional subsistence lands which have yet to be constructed. Cumulative effects to the community of Nuiqsut, relating to noise, traffic, thermokarsting, dust, water quality, and human health were specifically mentioned as a concern by some respondents.

Notes: BLM (Bureau of Land Management); EIS (environmental impact statement); IAP (Integrated Activity Plan); NEPA (National Environmental Policy Act); NPR-A (National Petroleum Reserve in Alaska); TAPS (Trans-Alaska Pipeline System).

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Willow Master Development Plan

Appendix B.2

Draft EIS Comments and BLM Responses

June 2022

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List of Acronyms

–	No data
AAAQS	Alaska Ambient Air Quality Standards
ACP	Arctic Coastal Plain
ADEC	Alaska Department of Environmental Conservation
ADF&G	Alaska Department of Fish and Game
ADNR	Alaska Department of Natural Resources
AEGL	Acute Exposure Guidance Level
AEWC	Alaska Eskimo Whaling Commission
ANCSA	Alaska Native Claims Settlement Act
ANILCA	Alaska National Interest Lands Conservation Act
AOGCC	Alaska Oil and Gas Conservation Commission
APD	Application for Permit to Drill
AQRV	air quality related value
AQTSD	Air Quality Technical Support Document
AQTWG	Air Quality Technical Work Group

ASRC	Arctic Slope Regional Corporation
ASTAR	Arctic Strategic Transportation and Resources project
BLM	Bureau of Land Management
BMP	best management practice
BOEM	Bureau of Ocean and Energy Management
BT1	Bear Tooth drill site 1
BT2	Bear Tooth drill site 2
BT3	Bear Tooth drill site 3
BT4	Bear Tooth drill site 4
BT5	Bear Tooth drill site 5
CAA	Clean Air Act
CAH	Central Arctic Herd
CAMx	Comprehensive Air Quality Model with Extensions
CEQ	Council on Environmental Quality
CO	carbon monoxide
CO ₂	carbon dioxide
CO _{2e}	carbon dioxide equivalent
CPAI	ConocoPhillips Alaska, Inc.
CRD	Colville River Delta
CRSA	Colville River Special Area
CWA	Clean Water Act
dB	decibels
dBA	A-weighted decibels, used to characterize airborne noise, referenced to 20 µPa
DNA	Determination of NEPA Adequacy
DOI	Department of the Interior
EFH	Essential Fish Habitat
EIA	U.S. Energy Information Administration
EIS	Environmental Impact Statement
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
FLAG	Federal Land Managers' Air Quality Related Values Work Group
FLPMA	Federal Land Policy and Management Act
FOIA	Freedom of Information Act
GHG	greenhouse gas
GIS	geographic information system
GMA	Goose Molting Area
GMT-1	Greater Mooses Tooth 1
GMT-2	Greater Mooses Tooth 2
HAP	hazardous air pollutant
HDD	horizontal directional drilling
HIA	health impact assessment
IAP	Integrated Activity Plan
IBA	Important Bird Area
IM	Instruction Memorandum
ITR	Incidental Take Regulation
km	kilometers
Kuukpik	Kuukpik Corporation
LS	lease stipulation
m	meters
MDP	Master Development Plan
MMPA	Marine Mammal Protection Act
MOU	Memorandum of Understanding
mph	mile per hour
MTI	module transfer island
NAAQS	National Ambient Air Quality Standards

NEMS	National Energy Modeling System
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
NO ₂	nitrogen dioxide
NO _x	nitrogen oxides
NOI	Notice of Intent
NPR-A	National Petroleum Reserve in Alaska
NPRPA	Naval Petroleum Reserves Production Act
NSB	North Slope Borough
NVN	Native Village of Nuiqsut
O ₃	ozone
OCS	outer continental shelf
PAHs	Polycyclic Aromatic Hydrocarbons
PM _{2.5}	particulate matter less than 2.5 microns in aerodynamic diameter
PM ₁₀	particulate matter less than or equal to 10 microns in aerodynamic diameter
PSD	Prevention of Significant Deterioration
RCRA	Resource Conservation and Recovery Act
REL	Reference Exposure Level
RFD	reasonably foreseeable development
RFFAs	reasonably foreseeable future actions
rms	root mean square
ROD	Record of Decision
ROPs	required operating procedures
ROW	right-of-way
SALSA	Special Alaska Lease Sale Area
SDEIS	Supplement to the Draft EIS
SO ₂	sulfur dioxide
SWPPP	Stormwater Pollution Prevention Plan
TAPS	Trans-Alaska Pipeline System
TCH	Teshekpuk Caribou Herd
TLSA	Teshekpuk Lake Special Area
UIC	underground injection control
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
VOCs	volatile organic compounds
VSMs	vertical support members
WAH	Western Arctic Herd
Willow area	area around the gravel infrastructure and mine site for the Project
WOC	Willow Operations Center
WOUS	Waters of the United States
WPF	Willow Processing Facility

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1.0 DRAFT ENVIRONMENTAL IMPACT STATEMENT PUBLIC ENGAGEMENT PROCESS

The Willow MDP Draft EIS comment period began on August 30, 2019, with the publication of a Notice of Availability in the Federal Register. The comment period was open for 45 days and subsequently extended for 15 additional days, ending on October 29, 2019. The public comment period for the Project was also announced via a BLM news release and the Bureau of Land Management's (BLM) Project website. Public comments were received via email and mail, on the BLM's Project website, or at public meetings.

Public meetings were held in Anaktuvuk Pass, Anchorage, Atkasuk, Fairbanks, Nuiqsut, and Utqiagvik (Barrow), Alaska, to afford the public an opportunity to provide input on the process, including North Slope communities that would be potentially impacted by the Project. The Nuiqsut meeting included the public hearing for comments regarding the Project's potential impact to subsistence resources and activities as per the Alaska National Interest Lands Conservation Act (ANILCA) Section 810. Details concerning dates, times, and locations of the meetings were announced through local news media, newspapers, and the BLM Project website. Verbal comments given at public meetings and the public hearing were documented in formal transcripts for each individual meeting.

The BLM held public meetings on the Draft EIS in September and October 2019 (Table B.2.1). Meeting dates and locations were advertised on the BLM Willow MDP ePlanning website and through local media (print and radio). Flyers on meetings were also sent to local organizations to be posted in public locations.

Table B.2.1. Draft Environmental Impact Statement Public Meeting Dates and Locations

Date	Location
September 9, 2019	Fairbanks
September 10, 2019	Anaktuvuk Pass
September 12, 2019	Anchorage
September 18, 2019	Utqiagvik (Barrow)
September 19, 2019	Atkasuk
October 2, 2019	Nuiqsut

The presentation used during public scoping, transcripts of each meeting, public and agency input received during the scoping process, and a summary scoping report are available on the BLM Willow MDP ePlanning website: <https://eplanning.blm.gov/eplanning-ui/project/109410/510>.

2.0 COMMENT ANALYSIS

The BLM received a total of 935 submissions during the public comment period. (A submission is defined as a single email, letter, webform submission, or speaker in written transcripts.) These were received via email, online, or mailed-in letters, or comments submitted verbally at public meetings. Of the submissions, 490 were unique (i.e., original submissions that did not have identical or almost identical wording as another submission) with the remainder submitted as “form” (i.e., submissions containing identical content) or form submissions with slight modifications (e.g., one or two unique sentences added, but otherwise identical to a form) or unique comment submissions (i.e., original submissions that did not have identical or almost identical wording as another submission). The form submissions all originated from a total of five unique form masters, some of which shared overlapping phrases or bullet points.

Not all respondents noted if they were affiliated with an organization or were providing comments as an individual. Of those that indicated an affiliation, nearly all respondents were individuals. Tribes/tribal corporations, organizations, and governmental agencies (or personnel that commented and provided this information) are shown in Table B.2.2. Individuals who provided their business title or employer information in their letter or testimony but did not state that they were an official representative were counted as individuals, not businesses or organizations.

Table B.2.2. Respondent Group Types

Respondent Group Type	Respondent Title	Respondent Title (continued)
Alaska Native Claims Settlement Act corporations	Arctic Slope Regional Corporation Kuukpik Corporation	Native Village of Nuiqsut Ukpeagvik Iñupiaq Corporation
Businesses and Organizations	Alaska Chamber of Commerce Alaska Crane Alaska District Council of Laborers Alaska Oil and Gas Association Alaska Support Industry Alliance Alaska Wilderness League Alyeska Pipeline Service Co. Anchorage Chamber of Commerce Associated General Contractors of Alaska Audubon Alaska Center for Biological Diversity ConocoPhillips Alaska, Inc. Conservation Lands Foundation Cruz Companies Defenders of Wildlife* Earthjustice Environmental Defense Fund F. Robert Bell and Associates Flowline Alaska Inc. Greater Fairbanks Chamber of Commerce Institute for Policy Integrity at New York University School of Law International Union of Operating Engineers Laborers' International Union of North America	Labors Local 942 Lynden Incorporated Montana Environmental Information Center Native Movement Northern Alaska Environmental Center North Star Terminal & Stevedore Co. LLC, North Star Equipment Services Ocean Conservancy Petro Technical Resources of Alaska PRL Logistics Resource Development Council Rotak Helicopter Services Sierra Club STG Incorporated Teamsters Local 959 The Wilderness Society The Wildlife Society Alaska Chapter Trustees for Alaska Udelhoven Companies Union of Concerned Scientists United Association of Plumbers and Pipefitters United Brotherhood of Carpenters and Joiners WildEarth Guardians
Government agencies and government officials	Harry K. Brower, Jr., North Slope Borough, Office of the Mayor National Oceanic and Atmospheric Administration State of Alaska Department of Natural Resources U.S. Army Corps of Engineers U.S. Coast Guard, Waterways Management Branch U.S. Environmental Protection Agency Region 10	Senator Click Bishop, Alaska State Legislature Senator John Coghill, Alaska State Legislature Senator Cathy Giessel, Alaska State Legislature Raul M. Grijalva, U.S. House of Representatives, Committee on Natural Resources Jared Huffman, U.S. House of Representatives, Subcommittee on Water, Oceans, and Wildlife Alan Lowenthal, U.S. House of Representatives, Subcommittee on Energy and Mineral Resources Senator Lisa Murkowski, U.S. Congress Senator Dan Sullivan, U.S. Congress Don Young, U.S. House of Representatives

* Defenders of Wildlife included a list of their members as signatories to their comment letter. There were approximately 12,600 names on the letter.

Within each comment letter or verbal transcript, individual comments (i.e., stand-alone comments that relate to a single issue, idea, or conclusion) were identified and grouped into one or more of the categories listed in Table B.2.3. Comment categories are either defined by individual resources that may be affected by the Project, individual elements of the Project, or specific phases and aspects of the EIS/NEPA process (Table B.2.3). Categories are intended to describe the main topic or resource that is discussed in the comment, regardless of whether the comment is expressing opposition or support for the Project as it relates to that topic. Any comments identified within form letters were categorized only once and counted as a single comment no matter how many form letters with that same comment were submitted.

Table B.2.3. Substantive Comment Categories

Resource Topics	Project Element Topics	EIS/NEPA Process Topics
Air quality Birds Climate change Environmental justice Fish General economics Land ownership and use Marine mammals Noise Nuiqsut economics Public health Soils and permafrost Terrestrial wildlife Visual resources Water resources Wetlands and vegetation Subsistence and ANILCA Section 810 analysis Spills	Avoidance, minimization, and mitigation National Petroleum Reserve in Alaska Integrated Activity Plan Project description	Alternatives Cumulative effects EIS process or timeline Permitting Purpose and need Request for comment period extension Request for new alternative Request for new analysis Stakeholder engagement

Note: Not all categories were used in coding and are therefore not summarized below. ANILCA (Alaska National Interest Lands Conservation Act); EIS (environmental impact statement); NEPA (National Environmental Policy Act).

Although the BLM diligently considered each comment letter, the comment analysis process involved determining if a comment was substantive or non-substantive. In performing this analysis, BLM relied on Section 6.9.2, *Comments*, in the BLM NEPA Handbook H-1790-1 (2008) to determine what constituted a substantive comment. All substantive comments will be responded to in this report.

Substantive comments do one or more of the following:

- Question, with reasonable basis, the accuracy of information in the EIS or environmental assessment (EA)
- Question, with reasonable basis, the adequacy of, methodology for, or assumptions used for the environmental analysis
- Present new information relevant to the analysis
- Present reasonable alternatives other than those analyzed in the EIS or EA
- Cause changes or revisions in one or more of the alternatives

Additionally, the BLM's NEPA handbook identifies the following types of substantive comments:

- **Comments on the Adequacy of the Analysis**—Comments that express a professional disagreement with the conclusions of the analysis or assert that the analysis is inadequate are considered substantive; they may or may not lead to changes in the Final EIS. Interpretations of analyses should be based on professional expertise. Where there is disagreement within a professional discipline, a careful review of the various interpretations is warranted. In some cases, public comments may necessitate a reevaluation of analytical conclusions. If, after reevaluation, the BLM Authorized Officer responsible for preparing the EIS does not think that a change is warranted, the response should provide the rationale for that conclusion.
- **Comments That Identify New Impacts, Alternatives, or Mitigation Measures**—Public comments on a Draft EIS that identify impacts, alternatives, or mitigation measures that the draft did not address are considered substantive. This type of comment requires the BLM Authorized Officer to determine if it warrants further consideration; if so, he or she must determine if the new impacts, new alternatives, or new mitigation

measures should be analyzed in the Final EIS, in a supplement to the Draft EIS, or in a completely revised and recirculated Draft EIS.

- Disagreements with Significance Determinations—Comments that directly or indirectly question, with a reasonable basis, determinations on the severity of impacts are considered substantive. A reevaluation of these determinations may be warranted and may lead to changes in the Final EIS. If, after reevaluation, the BLM Authorized Officer does not think that a change is warranted, the BLM’s response should provide the rationale for that conclusion.

Comments that are not considered substantive include the following:

- Comments in favor of or against the proposed action or alternatives without reasoning that meet the criteria listed above (such as “we disagree with Alternative Two and believe the BLM should select Alternative Three”)
- Comments that only agree or disagree with BLM policy or resource decisions without justification or supporting data that meet the criteria listed above (such as “more grazing should be permitted”)
- Comments that don’t pertain to the project area or the project (such as “the government should eliminate all dams,” when the project is about a grazing permit)
- Comments that take the form of vague, open-ended questions

In response to substantive comments, the BLM could do the following:

- Modify alternatives including the proposed action
- Develop and evaluate alternatives not previously given detailed consideration by the agency
- Supplement, improve, or modify its analyses
- Make factual corrections
- Explain why the comments do not warrant further agency response, citing appropriate sources or authorities

Comments that merely express an opinion for or against the Project were not identified as requiring a response because they meet the BLM NEPA handbook definition for a non-substantive comment. Many comments received throughout the comment analysis process expressed personal opinions or preferences, had little relevance to the adequacy or accuracy of the Draft EIS, or represented commentary on management actions that are outside the scope of the EIS. These commenters did not provide specific information to assist the BLM in making a change to the existing action alternatives, did not suggest new alternatives, and did not take issue with methods used in the Draft EIS; the BLM did not address these comments further in this document.

The BLM read, analyzed, and considered all comments of a personal or philosophical nature and all opinions, feelings, and preferences for one element or one alternative over another. Because such comments were not substantive, the BLM did not respond to them. It is also important to note that, while the BLM reviewed and considered all comments, none were counted as votes. The NEPA public comment period is neither an election nor does it result in a representative sampling of the population. Therefore, public comments are not appropriate to be used as a democratic decision-making tool or as a scientific sampling mechanism.

Within the 490 unique submissions, 554 substantive comments were identified. Chapter 3.0, *Substantive Comment Summary*, provides a summary of the substantive comments received by comment category. Chapter 4.0, *Substantive Comments and Responses*, identifies the substantive comments received on the Draft EIS and provides BLM’s response. Subject matter experts reviewed comments that recommended additional studies, data, or scientific literature to be incorporated into the analysis; new information and citations were incorporated into the Final EIS as appropriate.

3.0 SUBSTANTIVE COMMENT SUMMARY

3.1 Air Quality

Comments on air quality primarily focused on concerns that the analysis was inadequate and underestimated the direct and cumulative impacts. Additional concerns were raised that the Draft EIS failed to consider adequate mitigation measures to ensure that no significant air quality impacts would occur. Commenters requested that BLM consider an alternative that minimizes air quality impacts.

3.2 Alternatives

Comments received regarding the alternatives stated that the alternatives were inadequate and narrowed because the purpose and need was too narrow (Section 3.19, *Purpose and Need*). Commenters stated that the No Action Alternative was too easily dismissed.

3.3 Avoidance, Minimization, and Mitigation

Commenters provided several recommendations for additional mitigation measures (see details in Table I.1.3 of Appendix I.1, *Avoidance, Minimization, and Mitigation Technical Appendix*). Examples of these comments are as follows:

- The Project should include large, durably protected areas of ecological value to mitigate for impacts to areas of conservation importance (e.g., TLSA and Colville River Special Area)
- Archaeological surveys should be completed in areas of proposed ground disturbance
- Identify the responsible parties for implementing mitigation or monitoring requirements and identify where the public can find the results of mitigation effectiveness and monitoring as they become available
- Include measures to monitor the effectiveness of proposed long-term mitigation measures and adaptively manage them as needed
- The BLM should rely on BMP E-8 (from the existing NPR-A IAP/EIS, BLM 2013) to ensure that CPAI minimizes the impacts of gravel mining on air, land, water, fish, and wildlife resources
- Incorporate factors aimed at reducing short term nitrous oxide emissions from drilling
- To minimize volatile organic compound emissions, BLM should focus on minimizing fugitive leaks
- Discretionary air quality BMPs listed in the Draft EIS should be made compulsory
- Restrictions should be made to air traffic (e.g., minimum of 500 feet above the ground) within the TLSA

In addition, comments were received regarding the adequacy of the mitigation measures. For example, commenters raised concerns that the Draft EIS does not adequately consider mitigation measures and fails to demonstrate that all unavoidable and adverse impacts would be compensated for.

Requests were also received to add additional details about which areas and activities are subject to which BMPs and additional analysis to show that the design feature and mitigation measures are effective in reducing impacts. Resource-specific comments were received that relate to concerns that the resource-specific BMPs are inadequate.

Concerns were raised that the Draft EIS fails to adequately identify and analyze additional mitigation measures given the failure of existing LS and BMPs.

Comments received that relate to considering compensatory mitigation requirements for wetlands in accordance with CWA Section 404(b)(1) Guidelines are summarized under Section 3.16, *Permitting*.

3.4 Birds

Commenters generally raised concerns regarding impacts to birds, particularly yellow-billed loons and molting geese. Commenters raised concerns that the analysis areas and data used to estimate impacts were inadequate, and therefore the analysis was inadequate. Concerns were raised that the Draft EIS did not accurately describe the use of the analysis area for wintering birds and special status species within the Project area. Concerns were expressed regarding the overlap of Project alternatives in an area important for bird molting and nesting.

3.5 Climate Change

Commenters raised concerns that the analysis in the Draft EIS did not adequately address how climate change has the potential to impact the Project and the resources in the Project area. Commenters requested additional analysis for Project black carbon emissions and greenhouse gas emissions. Commenters stated that the greenhouse gas emission estimates are unsupported and inaccurate because the Draft EIS failed to disclose key assumptions and data used in its models. Other commenters stated that the analysis in the Draft EIS overexaggerates the incremental impact of the Project at the global scale.

3.6 Cumulative Effects

Commenters stated that the cumulative impacts analysis does not contain an adequate level of quantification and detail for many of the resources analyzed in the Draft EIS. Requests were made for adjustments to an analysis area and a request for additional maps.

Commenters provided numerous suggestions for how to improve resource-specific analysis. Commenters requested that additional present and reasonably foreseeable future actions be considered in the EIS's cumulative impacts analysis, including specific oil and gas exploration, leases, and development proposals; planning and policy actions; transportation projects; and changes in marine vehicle traffic in the Beaufort, Bearing, and Chukchi seas.

3.7 Environmental Impact Statement Process and Timeline

Commenters expressed concern that the community meetings were held during whaling season and that the EIS process is moving too quickly to provide for meaningful public involvement or allow for consultation with tribal entities and communities in the region. Commenters stated that because there are multiple other projects and comment periods occurring simultaneously, there is not enough time to provide meaningful review of and comments on the Project. Concerns were raised that the time and page limits are not appropriate for this EIS process if the BLM intends to complete determinations of NEPA adequacy from this EIS. Additionally, a request was made to delay a decision until further analysis, mitigation, and permitting can be completed. A comment was also received that stated the BLM violated the Freedom of Information Act with the NPR-A working group that had meetings without involving all stakeholders.

3.8 Environmental Justice

Commenters stated that the Draft EIS failed to sufficiently evaluate whether the Project would have disproportionately high and adverse human health or environmental impacts on minority populations and low-income populations and consequently has not considered adequate ways in which to reduce potential impacts. Concerns were also raised that other communities beyond Nuiqsut were not considered. Suggestions were made that the completion of a Health Impact Assessment and on-going health monitoring and education be considered as mitigation measures for environmental justice impacts.

3.9 Fish

Comments were made raising concern about the adequacy of making broad statements regarding impacts to population levels rather than individual fish species. Commenters also requested that the EIS improve the analysis regarding impacts to fish resulting from water withdrawals, water pollution and spills, waste disposal, gravel extraction, and climate change.

3.10 General Economics

Commenters stated that the EIS would benefit local economies, while other commenters stated that the Draft EIS overstated the economic benefits. Request were made for the Draft EIS to clarify how many jobs would be held by locals versus non-locals.

3.11 Land Ownership and Use

Commenters requested additional details concerning the proximity of the Project to native allotments and stated that the ownership of submerged lands and other landownership or jurisdictions are incorrectly reported.

3.12 Marine Mammals

Commenters requested that the EIS consider potential impacts to marine mammals from noise, spills, climate change, increased human interactions, increased seismic activity and vessel traffic. Comments raised concerns about the lack of analysis for bowhead and beluga whales because the analysis area is too small. Commenters also stated that the analysis area was too small to capture noise impacts to marine mammals.

3.13 National Petroleum Reserve in Alaska Integrated Activity Plan

Comments received regarding the NPR-A IAP raised concerns that the Project is being analyzed prior to the completion of the forthcoming IAP revisions. These comments focused on concerns that the IAP revisions would open up the Teshekpuk Lake Special Area (TLSA) to additional roads that are not currently evaluated in cumulative impacts and that the timing of the IAP revision is confusing to the public. Commenters requested that BLM be clear about what set of standards the Project is being permitted under (the current plan or the new plan) and how the BLM will consider future permit applications in light of a potentially revised IAP.

3.14 Noise

Commenters stated that there was a lack of baseline information and quantification to analyze the impacts from noise and that the analysis be revised to include options for avoiding impacts from the Project. Additional requests for analysis included analyzing impacts from pile driving and the mine site.

3.15 Nuiqsut Economics

Commenters expressed concern over subsistence impacts and how they are tied to Nuiqsut's economy (food security), and about the employment and economic impacts of the Project (in terms of jobs for local residents, economic benefits and impacts to Nuiqsut residents, and disagreement with how benefits were documented in the Draft EIS). Comments requested monetary compensation to offset adverse economic impacts to the Nuiqsut economy, as well as commitments for local resident employment.

3.16 Permitting

Commenters stated that the action(s) subject to regulatory approvals were not clear in the Draft EIS. Commenters expressed concerns that the Draft EIS is unclear on how BLM will comply with their obligations under the Endangered Species Act, the Marine Mammal Protection Act, the Organic Act, or the Federal Land Policy and Management Act.

Commenters stated that the BLM proceeding with the Draft EIS was inappropriate since a "valid" permit application under Section 404 of the Clean Water Act (CWA) has not been submitted to the U.S. Army Corps of Engineers (USACE) and that the Draft EIS did not provide the information or analysis necessary for USACE to comply with the CWA.

Comments noted that insufficient information is presented in the Draft EIS to allow the U.S. Coast Guard to issue bridge permits.

3.17 Project Description

Commenters requested that the project description be clarified for several components, including the location of infrastructure; the length and location of roads; the location of the seawater pipeline intake, mine site design, and location; and the depth of horizontal directional drilling installation. Commenters raised concerns regarding fixed-wing flights, the thickness of ice roads, and if the pipeline inspections would be compliant with federal pipeline safety regulations. Additional comments were received related to separate ice roads for delivering sealift modules and those used for other vehicle traffic.

3.18 Public Health

Commenters expressed concerns over public health impacts caused by Project construction and operations, including air emissions, water quality impacts, safety impacts from pipelines, accident risks (e.g., fires, explosions), hazardous waste in landfills, and blasting. Comments raised concerns about how Project impacts on subsistence resources would impact public health from contamination or food insecurity. Criticisms of the Draft EIS analysis were raised regarding: adequacy of baseline health assessment, that the analysis was not sufficiently quantitative, that mental health impacts were not adequately addressed, that the timeframe of the health impact analysis was not long enough (i.e., that the long-term health impacts of Project operations were not adequately described), that health impacts of Project impacts on subsistence resources and practices were not included, and that proposed BMPs and LS do not adequately mitigate health and safety impacts. Comments were offered in support of proposed safety measures.

3.19 Purpose and Need

Commenters stated that the BLM purpose and need should be revised so that it is clearly defined as the agency purpose and need and not tied to the Project proponent's purpose. Further comments stated that because the purpose and need is tied to the Project proponent's, the Draft EIS incorrectly states that the No Action Alternative does not meet this purpose and need.

3.20 Request for Comment Period Extension

Commenters requested BLM extend the comment period because of the complexity and length of the Draft EIS and because there are several concurrent scoping and comment periods for other Arctic or Alaska projects.

3.21 Request for New Alternative

Commenters requested that a range of new alternatives be analyzed in the EIS. Suggestions include the following alternatives:

- Without an MTI
- With fewer drill sites (accessing the same oil using directional drilling)
- With a smaller gravel footprint and/or reduced infrastructure
- That avoids Special Areas
- That avoids additional airstrips
- That uses seasonal, roadless access to decrease impacts to important surface resources
- That reduces the significant air quality impacts
- That reduces the significant visual resource impacts
- That reduces the number of years needed for the mining process
- That reduces impacts to caribou and subsistence
- That uses an existing airstrip rather than constructing at least one new Project airstrip
- That uses natural gas and renewable energy for Project purposes with minimal backup diesel
- With delayed Project permitting
- That would not require deviations or would require fewer deviations from existing best management practices (BMPs) (as identified in the National Petroleum Reserve in Alaska [NPR-A] Integrated Activity Plan [IAP], 2013) or Project lease stipulations (LS)

Commenters also provided feedback that the range of alternatives analyzed was inadequate due to a lack of a true difference between the proposed action and the BLM alternatives. Commenters also stated that the BLM improperly dismissed alternatives before the NEPA process had started.

3.22 Request for New Analysis

BLM received many requests for new analysis or for additional details be included in the EIS. When comments were specific to a single resource topic, they were coded to that topic and provided in Section 4.2, *Comments and Responses*.

3.23 Soils and Permafrost

Commenters raised general concerns about the impacts to tundra from permafrost thawing (thermokarst) from climate change and how the Project would contribute to those impacts. Commenters also expressed concerns about impacts to soils and permafrost from gravel mining, and that BMPs and LS regarding these impacts were not specific enough and could not be effectively monitored with respect to their effectiveness on soils and permafrost, and that impacts to permafrost could not be mitigated.

3.24 Spills

Commenters stated that the spill risk assessment is inadequate because it does not use the most recent spill data from Alaska Department of Environmental Conservation and is qualitative rather than quantitative. In addition, comments were made that the well blowout risk analysis does not provide details about the seven shallow-gas blowouts reported on the North Slope since 1974 that were considered in the analysis, does not discuss safety and environmental hazards associated with blowouts, and does not account for recent North Slope uncontrolled releases from BP Alaska wells which were caused by thawing permafrost.

Additional concerns were raised regarding Project impacts on resources (e.g., caribou, marine mammals, water quality) within the Project area from potential spills. Commenters requested that BLM provide further details on how the prevention and response measures help reduce the potential impacts and additional detail on who would be responsible for performing these prevention and response measures.

3.25 Stakeholder Engagement

Commenters requested that the Project proponent provide the community of Nuiqsut with fracking notifications, meet with tribal offices, and discuss employment opportunities. Additional requests were for BLM and the Project proponent work with the stakeholders to reduce the overall Project footprint. Commenters asked for clarification on whether traditional knowledge was considered in preparation of the Draft EIS; it was suggested to include these groups in development of traditional knowledge: Kuukpik Corporation, Native Village of Nuiqsut, City of Nuiqsut, Arctic Slope Regional Corporation, and NPR-A Working Group

See also the comment summaries related to the EIS Process and Timeline (Section 3.7) and Request for Comment Period Extension (Section 3.20).

3.26 Subsistence and Alaska National Interest Lands Conservation Act Section 810 Analysis

Subsistence comments focused on concerns on how the Project would impact the availability and accessibility to subsistence resources. Commenters stated that subsistence resources could potentially avoid the Project area making it harder for subsistence hunting. Other comments were raised regarding inadequate analysis due to corrections being needed on maps of overlapping subsistence use, unreliable or low-quality baseline data, lack of analysis on how subsistence uses can result in secondary public health and safety impacts. There were requests to clarify contradictory subsistence conclusions, such as if there would be population-level impacts or not and if impacts require mitigation or not.

Commenters stated that the analysis failed to quantify the impacts on subsistence users in terms that are most relevant to the hunters (e.g., reduced bag, reduced season length, increased travel distance, more hunting days to be successful), and whether they can expect to harvest "amounts of caribou reasonably necessary for subsistence".

Commenters requested the Native Village of Barrow be included in the subsistence analysis and that the caribou avoidance buffer used in the ANILCA Section 810 analysis be 5 miles rather than 2.5 miles.

In addition to the comments on analysis, multiple requests were made for mitigation measures to offset Project impacts. A list of these suggested measures is included in Table I.1.3 in Appendix I.

Commenters stated that the Draft EIS does not consider alternatives that reduce impacts or that conclusions and impacts are not well supported, and therefore the ANILCA Section 810 analysis is inadequate.

3.27 Terrestrial Wildlife

Comments were received regarding the accuracy and sufficiency of the caribou impacts analysis and its conclusions; there were requests for more discussion of tradeoffs between displacement from air traffic the displacement from vehicle traffic. Analysis concerns were related to caribou migration and potential changes to their migration patterns, location, and timing, including deflection. Commenters disagreed with analysis assumptions used in caribou impacts, for example, whether caribou may be affected by infrastructure, and the distance to which that impact may occur. Commenters suggested new analysis using the recent Russell and Gunn (2019) model to quantitatively estimate caribou impacts. New citations were provided for BLM review regarding climate-related changes with respect to northern caribou populations; and there were requests to quantify climate change impacts on caribou.

Commenters requested that the EIS evaluate potential impacts to caribou and other wildlife species and habitats within the TLSA, and any resulting subsistence impacts to North Slope communities. Commenters stated that the EIS should also describe protections for the TLSA and how the Project complies with applicable use or development restrictions within the TLSA. Concerns were expressed regarding the overlap of Project alternatives in an area important for species' sensitive time periods, such as bird molting and nesting and caribou calving and grazing, especially in the TLSA. Comments stated these impacts were not sufficiently evaluated in the Draft EIS.

Comments stated the Draft EIS cumulative impacts analysis area for caribou was not large enough. Also, additional cumulative impacts analysis was requested, citing the reasonably foreseeable potential that multiple future projects could go through the TLSA, such as the Arctic Strategic Transportation and Resources project and the potential opening of the TSLA to oil and gas development due to the current NPR-A IAP revisions.

Commenters expressed concern over potential Project impacts to the TLSA and its associated wildlife resources.

3.28 Visual Resources

Commenters expressed general concern about Project impacts on the visual quality of public lands, and specific concerns about the impact assessment and mitigation, including that the Draft EIS presented inadequate information on the classification of scenic qualities, the differences between alternatives with respect to visual impacts, and the adequacy of avoidance, minimization, or mitigation measures for visual impacts.

3.29 Water Resources

Commenters raised concerns regarding the adequacy of the water quality impacts analysis, requesting additional explanation of the findings presented in the Draft EIS. Commenters expressed that the analysis inadequately considered existing water quality issues, failed to address impacts of Project elements (e.g., waterbody crossings, floodplain development), and accidental wastewater releases, and that additional information on mitigation and response plans for pipeline spills was needed.

Commenters expressed concerns regarding the adequacy of information on and analysis of water resources in the Draft EIS. Comments noted that the Draft EIS failed to consider the impacts of gravel mining on water resources and raised specific concerns regarding the proximity of proposed mining to the Ublutuooh (Tinmiaqsiugvik) River. Commenters raised concerns that outdated and arbitrary data were used to characterize existing conditions, that the analysis and disclosure of Project impacts to floodplains and waterways was insufficient, that construction impacts were not adequately quantified, and that analysis of impacts of the MTI in Harrison Bay were inadequate. Comments requested additional information on water sources for ice roads, road and pipeline crossings of waterbodies, and mine site reclamation with respect to water resources. Additional comments raised concerns about the effectiveness of BMPs and LS to offset impacts to water resources.

3.30 Wetlands and Vegetation

Commenters raised concerns regarding the Project's contribution to climate change, thawing tundra, and shifting vegetation communities. Commenters also stated that climate change would also affect the long-term recovery and reclamation success for wetlands and this should be analyzed in the EIS. Commenters provided requests for additional disclosure on how Project-related impacts to tundra wetlands and permafrost thawing would further contribute to climate change.

Commenters also stated that the mitigation for wetland and wetland function loss is inadequate absent a functional assessment and full compensatory mitigation plan. Additional comments were received regarding analysis of impacts resulting from hydrologic changes, permafrost damage, changes to habitat quality and species diversity, fugitive dust, and the amount of time it takes for the tundra to recover (comments questioned both understating and overstating the impacts).

4.0 SUBSTANTIVE COMMENTS AND RESPONSES

4.1 How to Read This Volume

The BLM assigned a letter number to every unique communication received during the Draft EIS public comment period. The following tables contain all substantive comments with the BLM's responses; they are organized by the comment topic (or code). Commenter names and applicable organization or agency are provided for letter submissions. Complete transcripts of public meetings and copies of all comment letters are available on the BLM Willow MDP ePlanning website: <https://eplanning.blm.gov/eplanning-ui/project/109410/510>.

4.2 Comments and Responses

Tables B.2.4 through B.2.33 provide the substantive comments on the DEIS and BLM’s responses.

4.2.1 Air Quality

Table B.2.4. Substantive Comments Received on Air Quality

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
989	22	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Air Quality	Page 34, 3.3.2.3.1 Near-Field Air Impact Assessment Summary “All analyzed HAPs would be below RELs and RfCs.” Does BLM have enough data to support this statement? Is there any HAPs monitoring in this area?	Results are based on EPA-preferred regulatory modeled and area-specific emissions inventories. HAPs monitoring performed between 2014 and 2018 is presented in Section 3.3.1.2 (<i>Characterization of Climate, Meteorology, and Air Quality in the Analysis Area</i>) of the EIS. Results of modeling and measured HAPs are below RELs.	N
991	3	Bruno	Jeff	Alaska State, Department of Natural Resources	Air Quality	Chapter 3, page 30 Paragraph four on this page notes that “The PSD program includes special protections for Class I areas federally designated as part of the 1977 CAA amendments and Class II areas. The program requires federal land managers to protect AQRVs, such as visibility and deposition in these areas. The Class II areas within 300 miles of the project are the Arctic National Wildlife Refuge, the Gates of the Arctic National Park and Noatak National Preserve.” This statement appears to be misleading. The CAA requires federal land managers to protect AQRVs for Class I areas, but the same requirement does not exist for Class II areas. The 2011 Memorandum of Agreement involving the Department of Interior, Environmental Protection Agency and the U.S. Forest Service requires that federal land managers be consulted when NEPA decisions could impact Sensitive Class II areas. Please rewrite this paragraph to make this clear.	The text has been updated in Section 3.3.1.1 (<i>Regulatory Framework</i>) of the EIS with the following in response to this and other comments: “The PSD program includes special protections for the Class I areas federally designated as part of the 1977 CAA amendments and Class II areas. The program requires Federal Land Managers to protect AQRVs, such as visibility and deposition (NPS 2011), in Class I areas (40 CFR 51.166). There are no Class I areas in the analysis area. AQRVs are assessed in the EIS at three federally managed areas with receptor locations of interest, referred to hereafter as the three assessment areas: Arctic National Wildlife Refuge (ANWR), Gates of the Artic National Park, and Noatak National Preserve.”	Y
991	4	Bruno	Jeff	Alaska State, Department of Natural Resources	Air Quality	Chapter 3, Page 35, Table 3.3.6, Alternative C Routine Operations Impacts to the 24 hour PM2.5 were modeled and exceed ambient air quality standards. No activity can be permitted that is estimated to exceed a NAAQS or AAAQS. Alternative C needs to either be reconfigured or emission restrictions implemented to bring them below the standards. These exceedances would need to be addressed for Alternative C to be considered a reasonable alternative.	In the Draft EIS, all alternatives and scenarios were in compliance with NAAQS, except Alternative C: Routine Operations with PM _{2.5} exceedances. As part of the Final EIS modeling, Alternative C (and all other alternatives) also now demonstrates compliance based on updated Project information.	N
991	5	Bruno	Jeff	Alaska State, Department of Natural Resources	Air Quality	Chapter 3, Page 37, 3.3.2.4.3 Routine Operations for Alternative C would be below the AAAQS except for 24 hour PM2.5 impacts. . . drop below the NAAQS/AAAQS beyond 40 meters. No activity can be permitted that is estimated to exceed a NAAQS or AAAQS, even if it is only 40 m out. Alternative C needs to either be reconfigured or emission restrictions implemented to bring them below the standards. These exceedances would need to be addressed for Alternative C to be considered a reasonable alternative.	In the Draft EIS, all alternatives and scenarios were in compliance with NAAQS, except Alternative C: Routine Operations with PM _{2.5} exceedances. As part of the Final EIS modeling, Alternative C (and all other alternatives) also now demonstrates compliance based on updated Project information.	N
991	6	Bruno	Jeff	Alaska State, Department of Natural Resources	Air Quality	Chapter 3, page 37 The final paragraph on this page notes that PM2.5 impacts are exceeded near sources at the north WOC. Please spell out Willow Operations Center in the main text of the document the first time it appears in a section. The only place WOC is spelled out in this section is in the footnote of Table 3.3.6.	The EIS is formatted in such a way that acronyms are only spelled out on their first appearance in the EIS (and as footnotes to tables when used in the table). The EIS includes a list of acronyms and their definitions for reader reference.	N
991	7	Bruno	Jeff	Alaska State, Department of Natural Resources	Air Quality	Chapter 3, Page 39, Table 3.3.10 Table 3.3.10 shows 142% of the PM2.5 standard. No activity can be permitted that is estimated to exceed a NAAQS or AAAQS. Alternative C needs to either be reconfigured or emission restrictions implemented to bring them below the standards. These exceedances would need to be addressed for Alternative C to be considered a reasonable alternative.	In the Draft EIS, all alternatives and scenarios were in compliance with NAAQS, except Alternative C: Routine Operations with PM _{2.5} exceedances. As part of the Final EIS modeling, Alternative C (and all other alternatives) also now demonstrates compliance based on updated Project information.	N
991	8	Bruno	Jeff	Alaska State, Department of Natural Resources	Air Quality	Chapter 3, page 42 The final paragraph on this pages notes that BLM will <i>recommend</i> that CPAI implement a fugitive dust control plan to mitigate impacts from fugitive PM emissions from the Project. This paragraph also notes that the fugitive dust control plan will be included as part of the Final EIS. If this fugitive dust control plan will be included in the final EIS, you may want to consider using a word stronger than <i>recommend</i> . Please consider saying the BLM has <i>requested</i> . The EIS also needs to spell out which agency will be responsible for compliance and enforcement of the fugitive dust plan.	A Fugitive Dust Control Plan was developed as part of this Project during the Final EIS preparation. The text was updated in Section 3.3.2.1.3 (<i>Additional Suggested Avoidance, Minimization, or Mitigation</i>) of the EIS to note that BLM is “requiring” a Fugitive Dust Control Plan.	Y
991	9	Bruno	Jeff	Alaska State, Department of Natural Resources	Air Quality	Chapter 3, page 131 This pages cites to BMP A-10 regarding ambient air monitoring and impacts to subsistence resources. As noted in an earlier comment, please include the full text of BMP A-10 in the EIS document. Given the importance of air quality to the residents of Nuiqsut, it would be important to provide the full requirements of BMP A-10 in this document. Please note that we would prefer that the Required Operating Procedures (ROPs) from the NPR-A EIS and the ANWR Coastal Plain Lease Sale EIS be used.	For consistency with the rest of the EIS, BMPs are paraphrased for all resources. Section 3.3.2.1.1, <i>Applicable Lease Stipulations and Best Management Practices</i> , was updated to include the proposed BMPs (or ROPs) from the NPR-A IAP revisions described in the Final EIS (BLM 2020).	Y
991	13	Bruno	Jeff	Alaska State, Department of Natural Resources	Air Quality	Appendix A, page 16, Figure 3.3.2 The wind rose plot is fuzzy and hard to read. The legend for the wind rose is incorrect Correct legend in Figure E.3.3	The wind rose in Appendix E.3A (<i>Air Quality Technical Appendix</i>) of the EIS has been revised with a higher-quality image that is consistent with Figure E.3-3.	Y
991	16	Bruno	Jeff	Alaska State, Department of Natural Resources	Air Quality	Appendix D, page 41 Paragraph six on this page discusses the projects dust control plan to be included in the final EIS as an appendix. This EIS needs to spell out which agency will be responsible for compliance and enforcement of the fugitive dust plan.	A Fugitive Dust Control Plan was developed during the Final EIS preparation and is provided as Appendix I.3 (<i>Dust Control Plan</i>) of the EIS.	Y

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991	18	Bruno	Jeff	Alaska State, Department of Natural Resources	Air Quality	Appendix E.3, Page 9, Table E.3.4 Data from Nuiqsut from 2015-2017 have not been reviewed for PSD quality. Caveat should be added to the table and discussion of data. The last dataset ADEC has reviewed for PSD quality is from 2013. EPA might have approved use of data for 2014 and potentially 2015. Quality of data from 2015-2017 has not been reviewed.	Caveat added to Table E.3.4 note in Appendix E.3A (<i>Air Quality Technical Appendix</i>) of the EIS and removed from Section 3.2.3 (<i>Meteorological Data</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>).	Y
991	19	Bruno	Jeff	Alaska State, Department of Natural Resources	Air Quality	Appendix E.3, Air Quality Technical Appendix, Attachments for Appendix E.3 Air Quality Technical Appendix Appendix not provided. In depth review of assumptions for air analysis cannot be provided. Comments had been provided during the cooperating agency process, but final draft version of documents are not included in this DEIS. Since the technical background documents still have a potential to change for the NPR- A IAP DEIS, ADEC might have additional comments, once the documents have been released. BLM is using the technical document for 2 DEIS projects that are not on the same timescale anymore. This makes it very difficult to provide constructive comments.	After this attachment was missing from the initial upload of the Draft EIS, this attachment was later added to the BLM ePlanning website and made available to the public. All attachments will be available as part of the Final EIS.	N
991	24	Bruno	Jeff	Alaska State, Department of Natural Resources	Air Quality	I.1-8, Table I.1.2, No. 17, column 3 It seems like this restriction should apply to off-road vehicle use, not Personnel as listed. Tundra travel usually refers to vehicles, not people on foot. The list of affected resources also indicates this measure applies to off-road vehicles.	This table consists of proposed design features by the Project proponent. Although terminology is different than what is recommended, the overall outcome is expected to be the same. Therefore, BLM is not recommending changes to CPAI terminology.	N
1302	38	Dunn	Connor	ConocoPhillips	Air Quality	The terminology “Class II Areas” is used throughout Section 3.3 to refer to Gates of the Arctic, Noatak, and the Arctic National Wildlife Refuge. However, this is misleading because all areas in the modeling domain are Class II areas, not just those areas managed by the National Park Service or the U.S. Fish and Wildlife Service. This should be clarified and corrected throughout the section. For example, the text could be modified to specifically identify the federal conservation land units modeled rather than generically referring to them as Class II Areas.	The term “Class II Areas” has been changed to the three assessment areas throughout Section 3.3 (<i>Air Quality</i>).	Y
1302	57	Dunn	Connor	ConocoPhillips	Air Quality	Deposition thresholds are presented with enough context to help understand how they could be applicable even though there use under the CAA is limited to Class I Areas; however, in Class II Areas, these are simply thresholds selected to understand the magnitude of impacts, not for regulatory review. These should be presented in an analysis approach section and not a regulatory framework section.	The FLAG guidance from the Federal Land Managers notes that the AQRV guidance is applicable to Class II areas. We have added clarification to the text that the deposition analysis thresholds are based on FLAG guidance and are not part of a regulation in Section 3.3.1.1 (<i>Regulatory Framework</i>) of the EIS.	Y
1302	58	Dunn	Connor	ConocoPhillips	Air Quality	Considerable VOC measurements have been collected in the Nuiqsut area and the data is in the public record. Adding the VOC data to this section would improve the description of air quality.	The BLM has focused the detailed discussion on the six VOC HAPs that are commonly emitted from oil and gas development: benzene, toluene, ethylbenzene, xylene, formaldehyde, and n-hexane.	N
1302	59	Dunn	Connor	ConocoPhillips	Air Quality	The center of the first paragraph says: “The annual wind rose in Figure 3.3.2 shows the distribution of wind direction and speed at the ConocoPhillips monitoring station in Nuiqsut from 2013 to 2017.” It would be better to use more than a 5-year dataset to characterize climate section particularly when nearly 20 years of data exists from that site.	The intent is to show recent data and, in particular, to be consistent with the meteorological data used in the modeling for the air quality impact analysis.	N
1302	60	Dunn	Connor	ConocoPhillips	Air Quality	“The monitored concentrations are all well below the NAAQS; thus, the existing air quality in the analysis area is generally good with respect to the NAAQS.” Since the recorded values are all well below the NAAQS, the air quality is good. The word “generally” should be deleted.	Text was updated in Section 3.3.1.2 (<i>Characterization of Climate, Meteorology, and Air Quality in the Analysis Area</i>) of the EIS to note that the existing air quality in the analysis area is good with respect to the NAAQS.	Y
1302	61	Dunn	Connor	ConocoPhillips	Air Quality	The column header “annual” appears to be “annual average.” Please verify and correct.	Table 3.3.1 was updated to clarify that the temperature is annual average and the precipitation is annual total. Note that the annual precipitation total is slightly different from the sum of the monthly total precipitation rates because of different data completion requirements for monthly and annual values.	Y
1302	63	Dunn	Connor	ConocoPhillips	Air Quality	To the table note, add “AAAQS” before SO2 in the following: “and SO2 24-hour and annual standards were converted from micrograms per cubic meter to parts per billion,” because the NAAQS have been revoked for these standards.	AAAQS has been added to the footnote of Table 3.3.2 for 24-hour SO2.	Y
1302	62	Dunn	Connor	ConocoPhillips	Air Quality	The “annual” total precip (in) does not equal the sum of the months (3.01). Explain how the number was derived.	Values are based on averages over the period 1998 to 2017 (from http://agacis.rcc-acis.org/?fips=02185). Monthly total averages and annual total averages computation have different data completeness requirements. Months within each year with >1 missing day are omitted from the monthly total average. Annual data with >1 missing day are also omitted from the annual total average. Due to this, the sum of monthly total does not equal the annual total. Explanation was added to footnote in Table 3.3.1.	Y
1302	64	Dunn	Connor	ConocoPhillips	Air Quality	The estimated PM10 and PM2.5 emissions in this table are different than the total life-of-project emissions summarized in Appendix E.3, Attachment C, Tables B-3a, B-3b, and B-3c. This information should be reconciled.	PM ₁₀ and PM _{2.5} emissions are not expected to be consistent between the EIS and Attachment C of Appendix E.3B (<i>Air Quality Technical Support Document</i>), which is the proponent’s emissions inventory report. Consistent with the BOEM Arctic modeling study, fugitive dust emissions in the EIS were developed assuming that dust emissions occur from May through October and road dust emission control efficiency is 50%. Fugitive dust emissions in Attachment C were developed with less conservative assumptions; that is, dust emissions occur from June through September and road dust emission control efficiency of 76%.	Y
1302	65	Dunn	Connor	ConocoPhillips	Air Quality	BLM should explain clearly why lead was not analyzed as a part of this EIS. See also Appendix E.3B, page 9.	The following paragraph was inserted in Appendix E.3B (<i>Air Quality Technical Support Document</i>), Chapter 2.0 (<i>Emissions Inventories</i>), to be included as part of the Final EIS: “Lead was not modeled because emissions would be low resulting in very small air quality impacts. The emission inventory includes lead emission estimates from diesel- and natural gas-fueled combustion sources; lead emissions from these sources are small because diesel and natural gas fuel and exhaust contain only trace amounts of lead, if any at all. Likewise, lead emissions from flaring and incinerator activities are expected to be small. The only potential for a lead additive would be in aviation gasoline for piston-engine aircraft. Piston-engine aircraft used in the proposed project and alternatives are not expected to use gasoline with lead additive.”	Y
1302	66	Dunn	Connor	ConocoPhillips	Air Quality	We recommend including the applicable AAQS thresholds in these tables for comparison to model-predicted impacts, in addition to the percentages already provided. There are no complete summaries of the NAAQS/AAAQS in draft EIS that include all the thresholds in the units used to summarize impacts in these tables. For example, the CO AAQS is expressed as 35 ppm in Table 3.3.2, as 35 ppm (NAAQS) and 10 mg/m3 (AAAQS) in Table E.3.1, but the impacts in these tables should be compared to an equivalent threshold of 10,000 micrograms per cubic meter.	The AAAQS thresholds have been added to Tables 3.3.9, 3.3.11, and 3.3.13 in the EIS.	Y

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1302	67	Dunn	Connor	ConocoPhillips	Air Quality	Last column heading indicates cancer risk is provided in units of “1/(g/m3).” This is not a standard expression of cancer risk. Furthermore, in the table note “1/(g/m3) (liters per micrograms per cubic meter),” the “1” (one) appears to be confused with an “l” (lower case L).	The text and table notes for Tables 3.3.10, 3.3.12, and 3.3.14 in the EIS have been corrected to properly indicate the correct expression for cancer risk.	Y
1302	68	Dunn	Connor	ConocoPhillips	Air Quality	The following sections provide an overview of the near-field (regional) modeling results by alternative. Change “near-field” to “far-field.”	The typographical error was corrected in Section 3.3.2.5 (<i>Regional Air Modeling Results</i>) of the EIS.	Y
1302	69	Dunn	Connor	ConocoPhillips	Air Quality	Regional air quality modeling results are not quantified anywhere in the draft EIS. We recommend they be included.	Regional air quality impacts are quantified in Chapter 5.0 of the AQTSD (Appendix E.3B, <i>Air Quality Technical Support Document</i>). We have added a citation and clarifying language to Final EIS Section 3.3.2.3.2, <i>Regional (Far-Field) Air Impact Assessment Summary</i> , to highlight this.	Y
1302	70	Dunn	Connor	ConocoPhillips	Air Quality	The third paragraph in this section is different from the rest in that it highlights elevated cumulative deposition impacts at Noatak even though it is very clear that the project has nothing to do with the impacts given project impacts are below the DATs. We suggest making this paragraph similar to the rest by striking the last sentence which talks about Noatak.	The last sentence of paragraph 3 in both Section 3.3.2.5.2 (<i>Alternative B: Proponent’s Project</i>) and Section 3.3.2.5.3 (<i>Alternative C: Disconnected Infield Roads</i>) in the EIS has been removed in response to the comment. Both referenced Noatak National Preserve.	Y
1302	72	Dunn	Connor	ConocoPhillips	Air Quality	The second paragraph provides extensive discussion of the Regional Haze Rule which is not a regulatory framework applicable to this project. This section of the appendix should acknowledge that although the Regional Haze Rule is not applicable, it presents standards applicable to Class I Areas that can be used for the Project. BLM should also expressly recognize that those standards are used to protect pristine areas unlike those areas where the Project will be located.	The following sentence in Appendix E.3A (<i>Air Quality Technical Appendix</i>) of the EIS was added as a caveat: “The Project area is not a Class I area; however, the RHR can be treated as a guideline for the Project.”	Y
1302	73	Dunn	Connor	ConocoPhillips	Air Quality	High wind events have been filtered from the data set without explanation. If background data were refined, it would only be appropriate based on analysis of wind direction, wind speed, precipitation, and other local conditions. For instance, the Nuiqsut Monitoring Station is known for capturing high PM events from silty areas from the nearby channel, which is a highly localized event and, realistically, uncharacteristic of most locations throughout project area. Ramboll should describe their protocol for refining the background data within this document and why the data removed is unrepresentative.	Additional text has been added to Section 3.2.6 (<i>Ambient Background Data</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>) to further describe the development of background PM data.	Y
1302	74	Dunn	Connor	ConocoPhillips	Air Quality	As a general note, the document often refers to the presence of condensate processing. This is not terminology typical for North Slope operations. Condensate will not exist separate from oil under ambient conditions within the Willow Development. References to condensate processing should be removed/revised.	Removed terms for condensate and liquids from the following sections in Appendix E.3B (<i>Air Quality Technical Support Document</i>): Section 3.3.2.2 (<i>Air Emissions Inventory</i>) and footnote in Section 1.2.1 (<i>Modeling Objective</i>), Section 2.1.3 (<i>Alternative B (Proponent’s Project)</i>), and Section 3.3.1.5 (<i>Routine Operation and Production of Wells</i>). It was also removed from a footnote in Section 3.3.2.3.1 (<i>Near-Field Air Impact Assessment Summary</i>) in the EIS.	Y
1302	75	Dunn	Connor	ConocoPhillips	Air Quality	We are unfamiliar with the term “completion rig.” Possibly, it should be “hydraulic fracturing unit.” Completion rigs are not a part of the project.	Updated mentions of completions to hydraulic fracturing in Section 3.3.1.2 (<i>BT1 Pre-Drill</i>) and Section 3.3.1.4 (<i>Development Drilling</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>)	Y
1302	76	Dunn	Connor	ConocoPhillips	Air Quality	The AQTSD states that “During production operations, produced water, oil, and condensate from wells would be stored in tanks on the well pad and processing facilities.” ConocoPhillips plans to have some tank storage at the central processing facility, but does not plan such storage at the well sites. Please revise to accurately reflect ConocoPhillips’s planned operations.	The modeling is consistent with CPAI’s planned operations for tank storage (i.e., tank emissions were not modeled at well sites). The text in Section 3.3.1.5 (<i>Routine Operation and Production of Wells</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>) was revised accordingly.	Y
1302	77	Dunn	Connor	ConocoPhillips	Air Quality	The following statement from the top of page 88 is supposed to describe why the turbine emission rates change by month. However, the explanation does not seem correct. The variation in emissions is related to the ambient temperature affecting the air density which then affects how much fuel can be put into the turbine at full load. “Monthly fluctuations in emission rates are caused by changes in ambient air temperatures which affect preheating duty.” This also happens on page 105.	Explanation updated to reflect comment in Section 3.3.2.2 (<i>Emission Calculations</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>) of the Final EIS.	Y
1302	78	Dunn	Connor	ConocoPhillips	Air Quality	We believe that the “brute force method” described in this section is referring to the method described in the Air Quality MOU. If that is the case, please reference the Air Quality MOU.	Text has been revised in Section 1.2.2.2 (<i>Regional Modeling</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>) to explain the “brute force method.”	Y
1302	79	Dunn	Connor	ConocoPhillips	Air Quality	In the last paragraph of this section, criteria pollutants are stated to include VOCs. VOCs are not a criteria pollutant because they have no NAAAQS or AAAQS. Please correct.	The paragraph in Chapter 2.0 (<i>Emissions Inventories</i>) of Appendix E.3B (<i>Air Quality Technical Support Document</i>) was corrected to exclude VOCs from the list of criteria pollutants and instead defines VOCs based on 40 CFR 51.100(s).	Y
1302	80	Dunn	Connor	ConocoPhillips	Air Quality	The list of pollutants and averaging periods analyzed includes annual average PM10. There is no longer any applicable annual average PM10 NAAQS or AAAQS, nor does it even appear to be analyzed.	Annual average PM ₁₀ is included in the list of pollutants analyzed, given that there is an annual average PSD threshold for PM ₁₀ .	N
1302	81	Dunn	Connor	ConocoPhillips	Air Quality	The following statement found in the second to the last paragraph in this section refers to the town of Nanushuk. It most likely should be referring to Nuiqsut. “The proposed IP would be at the highest elevation when compared to the cumulative sources and the town of Nanushuk with the greatest elevation difference being roughly 26 m between the.”	The text has been corrected in Section 3.2.7 (<i>Receptors</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>) to refer to Nuiqsut.	Y
1302	83	Dunn	Connor	ConocoPhillips	Air Quality	The following statement sounds more like a lower 48 well site and not North Slope. There will be no permanent storage of fluids or condensate at the well sites. “During production operations, produced water, oil, and condensate from wells would be stored in tanks on the well pad and processing facilities.”	Updated text to reflect comment in Section 3.3.1.5 (<i>Routine Operation and Production of Wells</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>).	Y
1302	84	Dunn	Connor	ConocoPhillips	Air Quality	In the first sentence, the second “Table 3.3-1” should be “Table 3.3-2.” References, table headings, and other details appear to be incorrect throughout Appendix E.3B.	Table references, table headings, and citations have been corrected throughout Appendix E.3B (<i>Air Quality Technical Support Document</i>).	Y

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1302	85	Dunn	Connor	ConocoPhillips	Air Quality	<p>For the following reasons, the “Measured Concentrations at Nuiqsut during 2014-2018” should be removed from Table 3.3-10, Table 3.4-6, and Table 3.5-8 and moved to Section 3.3.1.2 of the EIS:</p> <p>1)The narrative accompanying the referenced tables simply presents the measured values without explaining to the reader why they are presented in an Appendix focused on modeling results. From this standpoint the measurements are only presented to characterize the existing environment and are better placed in the Existing Environment section with similar presentations of other air pollutants.</p> <p>2)The narrative accompanying the referenced tables does not provide context for the values which will lead he reader to misinterpret the model-predicted values. Therefore, the values should be removed from the tables. The potential for misinterpretation arises primarily from two areas. First, the measurements and the model-predicted values show little agreement leading the reader to misinterpret the results because they have not been given the perspective that the differences should be expected given the obvious differences between the modeled and measured source environment. Second, the reader will be left wondering why the measurements have not been added to the model-predicted values which is the case for nearly every other near-field analysis in the document. Because the reader has not been given the proper context for interpreting and including the measurements, they should be removed from the table.</p> <p>3)The measurements are not directly comparable to the model-predicted impacts given: a) the wildly different time scales between the model predictions (1-hour) and the measurements (1 to 24 hours depending on the sample), b) the low frequency of sampling events (monthly) compared to the high frequency of modeled impact reporting (hourly), and c) the measurements represent impacts from near-field sources not characterized in the near-field model and don’t include many sources included in the model (i.e., Willow). Since a direct comparison cannot be made, these results should not be presented together.</p> <p>We do agree that the HAP measurements made in Nuiqsut and documented by SLR are a critical part of documenting and understanding the existing environment which is why they should be presented and characterized in Section 3.3.1.2 and removed from the tables in this appendix where they will only lead to misinterpretation.</p>	<p>The data contained in “Measured Concentrations at Nuiqsut during 2014-2018” have been moved to Table 3.3.3 in Section 3.3.1.2 (<i>Characterization of Climate, Meteorology, and Air Quality in the Analysis Area</i>) of the EIS.</p>	Y
1302	86	Dunn	Connor	ConocoPhillips	Air Quality	<p>Additional discussion is needed for why maximum impacts are all on the ambient boundary of the GMT2 Drill Pad.</p>	<p>The text has been corrected in Section 3.3.6.5 (<i>HAPs Impacts</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>) to read, “near or on the AAB of the BT1 Drill Pad.”</p>	Y
1302	87	Dunn	Connor	ConocoPhillips	Air Quality	<p>The AQTSD states: “In summary, the model performs reasonably well excluding difficulties reproducing very low observational data and systematic biases for OC and soil.”</p> <p>Based on the results of the MPE in Attachment B, it appears that the model does not perform well; the ""difficulties"" mentioned are important in considering the results of this analysis, and this is a mischaracterization of the results of the MPE. This is indicating a confirmation bias that dilutes the fact that the model does not perform well in the way it was applied for this project. This needs to be accurately characterized in this discussion.”</p>	<p>The model performance evaluation was conducted using established methods. The reviewer has not indicated specifically why they believe the model does not perform well, other than the limitations already cited in the EIS. We also note that there are no bright-line (i.e., pass/fail) criteria for the evaluation of photochemical modeling.</p>	N
1302	88	Dunn	Connor	ConocoPhillips	Air Quality	<p>While this is a specific example, it occurs throughout the document: On page 76, it says “Receptors along the access road section were placed at the spacing noted above; however, receptors were at a minimum distance of one volume source width from the road volume sources due to model instabilities when the receptors are placed too close to volume sources.” However, Figure 3.3-2 through Figure 3.3-6 seem to show receptors within the road buffers. Seems like the figures are inconsistent with the text. Note that this issue exists on almost all similar figures in the document.</p>	<p>Receptors are only excluded when sources are on the road. Text has been added to clarify this in Section 3.2.7 (<i>Receptors</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>).</p>	Y
1302	89	Dunn	Connor	ConocoPhillips	Air Quality	<p>The HDD pads appear misaligned with water bodies in figure. The water bodies are not relevant to near-field modeling. Therefore, if this cannot be corrected, then the projection should be removed.</p>	<p>Water features were removed from the figures cited in the AQTSD, as they are not relevant to near-field modeling.</p>	Y
1302	90	Dunn	Connor	ConocoPhillips	Air Quality	<p>The AQTSD states: “Monthly emission factors are then applied to annual emission rates to allocate 85% of emissions to ice road season (February-April) and 15% of emissions during fugitive dust season (May-October).” Also: “Monthly emission factors are applied to all annual emission rates to allocate 60% of total emissions in ice road season (February-April) and the remaining 40% in all other operating months. The monthly emission factors are calculated as the ratio of the fractional emissions allocation of each month to the average fractional emissions allocation across all months.”</p> <p>Applying “monthly emission factors” is a confusing way of saying that annual emissions were allocated to each month of the year according to the level of pad construction activity occurring during that month. Please revise this to include meaningful information regarding the development of the emissions.</p>	<p>The text has been edited to clarify the temporal allocation of the emissions in the AQTSD in the Final EIS. Text has been updated in Section 3.3.2.2 (<i>Emissions Calculations</i>) for BT2 and BT3 Pad Construction Nonroad Equipment.</p>	Y
1302	91	Dunn	Connor	ConocoPhillips	Air Quality	<p>Footnotes indicate the 1-hour NO2, 1-hour SO2, 24-PM2.5, and annual NO2/SO2/PM2.5 impacts are averaged over three years though the modeled years are 2013-2017 (5 years). AERMOD does not output 3-year averages. Therefore, any additional post-processing steps need to be further described so that it can be confirmed that the form of the output is correct for comparison to the form of the AAQS. Note that what is done appears to be conservative for comparison to the AAQS, but that is not discussed here.</p>	<p>Text has been added to Section 3.2.2 (<i>Applicable Air Quality Standards and Hazardous Air Pollutant Thresholds</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>) to describe the processing of modeled concentrations for 3-year averages.</p>	Y
1302	92	Dunn	Connor	ConocoPhillips	Air Quality	<p>Impact scales are different between the cumulative impacts and project-only impacts. Please make these the same for appropriate comparison. These figures should illustrate the factor the project impacts are small.</p>	<p>The scales were selected to facilitate a comparison of impacts.</p>	N
1302	93	Dunn	Connor	ConocoPhillips	Air Quality	<p>The AQTSD states that “At this time, these represent the most recent 5-year dataset for Nuiqsut that has been approved by ADEC.”</p> <p>The data has not been approved by ADEC or EPA.</p>	<p>Text has been revised to remove the sentence in Section 3.2.3 (<i>Meteorological Data</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>).</p>	Y

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1302	94	Dunn	Connor	ConocoPhillips	Air Quality	These figures include a projection of “National Hydrography Waterbodies” that imply certain aspects of the project, such as gravel roads and pads, would be constructed on waterbodies. It does not appear that some of these project components are georeferenced correctly in relation to important waterbodies. Because this information is generally irrelevant to near-field air quality modeling, we recommend it be removed from all figures in Attachment A.	Water features were removed from the figures cited in the AQTSD, as they are not relevant to near-field modeling.	Y
1302	95	Dunn	Connor	ConocoPhillips	Air Quality	The “Notes” in these tables incorrectly describe the following modeled sources as “diesel tailpipe from non-road equipment”: IPPWRGEN (stationary power generation turbine) WLWIG01 (incinerator) WLWIG02 (incinerator) IPPWRGENN (stationary power generation turbine) WLWIG01S (incinerator) WLWIG02S (incinerator)	The notes in the tables in Attachment A (of Appendix E.3B, <i>Air Quality Technical Support Document</i>) have been revised to correct and clarify the type of source.	Y
1302	96	Dunn	Connor	ConocoPhillips	Air Quality	As the only stationary heater/boiler that is diesel-fired is the Mud Plant Boiler, we assume that the “Notes” in these tables incorrectly describe the following stationary external combustion equipment modeled sources as “diesel fueled heaters and boilers” when they are actually natural gas-fired: WCFSCE1 WCFSCE2 WCFSCE3 WCFSCE4 WCFSCE5 WCFSCE6 WCFSCE7 IPSCE IPSCES	The notes in the tables in Attachment A (of Appendix E.3B, <i>Air Quality Technical Support Document</i>) have been revised to correct and clarify the type of source.	Y
1302	97	Dunn	Connor	ConocoPhillips	Air Quality	The main body of the draft EIS refers to the Willow processing facility as “WPF.” This attachment refers to the same facility as “WCF.” Please make consistent.	The text of the Final EIS and Appendix E.3B (<i>Air Quality Technical Support Document</i>) were updated to use the term “WPF” consistently.	Y
1302	98	Dunn	Connor	ConocoPhillips	Air Quality	This simulation appears to omit overwater receptors. This decision should be reconsidered or explained. MTI mobile equipment tailpipe emissions sources are modeled on ice roads hundreds of meters from the MTI next to the shore, closest to modeled receptors. For example, it would be conservative to consider these emissions on the ice road nearest to the MTI where impacts are most likely to overlap.	The modeling analysis followed the methodologies used in previous BOEM modeling studies in northern Alaska, whereby overwater receptors were not included in ambient air quality comparisons. In addition, prior to conducting the air quality analysis an air quality modeling protocol was developed that detailed model receptor placement. This protocol was reviewed and approved by the AQTWG, which includes representatives from the ADEC, EPA, and BLM.	N
1302	99	Dunn	Connor	ConocoPhillips	Air Quality	ExxonMobil’s Point Thomson facility expansion is listed as a “modification to existing sources” in the previous table. It should be included on the map.	Point Thomson Facility was added to Figure 2.2-1 in Section 2.2.2 (<i>Reasonably Foreseeable Development</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>).	Y
1302	100	Dunn	Connor	ConocoPhillips	Air Quality	References to the IP should be updated to WOC.	References to the infrastructure pad (IP) have been changed to WOC throughout Appendix E.3B (<i>Air Quality Technical Support Document</i>) and Attachment A of Appendix E.3B.	Y
1302	101	Dunn	Connor	ConocoPhillips	Air Quality	The reference to Table 3.2-9 within the 1-h NO2 data value column is incorrect. It should be referencing Table 3.2-3	The text in Table 3.2-2 in Section 3.2.6 (<i>Ambient Background Data</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>) has been corrected.	Y
1302	102	Dunn	Connor	ConocoPhillips	Air Quality	The color indicator for the Nuiqsut receptor is difficult to distinguish from the combination of the 10m, 25m, and 100m receptors. Consider change in the color of the Nuiqsut receptor here and in all figures with similar coloring.	Color indicator was changed in Figure 3.3-1.	Y
1302	103	Dunn	Connor	ConocoPhillips	Air Quality	Consider splitting this table into two different tables, with two different headings. This comment is the same for all similar tables in the following sections.	The BLM has decided to not split these tables, because that is not required.	N
1302	104	Dunn	Connor	ConocoPhillips	Air Quality	The peak year should be restated here.	The text has been revised to restate the peak year in Section 3.6.1 (<i>Overview of Scenario</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>).	Y
1302	105	Dunn	Connor	ConocoPhillips	Air Quality	The row of “full domain” should have further explanation that these values are the maximum modeled impacts. It is not clear that is what these values are. This comment also applies to future tables with the same information.	Footnote added to each table (Chapter 5.0 of Appendix E.3B, <i>Air Quality Technical Support Document</i>), with a Full Domain row stating that “Full Domain values represent the maximum modeled concentration seen in the entire domain.”	Y
1302	106	Dunn	Connor	ConocoPhillips	Air Quality	Most of the content in this paragraph has already been explained within the text of the DEIS. This should be updated to read: “Under the No Action Alternative, the Willow Project would not be constructed; however, oil and gas exploration in the area would continue. The analysis of this alternative is included to provide a baseline for the comparison of impacts of the action Alternatives (Section 6.6.2 of BLM NEPA Handbook H-1790-1; 40 CFR 1502.14(d)) (BLM 2008).”	The text in Chapter 1.0 (under Section 1.1.1) of Appendix E.3B (<i>Air Quality Technical Support Document</i>) has been updated according to the suggestion.	Y
1296	12	Imm	Teresa	Arctic Slope Regional Corporation	Air Quality	Air Quality ASRC understands that air quality is a growing concern for local stakeholders. Concerns over air quality still remain and local stakeholders have expressed distrust in the air quality modelling conducted. To address these concerns, ASRC recommends the following: BLM should support efforts for local capacity building so the City of Nuiqsut can manage the local air quality monitoring station and analysis of that data; and, the operator should commit to working with the NSB Health Department and Nuiqsut Trilateral Group on providing accessible and clear information on air quality measurements, information, and mitigation measures.	BMP A-10 requires that the Proponent make air quality monitoring data and reports publicly available in a timely manner. BMP H-5 requires that the Proponent make data and summary reports derived from North Slope studies easily accessible.	N

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84	11	Long	Becky	—	Air Quality	The Conoco Phillips air quality monitoring equipment is not adequate for baseline and current data needs. This equipment only tracks 2 to 3 hours daily unlike the lower 48 standards. Supposedly it is technically unfeasible for 24 hour monitoring because of the remoteness. But actually it could be done with real time instrumentation so variability over time could be captured. This needs to be done. The State of Alaska contends they have no money for this.	The Nuiqsut monitoring station provides continuous (24-hour/day) monitoring for CO, NO ₂ , SO ₂ , PM ₁₀ and PM _{2.5} , and O ₃ . The CO, NO ₂ , SO ₂ , and O ₃ instruments capture data nonstop, and hourly averages are calculated from this data, while the PM ₁₀ and PM _{2.5} instruments capture 1-hour samples which are then averaged into a 24-hour sample. Publicly available monitoring reports show high yearly data capture rates, with 2018 showing a greater than 90% yearly data capture rate for all of the above-mentioned compounds.	N
84	12	Long	Becky	—	Air Quality	When the 2012 shallow well blowout of a Repsol exploratory well happened 18 miles from NVN, the air monitoring equipment was down due to routine maintenance. There should have been a back-up. Residents say that the incident impacted their health. Without the air monitoring data, an evacuation decision could not be decided. Shallow pressurized gas is a common drilling hazard. The Alaska Oil and Gas Conservation Commission Chair has said in the past that the technology is not perfect. A standard blowout preventer cannot always be used if there is not a pipe casing in the ground to attach it too. But the AOGCC can and should require that wells to be cased at a shallower depth. Oil and gas development in the Nuiqsut area and other BLM lands has proceeded too rapidly without enough care for the health of the people from air quality and subsistence resources impacts. Respiratory illness has increased since 1986. The increased percentage of cases is far more than due to population growth. Yet industry and state agencies blame the residents’ lifestyle.	Chronic respiratory problems for Nuiqsut residents are described in Section 3.18.1.7, <i>Health Effect Category 7: Noncommunicable and Chronic Diseases</i> . The BLM has no authority over AOGCC requirements.	N
9	6	Miller	Pamela	—	Air Quality	Air quality is a vitally important issue, and there should be truly independent monitoring with the communities and the public having the right to feel confident that the sites of the air monitoring equipment are properly placed; that they are adequate; that they will measure the range of pollutants that’s needed, including those related to climate change.	There is a large and well-designed air quality monitoring network on the North Slope. This includes air monitoring for CO, NO ₂ , SO ₂ , PM ₁₀ and PM _{2.5} , O ₃ , and speciated VOCs at the Nuiqsut monitoring station (CPAI). Other North Slope monitoring stations include the Alpine CD1 facility, CD5 pad, A-Pad, and the central compressor plant (all industry sites). Although the Nuiqsut monitoring station is an industry-owned site, the data collected are designed and operated in accordance with applicable EPA PSD regulations and guidance documents. This includes independent audits by an outside party, quarterly calibrations, and documentation/explanation of missing data periods. GHG concentration monitoring for climate change occurs at the Utqiagvik (Barrow) Atmospheric Baseline Observatory. Other monitoring occurs near Bettles, Fairbanks, and Denali National Park but is outside the Project area.	N
1295	8	Nogi	Jill	U.S. Environmental Protection Agency Region 10	Air Quality	Air Quality Criteria Pollutant Impacts The BLM’s preferred alternative, Alternative B, is not anticipated to result in any significant adverse impacts to air quality based on air quality modeling results presented in the Draft EIS. However, we note that the near field air quality modeling conducted for Alternative C projects exceedances of the 24-hour PM _{2.5} National Ambient Air Quality Standards, with projected levels of PM _{2.5} at 142% of the 24-hour NAAQS modeled to occur near the fence line of the North Willow Operations Center during routine operations. If the BLM were to select Alternative C, we recommend that the Final EIS include the necessary measures to mitigate this NAAQS exceedance and to protect public health. We appreciate that the Air Quality Technical Support Document provides an evaluation of the exceedance and contributing source units. This analysis indicates that three diesel-fired power generation engines and the incinerators proposed for the North WOC are the sources that have the highest contribution to this exceedance. Given that the proposed project includes power generation engines meeting Tier IV interim standards, additional measures to reduce the 24-hour PM _{2.5} concentrations projected for Alternative C may include use of natural gas-fired engines or other refinements to the engineering design of the North WOC that minimize concentrations of source emissions.	As part of the Final EIS modeling, Alternative C now demonstrates compliance based on updated information from the Project proponent. All NAAQS for criteria air pollutants are expected to pass.	N
1295	10	Nogi	Jill	U.S. Environmental Protection Agency Region 10	Air Quality	We also support the BLM’s commitment to include a Fugitive Dust Control Plan in the Final EIS and recommend that the plan include not only the procedures and methods for control, but an outline of the monitoring, communications, and record-keeping procedure plans. In addition to air quality impacts, 4 particulate matter emissions from gravel roads and work areas can settle out, thereby impacting multiple resources including aquatic resources, vegetation, and permafrost.	A Fugitive Dust Control Plan was developed during the Final EIS preparation, and is provided as Appendix I.3 (<i>Dust Control Plan</i>) of the EIS.	Y
1295	11	Nogi	Jill	U.S. Environmental Protection Agency Region 10	Air Quality	Hazardous Air Pollutants Consistent with our scoping comments, we continue to recommend that air quality analyses for oil and gas projects consider a larger list of HAPs. The Draft EIS analyzes hazardous air pollutant impacts from benzene, toluene, ethylbenzene, and xylene (collectively referred to as “BTEX”); n-hexane; and formaldehyde. The document explains that “[t]hese six HAPs were selected for analysis as BTEX and n hexane are present in the raw natural gas, condensate, and oil. Formaldehyde is formed from the combustion of small chain alkanes that predominate in natural gas.” We note that 40 CFR Part 63 subpart HH Table 1 lists hazardous air pollutants for oil and natural gas production facilities, and includes the following additional pollutants: acetaldehyde, carbon disulfide, carbonyl sulfide, ethylene glycol, naphthalene, and 2,2,4-trimethylpentane.	The BLM is evaluating air quality impacts of the following six HAPs that are commonly emitted from oil and gas development: benzene, toluene, ethylbenzene, and xylene, n-hexane, and formaldehyde. Impacts from other HAPs listed under 40 CFR 63, Subpart HH, Table 1, were addressed qualitatively in Chapter 2.0 (<i>Emissions Inventories</i>) of Appendix E.3B (<i>Air Quality Technical Support Document</i>).	Y
1295	12	Nogi	Jill	U.S. Environmental Protection Agency Region 10	Air Quality	If possible, we recommend that the HAPs impacts analysis be expanded in the Final EIS to include additional pollutants. Alternatively, we recommend that the Final EIS disclose that the values presented for “total HAPs” are the sum of only the six pollutants that have been quantitatively evaluated. According to emissions quantified in the Draft EIS, the quantity of volatile organic compounds anticipated to be emitted is approximately an order of magnitude larger than the “total HAPs” category; however, as the chemical-specific risks associated with the full-range of VOC emissions are not currently quantitatively assessed, there is uncertainty around this analysis.	The BLM has analyzed the six HAPs that are commonly emitted from oil and gas developments. The wording in Final EIS Section 3.3.1.2 (<i>Characterization of Climate, Meteorology, and Air Quality in the Analysis Area</i>) was updated to clarify this.	Y

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1295	14	Nogi	Jill	U.S. Environmental Protection Agency Region 10	Air Quality	While the Draft EIS appropriately analyzes air quality and air quality related value impacts in the Arctic National Wildlife Refuge, Gates of the Arctic National Park, and Noatak: National Preserve, we note that the term “Class II areas” is incorrectly defined and used throughout Section 3.3 of the Draft EIS to distinguish these three areas. We recommend that this definition be corrected in the Final EIS, and that a different term be used to distinguish the three non-Class I federally managed areas that are included in the air quality analysis, such as “federally managed areas with sensitive air quality related values.” Under the Clean Air Act Section 162, federally-managed national parks, memorials, and wilderness areas in existence in 1977, and exceeding a minimal acreage, were designated as Class I areas, and provided additional air quality and air quality related-value protections. All other areas of the country are designated as Class II areas. Therefore, all portions of the air quality analysis area for this EIS that are not designated as Class I areas under the Clean Air Act are designated as Class II.	Text was updated in Section 3.3.1.1 (<i>Regulatory Framework</i>) of the EIS to use the term “three assessment areas” to refer to Class II areas analyzed in additional detail.	Y
1294	35	Nukapigak	Joe	Kuukpik Corporation	Air Quality	Vol. I, p. 31, Table 3.1.1, Average Temperature and Precipitation at the Nuiqsut National Weather Service Monitor The data in this table is from 1981-2010. One would think more current Nuiqsut weather info is available. The Nuiqsut weather has changed since just 2010.	More recent meteorology data are available; however, the data presented in Table 3.3.1 in the EIS are the 1981 to 2010 Climate Normal, which is the most recent one. A Climate Normal is a 30-year average of variables such as precipitation and maximum/minimum temperature. Climate Normals provide a better representation of climatology, or average conditions, of an area and are updated every decade with a new 30-year normal.	N
1307	14	Pardue	Margaret	Native Village of Nuiqsut	Air Quality	As explained in the conservation groups comment letter, BLM’s air quality modeling and analysis is flawed and underestimates the Willow MDP’s likely effects on our air quality, and none of the alternatives BLM considers includes sufficient, enforceable mitigation measures. BLM must correct these deficiencies before deciding whether to permit the project. It is particularly important to NVN that BLM use accurate baseline data and that it fully consider the cumulative effects of oil and gas development on our air quality.	Regarding the modeling underestimation concerns, the BLM notes that the different modeling scenarios were selected in consultation with air quality specialists at BLM and key cooperating agencies and after careful consideration of peak emissions and spatial and temporal variations to capture high impacts. Construction was modeled for the maximum year of emissions because there is construction activity in different locations in different years. The near-field modeling impact analysis also includes a developmental drilling scenario that includes concurrent construction (different from the Draft EIS), drilling, and operations. The purpose for modeling the other individual scenarios was to assess any other high spatial impacts that may not show up in the other scenarios. The BLM also notes that a Project-specific near-field analysis would be required for any development to be permitted in the NPR-A. The purpose of NEPA is to analyze the proponent’s Project and the action alternatives. It is assumed that the proponent would not change the Project design. Modeling results show compliance with federal and state air quality standards; therefore, no significant air quality impacts will occur. The operating data that are used in the modeling are Project design components and therefore do not necessitate an additional prescriptive requirement through mitigation measures. The selection of air quality baseline data was determined in consultation with air quality specialists at key cooperating agencies as part of a protocol process. It was determined that monitoring at Nuiqsut was the most representative of the Willow MDP Project area. Cumulative effects of oil and gas development were analyzed.	N
1307	15	Pardue	Margaret	Native Village of Nuiqsut	Air Quality	As residents, we have personally experienced and observed the impacts of oil development on air quality within our region, and we do not believe that BLM is doing enough to ensure that our community’s air is safe. The cumulative effects of development within our region have severely compromised our air quality. Our community is already experiencing significant health problems related to air pollution. . . . Accurate information about current air quality in Nuiqsut does not exist. A 2009 study showed that numerous volatile organic compounds (VOCs) and other pollutants were already present in our air.* And a 2012 study conducted in the weeks after the Repsol blowout found additional VOCs, including Benzene at levels above EPA carcinogenic screening levels.** Since that time, oil and gas development around our community has increased dramatically. The community is now surrounded by numerous production facilities and an expansive network of gravel roads and ice roads. This additional exploration and development raises the likelihood of toxic air pollution from normal operations, as well as the risk of blowouts that can cause dramatic increases in air pollution. An up-to-date, independent study of the air quality in our community and the surrounding region must be conducted before BLM approves additional projects, including the Willow MDP. This analysis should be conducted by independent outside experts, not oil companies or agencies with an interest in development. This analysis will take time and is another reason why we believe approval of Willow should be delayed. * Alaska Native Tribal Health Consortium, Independent Evaluation of Ambient Air Quality in the Village of Nuiqsut, Alaska (2009). ** Alaska Native Tribal Health Consortium, February 27, 2012 & March 15, 2012 VOC Air Sampling Results & Future Monitoring Recommendations (2012).	Chronic respiratory problems for Nuiqsut residents are described in Section 3.18.1.7, <i>Health Effect Category 7: Noncommunicable and Chronic Diseases</i> . The BLM is actively vested in the safety of the community of Nuiqsut but based on information available there should be no cause for concern. The North Slope is classified as an area that meets NAAQS and AAAQS. Modeling results show that there would be no exceedances of NAAQS/AAAQS as a result of the Project, and that HAPs would be below respective RELs and AEGLs. VOC data for benzene, toluene, ethylbenzene, xylenes, n-hexane, and formaldehyde collected between 2014 and 2018 are discussed in Section 3.3.1.2 (<i>Characterization of Climate, Meteorology, and Air Quality in the Analysis Area</i>) of the EIS. It shows that these commonly emitted HAPs from oil and gas development are below respective RELs and AEGLs. Neither the modeled results nor recent HAPs VOC monitoring data indicate a cause for concern. BLM does not see the need for additional sampling in the near term. However, this will be continually assessed as part of all NPR-A projects. It is common for federal agencies to reference data collected by the project proponent when developing an EIS. NEPA does not require federal agencies to conduct new studies and data collection; rather, NEPA requires the use of best-available data. The current NPR-A BMPs require project proponents to collect baseline data for certain resources and to provide that data to BLM. BLM’s subject-matter experts conducted a thorough and independent review of all existing data and studies and referenced them, as appropriate, for the various EIS analyses.	N

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3	1	Pavic	Karolina	—	Air Quality	I had a question about your earlier slide about air quality impacts and then the slide that showed that there would be no — there would be no air quality impact. It’s, like, three slides back. And I’m just curious about how you collected the air quality data. That’s what I’m asking about. I’m asking about how the data was collected to predict that there would be no air quality (inaudible). I guess my question about the modeling aspect of it is what is the modeling data based on? We do a lot of modeling—so the extent of my question here is about how the air quality data was collected, and because the answer to that question is there was no air quality data collected, it was based on modeling, where are you getting your numbers for the models? We have been out of compliance as a state with federal requirements for air quality for — what are we going on now? Does anybody know how many years? And I just wanted to know, did you have air quality monitors installed on North Slope that record the emissions, the exceedance of emissions that are out of compliance with the state and not only the federal government? I guess the modeling question is more, you model — you put some numbers in a computer, but where do those numbers generate from? That’s really what my question was about.	Air quality data are collected by several monitors throughout the North Slope which show compliance with federal standards. The Project area is classified as attainment/unclassified. The NSB is in compliance with all NAAQS/AAAQS. The only nonattainment area in the state of Alaska is the Fairbanks North Star Borough. It is about 612 km to the south of the Project area and has been in nonattainment for PM _{2.5} since 2009. However, the boundary of the Fairbanks nonattainment area is localized to Fairbanks and surrounding communities and is not relevant to the North Slope. Two state-of-the-science models were used for this Project, AERMOD and CAMx. Two models were needed for modeling different spatial scales. AERMOD is for pollutant transport in close proximity to emissions sources, and CAMx is needed to model transport and chemical reactions over longer distances. AERMOD is the EPA’s preferred model for regulatory work because it models dispersion based on boundary layer turbulence, ground level and elevated pollution sources, and takes into account simple and complex terrain. Its results were added to baseline data collected at Nuiqsut for a conservative estimate of Project impacts. CAMx has been used in the past for State Implementation Plans and NAAQS assessments and can handle both physical transport and chemical reactions in the atmosphere. CAMx output was compared to actual monitoring data (see Attachment B) to evaluate it before it was used for Project impacts.	N
3	2	Pavic	Karolina	—	Air Quality	Does anybody know if the project, once it’s completed, would be designated as a Title 5 source?	This type of permitting is designated for stationary sources that are considered to be “major” sources of pollutants. Applications are completed by the proponents and processed by the ADEC. It is unknown if components of this Project will be designed as Title V sources at this time. The Project proponent (CPAI) would need to comply with and obtain all federally required permits once the Project is approved by the BLM. For context, CPAI’s Alpine central processing facility is designated as a Title V source.	N
17	2	Peter	Enei Begaye	Native Movement	Air Quality	I feel like it needs to be said that up to 70 percent of the residents of Nuiqsut are on medication just to breathe. So air quality monitoring not being taken seriously in this EIS and being based off of modeling, mathematical projections, and being based on the company’s data, which these — these air quality monitoring systems just coincidentally happen to always break down during the big toxic blowouts and there isn’t any data, surprisingly, when these things happen. So, we need data from a third party.	Ambient air quality monitoring occurs at Nuiqsut and throughout the North Slope. At Nuiqsut, air monitoring follows rigorous measurement protocols and data reports are publicly available, which include details on missing data periods. Toxic pollutant (benzene, toluene, ethylbenzene, xylenes, n-hexane, and formaldehyde) monitoring through 2018 at Nuiqsut found these pollutants (commonly emitted by oil and gas sources) to be well below RELs and AEGLs (see the Final EIS for this data). NO ₂ , SO ₂ , CO, PM ₁₀ and PM _{2.5} , and O ₃ measured at Nuiqsut are also found to be below federal and state standards. It is common for federal agencies to reference data collected by the project proponent when developing an EIS. NEPA does not require federal agencies to conduct new studies and data collection; rather, NEPA requires the use of best-available data. The current NPR-A BMPs require project proponents to collect baseline data for certain resources and to provide that data to BLM. BLM’s subject-matter experts conducted a thorough and independent review of all existing data and studies and referenced them, as appropriate, for the various EIS analyses.	N
988	6	Peter	Enei Begaye	Native Movement	Air Quality	Furthermore, we have attached a report titled: <i>Air Pollution in Alaska’s North Slope</i> : its implications for the community of Nuiqsut. This air quality report uses data provided by The National Emissions Inventory (NEI), which is published by the US Environmental Protection Agency (EPA). This report documents millions of pounds of pollutants currently being emitted by oil and gas extraction and development on the Arctic Slope. Community members of Nuiqsut have had a 50% rise in respiratory illness in the last 30 years, 70% of Nuiqsut community members are on breathing aid medication, and there is a current lawsuit from the Native Village of Nuiqsut over ConocoPhillips exploration in the NPR-A. BLM’s DEIS has not no mention of these facts and the inevitable increasing health impacts that would be caused by ConocoPhillips proposed Willow Master Development Plan.	Monitoring of HAPs commonly emitted from oil and gas development shows data that are below exposure guidelines. Detailed modeling conducted for the EIS shows that pollutants due to the Willow MDP Project would be below relevant ambient air standards and health-based thresholds at Nuiqsut. Chronic respiratory problems for Nuiqsut residents are described in Section 3.18.1.7, <i>Health Effect Category 7: Noncommunicable and Chronic Diseases</i> .	N
992	9	Perry	Sharla	—	Air Quality	ConocoPhillips—the organization that stands to benefit most from this project—is in charge of collecting data on air quality. I request that an unbiased 3rd party agency be involved in the process of collecting data on air quality.	Although the Nuiqsut monitoring station is an industry-owned site, the data collected are designed and operated in accordance with applicable EPA PSD regulations and guidance documents. This includes independent audits by an outside party, quarterly calibrations, and documentation/explanation of missing data periods. It is common for federal agencies to reference data collected by the project proponent when developing an EIS. NEPA does not require federal agencies to conduct new studies and data collection; rather, NEPA requires the use of best-available data. The current NPR-A BMPs require project proponents to collect baseline data for certain resources and to provide that data to BLM. BLM’s subject-matter experts conducted a thorough and independent review of all existing data and studies and referenced them, as appropriate, for the various EIS analyses.	N
864	102	Psarianos	Bridget	Trustees for Alaska	Air Quality	Willow, which would lead to oil production for many years into the future, would undermine the country’s - and the world’s - urgently needed implementation of its goals for moving swiftly away from dependence on carbon-based fuels. BLM’s analysis will have to ask a set of questions about how the choice to authorize Willow relates to the overall carbon budget and to decisions about whether to pursue other fossil fuels in light of the reality that a vast majority of already-discovered fossil fuels must be left undeveloped.	Section 3.2.1, <i>Affected Environment</i> , of the Final EIS addresses ongoing impacts of climate change on the environment, including in the Project area. Section 3.2.2 (<i>Environmental Consequences: Effects of the Project on Climate Change</i>) and Section 3.19.4 (<i>Cumulative Impacts to Climate Change</i>) analyze impacts that the Project and cumulative actions may have on climate.	N

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864	125	Psarianos	Bridget	Trustees for Alaska	Air Quality	The air quality modeling analysis performed by the BLM for the DEIS for the Willow MDP Project indicates that significant adverse impacts on air quality could occur. Further, the air quality analysis is deficient and likely underestimates impacts. As a result, it is likely that air quality impacts would be more extensive than what is presented in the DEIS. In addition, all of the alternatives fall short of establishing enforceable mitigation measures that reflect assumptions that were made in the analysis and that will ensure that no significant air quality impacts will occur.	<p>In the Draft EIS, predicted impacts from all alternatives and scenarios were below NAAQS and AAAQS and established thresholds for AQRVs, except for Alternative C Routine Operations, which was predicted to exceed the PM_{2.5} 24-hour NAAQS and AAAQS. As shown in the Final EIS, impacts from the revised Project are predicted to be below all applicable NAAQS and AAAQS and established thresholds for AQRVs for all alternatives and scenarios, including Alternative C Routine Operations. Therefore, there would not be significant impacts on air quality.</p> <p>Related to modeling underestimation concerns, modeling does not underestimate impacts because the modeling scenarios were selected to capture high impacts, with careful consideration of peak emissions and spatial and temporal emissions variations and in consultation with air quality specialists at key cooperating agencies. As described in the Final EIS and appendices, the near-field modeling impact analysis assesses multiple scenarios. Notably, the Developmental Drilling scenario presented in the Final EIS has been revised from the approach in the Draft EIS to analyze concurrent construction, drilling, and operations for the peak emissions year. Other scenarios analyze activities with potentially localized peak impacts that could differ from the Developmental Drilling scenario. The Construction scenario models the maximum construction emissions. The Pre-drill scenario assesses impacts associated with drilling activities before electric drill rigs are able to operate. The Routine Operations scenario assesses impacts after temporary and transient activities are complete.</p> <p>Related to the request for enforceable mitigation measures, the purpose of NEPA is to analyze the Project, as proposed by the proponent, and alternatives to inform the selection of an alternative. Since air quality modeling results show that impacts for all alternatives would be below all applicable NAAQS and AAAQS and established thresholds for AQRVs, no significant air quality impacts would occur. Therefore, additional prescriptive mitigation measures are not required for protection of air quality. It is the jurisdiction of ADEC Division of Air Quality, not the BLM, to stipulate required and enforceable operating conditions as part of an air quality permit. Importantly, as part of ADEC’s air quality permitting process, the proponent would be required to conduct a Project-specific ambient air impact assessment for those pollutants and averaging periods that trigger permitting requirements.</p>	N
864	126	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>BLM’s [air quality] modeling analysis is deficient and likely underestimates impacts in part due to a lack of reliable baseline data in the area. The DEIS relies on monitoring data collected in Nuiqsut by ConocoPhillips to represent background concentrations for the air quality analysis. Since these data are not publicly available (e.g., through EPAs Air Quality System Data Mart), the BLM should confirm that the data have been reviewed and approved by EPA or the State in order to assure the public that the data have been properly collected and quality-assured.</p> <p>In 2011, EPA issued a determination of appropriate background values for the North Slope, for use in OCS permitting. At the time, EPA did not consider the ConocoPhillips data collected in Nuiqsut. . . . In 2011, EPA established the following appropriate representative background concentrations for the village of Nuiqsut, which are significantly higher than what is used in the Willow DEIS: (1) a 24-hour average PM2.5 concentration of 17 g/m3 from data collected at the Deadhorse monitor, compared with the value presented in the DEIS of 7.5 g/m3; and (2) a 1- hour average NO2 concentration of 50 parts per billion (ppb) from data collected at the A-Pad monitor, compared with the value presented in the DEIS of 23 ppb. In addition to ConocoPhillips-collected data, BLM should also review and consider data from the same monitors EPA relied on in determining background values for Nuiqsut.</p> <p>Even if EPA determines that the ConocoPhillips monitoring data in Nuiqsut are properly collected and quality assured, the data may not be representative of background concentrations in areas nearer to the Willow project sources and therefore may not be sufficient to assess overall air quality impacts to exposed populations outside the village of Nuiqsut and closer to the project area, e.g., to subsistence hunters in the region. BLM should coordinate efforts with the State and/or EPA to secure additional monitoring around the Alpine Development Area surrounding Nuiqsut that would be made publicly available through the EPAs Air Quality System. Considering the substantial amount of oil and gas activity in this area, it would be reasonable for BLM to seek publicly supported data sources to monitor air quality in the Prudhoe Bay region.</p>	<p>The air quality modeling analysis methodology and selection of air quality baseline data were determined in consultation with air quality specialists at key cooperating agencies as part of a protocol process. Although the Nuiqsut monitoring station is an industry-owned site, the site is operated, and data are collected in accordance with applicable EPA PSD regulations and guidance. Specifically, the monitoring equipment is audited by an outside party, quarterly calibrations are conducted, and there is documentation/explanation of missing data periods.</p> <p>Notably, EPA Region 10’s determination of appropriate background values for the North Slope as part of OCS PSD permitting purposes is not relevant for the selection of baseline data for this Project in several important respects. Specifically, this analysis is being conducted as required by NEPA, not as a PSD permitting assessment; this analysis is for an onshore development, not an offshore analysis; and this analysis is being conducted in 2020, and more recent data are available since EPA Region 10’s assessment of baseline data in 2011. The BLM and air specialists at key cooperating agencies considered monitors other than Nuiqsut and determined that the Nuiqsut monitor was the most representative monitor for the Willow MDP Project’s background concentrations. To assist with the disclosure of impacts for a NEPA analysis, it is more appropriate to use available representative data than data from a site that is less representative. The Deadhorse and A-Pad monitors are both over 100 km from the WPF (while Nuiqsut is only approximately 40 km away) and are located in the Prudhoe Bay Unit, which is an older development and has substantially different source mixture than the sparsely developed NPR-A. The Willow MDP Project area is remote and has no anthropogenic emission sources. Therefore, data collected at Deadhorse and A-Pad are not representative of the Willow MDP Project area or background concentrations for subsistence hunters near Willow. Furthermore, the Nuiqsut monitor is located in the community of Nuiqsut and in proximity to stationary and mobile sources (dirt roads, vehicles, etc.). While the Nuiqsut monitor is the most representative data for the Project area, the monitored air quality concentrations are anticipated to be conservatively high relative to the actual background concentrations at the Project area due to localized emissions sources in the community of Nuiqsut.</p> <p>Related to the assessment of impacts to populations outside Nuiqsut, the near-field ambient air impact assessment analyzed air quality impacts to ambient air anywhere within 50 km of Project emissions sources for multiple scenarios. Impacts to all criteria pollutants were below NAAQS and AAAQS, indicating that subsistence hunters would not be exposed to concentrations above the NAAQS and AAAQS.</p>	N

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864	127	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>In addition to concerns with the representativeness of the background concentration data presented in the DEIS, BLM has removed PM10 data from the monitoring dataset. . . .</p> <p>EPA has established rigorous criteria and procedures for determining whether data are considered and treated as exceptional events and BLM must make a determination based on similar criteria and procedures prior to removing any data from the dataset used in determining representative background concentrations for the DEIS. If high wind events are occurring year after year it would seem unlikely that the resulting pollutant concentrations would be considered to be exceptional. And if the analysis intends to assess impacts in Nuiqsut then it should consider these high wind events as representative of conditions there.</p> <p>Given that the near-field modeling analysis presented in the DEIS predicts PM10 impacts that are approaching levels of the NAAQS (e.g., 24-hour PM10 concentrations from construction activity are 80% of the NAAQS for Alternative B), it is imperative that BLM fully account for all sources of background air quality in order to ensure that additional impacts from the proposed Willow development will not cause or contribute to exceedances of the PM10 NAAQS.</p>	<p>Consistent with the approach followed for previous EISs, including for GMT-1 and GMT-2, the BLM has removed a small number of 24-hour average PM₁₀ concentrations measured at Nuiqsut from the values used to determine a monthly-varying, representative PM₁₀ background concentration for the Willow MDP Project area. Importantly, the BLM does not refer to these data as Exceptional Events, nor does it seek exclusion of these data as Exceptional Events. CAA Section 319(b) allows for the exclusion of monitored data influenced by Exceptional Events when using the data for regulatory decisions, such as exceedances or violations of the NAAQS. The EPA’s Exceptional Event Demonstration guidance has been developed as an option for states if data collected by regulatory monitors are influenced by Exceptional Events and states would like to exclude these data from regulatory decisions. Since the Nuiqsut monitor is not a regulatory monitor, and the data collected by the monitor are not used for regulatory decisions, Exceptional Event Demonstrations would not be necessary for data collected at the Nuiqsut monitor. Furthermore, the data collected at the Nuiqsut monitor during 2015 through 2017 did not exceeded the PM₁₀ 24-hour NAAQS, so no Exceptional Events Demonstration would be warranted even if the monitor was a regulatory monitor.</p> <p>Related to the concern about high wind events occurring year after year, it is important to note that the Exceptional Events Rule defines “natural events,” such as high wind dust events, as an event which may recur at the same location provided that human activity plays little or no direct causal role. High wind events that loft silt from the Nigliq Channel into the air meet the definition of a natural event and therefore would be considered Exceptional Events regardless of frequency of occurrence.</p> <p>Related to the concern about the representativeness of high wind events monitored at Nuiqsut, the Nuiqsut monitor is located in close proximity to the Nigliq Channel, a channel of the CRD, while the WPF and a majority of the Willow MDP Project evaluated with the near-field modeling analysis are located approximately 50 km from the CRD. Therefore, the high wind events that contribute to elevated PM₁₀ concentrations monitored at Nuiqsut are not anticipated to be representative of typical conditions at the Project area. The background data used in the near-field modeling analysis were selected with care to fully account for representative conditions for the Project area. Other emissions sources not accounted for in the Nuiqsut monitoring data, such as RFD, were explicitly included in the modeling analysis.</p>	N
864	129	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>BLM’s Modeling Analysis is Deficient and Likely Underestimates Impacts.</p> <p>Modeled Scenarios</p> <p>It appears that the near-field modeled scenarios do not account for concurrent construction, drilling, and operation activities and therefore underestimate potential air quality impacts from the proposed Project. The DEIS presents separate modeling scenarios for construction, pre-drilling activities at proposed drill site BT1, development drilling, and routine operations for Alternative B in the AQTSD (Section 3.3.1). The DEIS then presents the corresponding impacts from these scenarios, as if they occur in isolation, when in fact construction, drilling, and routine operations will occur simultaneously during many years of the project. According to the AQTSD, emissions from construction, drilling, and operations occur concurrently in years 2021 through 2032. The modeling report includes detailed emissions summaries showing combined emissions from construction, drilling, and operations activities for each year of the project (2020-2050). BLM must model scenarios that fully account for all construction, drilling, and routine operations activities that will occur at the same time. Instead, the DEIS presents model results for PM10 impacts from construction activities, BT1 pre-drilling activities, developmental drilling activities, and routine operations separately in the DEIS. . . . Construction emissions under Alternative B in 2023, the year that construction emissions were modeled in the DEIS, are 146.4 tons. Yet, total PM10 emissions in that same year (2023) from construction, drilling, and operations activities combined are 172.1 tons. The BLM’s analysis does not model the impacts of these combined PM10 emissions. The year with the highest PM10 emissions from all project activities under Alternative B occurs in 2026, with total PM10 emissions from construction (105.6 tons), drilling (87.6 tons), and operations (170.2 tons) of 363.5 tons. Again, the BLM’s analysis does not model the impacts of these combined emissions (that are over two times the amount of PM10 emissions modeled for the construction scenario under Alternative B) in the DEIS. In fact, there are nine other years in which the total PM10 project emissions exceed the emissions modeled for the maximum impact scenario under Alternative B in the DEIS.</p>	<p>The overall total annual Project emissions throughout the relatively large and spatially disperse Willow MDP Project area are not necessarily a predictor of peak, localized impacts in close proximity to emissions activities. Instead, the amount of concurrent emissions in a given area of the Project area, such as a drill site or the central processing facility, is more related to potential peak impacts. In light of this, the near-field modeling scenarios were selected to capture high impacts with careful consideration of peak emissions, spatial and temporal emissions variations, and in consultation with air quality specialists at key cooperating agencies. Notably the Developmental Drilling scenario presented in the Final EIS has been revised from the approach in the Draft EIS to analyze concurrent facility construction, drilling and operations for the peak emissions year. In the revised Final EIS, the emissions have changed relative to the Draft EIS and the values cited in the comment. In the Final EIS, the highest PM₁₀ impacts under Alternative B have decreased relative to the Draft EIS and are predicted to be up to 57% of the NAAQS and AAAQS during Development Drilling and the Routine Operations.</p> <p>Other scenarios analyzed in the Draft EIS and Final EIS assess activities with potentially localized peak impacts that could differ from the Developmental Drilling scenario. The Construction scenario models the maximum annual construction emissions and assesses impacts from key activities expected to occur during the construction phase, including gravel mining and HDD to install pipelines under the Colville River. The Pre-drill scenario assesses impacts associated with concurrent diesel-fired drilling and hydraulic fracturing activities before electricity is available for electric drill rigs are able to operate. Once the central processing facility is operational and is generating electric power, diesel-fired drilling would no longer occur and electric drill rigs would be used. Impacts associated with concurrent operation of two electric drill rigs, hydraulic fracturing, and drill site facilities installation, as well as operation of the WPF and all other routine operations, are assessed as part of the Development Drilling scenario. The Routine Operations scenario assesses impacts from Project operational emissions after temporary and transient activities associated with construction and drilling are complete. The impacts associated with module delivery options are also assessed. All scenarios are developed to characterize potential peak localized impacts from the Project for various pollutants or spatial locations and all scenarios predict impacts would be below applicable NAAQS and AAAQS.</p> <p>New text was added to Section 3.1 (<i>Approach Overview and Results Summary</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>) to describe the scenario selection.</p>	Y

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864	130	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>The DEIS presents the following PM10 impacts, individually, and fails to present an analysis of the combined impacts of the scenario where emissions from these activities will occur at the same time: [see tables in comment letter].</p> <p>And for PM2.5 and NOx impacts, the BLM has disaggregated impacts even further. . . . The BLM’s analysis does not model the impacts of these combined emissions and does not even model the combined impacts of emissions from both developmental drilling and BT1 pre-drilling activities.</p> <p>The DEIS presents the following NOx impacts, individually, and fails to present an analysis of the combined impacts of the scenario where emissions from these activities will occur at the same time, despite the fact that such activities would occur simultaneously under the Willow proposal [see tables in comment letter].</p> <p>The magnitude of the impacts from combined emissions from construction, drilling, and operations activities cannot be known without a modeling analysis to determine ambient air concentrations. Depending on where and when emissions occur from the various project activities it is possible that resulting impacts would exceed the NAAQS, especially when considering the 1-hour average NAAQS for NOx and 24-hour average NAAQS for PM10 and PM2.5. And given the proximity of the project to Nuiqsut it is possible that the combined emissions from construction, drilling, and operations could result in higher impacts there than what is presented in the DEIS. As described above, the lack of accurate background concentrations is another flaw that leads to underestimated impacts in the modeling.</p>	<p>The overall total annual Project emissions throughout the relatively large and spatially disperse Willow MDP Project area are not necessarily a predictor of peak, localized impacts in close proximity to emissions activities. Instead, the amount of concurrent emissions in a given area of the Project area, such as a drill site or the central processing facility, is more related to potential peak impacts. In light of this, the near-field modeling scenarios were selected to capture high impacts with careful consideration of peak emissions, spatial and temporal emissions variations, and in consultation with air quality specialists at key cooperating agencies. Notably the Developmental Drilling scenario presented in the Final EIS has been revised relative to the approach in the Draft EIS to analyze concurrent faculty construction, drilling and operations for the peak emissions year. In the revised Final EIS, the emissions have changed relative to the Draft EIS and the values cited in the comment. In the Final EIS, the highest NOx impacts under Alternative B have decreased relative to the Draft EIS and are predicted to be up to 83% of the NAAQS and AAAQS during Development Drilling and the Routine Operations. The highest PM_{2.5} impacts under Alternative B have increased in the Final EIS relative to the Draft EIS and are predicted to be up to 87% of the NAAQS and AAAQS during Development Drilling and the Routine Operations.</p> <p>Other scenarios analyzed in the Draft EIS and Final EIS assess activities with potentially localized peak impacts that could differ from the Developmental Drilling scenario. The Construction scenario models the maximum annual construction emissions and assesses impacts from key activities expected to occur during the construction phase, including gravel mining and HDD to install pipelines under the Colville River. The Pre-drill scenario assesses impacts associated with concurrent diesel-fired drilling and hydraulic fracturing activities before electricity is available for electric drill rigs to operate. Once the central processing facility is operational and is generating electric power, diesel-fired drilling would no longer occur and electric drill rigs would be used. Impacts associated with concurrent operation of two electric drill rigs, hydraulic fracturing, and drill site facilities installation, as well as operation of the WPF and all other routine operations, are assessed as part of the Development Drilling scenario. The Routine Operations scenario assesses impacts from Project operational emissions after temporary and transient activities associated with construction and drilling are complete. The impacts associated with module delivery options are also assessed. All scenarios are developed to characterize potential peak localized impacts from the Project for various pollutants or spatial locations and all scenarios predict impacts would be below applicable NAAQS and AAAQS.</p> <p>Regarding the comment that concurrent development drilling and pre-drilling is not analyzed, the Final EIS has been modified to explain that pre-drilling activities would not occur concurrent with developmental drilling activities. Regarding the comment that it is also important to analyze concurrent impacts at Nuiqsut, the impacts of all scenarios, including the Development Drilling scenario, and total maximum annual emissions from the regional modeling analysis are assessed at Nuiqsut and impacts are presented in the Draft EIS and Final EIS. Related to the concern about the accuracy of the background data, the BLM and air specialists at key cooperating agencies considered available monitors for the selection of a representative background monitor. It was determined that the Nuiqsut monitor was the most representative monitor for the Willow MDP Project’s background concentrations. While the Nuiqsut monitor is the most representative data for the Willow MDP Project area, the monitored air quality concentrations are anticipated to be conservatively high relative to the actual background concentrations at the Project area due to localized emissions sources in the community of Nuiqsut.</p> <p>New text was added to Section 3.1 (<i>Approach Overview and Results Summary</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>) to describe the scenario selection.</p>	Y
864	131	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>NO2 Modeling</p> <p>BLM’s impact analysis relies on seasonally-varying hourly background concentrations for NO2. Specifically, instead of adding a single representative background concentration to the modeled design value concentration, the DEIS relies on a different background concentration for each hour of the day, by season. According to the AQTSD, the seasonally varying hourly NO2 background values are based on air monitoring data from Nuiqsut for calendar years 2015, 2016, and 2017. For each of four 3-month seasons (e.g., Season 1 = December, January, February, etc.) each hour of the day is represented by the 3-year average of the 98th percentile value of all valid observations for that hour during the season. While not explicitly described in the DEIS, it appears that this analysis method pairs the 3-year average of 98th percentile monitored NO2 concentrations by hour, in a given season, with corresponding modeled concentrations for that hour. This method of pairing data, in time, likely underestimates impacts by overlooking hours when higher background concentrations coincide with the highest modeled concentrations. And while EPA guidance discusses cases where this type of methodology might be used, EPA admits that these alternative analyses result in a less conservative estimate of impacts. This type of analysis could be considered appropriate if, for example, there is a concern about double-counting of monitored and modeled contributions, but this does not seem likely for the Willow project. BLM must justify why this less conservative analysis is warranted. The AQTSD briefly mentions seasonal variance and describes consistency with the GMT2 analysis as potential reasons for this type of refined analysis but fails to provide any evidence for why, in addition to a seasonal variation, the modeling should consider diurnal variations in its analysis for the Willow DEIS. And even if this type of analysis is justifiable, EPA guidance indicates that background values should be based on the 3rd highest value for each season and hour-of-the-day combination (as opposed to the 98th percentile, or 8th highest value).</p>	<p>Background 1-hour NO₂ values have been revised in Section 3.2.6 (<i>Ambient Background Data</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>) to the third-highest hourly values per day per season. This is still a conservative estimate of background, given that we are pairing maximum predicted concentrations with maximum background values.</p>	Y

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864	132	Psarianos	Bridget	Trustees for Alaska	Air Quality	Fundamentally, the modeling for the Willow DEIS should be used as a tool to ensure that adverse impacts will not occur in the future, not simply to determine whether or not an adverse impact occurs over the period of time modeled. The most protective approach, and one presented in EPA's guidance without need for further justification, would be to add the overall highest hourly background NO2 concentration (across the three year monitoring record) to the modeled design value based on the maximum emissions scenario. A less conservative approach outlined in EPA's guidance, but one that still would not need further justification, would be to combine the modeled design value based on the maximum emissions scenario to the monitored NO2 design value, i.e., the 98th-percentile of the annual distribution of daily maximum 1-hour values averaged across the three years of monitored data (irrespective of the meteorological data period used in the dispersion modeling). The method of varying background concentrations seasonally and by hour-of-day likely results in a less conservative analysis and, given that the modeling shows impacts close to the NAAQS (i.e., 91% of the 1-hour NO2 NAAQS for developmental drilling activities under Alternative B and 92% of the 1-hour NO2 NAAQS for routine operations under Alternative C), BLM should consider adopting mitigation measures aimed at minimizing NOx emissions from the Willow development. (See below).	Background 1-hour NO ₂ values have been revised to the third-highest hourly values per day per season in Section 3.2.6 (<i>Ambient Background Data</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>). This is still a conservative estimate of background, given that we are pairing maximum predicted concentrations with maximum background values.	Y
864	133	Psarianos	Bridget	Trustees for Alaska	Air Quality	In addition to potential underestimates of NO2 impacts from varying background concentrations by season and hour-of-day in the modeling, NO2 impacts may be further under predicted by the use of source-specific in-stack NO2/NOx ratios in the modeling analysis. The DEIS uses ratios based on source test data for many sources, e.g., stationary engines, non-road and on-road diesel engines, heaters, turbines, etc. Flares are the only source category for which the analysis uses the EPA-approved default value of 0.5. Some of the ratios use a value ten times lower than the default value. For example, the ratio used for natural gas heaters (0.05) is from the Converse County DEIS in Wyoming which bases its in-stack ratios on manufacturing data and surveys. These in-stack ratios can be important parameters in the modeling and, therefore, BLM must ensure the ratios used are reasonably conservative since small changes to the ratios used could have a measurable impact on predicted concentrations. If BLM wants to rely on source-specific data it should include justification demonstrating that it is basing source-specific data on a reasonable sample size representing a wide load range for these sources that is representative of local operating conditions for the Willow Project. In the absence of sufficient justification and supporting data, BLM should use the EPA-approved default value of 0.5 for these sources.	The BLM is not relying on new source-specific data for the in-stack NO ₂ -to-NOx ratios. Data for in-stack ratios were obtained from approved ADEC sources unless otherwise stated (see Chapter 3.0 of Appendix E.3B, <i>Air Quality Technical Support Document</i>). ADEC in-stack ratios provide data that are most representative of local operating conditions for the Willow MDP Project. For sources that had no available data, the EPA default value of 0.5 was used. The Converse County Draft EIS in-stack ratios for natural gas heaters were derived from the EPA and ADEC in-stack ratio databases, not manufacturing data. To clarify, Table 3.2-1 in Appendix E.3B (<i>Air Quality Technical Support Document</i>) was revised to cite the original data sources for the natural gas heater in-stack ratio.	Y
864	134	Psarianos	Bridget	Trustees for Alaska	Air Quality	PM10 Modeling Similar to the NO2 impact analysis, BLM's PM10 analysis relies on monthly-varying background concentrations. Specifically, instead of adding a single representative background concentration to the modeled design value concentration, the DEIS relies on a different background concentration for each month. Absent any EPA guidance on the use of varying background concentrations for assessing PM10 impacts on compliance with the NAAQS, BLM must provide clear and convincing justification for why this type of variation which would likely result in a less conservative analysis of PM10 impacts is warranted and protective of the NAAQS and should request guidance from EPA technical staff on the use of this method. Given that the modeling shows impacts close to the NAAQS (i.e., 80% of the 24-hour PM10 NAAQS for construction activity under Alternative B), BLM should consider adopting additional mitigation measures aimed at further minimizing fugitive dust from the Willow project development as described below.	Consistent with the approach followed for the GMT-2, the BLM has used monthly-varying, representative PM ₁₀ background concentrations from the Nuiqsut monitoring station for the Willow MDP Project area. The background data used in the near-field modeling analysis were selected with care to fully account for representative conditions for the Project area. In addition, other emissions sources not accounted for in the Nuiqsut monitoring data, such as RFD, were explicitly included in the modeling analysis. Prior to conducting the air quality analysis, an air quality modeling protocol was developed and approved by the AQTWG, which includes representatives from the ADEC, EPA, and BLM. As stated in the protocol, "for most of the pollutants and average times, a single background value will be added to the model results. However, if further analysis of the monitoring data shows variability in the data between seasons or hours, seasonal hourly or daily background data may be used especially for NO ₂ , PM ₁₀ , and PM _{2.5} . PM ₁₀ will be further analyzed to determine a final background level as the monitor at the Nuiqsut Monitoring Station is known to capture PM ₁₀ from the Nigliq Channel during summer high wind events. Because there would not be a similar channel with sediment surrounding the proposed Willow MDP drill sites, these high wind events would not be representative of the background. The PM ₁₀ data from the Nuiqsut Monitoring Station, coupled with wind speed and direction data, will be looked at in detail to determine a more representative background." In addition to further mitigate fugitive dust impacts, a fugitive dust control plan will be implemented on-site.	N

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864	135	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>Unpaved Road Dust Modeling</p> <p>According to the AQTSD and model performance evaluation report in the DEIS, “the Willow regional modeling analysis originally relied on unpaved fugitive dust emissions from the BOEM modeling platform but BLM concluded that the impacts from the modeled emissions were typically at least an order of magnitude larger than monitored values during summertime.” BOEM had indicated that the fugitive dust emissions estimates were uncertain due mainly to the necessary use of non-local data such as default moisture content BLM corrects for this over-estimate by uniformly and arbitrarily reducing dust emissions by a factor of ten from May to September. According to BLM, this adjustment improved model performance considerably. BLM failed to provide sufficient technical justification for the adjustment, other than the fact that the model now predicts concentrations that more closely resemble historic monitored values. Instead of reducing emissions by an arbitrary amount, BLM must make an effort to assess and incorporate localized values for moisture content and other important factors for determining emissions from unpaved roads (e.g., silt content data, precipitation data, etc.).</p> <p>It’s also not clear if the emissions used in the performance evaluation modeling included emissions from unpaved road dust sources that are not generally reflected in the monitoring record used for comparison. BLM must more clearly explain whether the modeled emissions from BOEM are representative of the types of emissions expected to have occurred during the monitoring record used to evaluate model performance.</p>	<p>The decision to correct the fugitive dust emissions in the regional modeling and the level of the correction was based on evidence that the modeled fugitive dust emissions were contributing to modeled overprediction of monitored levels of airborne soil at two locations in the North Slope. It was determined that fugitive dust emissions were overpredicted in the BOEM regional modeling based on several factors. First, the fugitive dust emissions were modeled as occurring only from May to September. This enables a comparison of the model performance during May to September (the period with fugitive dust emissions) to model performance in October through April (the period without fugitive dust emissions). The model performance during May through September had a substantial and consistent level of overprediction of fine soil relative to monitored values that does not occur in months October through April. Second, the correction made to the fugitive dust emissions were demonstrated to be effective by improved model performance for fine soil during May through September without effecting (positively or negatively) the model performance for other months or other chemical constituents. Third, the unpaved road dust emission developed by BOEM have substantial uncertainty stemming from uncertainty in the inputs used to calculate the emission factor, such as silt and moisture content, the overall emission factor uncertainty, and uncertainty related to the estimated amount of vehicle miles traveled. The BOEM study made a focused effort to assess and incorporate localized information for the development of all emissions inputs, including unpaved roads. The BLM did not identify additional sources of information beyond information used by BOEM to revise the emissions estimates; however, the lack of localized information does not preclude the BLM from revising the database when there is evidence that the values are erroneous and would be misleading.</p> <p>Importantly, the BOEM regional modeling study provides a platform in order to assess Project-specific and cumulative regional impacts. The correction to the regional fugitive dust emissions does not alter or affect the predicted Project-specific impacts, nor the contribution of the Project to predicted total cumulative impacts. To address the last concern raised by the comment, the two monitoring sites used to evaluate the model performance are located in areas expected to be similarly impacted by unpaved road emissions as other locations throughout the North Slope.</p>	N
864	136	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>The adjustment BLM made to fugitive dust emissions is also questionable since BLM’s own conclusions warn that, model performance results should be interpreted with care given that contemporaneous air quality observations were very limited for this area. Relying on limited air monitoring to make an arbitrary adjustment to fugitive dust emissions estimates, resulting in modeled emission rates that are 10 times lower than what was estimated when derived from engineering calculations does not seem justified. BLM must more fully assess whether the monitoring record used in the performance evaluation for fugitive dust is representative of the modeled sources in the 2012 Base Case simulation used for evaluating the model performance and whether the assumptions made in calculating fugitive dust emissions are representative of local conditions. Also, fugitive dust emissions are only estimated for May through October and therefore the potential impacts are underestimated in the DEIS. . . . BLM must include these fugitive dust impacts that occur outside May through October in its analysis of impacts from the proposed project.</p>	<p>The decision to correct the fugitive dust emissions in the regional modeling and the level of the correction was based on evidence that the modeled fugitive dust emissions were contributing to modeled overprediction of monitored levels of airborne soil at two locations in the North Slope. It was determined that fugitive dust emissions were overpredicted in the BOEM regional modeling based on several factors. First, the fugitive dust emissions were modeled as occurring only from May to September. This enables a comparison of the model performance during May to September (the period with fugitive dust emissions) to model performance in October through April (the period without fugitive dust emissions). The model performance during May through September had a substantial and consistent level of overprediction of fine soil relative to monitored values that does not occur in months October through April. Second, the correction made to the fugitive dust emissions were demonstrated to be effective by improved model performance for fine soil during May through September without effecting (positively or negatively) the model performance for other months or other chemical constituents. Third, the unpaved road dust emission developed by BOEM have substantial uncertainty stemming from uncertainty in the inputs used to calculate the emission factor, such as silt and moisture content, the overall emission factor uncertainty, and uncertainty related to the estimated amount of vehicle miles traveled. The BOEM study made a focused effort to assess and incorporate localized information for the development of all emissions inputs, including unpaved roads. The BLM did not identify additional sources of information beyond information used by BOEM to revise the emissions estimates; however, the lack of localized information does not preclude the BLM from revising the database when there is evidence that the values are erroneous and would be misleading.</p> <p>Importantly, the BOEM regional modeling study provides a platform in order to assess Project-specific and cumulative regional impacts. The correction to the regional fugitive dust emissions does not alter or affect the predicted Project-specific impacts, nor the contribution of the Project to predicted total cumulative impacts. Related to the concern about fugitive dust emissions calculated for the Willow MDP Project outside of the May through October time period, the AQTSD has been revised to include a discussion of winter fugitive dust emissions.</p>	N
864	137	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>[Air Quality] Cumulative Impacts Analysis</p> <p>The DEIS includes a list of 12 Reasonably Foreseeable Future Actions (RFFA) that were included in a cumulative impact modeling analysis. There is limited information on the results of the cumulative impacts analysis in the DEIS. . . . The AQTSD includes maps of modeled cumulative impacts for the various pollutants and the different Alternatives analyzed but the size / scale of the maps is too small to be able to clearly distinguish potential areas of concern. In addition to these maps there is a general descriptive summary of impacts, but with very little specifics. . . . BLM should provide further details on any significant project impacts resulting from the cumulative modeling analysis. And BLM should include model results of the cumulative impacts of the proposed project along with all other existing and reasonably foreseeable future projects on the community of Nuiqsut, specifically, as well as impacted areas that are used by members of the Nuiqsut community for whaling and hunting. The DEIS fails to disclose what the cumulative impacts to Nuiqsut community members will be in the DEIS.</p>	<p>The cumulative maps have sufficient resolution in the figures that one could zoom in on the online version. Also, near-field impacts are addressed as part of the near-field modeling. For the cumulative far-field modeling, impacts at Nuiqsut are lower than the domain maximums, which are well below thresholds.</p>	N

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864	138	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>In addition to disclosing additional results from the cumulative modeling analysis, BLM should ensure that the cumulative assessment fully considers all potential emission sources that could occur at the same time from concurrent projects, e.g., including from construction impacts from the RFFA sources. BLM must include construction emissions from these sources unless it will be imposing a requirement that future development will not occur until after construction is completed for previous projects (e.g., GMT-1, GMT-2).</p> <p>BLM should also ensure the cumulative impact analysis considers all existing and reasonably foreseeable development, including the following existing sources: winter exploration within the Bear Tooth Unit, Greater Mooses Tooth Kuparuk, Putu, and Horseshoe. BLM should also include emissions from future actions such as future expansion of the Willow project and additional westward expansion into the NPR-A, construction and operation of the Liberty project in the nearshore Beaufort Sea, the Nanushuk project, the proposed Alaska LNG Gas Treatment Facility and associated compressor stations on the North Slope, and future development in the Arctic Refuge Coastal Plain.</p>	<p>The list of projects to evaluate and include for assessing cumulative air quality impacts was determined in consultation with air quality specialists at key cooperating agencies as part of a protocol process. The full RFD list is shown in Table 2.2-2 in the AQTSD (Appendix E.3B, <i>Air Quality Technical Support Document</i>). Cumulative near-field modeling analysis included impacts from four RFDs: GMT-1, GMT-2, and Greater Willow potential drill sites 1 and 2. The RFD emissions were selected with care. The operational emissions from GMT-1 and GMT-2 were modeled due to the anticipated timing of those planned developments relative to the Willow MDP Project schedule. Drilling emissions for the Greater Willow sites were modeled due to the higher NO₂ emissions during that phase.</p> <p>Each of the specific projects/activities raised in the comment was considered. Winter exploration within the Bear Tooth Unit is not anticipated to occur when the Willow MDP Project is operational beyond activities to develop at Greater Willow potential drill sites 1 and 2, which are assessed as RFD. Development at GMT Kuparuk either is already included as an RFD, with the inclusion of GMT-1 and GMT-2, or is already included in the background data because the project existed in 2017. Putu is outside the near-field assessment area. Horseshoe is already included in the background data collected in 2017. Future expansion of the Willow MDP Project is included with the inclusion of Greater Willow potential drill sites 1 and 2. Westward expansion into the NPR-A is assessed as part of BLM planning for the NPR-A IAP; however, at this time, development is too speculative for inclusion as an RFD for this project. Other projects listed (i.e., Liberty, Nanushuk, TAPS) are outside the near-field analysis area but are included in the cumulative regional modeling analysis.</p>	N
864	139	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>BLM’s Air Quality Analysis Does Not Assure the Prevention of Significant Deterioration (PSD) of Air Quality. The DEIS directly compares modeled project impacts to Class II PSD increments. According to these comparisons, predicted modeled concentrations from project development alone consume as much as 20% of some of the PSD Class II increments (e.g., for NO2 and PM2.5). BLM should complete a proper PSD increment analysis to determine how much of the available increments will have already been consumed in the affected area (e.g., by GMT1, GMT2, and other sources) and how much additional increment is available for consumption from the proposed Willow Project. Without this level of analysis, BLM is not adequately ensuring that air quality will not deteriorate more than allowed under the CAA. Specifically, BLM should complete an analysis of all increment consuming and increment expanding sources that impact the same area impacted by the proposed action, including an inventory of increment-affecting emissions (i.e., emissions from major stationary sources which commenced construction or modification after the applicable major source baseline date and emissions increases from minor, area and mobile sources that occurred after the relevant minor source baseline date).</p>	<p>A PSD increment analysis is the responsibility and jurisdiction of the ADEC. This is why the work presented is provided for informational purposes and not a formal PSD increment analysis.</p>	N
864	140	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>The DEIS Fails to Consider Adequate Mitigation Measures.</p> <p>BLM Assumes Certain Operating Parameters and Emissions Controls That Are Not Reflected as Mitigation Measures in the DEIS.</p> <p>The DEIS includes an inventory of emissions which relies on certain emissions controls and operating assumptions that may not be representative of actual operating scenarios and that are not reflected in the proposed mitigation measures for the DEIS. . . .</p> <p>Fugitive dust emissions are estimated for months from May through October, consistent with the months for which fugitive dust emissions were estimated in the BOEM Arctic modeling study (Fields Simms et al. 2018, Stoeckenius et al. 2017). Fugitive dust may also occur in other months, especially during dry snowless conditions and from dry and frozen roads. Thus, fugitive dust emissions outside May through October may affect air concentrations of particulate matter, but likely to a smaller extent than fugitive dust emitted during May through October when there is much less (or no) snow cover. Likewise, some operations would only be expected to occur during daytime hours. Hourly emission rates are then halved under the assumption fracturing engines will operate at 50% load for sixteen hours instead of 100% load for eight hours.</p>	<p>The purpose of NEPA is to analyze and assess impacts due to the Project, as proposed by the proponent, and alternatives. Operating assumptions that are used in modeling are Project design components and thus do not necessitate an additional prescriptive requirement under mitigation measures. Additionally, details such as diesel engine tier level (and hence diesel engine control efficiency) will be specified in the air permit obtained by the Project proponent. For control efficiency estimates, BLM has deferred to agency experts in assuming a more conservative (i.e., protective of the environment) control efficiency of 50% for dust control to assess near-source dust impacts. A fugitive dust control plan will be implemented on-site to reduce PM emission impacts. Modeling assumptions that reflect average work practices, for example, the average number of vehicle trips, cannot be incorporated as specific requirements; therefore, a regime would be unworkable in practice.</p> <p>Consistent with the BOEM Arctic modeling study, fugitive dust emissions were developed assuming that road dust emission control efficiency is 50%. Documentation included in the Draft EIS (Attachment C) indicating a less conservative assumption (i.e., dust emissions occur from June through September and road dust emission control efficiency of 76%) is not indicative of the dust control assumption included in the Draft EIS emission inventory and near-field impact analysis.</p> <p>Fugitive dust emissions are estimated for months from May through October, consistent with the months for which fugitive dust emissions were estimated in the BOEM Arctic modeling study. Fugitive dust may also occur in other months, especially during dry snowless conditions or when the ground is dry and frozen. Fugitive dust emissions outside May through October may affect air concentrations of PM, but likely to a smaller extent than fugitive dust emitted during May through October when there is much less (or no) snow cover.</p> <p>Load factor represents the average engine load when an engine is turned on. A 50% load for an engine operating for 16 hours describes activity for an engine that is turned on for 16 hours and operates, on average, at 50% of its rated power. Applied load factors are either conservative or consistent with other reference sources (e.g., EPA MOVES-NONROAD model).</p>	N
864	141	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>BLM does not reference many of the underlying assumptions used in developing the emissions inventories. For example, the AQTSD and appendices do not include detailed information on assumed engine load factors, drilling and completion times, drilling engine technologies (e.g., whether engines meet Tier II or better engine standards), traffic estimates (e.g., speeds, VMT, etc.), flare gas volumes and destruction efficiencies, fugitive emission capture/destruction efficiencies, etc.</p> <p>BLM must ensure that all assumptions regarding operation and control effectiveness which are the basis for the modeling analysis are established as enforceable mitigation measures and implemented through permit stipulations. Otherwise, BLM should model emission sources under maximum possible operating conditions and assuming no controls.</p>	<p>A summary table (Table 2.1-5) showing key operating assumptions and controls was added to Section 2.1.1 (<i>Emission Inventory Summary</i>) in Appendix E.3B (<i>Air Quality Technical Support Document</i>) of the Final EIS. Operational and control assumptions are fully documented in the detailed emission inventory spreadsheets that are publicly available for the Draft EIS and will be publicly available for the Final EIS.</p> <p>The purpose of NEPA is to analyze and assess impacts due to the Project, as proposed by the proponent, and alternatives. Operating data that are used in modeling are Project design components and thus do not necessitate an additional prescriptive requirement under mitigation measures. Additionally, details such as diesel engine tier level (and hence diesel engine control efficiency) will be specified in the air permit obtained by the Project proponent.</p>	Y

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864	142	Psarianos	Bridget	Trustees for Alaska	Air Quality	BLM Must Establish Enforceable [Air Quality] Mitigation Measures. The DEIS includes a list of ConocoPhillips Design Features to Avoid and Minimize Impacts. The only compulsory air quality feature included is the use of reduced-sulfur fuel in diesel-fueled equipment. There are a few other features included in the DEIS that are discretionary measures and, therefore, do not assure measurable impact avoidance or minimization. These discretionary measures include adherence to BLM’s oil and gas resources BMPs (as applicable), including watering to minimize fugitive dust, maximizing use of electrical power, Tier 2 and higher combustion engines, storage tank controls (to the practicable), green completions, and additional mitigation measures (as appropriate). BLM describes the following mitigation measures in the DEIS: ConocoPhillips design measures would reduce CAP and HAP emissions above and beyond federal or state regulations and existing NPR-A IAP/EIS BMPs. These measures include capturing and injecting produced gas to enhance oil recovery in a closed process, limiting flaring to pilot flares or emergency flares, and using hydraulic fracturing equipment that meet non-road engine Tier 4 emissions standards.	The purpose of NEPA is to analyze the Project, as proposed by the proponent, and alternatives. It is assumed that the proponent would not change the Project design. Modeling results show compliance with federal and state air quality standards; therefore, no significant air quality impacts will occur. The operating assumptions that are used in the modeling are Project design components and therefore do not necessitate an additional prescriptive requirement through mitigation measures.	N
864	143	Psarianos	Bridget	Trustees for Alaska	Air Quality	The DEIS also includes a recommendation that ConocoPhillips implement a fugitive dust control plan. . . . BLM must require that this plan be enforceable and reflect the assumptions for fugitive dust control used in the modeling for the DEIS (e.g., 76% control of fugitive dust control from watering, a 35 mile per hour speed limit, etc.). The DEIS must include a more comprehensive and consistent set of required, measurable, and enforceable mitigations to ensure there will be no significant impacts to air quality from the proposed Willow Project. . . . BLM should rigorously explore and objectively evaluate all reasonable control measures to minimize air quality impacts from the Willow Project and should focus on prioritizing mitigation measures targeting the biggest sources of emissions.	A fugitive dust control plan was developed and will be implemented on-site. The purpose of NEPA is to analyze the Project, as proposed by the proponent, and alternatives. It is assumed that the proponent would not change the Project design. Modeling results show compliance with federal and state air quality standards; therefore, no significant air quality impacts will occur. The operating data that are used in the modeling are Project design components and therefore do not necessitate an additional prescriptive requirement through mitigation measures.	N
864	144	Psarianos	Bridget	Trustees for Alaska	Air Quality	In addition to concerns with the representativeness of the background concentration data presented in the DEIS, BLM has removed PM10 data from the monitoring dataset. . . . EPA has established rigorous criteria and procedures for determining whether data are considered and treated as exceptional events and BLM must make a determination based on similar criteria and procedures prior to removing any data from the dataset used in determining representative background concentrations for the DEIS. If high wind events are occurring year after year it would seem unlikely that the resulting pollutant concentrations would be considered to be exceptional. And if the analysis intends to assess impacts in Nuiqsut then it should consider these high wind events as representative of conditions there. Given that the near-field modeling analysis presented in the DEIS predicts PM10 impacts that are approaching levels of the NAAQS (e.g., 24-hour PM10 concentrations from construction activity are 80% of the NAAQS for Alternative B), it is imperative that BLM fully account for all sources of background air quality in order to ensure that additional impacts from the proposed Willow development will not cause or contribute to exceedances of the PM10 NAAQS.	Consistent with the approach followed for previous EISs, including for GMT-1 and GMT-2, the BLM has removed a small number of 24-hour average PM ₁₀ concentrations measured at Nuiqsut from the values used to determine a monthly-varying, representative PM ₁₀ background concentration for the Willow MDP Project area. Importantly, the BLM does not refer to these data as Exceptional Events, nor does it seek exclusion of these data as Exceptional Events. CAA Section 319(b) allows for the exclusion of monitored data influenced by Exceptional Events when using the data for regulatory decisions, such as exceedances or violations of the NAAQS. The EPA’s Exceptional Event Demonstration guidance has been developed as an option for states if data collected by regulatory monitors are influenced by Exceptional Events and states would like to exclude these data from regulatory decisions. Since the Nuiqsut monitor is not a regulatory monitor, and the data collected by the monitor are not used for regulatory decisions, Exceptional Event Demonstrations would not be necessary for data collected at the Nuiqsut monitor. Furthermore, the data collected at the Nuiqsut monitor during 2015 through 2017 did not exceeded the PM ₁₀ 24-hour NAAQS, so no Exceptional Events Demonstration would be warranted even if the monitor was a regulatory monitor. Related to the concern about high wind events occurring year after year, it is important to note that the Exceptional Events Rule defines “natural events,” such as high wind dust events, as an event which may recur at the same location provided that human activity plays little or no direct causal role. High wind events that loft silt from the Nigliq Channel into the air meet the definition of a natural event and therefore would be considered Exceptional Events regardless of frequency of occurrence. Related to the concern about the representativeness of high wind events monitored at Nuiqsut, the Nuiqsut monitor is located in close proximity to the Nigliq Channel, a channel of the CRD, while the WPF and a majority of the Willow MDP Project evaluated with the near-field modeling analysis are located approximately 50 km from the CRD. Therefore, the high wind events that contribute to elevated PM ₁₀ concentrations monitored at Nuiqsut are not anticipated to be representative of typical conditions at the Willow MDP Project area. The background data used in the near-field modeling analysis were selected with care to fully account for representative conditions for the Project area. Other emissions sources not accounted for in the Nuiqsut monitoring data, such as RFD, were explicitly included in the modeling analysis.	N
864	218-1	Psarianos	Bridget	Trustees for Alaska	Air Quality	BLM has also not obtained sufficient information about the potential health impacts to Nuiqsut. Air quality and other health-related concerns have repeatedly been flagged by Nuiqsut. Despite this, BLM has yet to prepare a Health Impact Analysis. In addition, as detailed in these comments, there are substantial flaws with the modeling related to air quality. BLM has failed to adequately capture the potential air quality concerns related to Willow and to look at them in tandem with the potential cumulative impacts to air quality in the region. BLM needs to prepare a Health Impact Assessment looking at the specific health impacts to Nuiqsut and should not review generalized information and data related to communities on the North Slope more broadly. It is vital that the agency have a thorough understanding of the potential health impacts, given that it is contemplating allowing a massive industrial complex to further extend into the back yard of the community.	In response to the modeling flaws comment: The different modeling scenarios were selected in consultation with air quality specialists at key cooperating agencies and after careful consideration of peak emissions and spatial and temporal variations to capture high impacts. Construction was modeled for the maximum year of emissions because there is construction activity in different locations in different years. The near-field modeling impact analysis also includes a Developmental Drilling scenario which includes concurrent drilling and operations. The purpose for modeling the other individual scenarios was to assess any other high spatial impacts which may not show up in the other scenarios. The BLM also notes that a Project-specific near-field analysis would be required for any development to be permitted in the NPR-A. Baseline health data for Nuiqsut are provided in Section 3.18.1, <i>Affected Environment</i> . A full HIA conducted by the State of Alaska would not further inform BLM of the differences between the alternatives presented for the Willow MDP Project. Health impacts are analyzed in Final EIS Section 3.18, <i>Public Health</i> ; BLM determined, in consultation with the State of Alaska, that an HIA was unnecessary.	N

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864	228	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>The Draft EIS fails to properly disclose and analyze the direct, indirect, and cumulative impacts to air quality from fracking. Such failures render BLM’s analysis arbitrary and unlawful.</p> <p>A growing body of scientific research has documented adverse public health impacts from these practices, including studies showing air pollutants at levels associated with reproductive and developmental harms and the increased risk of morbidity and mortality. A comprehensive review of the risks and harms of fracking to public health came to several key findings related to air pollution . . .</p> <p>The range of illnesses that can result from the wide array of air pollutants from fracking were summarized in a study by Dr. Theo Colburn, which charts which chemicals have been shown to be linked to certain illnesses . . .</p> <p>Adverse health impacts documented among residents living near drilling and fracking operations include reproductive harms, increased asthma attacks, increased rates of hospitalization, ambulance runs, emergency room visits, self-reported respiratory problems and rashes, motor vehicle fatalities, trauma, and drug abuse. A 2019 review concluded: By several measures, evidence for fracking-related health problems has emerged across the United States and Canada.</p>	<p>It should be noted that many of the studies cited might not be applicable to Nuiqsut. Several recent studies mention negative health impacts for those living within a certain distance to oil and gas development. Nuiqsut is several miles away from the nearest development areas, which makes the studies mentioned not entirely applicable. Another thing to note is that oil formations in the NPR-A are conventional sandstone formation, and do not require continuous hydraulic fracturing like unconventional shale formations in the lower 48. All hydraulic stimulation activities will comply with AOGCC regulation found in 20 AAC 25.283.</p>	N
864	229	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>Also, in Pennsylvania, hospitalizations for pneumonia among the elderly are elevated in areas of fracking activity, and one study found significantly elevated rates of bladder and thyroid cancers. In Colorado, children and young adults with leukemia were 4.3 times more likely to live in an area dense with oil and gas wells. Drilling and fracking operations in multiple states are variously correlated with increased rates of asthma; increased hospitalizations for pneumonia and kidney, bladder, and skin problems; high blood pressure and signs of cardiovascular disease; elevated motor vehicle fatalities; symptoms of depression; ambulance runs and emergency room visits; and incidence of sexually transmitted diseases.</p> <p>Benzene levels in ambient air surrounding drilling and fracking operations are sufficient to elevate risks for future cancers in both workers and nearby residents, according to studies. Animal studies show numerous threats to fertility and reproductive success from exposure to various concentrations of oil and gas chemicals at levels representative of those found in drinking water. A recent study found that 43 chemicals used in drilling and fracking operations are classified as known or presumed human reproductive toxicants, while 31 others are suspected human reproductive toxicants. An earlier study identified two dozen chemicals commonly used in fracking operations as endocrine disruptors that can variously disrupt organ systems, lower sperm counts, and cause reproductive harm at realistically expected exposure levels.</p> <p>A rigorous study by Johns Hopkins University, which examined 35,000 medical records of people with asthma in Pennsylvania, found that people who live near a higher number of, or larger, active gas wells were 1.5 to 4 times more likely to suffer from asthma attacks than those living farther away . . . Relatedly, in a 2018 study of pediatric asthma-related hospitalizations, it was found that children and adolescents exposed to newly spudded unconventional natural gas development wells within their zip code had 1.25 times the odds of experiencing an asthma-related hospitalization compared to children who did not live in these communities. . . .</p> <p>A recent Yale University study identified numerous fracking chemicals that are known, probable, or possible human carcinogens.</p>	<p>It should be noted that many of the studies cited might not be applicable to Nuiqsut. Several recent studies mention negative health impacts for those living within a certain distance to oil and gas development. Nuiqsut is several miles away from the nearest development areas, which makes the studies mentioned not entirely applicable. It should also be noted that oil formations in the NPR-A are conventional sandstone formation, and do not require continuous hydraulic fracturing like unconventional shale formations in the lower 48. All hydraulic stimulation activities will comply with AOGCC regulation found in 20 AAC 25.283.</p>	N
864	230	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>A 2018 study by McKenzie et al. conducted in the Denver Julesberg Basin on the Colorado Northern Front Range, found that the currently established setback distance of 152 m (500 ft) does little to protect people in that proximity. In analyses of nonmethane concentrations from 152 to >1600 m from oil and gas facilities, it was found that the EPAs minimum cumulative lifetime excess cancer risk benchmark of 1 in a million was exceeded. . . .</p> <p>Numerous studies also suggest that higher maternal exposure to fracking and drilling can increase the incidence of high-risk pregnancies, premature births, low-birthweight babies, and birth defects. A study of more than 1.1 million births in Pennsylvania found evidence of a greater incidence of low-birth-weight babies and significant declines in average birth weight among pregnant women living within 3 km of fracking sites. . . . A study of 9,384 pregnant women in Pennsylvania found that women who live near active drilling and fracking sites had a 40 percent increased risk for having premature birth and a 30 percent increased risk for having high-risk pregnancies. Another Pennsylvania study found that pregnant women who had greater exposure to gas wells—measured in terms of proximity and density of wells—had a much higher risk of having low-birthweight babies. . . . In rural Colorado, mothers with greater exposure to natural gas wells were associated with a higher risk of having babies with congenital heart defects and possibly neural tube defects.</p> <p>Other studies have found that residents living closer to drilling and fracking operations rates had higher hospitalization and reported more health symptoms including upper respiratory problems and rashes.</p> <p>Methods of collecting and analyzing emissions data often underestimate health risks by failing to adequately measure the intensity, frequency, and duration of community exposure to toxic chemicals from fracking and drilling; failing to examine the effects of chemical mixtures; and failing to consider vulnerable populations. Of high concern, numerous studies highlight that health assessments drilling and fracking emissions often fail to consider impact on communities vulnerable populations including environmental justice and children.</p>	<p>It should be noted that many of the studies cited might not be applicable to Nuiqsut. Several recent studies mention negative health impacts for those living within a certain distance to oil and gas development. Nuiqsut is several miles away from the nearest development areas, which makes the studies mentioned not entirely applicable. Also, modeling performed in the EIS using well-established methods and conservative assumptions, showed impacts at Nuiqsut were below all relevant standards. It should also be noted that oil formations in the NPR-A are conventional sandstone formation, and do not require continuous hydraulic fracturing like unconventional shale formations in the lower 48. All hydraulic stimulation activities will comply with AOGCC regulation found in 20 AAC 25.283.</p>	N

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864	239	Psarianos	Bridget	Trustees for Alaska	Air Quality	The range of Alternatives considered in the DEIS fails to incorporate project design factors and mitigations that would meaningfully affect air quality impacts. The air quality impacts from drilling activities are virtually the same across Alternatives B, C, and D for all pollutants and the NOx impacts from all activities (i.e., construction, drilling, and operations) are virtually the same across Alternatives B, C, and D. BLM should consider an Alternative aimed at minimizing air quality impacts, e.g., one that would incorporate factors aimed at reducing short-term NOx emissions from drilling.	The BLM interdisciplinary team carefully decided on the range of alternatives that would meet the Purpose and Need. As shown in the Final EIS, impacts from the revised Project are predicted to be below all applicable NAAQS and AAAQS and established thresholds for AQRVs for all alternatives and scenarios. Therefore, there would not be significant impacts on air quality. No adverse air quality impacts are predicted for any scenario or alternative; therefore, additional mitigation measures are not warranted. The Project proponent intends to use equipment that minimizes air quality emissions, particularly NO ₂ emissions from drilling by using electric-powered drilling equipment when highline power is available, and when highline power is not available, diesel-fired drill rigs would meet the most stringent emissions standards available. Impacts across alternatives are similar for some pollutants, such as NO ₂ , but not all. For example, PM ₁₀ and PM _{2.5} impacts vary across scenarios and alternatives.	N
864	240	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>Modeled Scenarios</p> <p>It appears that the near-field modeled scenarios do not account for concurrent construction, drilling, and operation activities and therefore underestimate potential air quality impacts from the proposed Project. The DEIS presents separate modeling scenarios for construction, pre-drilling activities at proposed drill site BT1, development drilling, and routine operations for Alternative B in the AQTSD (Section 3.3.1). The DEIS then presents the corresponding impacts from these scenarios, as if they occur in isolation, when in fact construction, drilling, and routine operations will occur simultaneously during many years of the project. According to the AQTSD, emissions from construction, drilling, and operations occur concurrently in years 2021 through 2032. The modeling report includes detailed emissions summaries showing combined emissions from construction, drilling, and operations activities for each year of the project (2020-2050). BLM must model scenarios that fully account for all construction, drilling, and routine operations activities that will occur at the same time. . . .</p> <p>The DEIS presents the following PM10 impacts, individually, and fails to present an analysis of the combined impacts of the scenario where emissions from these activities will occur at the same time [see tables in comment letter].</p> <p>And for PM2.5 and NOx impacts, the BLM has disaggregated impacts even further. . . . The BLM’s analysis does not model the impacts of these combined emissions and does not even model the combined impacts of emissions from both developmental drilling and BT1 pre-drilling activities.</p> <p>The DEIS presents the following NOx impacts, individually, and fails to present an analysis of the combined impacts of the scenario where emissions from these activities will occur at the same time, despite the fact that such activities would occur simultaneously under the Willow proposal [see tables in comment letter].</p> <p>The magnitude of the impacts from combined emissions from construction, drilling, and operations activities cannot be known without a modeling analysis to determine ambient air concentrations. Depending on where and when emissions occur from the various project activities it is possible that resulting impacts would exceed the NAAQS, especially when considering the 1-hour average NAAQS for NOx and 24-hour average NAAQS for PM10 and PM2.5. And given the proximity of the project to Nuiqsut it is possible that the combined emissions from construction, drilling, and operations could result in higher impacts there than what is presented in the DEIS.</p>	<p>The overall total annual Project emissions throughout the relatively large and spatially disperse Willow MDP Project area are not necessarily a predictor of peak, localized impacts in close proximity to emissions activities. Instead, the amount of concurrent emissions in a given area of the Project area, such as a drill site or the central processing facility, is more related to potential peak impacts. In light of this, the near-field modeling scenarios were selected to capture high impacts with careful consideration of peak emissions, spatial and temporal emissions variations, and in consultation with air quality specialists at key cooperating agencies. Notably the Developmental Drilling scenario presented in the Final EIS has been revised relative to the approach in the Draft EIS to analyze concurrent faculty construction, drilling and operations for the peak emissions year. In the revised Final EIS, the emissions have changed relative to the Draft EIS and the values cited in the comment. In the Final EIS, the highest NOx impacts under Alternative B have decreased relative to the Draft EIS and are predicted to be up to 83% of the NAAQS and AAAQS during Development Drilling and the Routine Operations. The highest PM_{2.5} impacts under Alternative B have increased in the Final EIS relative to the Draft EIS and are predicted to be up to 87% of the NAAQS and AAAQS during Development Drilling and the Routine Operations.</p> <p>Other scenarios analyzed in the Draft EIS and Final EIS assess activities with potentially localized peak impacts that could differ from the Developmental Drilling scenario. The Construction scenario models the maximum annual construction emissions and assesses impacts from key activities expected to occur during the construction phase, including gravel mining and HDD to install pipelines under the Colville River. The Pre-drill scenario assesses impacts associated with concurrent diesel-fired drilling and hydraulic fracturing activities before electricity is available for electric drill rigs to operate. Once the central processing facility is operational and is generating electric power, diesel-fired drilling would no longer occur and electric drill rigs would be used. Impacts associated with concurrent operation of two electric drill rigs, hydraulic fracturing, drill site facilities installation, as well as operation of the WPF and all other routine operations are assessed as part of the Development Drilling scenario. The Routine Operations scenario assesses impacts from Project operational emissions after temporary and transient activities associated with construction and drilling are complete. The impacts associated with module delivery options are also assessed. All scenarios are developed to characterize potential peak localized impacts from the Project for various pollutants or spatial locations and all scenarios predict impacts would be below applicable NAAQS and AAAQS.</p> <p>Regarding the comment that concurrent development drilling and pre-drilling is not analyzed, the Final EIS has been modified to explain that pre-drilling activities would not occur concurrent with developmental drilling activities. Regarding the comment that it is also important to analyze concurrent impacts at Nuiqsut, the impacts of all scenarios, including the Development Drilling scenario, and total maximum annual emissions from the regional modeling analysis are assessed at Nuiqsut and impacts are presented in the Draft EIS and Final EIS. Related to the concern about the accuracy of the background data, the BLM and air specialists at key cooperating agencies considered available monitors for the selection of a representative background monitor. It was determined that the Nuiqsut monitor was the most representative monitor for the Willow MDP Project’s background concentrations. While the Nuiqsut monitor is the most representative data for the Willow MDP Project area, the monitored air quality concentrations are anticipated to be conservatively high relative to the actual background concentrations at the Project area due to localized emissions sources in the community of Nuiqsut.</p>	N

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864	241	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>Background Concentrations</p> <p>The DEIS relies on monitoring data collected in Nuiqsut by CPAI to represent background concentrations for the air quality analysis. Since these data are not publicly available (e.g., through EPAs Air Quality System Data Mart), the BLM should confirm that the data have been reviewed and approved by EPA or the State in order to assure the public that the data have been properly collected and quality-assured.</p> <p>In 2011, EPA issued a determination of appropriate background values for the North Slope, for use in OCS permitting. . . .</p> <p>In 2011, EPA established the following appropriate representative background concentrations for the village of Nuiqsut, which are significantly higher than what is used in the Willow DEIS . . . In addition to CPAI-collected data, BLM should also review and consider data from the same monitors EPA relied on in determining background values for Nuiqsut.</p> <p>Even if EPA determines that the CPAI monitoring data in Nuiqsut are properly collected and quality assured, the data may not be representative of background concentrations in areas nearer to the Willow project sources and therefore may not be sufficient to assess overall air quality impacts to exposed populations outside the village of Nuiqsut and closer to the project area, e.g., to subsistence hunters in the region. BLM should coordinate efforts with the State and / or EPA to secure additional monitoring around the Alpine Development Area surrounding Nuiqsut that would be made publicly available through the EPAs Air Quality System. Considering the substantial amount of oil and gas activity in this area, it would be reasonable for BLM to seek publicly supported data sources to monitor air quality in the Prudhoe Bay region.</p> <p>In addition to concerns with the representativeness of the background concentration data presented in the DEIS, BLM has removed PM10 data from the monitoring dataset . . .</p> <p>EPA has established rigorous criteria and procedures for determining whether data are considered and treated as exceptional events and BLM must make a determination based on similar criteria and procedures prior to removing any data from the dataset used in determining representative background concentrations for the DEIS. If high wind events are occurring year after year it would seem unlikely that the resulting pollutant concentrations would be considered to be exceptional. And if the analysis intends to assess impacts in Nuiqsut then it should consider these high wind events as representative of conditions there.</p> <p>Given that the near-field modeling analysis presented in the DEIS predicts PM10 impacts that are approaching levels of the NAAQS (e.g., 24-hour PM10 concentrations from construction activity are 80% of the NAAQS for Alternative B), it is imperative that BLM fully account for all sources of background air quality in order to ensure that additional impacts from the proposed Willow development will not cause or contribute to exceedances of the PM10 NAAQS.</p>	<p>Consistent with the approach followed for previous EISs, including for GMT-1 and GMT-2, the BLM has removed a small number of 24-hour average PM₁₀ concentrations measured at Nuiqsut from the values used to determine a monthly-varying, representative PM₁₀ background concentration for the Willow MDP Project area. Importantly, the BLM does not refer to these data as Exceptional Events, nor does it seek exclusion of these data as Exceptional Events. CAA Section 319(b) allows for the exclusion of monitored data influenced by Exceptional Events when using the data for regulatory decisions, such as exceedances or violations of the NAAQS. The EPA’s Exceptional Event Demonstration guidance has been developed as an option for states if data collected by regulatory monitors are influenced by Exceptional Events and states would like to exclude these data from regulatory decisions. Since the Nuiqsut monitor is not a regulatory monitor, and the data collected by the monitor are not used for regulatory decisions, Exceptional Event Demonstrations would not be necessary for data collected at the Nuiqsut monitor. Furthermore, the data collected at the Nuiqsut monitor during 2015 through 2017 did not exceeded the PM₁₀ 24-hour NAAQS, so no Exceptional Events Demonstration would be warranted even if the monitor was a regulatory monitor.</p> <p>Related to the concern about high wind events occurring year after year, it is important to note that the Exceptional Events Rule defines “natural events,” such as high wind dust events, as an event which may recur at the same location provided that human activity plays little or no direct causal role. High wind events that loft silt from the Nigliq Channel into the air meet the definition of a natural event and therefore would be considered Exceptional Events regardless of frequency of occurrence.</p> <p>Related to the concern about the representativeness of high wind events monitored at Nuiqsut, the Nuiqsut monitor is located in close proximity to the Nigliq Channel, a channel of the CRD, while the WPF and a majority of the Willow MDP Project evaluated with the near-field modeling analysis are located approximately 50 km from the CRD. Therefore, the high wind events that contribute to elevated PM₁₀ concentrations monitored at Nuiqsut are not anticipated to be representative of typical conditions at the Willow MDP Project area. The background data used in the near-field modeling analysis were selected with care to fully account for representative conditions for the Project area. Other emissions sources not accounted for in the Nuiqsut monitoring data, such as RFD, were explicitly included in the modeling analysis.</p>	N

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864	242	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>NO2 Modeling</p> <p>BLM’s impact analysis relies on seasonally-varying hourly background concentrations for NO2.14 Specifically, instead of adding a single representative background concentration to the modeled design value concentration, the DEIS relies on a different background concentration for each hour of the day, by season. According to the AQTSD, the seasonally varying hourly NO2 background values are based on air monitoring data from Nuiqsut for calendar years 2015, 2016, and 2017. For each of four 3-month seasons (e.g., Season 1 = December, January, February, etc.) each hour of the day is represented by the 3-year average of the 98th percentile value of all valid observations for that hour during the season. While not explicitly described in the DEIS, it appears that this analysis method pairs the 3-year average of 98th percentile monitored NO2 concentrations by hour, in a given season, with corresponding modeled concentrations for that hour. This method of pairing data, in time, likely underestimates impacts by overlooking hours when higher background concentrations coincide with the highest modeled concentrations. And while EPA guidance discusses cases where this type of methodology might be used, EPA admits that these alternative analyses result in a less conservative estimate of impacts. This type of analysis could be considered appropriate if, for example, there is a concern about double-counting of monitored and modeled contributions, but this does not seem likely for the Willow project. BLM must justify why this less conservative analysis is warranted. The AQTSD briefly mentions seasonal variance and describes consistency with the GMT2 analysis as potential reasons for this type of refined analysis but fails to provide any evidence for why, in addition to a seasonal variation, the modeling should consider diurnal variations in its analysis for the Willow DEIS. And even if this type of analysis is justifiable, EPA guidance indicates that background values should be based on the 3rd highest value for each season and hour-of-the-day combination (as opposed to the 98th percentile, or 8th highest value). Fundamentally, the modeling for the Willow DEIS should be used as a tool to ensure that adverse impacts will not occur in the future, not simply to determine whether or not an adverse impact occurs over the period of time modeled. The most protective approach, and one presented in EPAs guidance without need for further justification, would be to add the overall highest hourly background NO2 concentration (across the three year monitoring record) to the modeled design value based on the maximum emissions scenario. A less conservative approach outlined in EPAs guidance, but one that still would not need further justification, would be to combine the modeled design value based on the maximum emissions scenario to the monitored NO2 design value, i.e., the 98th-percentile of the annual distribution of daily maximum 1-hour values averaged across the three years of monitored data (irrespective of the meteorological data period used in the dispersion modeling). The method of varying background concentrations seasonally and by hour-of-day likely results in a less conservative analysis and, given that the modeling shows impacts close to the NAAQS (i.e., 91% of the 1-hour NO2 NAAQS for developmental drilling activities under Alternative B and 92% of the 1-hour NO2 NAAQS for routine operations under Alternative C), BLM should consider adopting mitigation measures aimed at minimizing NOx emissions from the Willow development. (See Section V).</p> <p>In addition to potential underestimates of NO2 impacts from varying background concentrations by season and hour-of-day in the modeling, NO2 impacts may be further under predicted by the use of source-specific in-stack NO2/NOx ratios in the modeling analysis. The DEIS uses ratios based on source test data for many sources, e.g., stationary engines, non-road and on-road diesel engines, heaters, turbines, etc. Flares are the only source category for which the analysis uses the EPA-approved default value of 0.5. Some of the ratios use a value ten times lower than the default value. For example, the ratio used for natural gas heaters (0.05) is from the Converse County DEIS in Wyoming which bases its in-stack ratios on manufacturing data and surveys. These in-stack ratios can be important parameters in the modeling and, therefore, BLM must ensure the ratios used are reasonably conservative since small changes to the ratios used could have a measurable impact on predicted concentrations. If BLM wants to rely on source-specific data it should include justification demonstrating that it is basing source-specific data on a reasonable sample size representing a wide load range for these sources that is representative of local operating conditions for the Willow Project. In the absence of sufficient justification and supporting data, BLM should use the EPA-approved default value of 0.5 for these sources.</p>	<p>Background 1-hour NO2 values have been revised to the third-highest hourly values per day per season. This is still a conservative estimate of background, given that we are pairing maximum predicted concentrations with maximum background values.</p> <p>The BLM is not relying on new source-specific data for the in-stack NO2-to-NOx ratios. Data for in-stack ratios were obtained from approved ADEC sources unless otherwise stated (see Chapter 3.0 of Appendix E.3B, <i>Air Quality Technical Support Document</i>). ADEC in-stack ratios provide data that are most representative of local operating conditions for the Willow MDP Project. For sources that had no available data, the EPA default value of 0.5 was used. The Converse County Draft EIS in-stack ratios for natural gas heaters were derived from the EPA and ADEC in-stack ratio databases, not manufacturing data. To clarify, Table 3.2-1 in Appendix E.3B (<i>Air Quality Technical Support Document</i>) was revised to cite the original data sources for the natural gas heater in-stack ratio.</p>	N
864	243	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>PM10 Modeling</p> <p>Similar to the NO2 impact analysis, BLM’s PM10 analysis relies on monthly-varying background concentrations. Specifically, instead of adding a single representative background concentration to the modeled design value concentration, the DEIS relies on a different background concentration for each month. Absent any EPA guidance on the use of varying background concentrations for assessing PM10 impacts on compliance with the NAAQS, BLM must provide clear and convincing justification for why this type of variation which would likely result in a less conservative analysis of PM10 impacts is warranted and protective of the NAAQS and should request guidance from EPA technical staff on the use of this method. Given that the modeling shows impacts close to the NAAQS (i.e., 80% of the 24-hour PM10 NAAQS for construction activity under Alternative B), BLM should consider adopting additional mitigation measures aimed at further minimizing fugitive dust from the Willow project development. (See Section V.)</p>	<p>Consistent with the approach followed for the GMT-2, the BLM has used monthly-varying, representative PM10 background concentrations from the Nuiqsut monitoring station for the Willow MDP Project area. The background data used in the near-field modeling analysis were selected with care to fully account for representative conditions for the Project area. In addition, other emissions sources not accounted for in the Nuiqsut monitoring data, such as RFD, were explicitly included in the modeling analysis. Prior to conducting the air quality analysis, an air quality modeling protocol was developed and approved by the AQTWG, which includes representatives from the ADEC, EPA, and BLM. As stated in the protocol, “for most of the pollutants and average times, a single background value will be added to the model results. However, if further analysis of the monitoring data shows variability in the data between seasons or hours, seasonal hourly or daily background data may be used especially for NO2, PM10, and PM2.5. PM10 will be further analyzed to determine a final background level as the monitor at the Nuiqsut Monitoring Station is known to capture PM10 from the Nigliq Channel during summer high wind events. Because there would not be a similar channel with sediment surrounding the proposed Willow MDP drill sites, these high wind events would not be representative of the background. The PM10 data from the Nuiqsut Monitoring Station, coupled with wind speed and direction data, will be looked at in detail to determine a more representative background.” In addition to further mitigate fugitive dust impacts, a fugitive dust control plan will be implemented on-site.</p>	N

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864	245	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>Cumulative Impacts Analysis</p> <p>The DEIS includes a list of 12 Reasonably Foreseeable Future Actions (RFFA) that were included in a cumulative impact modeling analysis. There is limited information on the results of the cumulative impacts analysis in the DEIS. . . .</p> <p>The AQTSD includes maps of modeled cumulative impacts for the various pollutants and the different Alternatives analyzed but the size / scale of the maps is too small to be able to clearly distinguish potential areas of concern. In addition to these maps there is a general descriptive summary of impacts, but with very little specifics. . . .</p> <p>BLM should provide further details on any significant project impacts resulting from the cumulative modeling analysis. And BLM should include model results of the cumulative impacts of the proposed project along with all other existing and reasonably foreseeable future projects on the community of Nuiqsut, specifically, as well as impacted areas that are used by members of the Nuiqsut community for whaling and hunting. The DEIS fails to disclose what the cumulative impacts to Nuiqsut community members will be in the DEIS.</p> <p>In addition to disclosing additional results from the cumulative modeling analysis, BLM should ensure that the cumulative assessment fully considers all potential emission sources that could occur at the same time from concurrent projects e.g., including from construction impacts from the RFFA sources. BLM must include construction emissions from these sources unless it will be imposing a requirement that future development will not occur until after construction is completed for previous projects (e.g., GMT-1, GMT-2).</p> <p>BLM should also ensure the cumulative impact analysis considers all existing and reasonably foreseeable development, including the following existing sources: winter exploration within the Bear Tooth Unit, Greater Mooses Tooth Kuparuk, Putu, and Horseshoe. BLM should also include emissions from future actions such as future expansion of the Willow project and additional westward expansion into the NPR-A, construction and operation of the Liberty project in the nearshore Beaufort Sea, the Nanushuk project, the proposed Alaska LNG Gas Treatment Facility and associated compressor stations on the North Slope, and future development in the Arctic Refuge Coastal Plain.</p>	<p>The list of projects to evaluate and include for assessing cumulative air quality impacts was determined in consultation with air quality specialists at key cooperating agencies as part of a protocol process. The full RFD list is shown in Table 2.2-2 in the AQTSD (Appendix E.3B, <i>Air Quality Technical Support Document</i>). Cumulative near-field modeling analysis included impacts from four RFDs: GMT-1, GMT-2, and Greater Willow potential drill sites 1 and 2. The RFD emissions were selected with care. The operational emissions from GMT-1 and GMT-2 were modeled due to the anticipated timing of those planned developments relative to the Willow MDP Project schedule. Drilling emissions for the Greater Willow sites were modeled due to the higher NO₂ emissions during that phase.</p> <p>Each of the specific projects/activities raised in the comment was considered. Winter exploration within the Bear Tooth Unit is not anticipated to occur when the Willow MDP Project is operational beyond activities to develop at Greater Willow potential drill sites 1 and 2, which are assessed as RFD. Development at GMT Kuparuk either is already included as an RFD, with the inclusion of GMT-1 and GMT-2, or is already included in the background data because the project existed in 2017. Putu is outside the near-field assessment area. Horseshoe is already included in the background data collected in 2017. Future expansion of the Willow MDP Project is included with the inclusion of Greater Willow potential drill sites 1 and 2. Westward expansion into the NPR-A is assessed as part of BLM planning for the NPR-A IAP; however, at this time development is too speculative for inclusion as an RFD for this project. Other projects listed (i.e., Liberty, Nanushuk, TAPS) are outside the near-field analysis area but are included in the cumulative regional modeling analysis.</p> <p>The cumulative maps have sufficient resolution in the figures that one could zoom in on the online version. Also, near-field impacts are addressed as part of the near-field modeling. For the cumulative far-field modeling, impacts at Nuiqsut are lower than the domain maximums, which are well below thresholds.</p>	N
864	248	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>BLM Must Establish Enforceable Mitigation Measures.</p> <p>The DEIS includes a list of CPAI Design Features to Avoid and Minimize Impacts. The only compulsory air quality feature included is the use of reduced-sulfur fuel in diesel-fueled equipment. There are a few other features included in the DEIS that are discretionary measures and, therefore, do not assure measurable impact avoidance or minimization. . . .</p> <p>The DEIS also includes a recommendation that CPAI implement a fugitive dust control plan . . . BLM must require that this plan be enforceable and reflect the assumptions for fugitive dust control used in the modeling for the DEIS (e.g., 76% control of fugitive dust control from watering, a 35 mile per hour speed limit, etc.). The DEIS must include a more comprehensive and consistent set of required, measurable, and enforceable mitigations to ensure there will be no significant impacts to air quality from the proposed Willow Project.</p> <p>BLM should rigorously explore and objectively evaluate all reasonable control measures to minimize air quality impacts from the Willow Project and should focus on prioritizing mitigation measures targeting the biggest sources of emissions.</p> <p>To minimize NO_x emissions, BLM should focus on controls and optimization of Willow Central Facility and Willow Operations Facility sources (e.g., combustion sources, tanks, etc.), power generation sources, and drilling and construction engines. BLM should require add-on controls to minimize NO_x emissions from engines, where feasible, in order to achieve the strictest NO_x emission rates possible, based on engine size.</p> <p>To minimize PM₁₀ emissions, BLM should focus on the Willow Central Facility and Willow Operations Facility sources and on minimizing emissions from vehicle traffic (e.g., production/operations traffic, drilling and completion traffic, construction traffic). BLM should also focus on minimizing emissions of PM_{2.5} and PM₁₀ from drilling. BLM should require the use of dust suppression practices on all unpaved roads and should explore the use of Tier 4 engine technology that includes a diesel particulate filter (DPF). Other reasonable alternatives to reduce PM emissions that BLM should consider include reducing the pace and intensity of the project and using remote monitoring systems to reduce the extent of on-site inspections and associated mobile source emissions.</p> <p>To minimize VOC emissions, BLM should focus on minimizing fugitive leaks. Equipment leak detection and repair programs across all segments of the project (i.e., processing, production, transmission and storage) can be cost-effective and significantly reduce VOC and methane emissions. Leak detection and repair (LDAR) programs are vital to addressing fugitive emissions from oil and gas sources. . . . BLM should require leak detection and repair at gas production, processing, and transport sources.</p>	<p>A fugitive dust control plan was added to the Final EIS Section 3.3.2.1.3, <i>Additional Suggested Avoidance, Minimization, or Mitigation</i>. The purpose of NEPA is to analyze the Project, as proposed by the proponent, and alternatives. It is assumed that the proponent would not change the Project design. Modeling results show compliance with federal and state air quality standards; therefore, no significant air quality impacts will occur. The operating assumptions that are used in the modeling are Project design components and therefore do not necessitate an additional prescriptive requirement through mitigation measures.</p>	Y

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Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	244	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>Unpaved Road Dust Modeling</p> <p>According to the AQTSD and model performance evaluation report in the DEIS, the Willow regional modeling analysis originally relied on unpaved fugitive dust emissions from the BOEM modeling platform but BLM concluded that the impacts from the modeled emissions were typically at least an order of magnitude larger than monitored values during summertime. BOEM had indicated that the fugitive dust emissions estimates were uncertain due mainly to the necessary use of non-local data such as default moisture content. BLM corrects for this over-estimate by uniformly and arbitrarily reducing dust emissions by a factor of ten from May to September. According to BLM, this adjustment improved model performance considerably. BLM failed to provide sufficient technical justification for the adjustment, other than the fact that the model now predicts concentrations that more closely resemble historic monitored values. Instead of reducing emissions by an arbitrary amount, BLM must make an effort to assess and incorporate localized values for moisture content and other important factors for determining emissions from unpaved roads (e.g., silt content data, precipitation data, etc.).</p> <p>It’s also not clear if the emissions used in the performance evaluation modeling included emissions from unpaved road dust sources that are not generally reflected in the monitoring record used for comparison. BLM must more clearly explain whether the modeled emissions from BOEM are representative of the types of emissions expected to have occurred during the monitoring record used to evaluate model performance.</p> <p>. . . BLM must more fully assess whether the monitoring record used in the performance evaluation for fugitive dust is representative of the modeled sources in the 2012 Base Case simulation used for evaluating the model performance and whether the assumptions made in calculating fugitive dust emissions are representative of local conditions.</p> <p>Also, fugitive dust emissions are only estimated for May through October and therefore the potential impacts are underestimated in the DEIS. . . . BLM must include these fugitive dust impacts that occur outside May through October in its analysis of impacts from the proposed project.</p>	<p>The decision to correct the fugitive dust emissions in the regional modeling and the level of the correction was based on evidence that the modeled fugitive dust emissions were contributing to modeled overprediction of monitored levels of airborne soil at two locations in the North Slope. It was determined that fugitive dust emissions were overpredicted in the BOEM regional modeling based on several factors. First, the fugitive dust emissions were modeled as occurring only from May to September. This enables a comparison of the model performance during May to September (the period with fugitive dust emissions) to model performance in October through April (the period without fugitive dust emissions). The model performance during May through September had a substantial and consistent level of overprediction of fine soil relative to monitored values that does not occur in months October through April. Second, the correction made to the fugitive dust emissions were demonstrated to be effective by improved model performance for fine soil during May through September without effecting (positively or negatively) the model performance for other months or other chemical constituents. Third, the unpaved road dust emission developed by BOEM have substantial uncertainty stemming from uncertainty in the inputs used to calculate the emission factor, such as silt and moisture content, the overall emission factor uncertainty, and uncertainty related to the estimated amount of vehicle miles traveled. The BOEM study made a focused effort to assess and incorporate localized information for the development of all emissions inputs, including unpaved roads. The BLM did not identify additional sources of information beyond information used by BOEM to revise the emissions estimates; however, the lack of localized information does not preclude the BLM from revising the database when there is evidence that the values are erroneous and would be misleading.</p> <p>Importantly, the BOEM regional modeling study provides a platform in order to assess Project-specific and cumulative regional impacts. The correction to the regional fugitive dust emissions does not alter or affect the predicted Project-specific impacts, nor the contribution of the Project to predicted total cumulative impacts. Related to the concern about fugitive dust emissions calculated for the Willow MDP Project outside of the May through October time period, the AQTSD has been revised to include a discussion of winter fugitive dust emissions.</p> <p>To address the last concern raised by the comment, the two monitoring sites used to evaluate the model performance are located in areas expected to be similarly impacted by unpaved road emissions as other locations throughout the North Slope.</p>	N
864	246	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>BLM’s Air Quality Analysis Does Not Assure the Prevention of Significant Deterioration (PSD) of Air Quality. The DEIS directly compares modeled project impacts to Class II PSD increments. According to these comparisons, predicted modeled concentrations from project development alone consume as much as 20% of some of the PSD Class II increments (e.g., for NO2 and PM2.5). BLM should complete a proper PSD increment analysis to determine how much of the available increments will have already been consumed in the affected area (e.g., by GMT1, GMT2, and other sources) and how much additional increment is available for consumption from the proposed Willow Project. Without this level of analysis, BLM is not adequately ensuring that air quality will not deteriorate more than allowed under the CAA. Specifically, BLM should complete an analysis of all increment consuming and increment expanding sources that impact the same area impacted by the proposed action, including an inventory of increment-affecting emissions (i.e., emissions from major stationary sources which commenced construction or modification after the applicable major source baseline date and emissions increases from minor, area and mobile sources that occurred after the relevant minor source baseline date).</p>	<p>A PSD increment analysis is the responsibility and jurisdiction of the ADEC. This is why the work presented is provided for informational purposes and not a formal PSD increment analysis.</p>	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	247	Psarianos	Bridget	Trustees for Alaska	Air Quality	<p>BLM Assumes Certain Operating Parameters and Emissions Controls That Are Not Reflected as Mitigation Measures in the DEIS.</p> <p>The DEIS includes an inventory of emissions which relies on certain emissions controls and operating assumptions that may not be representative of actual operating scenarios and that are not reflected in the proposed mitigation measures for the DEIS. . . .</p> <p>Fugitive dust emissions are estimated for months from May through October, consistent with the months for which fugitive dust emissions were estimated in the BOEM Arctic modeling study (Fields Simms et al. 2018, Stoeckenius et al. 2017). Fugitive dust may also occur in other months, especially during dry snowless conditions and from dry and frozen roads. Thus, fugitive dust emissions outside May through October may affect air concentrations of particulate matter, but likely to a smaller extent than fugitive dust emitted during May through October when there is much less (or no) snow cover. Likewise, some operations would only be expected to occur during day time hours.</p> <p>Hourly emission rates are then halved under the assumption fracturing engines will operate at 50% load for sixteen hours instead of 100% load for eight hours.</p> <p>BLM does not reference many of the underlying assumptions used in developing the emissions inventories. For example, the AQTSD and appendices do not include detailed information on assumed engine load factors, drilling and completion times, drilling engine technologies (e.g., whether engines meet Tier II or better engine standards), traffic estimates (e.g., speeds, VMT, etc.), flare gas volumes and destruction efficiencies, fugitive emission capture/destruction efficiencies, etc.</p> <p>BLM must ensure that all assumptions regarding operation and control effectiveness which are the basis for the modeling analysis are established as enforceable mitigation measures and implemented through permit stipulations. Otherwise, BLM should model emission sources under maximum possible operating conditions and assuming no controls.</p>	<p>The purpose of NEPA is to analyze and assess impacts due to the Project, as proposed by the proponent, and alternatives. Operating assumptions that are used in modeling are Project design components and thus do not necessitate an additional prescriptive requirement under mitigation measures. Additionally, details such as diesel engine tier level (and hence diesel engine control efficiency) will be specified in the air permit obtained by the Project proponent. For control efficiency estimates, BLM has deferred to agency experts in assuming a more conservative (i.e., protective of the environment) control efficiency of 50% for dust control to assess near-source dust impacts. A fugitive dust control plan will be implemented on-site to reduce PM emission impacts. Modeling assumptions that reflect average work practices, for example, the average number of vehicle trips, cannot be incorporated as specific requirements; therefore, a regime would be unworkable in practice.</p> <p>Consistent with the BOEM Arctic modeling study, fugitive dust emissions were developed assuming that road dust emission control efficiency is 50%. Documentation included in the Draft EIS (Attachment C) indicating a less conservative assumption (i.e., dust emissions occur from June through September and road dust emission control efficiency of 76%) is not indicative of the dust control assumption included in the Draft EIS emission inventory and near-field impact analysis.</p> <p>Fugitive dust emissions are estimated for months from May through October, consistent with the months for which fugitive dust emissions were estimated in the BOEM Arctic modeling study. Fugitive dust may also occur in other months, especially during dry snowless conditions or when the ground is dry and frozen. Fugitive dust emissions outside May through October may affect air concentrations of PM, but likely to a smaller extent than fugitive dust emitted during May through October when there is much less (or no) snow cover.</p> <p>Load factor represents the average engine load when an engine is turned on. A 50% load for an engine operating for 16 hours describes activity for an engine that is turned on for 16 hours and operates, on average, at 50% of its rated power. Applied load factors are either conservative or consistent with other reference sources (e.g., EPA MOVES-NONROAD model).</p> <p>A summary table showing key operating assumptions and controls was added to the AQTSD included in the Final EIS. Operational and control assumptions are fully documented in the detailed emission inventory spreadsheets that are publicly available for the Draft EIS and will be publicly available for the Final EIS.</p>	N
65	2	Riley	Stanley	—	Air Quality	<p>I was wondering about these air quality testing and about who would be conducting these tests. Would there be in-house testing? Because it’s kind of like a thing; you know, it would be, like, were ConocoPhillips, you know, and if you don’t think there’s going to be bad air, trust me, we’ll test it for you. You know, that’s what I’m kind of worried about. Is it going to be a third-party person that does the testing?</p>	<p>There is a large and well-designed air quality monitoring network on the North Slope. This includes air monitoring for CO, NO₂, SO₂, PM₁₀ and PM_{2.5}, O₃, and speciated VOCs at the Nuiqsut monitoring station (CPAI). Other North Slope monitoring stations include the Alpine CD1 facility, CD5 pad, A-Pad, and the central compressor plant (all industry sites). Although the Nuiqsut monitoring station is an industry-owned site, the data collected are designed and operated in accordance with applicable EPA PSD regulations and guidance documents. This includes independent audits by an outside party, quarterly calibrations, and documentation/explanation of missing data periods. These are documented in publicly available annual reports. For VOCs commonly associated with oil and gas development, data are presented through 2018 in the Final EIS that show values well below RELs, and AEGLs. CO, NO₂, SO₂, PM₁₀ and PM_{2.5}, and O₃ are all below federal and state air quality standards.</p> <p>It is common for federal agencies to reference data collected by the project proponent when developing an EIS. NEPA does not require federal agencies to conduct new studies and data collection; rather, NEPA requires the use of best-available data. The current NPR-A BMPs require project proponents to collect baseline data for certain resources and to provide that data to BLM. BLM’s subject-matter experts conducted a thorough and independent review of all existing data and studies and referenced them, as appropriate, for the various EIS analyses.</p>	N

4.2.2 Alternatives

Table B.2.5. Substantive Comments Received on Alternatives

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
986	9	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Alternatives	We recommend that a development-free buffer around Native Allotment be at least 5,280 feet to ensure the viability of the allotment for subsistence use. <i>Concerns with Off-Shore Island</i> CPAI has proposed constructing a temporary island near Atigaru Point to transport in the modules and materials to construct the Willow facilities and drill sites. We understand CPAI is concerned that shipping these materials into the dock at Oliktok Point and transporting them over land to the Willow prospect would significantly delay the project and increase its cost. It is important that the EIS consider that, and other alternatives not requiring island construction, in its analysis. The construction of this island and related ship traffic could impact the migration of bowhead whales and other marine mammal species. Thus, BLM must consider the impacts to bowhead whales and other marine mammals from the construction of this island. BLM should also require CPAI to work with the Alaska Eskimo Whaling Commission on mitigating potential conflicts.	Proposed BMP K-15 would stipulate that permanent oil and gas facilities within 1 to 5 miles of native allotments are prohibited, except for essential road and pipeline crossings in areas of overlapping setbacks. This was added to <i>Applicable Lease Stipulations and Best Management Practices</i> in the Final EIS. Sealift activity does consider impacts to marine mammals (including bowhead whales) in the EIS (Section 3.13, <i>Marine Mammals</i>). Additionally, BLM is coordinating with the USFWS and NMFS regarding impacts to marine mammals. The SDEIS added a third module delivery option (Option 3: Colville River Crossing), based on stakeholder feedback to include an alternative that would not construct an offshore gravel island.	Y
986	10	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Alternatives	<i>Suggestions for Crafting Alternatives</i> We support the construction of a road connecting Willow to the GMT Unit. We would not support a roadless alternative because of the large increase in air traffic this option would require throughout the life of the project. The negative impacts of increased flight traffic (deflection of wildlife and direct impact on hunts) outweigh the negative impacts of additional roads (road dust and overall footprint, potential impacts to caribou and subsistence hunter movement, and hydrology). Increased air traffic is one of the top concerns, if not the top concern, from our residents and subsistence hunters concerning oil and gas development because of its impacts on caribou movements and subsistence harvests. Therefore, minimizing flights should be prioritized over limiting ground infrastructure.	Comment noted. All traffic values for all action alternatives and module delivery options have been updated for the Final EIS.	N
989	16	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Alternatives	Page 10, 2.5.3.2 Gravel Roads Please note that the road to Greater Mooses Tooth 1 has insufficient subsistence ramps. The ramps are too steep, and should have a more gradual incline. This is especially important in the winter months to allow adequate passage. An additional concern expressed about these ramps is the fact that the stopping area at the top of these ramps is not large enough to accommodate someone on a snow machine towing a sled to stop without stopping in the middle of the road. This creates the possibility of snow machine collisions with oncoming vehicular traffic. BLM must allow and require CPAI to make these ramps larger and more gradual.	The Project would include subsistence access ramps which have been designed based on lessons learned from GMT-1 and community feedback; additionally, the Project proponent has added boat ramps to support subsistence access (see the SDEIS and Final EIS). The updated boat ramps have reduced gradients and “landing pads” to reduce conflicts with vehicle traffic.	N
984	3	Hartsig	Andrew	Ocean Conservancy	Alternatives	In addition, BLM’s NEPA analysis should explain why other module delivery alternatives—including alternatives that do not involve construction of artificial islands or alternative locations for the module transfer islands—were not considered for analysis. We appreciate this opportunity to submit comments and can provide additional information to BLM upon request	Final EIS Appendix D.1, <i>Alternatives Development</i> , Section 3.1.2, <i>Alternative Components Considered during Alternatives Screening Process</i> , provides a summary overview of alternatives to the MTI that were explored during the alternatives development process; Section 3.1.3 <i>Alternatives Components Considered but Eliminated from Further Analysis</i> , provides the rationale for why other module delivery options were dismissed. The SDEIS added a third module delivery option (Option 3: Colville River Crossing), based on stakeholder feedback to include an alternative that would not construct an offshore gravel island.	N
1296	6	Imm	Teresa	Arctic Slope Regional Corporation	Alternatives	Although ASRC notes ConocoPhillips’ efforts to proactively address subsistence impacts through monetary means, project design features, mitigation measures and other mechanism, valid concerns remain from local stakeholders on the cumulative impact and pace of local resource development on the subsistence lifestyle of the local people. While ASRC, Kuukpik Corporation (Kuukpik), ConocoPhillips, BLM, and the local stakeholders work diligently to minimize these impacts, steps can be taken to support this working relationship. For instance, in a recent public meeting in Nuiqsut for the Willow MDP scoping concerns were voiced that the proposed 25 mile road extending north-south in this area will be a major deterrent to migrating caribou, particularly those moving from Teshekpuk Lake in the west to areas east of Nuiqsut. ASRC encourages ConocoPhillips to work closely with the local hunters with respect to caribou migration patterns and address concerns regarding the proposed location and orientation of infield roads and pipelines. Addressing any negative impacts to subsistence would help preserve the benefits, which have begun to accrue as a result of the Spur Road, and which helped make other projects (GMT1 and GMT2) more acceptable from a cost-benefit perspective. ASRC is pleased to see subsistence tundra access ramps included in the road design. Nevertheless, ASRC encourages ConocoPhillips to continue to address concerns regarding the design of the subsistence ramps and, where possible, reduce the slope of the subsistence ramps and height of the road to an acceptable level.	At the development stage the siting of oil and gas facilities is largely dependent on the location of the subsurface resources to be extracted. Under the NPR-A IAP and Section 404 of the CWA, lessees are required to minimize facility footprints and propose siting and alignment of facilities in such a manner as to minimize environmental impacts to various resources (e.g., caribou, wetlands). The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. During alternatives development for the Willow MDP Project, the BLM considered issues identified during scoping, such as impacts to caribou and subsistence. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1, <i>Alternatives Development</i> , including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. CPAI has updated the design of the proposed subsistence ramps, based on stakeholder feedback to include a landing at the top that would be off the roadway. The updated design limits the ramp grade to a maximum of 15%.	N
9	4	Miller	Pamela	—	Alternatives	I don’t understand why a module on an artificial island is needed when you have land access already, when there’s proven access for construction of a massive oilfield complex, including the Alpine field, without going out into the ocean. Anytime you have ocean, you have transportation, risk of spills, and the proposed access corridor violates the intent, if not the letter, of the no surface occupancy zone, which is the most protected of lands within the National Petroleum Reserve-Alaska.	The SDEIS for the Willow MDP Project includes a third module delivery option (Option 3: Colville River Crossing) that would not construct an offshore gravel island. Table D.3.2 in Appendix D.1 (<i>Alternatives Development</i>) describes why large sealift modules are needed and why they cannot be transported across the Alpine Ice Road.	N

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1294	4	Nukapigak	Joe	Kuukpik Corporation	Alternatives	<p>As Kuukpik noted in its scoping comments: “The NEPA process shouldn’t be—or even appear to be—a formality that basically approves what has already been decided. NEPA is about comparing the likely impacts of the proposal with various ‘reasonable alternatives.’ Given the scope of the proposed Willow project and, in particular, its location in and near important caribou habitat and migration corridors, Kuukpik hopes to see a wide array of potential alternatives that can help us, BLM, and any other interested person or agency determine what changes to the proposed project could reduce the negative impacts as much as possible and even whether the project could provide partially offsetting benefits. There’s no other way to determine Willow’s potential impacts, to realistically evaluate what impacts are ‘unavoidable,’ and to decide what tradeoffs are necessary to minimize impacts while nevertheless allowing CPAI to access most of the resource.”</p> <p>Kuukpik went on to emphasize that analyzing alternatives in a multi-facility project like Willow requires much more than just moving roads around (as was done in the alternatives for comparatively small, standalone projects like GMT1 and GMT2). The Willow project is more on the order of building a new Kuparuk-sized facility than it is building a GMT1 or GMT2. Even with all its satellites, Alpine is smaller than Willow. Therefore, just as the Alpine Satellite Development Project EIS analyzed a range of different development options, the Willow EIS should look at “a suite of alternatives (and/or sub-alternatives) that could reduce both Willow’s footprint and its likely impacts on Nuiqsut and the subsistence resources the community depends upon. At a minimum, this means looking at alternative drill site locations and road layouts, and possibly eliminating certain roads entirely . . .” We strongly urge BLM to include roadless BT4/BT5 satellites in a new alternative in the Final EIS so we can see a detailed analysis of anticipated flight numbers, the marginal differences between alternatives, and a careful assessment of where and when the impacts from those flights would occur.</p>	<p>At the development stage, the siting of oil and gas facilities is largely dependent on the location of the subsurface resources to be extracted. Under the NPR-A IAP and Section 404 of the CWA, lessees are required to minimize facility footprints and propose siting and alignment of facilities in such a manner as to minimize environmental impacts to various resources (e.g., caribou, wetlands). Alternatives to a proponent’s proposal are considered and analyzed in detail only if they offer potential environmental benefits to one or more resources or uses. The target resources (i.e., oil reservoirs) are in fixed locations and remain the same regardless of action alternative, hence the same drill site pad locations across all action alternatives.</p> <p>The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. During alternatives development for the Willow MDP Project, the BLM considered issues identified during scoping, such as impacts to caribou and subsistence. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1, <i>Alternatives Development</i>, including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All action alternatives meet the Project’s purpose and need.</p> <p>Though the elimination of a road would aid caribou movements in that area, the increase in air traffic to the roadless development would increase overall disturbance of caribou. In the case of BT4, the airstrip would be close to the high-density calving area, with most air traffic landing from the west due to dominant wind directions. This is likely to cause disturbance and/or displacement of calving caribou and have some impacts on caribou movements during other times of the year.</p> <p>The increase in air traffic for a roadless alternative is substantial. The addition of 1 more airstrip in Alternative C, would add 7,473 more fixed-wing trips and 489 helicopter trips over the life of the Project (62% more fixed-wing traffic and 20% more helicopter traffic than having a road).</p> <p>The suggested configuration would not further reduce impacts than the action alternatives analyzed in the EIS.</p>	N
1294	10	Nukapigak	Joe	Kuukpik Corporation	Alternatives	<p>One possible explanation [of Alternative B as the Preferred Alternative] is that BLM may be falling into the old trap of simply equating “gravel footprint” with impacts. Table ES. 1, for example, shows that Alternative C’s footprint is about 10% bigger than Alternative B’s. The Table uses that information and only that information to conclude that Alternative C has the “Greatest potential for subsistence hunter avoidance due to larger infrastructure footprint” and “Greatest direct loss of subsistence use areas due to increase in overall infrastructure footprint.” But those conclusions are misleading. In fact, as between Alternatives B and C, there’s very little practical relationship between increased gravel footprint and more hunter avoidance. Modestly larger pads at BT1, BT2, and BT4 (under Alternative C) wouldn’t affect hunting patterns nearly as much as the fact that there would be no road connection to those drill sites. The exact impacts of that would be mixed, but that’s not really the point here. The point is that simply treating gravel footprint as a proxy for avoidance—or worse, for subsistence impacts generally is overly simplistic and usually flat out wrong because so many other factors are equally or more important when it comes to evaluating a native’s impacts on subsistence. . . . Instead, the only conclusion drawn for Alternative B which has the most gravel roads of any of the proposals is that it would have the “Most gravel roads for subsistence access.” This is a selective, incomplete, and erroneous conclusion that doesn’t flow from the impacts cited in the table. Alternatives C and D are then seemingly criticized because they would have “fewer” and the “fewest gravel roads for subsistence access,” respectively. . . . Kuukpik understands Table ES. I is a summary (and that this whole EIS is, shall we say, abbreviated). . . . The summary needs to be very clear that the alternative with the most roads, Alternative B here, is without a doubt the most likely to seriously disrupt caribou migration. . . . If BLM’s preference is based primarily on differences in gravel footprint and the assumption that any alternative that increased flights would, by definition, be a non-starter for Nuiqsut, Kuukpik thinks BLM is mistaken and its conclusion flawed. As we’ve indicated above, the community may accept some additional flights if it means significantly reducing the risk of deflection by infrastructure on the ground, especially in particularly sensitive areas such as those around BT4. And although gravel impacts to the tundra are a serious concern for Kuukpik, the prospect of mass deflection of two key caribou herds is much, much more important.</p>	<p>Table ES-1 is a summary table included in the EIS Executive Summary. The description of the potential impacts is taken from the overall analyses in the Draft EIS, including the sections describing subsistence and terrestrial mammals, which does include overall gravel footprint. While the overall gravel footprint is an important metric when considering impacts to many resources (e.g., wetlands and vegetation, terrestrial mammals, subsistence), BLM considers impacts to all resources in its determination of preferred alternatives. For example, Alternative D would construct the smallest gravel footprint of all action alternatives, but the lack of a gravel road connection to the GMT Unit includes additional downsides such as not increasing potential year-round subsistence access to local residents and increasing air traffic.</p> <p>Note that the Final EIS includes updated impact metrics (e.g., gravel pad size, ice road miles, traffic values) based on the updated Project refinements from CPAI.</p>	N
1294	11	Nukapigak	Joe	Kuukpik Corporation	Alternatives	<p>As BLM has become increasingly aware throughout this NEPA process, there is essentially total opposition in Nuiqsut to CPAI’s proposed Module Transfer Island (MTI). Throughout the public meetings and Kuukpik’s consultations with BLM, BLM has heard nothing but negative comments about the island in general and many of the proposed details. . . . we strongly urge CPAI and BLM to consider alternatives to the proposed MTI and to analyze at least some other alternative in the Final EIS. If the Final EIS does not contain any other proposals, then BLM wouldn’t even legally be able to select any another alternative. BLM cannot let that happen.</p>	<p>The SDEIS added a third module delivery option (Option 3: Colville River Crossing), based on stakeholder feedback to include an alternative that would not construct an offshore gravel island.</p> <p>The module delivery options with MTIs (Options 1 and 2) are carried forward in the Final EIS for analysis.</p>	N
1294	16	Nukapigak	Joe	Kuukpik Corporation	Alternatives	<p>Eliminating the MTI would also vastly reduce the amount of gravel needed for the project. That could benefit locals if it meaningfully reduced the amount of blasting needed to mine the gravel. It would also conserve a scarce resource on the North Slope rather than dumping it on the floor of Harrison Bay.</p> <p>For these and other reasons, Kuukpik urges BLM to go back to the drawing board and generate other options for delivering the modules to the Willow project area. Kuukpik believes the community’s reasons for opposing the MTI are valid and that the MTI should not go forward. BLM should therefore work with CPAI and local stakeholders to develop additional options and release those options for an additional public comment period prior to publication of the Final EIS. Stakeholders are entitled to an opportunity to comment on any alternatives that are not included in the Draft EIS. And since BLM did not even bother to include at least one alternative that doesn’t include the MTI, it will have no choice but to analyze new alternatives when they are developed.</p>	<p>The SDEIS added a third module delivery option (Option 3: Colville River Crossing), based on stakeholder feedback to include an alternative that would not construct an offshore gravel island.</p> <p>The MTIs at Atigaru Point and Point Lonely (Options 1 and 2) are carried forward in the Final EIS for analysis.</p>	N

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1294	33	Nukapigak	Joe	Kuukpik Corporation	Alternatives	Volume 1, page 17, Section 2.7 - Sealift Module Delivery Options. These passages do not address Kuukpik’s scoping comments on armoring materials or on requiring gravel to be physically removed after MTI use.	Gravel bag design has advanced since the bags were first used as armoring media on the North Slope. These design improvements include the use of white (UV stabilized), nonbuoyant polyester fabric; the use of double drawstring closures to reduce the risk of bags emptying; and the addition of a sacrificial gravel bags that are tied together in zones where ice impacts would be frequent. The MTI would be located on state submerged lands. BLM does not have regulatory jurisdiction over that aspect of the Project and thus cannot require removal of the material. The SDEIS added a third module delivery option (Option 3: Colville River Crossing), based on stakeholder feedback to include an alternative that would not construct an offshore gravel island.	N
864	13	Psarianos	Bridget	Trustees for Alaska	Alternatives	BLM rejected requests to delay the Project EIS until after GMT-2 is in the drilling or operations phase. BLM’s rationale for rejecting this request is provided in the draft EIS appendix that dismisses alternatives; however, this rushed process to permit ConocoPhillips’ project is an issue of a lack of meaningful baseline data. BLM states that: BLM is unable to postpone Project permitting based on regulatory requirements applicable to the NPR-A found in 42 USC 6506(a). Deferral of a project authorization would be inconsistent with the directives of the Naval Petroleum Reserve Production Act to expeditiously carry out an oil and gas leasing program. Delayed permitting would be inconsistent with the rights of ConocoPhillips acquired with the subject leases to reasonably develop the oil and gas within those lease tracts (generally limited to a 10-year lease term) and with ConocoPhillips’ obligations in the Bear Tooth Unit Agreement to promptly pursue development. We are not aware of, and BLM does not cite, any authority for the proposition that the Naval Petroleum Reserves Production Act (NPRPA) mandates BLM immediately process all applications before the agency, particularly where there are serious questions about the completeness of the applications before all the agencies involved in reviewing this project—especially the Corps of Engineers. It is reckless and contrary to law for BLM to be proceeding without all the necessary information before the agencies. We are not aware, and BLM does not cite, any language in ConocoPhillips’ lease terms that entitle the company to receive permits within its desired timelines. BLM has the authority and the obligation to consider the benefits of delaying development. Given the rapid development in the northeastern NPR-A, a delay is critical to allow for updated baseline studies to be conducted and important information gathered, which would inform a comprehensive evaluation of the impacts of Willow and alternatives.	The NPRPA requires BLM to conduct an expeditious program of oil and gas leasing. The BLM cannot legally consider an alternative to require existing lessees to undertake phased development. Once a lease is sold, BLM must process permits for development as they are received. The leases are subject to a limited term of years, for which BLM cannot unreasonably delay project proposals. Within 30 days after the operator has submitted a complete application, including incorporating any changes that resulted from the on-site inspection, the BLM will approve the application, subject to reasonable Conditions of Approval, if the appropriate requirements of NEPA, National Historic Preservation Act, ESA, and other applicable laws have been met (Onshore Order 1).	N
864	28	Psarianos	Bridget	Trustees for Alaska	Alternatives	BLM’s draft EIS for the Willow project contains numerous gaps in information and analysis that seriously frustrate public review and understanding. Certain highly significant issues that affect important resources and uses of the project area, such as wilderness and recreation, information on the hydrology and wetlands that will be impacted, and dust control plans are largely missing from the draft EIS. Many issues, such as impacts to hydrology, wildlife, marine mammals, subsistence, vegetation and wetlands, and spill risks are only partially addressed, with key elements of the draft EIS analysis missing, incomplete, inaccurate, inconsistent with the best available science, or otherwise inadequate. As discussed later in these comments, there are significant gaps with regard to the information necessary for the Corps to conduct an analysis under the 404 Guidelines.	The BLM prepared the Draft EIS according to 40 CFR 1502 and the BLM’s NEPA Handbook H-1790-1 (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement.	N
864	34	Psarianos	Bridget	Trustees for Alaska	Alternatives	Section 3.1.1 of Appendix D describes Alternatives Screening Criteria used by BLM and the cooperating agencies in developing the draft EIS, where BLM attempts to explain why the agency did not consider a reasonable range of alternatives that are meaningfully different from ConocoPhillips’ proposed action. One such criteria—relative environmental effects—raises serious questions about how the BLM evaluated the environmental impacts of potential alternatives outside of the NEPA process. The draft EIS states that BLM considered whether potential alternatives would achieve the following before considering them further: -Reduce the overall Project footprint (i.e., direct impacts from facilities) -Reduce potential human health impacts (especially those relating to air quality and subsistence) -Reduce impacts to wildlife, subsistence resources (especially caribou), and subsistence use areas -Reduce risks related to spills or other accidental releases -Reduce impacts to water resources and floodplains, including marine habitat. These are the types of resource impacts that are meant to be considered in the NEPA analysis itself, not discussed behind closed doors by BLM in close coordination with the project applicant. There is no discussion as to how BLM quantified any of these differences, which is particularly relevant for issues related to the project footprint, air quality, and impacts to wetlands. Table D.3.2 in the draft EIS appears to be the agency’s attempt to address some of these criteria; however, it only provides a few brief sentences that do not explain all of these bullet points. Nor is it clear where any of this information originated and there are no citations for assertions. In short, the public cannot evaluate BLM’s decisions about which alternatives to consider and which to not carry forward.	At the development stage the siting of oil and gas facilities is largely dependent on the location of the subsurface resources to be extracted. Under the NPR-A IAP and Section 404 of the CWA, lessees are required to minimize facility footprints and propose siting and alignment of facilities in such a manner as to minimize environmental impacts to various resources (e.g., caribou, wetlands). Alternatives to the Project proponent’s proposal are considered and analyzed in detail only if they offer potential environmental benefits to one or more resources or uses. As described in Final EIS Appendix D.1, <i>Alternatives Development</i> , BLM and cooperating agencies developed screening criteria and the range of alternatives for the EIS. The Project proponent provided technical input on capabilities and limitations of some agency-proposed Project elements to ensure alternatives developed would be executable. Table D.3.2 in Appendix D.1, <i>Alternatives Development</i> , provides the rationale for elimination of Project components not advanced as alternatives. BLM worked with the Project proponent to provide quantifiable data where needed to understand the scale of impacts from potential alternative components; this information is included in the table.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	36	Psarianos	Bridget	Trustees for Alaska	Alternatives	Another screening criterion included the requirement for the alternative to support reasonably foreseeable future development. It’s not clear what reasonably foreseeable future development BLM is referring to, as Figure 3.19.2 only shows the Willow project itself along with pads for Greater Willow 1 and 2, but does not show any further development west of Willow. As an initial matter, BLM should be transparent in identifying what reasonably foreseeable future development the agency is considering when constraining its range of alternatives. If there is reasonably foreseeable future development expected from the Willow development, it must be considered in this EIS as a cumulative impact. It is unclear whether BLM solely considered Greater Willow 1 and 2 for purposes of screening out alternatives, or whether the agency is seeking to enable further expansion by ConocoPhillips or other companies. It is unreasonable for BLM to screen out alternatives that may have environmental benefits simply because they do not grease the skids for ConocoPhillips or other companies to expand westward into the Reserve. Additionally, this screening criterion is no way tied to the federal purpose and need. If anything, it may be in direct conflict with BLM’s obligations under NEPA to consider a reasonable range of alternatives, BLM’s NPRPA obligations to provide maximum protections for surface values, BLM’s obligations under FLPMA to cause no unnecessary or undue degradation of public lands, nor the Corps obligations to pick the Least Environmentally Damaging Practicable Alternative.	Greater Willow 1 and Greater Willow 2 are potential future drill sites; the determination of whether these areas might be developed will require additional evaluation of the resources by CPAI. Although there are no specific plans by CPAI or other North Slope operators to expand farther into the NPR-A, CPAI does own oil leases in the area surrounding the Willow MDP Project, and CPAI continues exploration and evaluation efforts to determine whether future development in the Willow area may be pursued. No other sites are included as reasonably foreseeable, since any additional development beyond Greater Willow 1 and 2 would be speculative. The Willow MDP Project was designed in accordance with requirements in the NPR-A IAP, which is consistent with both the NPRPA and FLPMA. The NPRPA, as amended, requires oil and gas leasing in the NPR-A and the protection of surface values to the extent consistent with exploration and development of oil and gas. NPR-A IAPs meet that mandate by designating numerous special areas within the NPR-A and closing certain sensitive areas to leasing, while allowing for oil and gas leasing elsewhere. As described in Section 1.3, <i>Purpose and Need</i> , FLPMA would apply to any authorization BLM issues for the Project. Pursuant to Section 302(b) and Title V of FLPMA, proposed actions may not cause unnecessary or undue degradation.	N
864	37	Psarianos	Bridget	Trustees for Alaska	Alternatives	Though the draft EIS quotes CEQs and the Corps definition for reasonable alternatives throughout Appendix D, it is not clear where BLM drew the line for economic practicability. Indeed, there is no clarification as to which alternatives were eliminated due to cost considerations, other than the express mention of economic practicability in discarding alternatives which would require construction of a bridge over the Colville River, and use medium-sized modules for barging. If these are the only two alternatives that were discarded due to costs, BLM should explain what those differences in costs are that led the agency to conclude the project would be impracticable. If other alternatives were eliminated due to cost projections, the draft EIS must identify those in a transparent manner. Moreover, it is hard to see why the module transfer island is a component in every action alternative given its serious environmental impacts, if not for insistence by the project applicant.	As described in Appendix D.1 (<i>Alternatives Development</i>), Table D. 3.2, there were multiple reasons why these two potential alternative components (a bridge across the Colville River or use of medium-sized modules) were eliminated from detailed analysis, economics being just one of them. A bridge across the Colville River, for example, would have multiple environmental and human impacts. In each case, these two alternative components substantially increase the costs and challenged the viability of the Project. Alternatives to MTIs were considered and are detailed in Final EIS Appendix D.1, <i>Alternatives Development</i> , Table D.3.2. Since publication of the Draft EIS, the Project proponent has developed a new module delivery option, Option 3: Colville River Crossing.	N
864	38	Psarianos	Bridget	Trustees for Alaska	Alternatives	A reasonable range of alternatives should have evaluated, at a minimum: -An alternative where no gravel island is constructed and existing roads and infrastructure, as well as ice roads, are used for construction of the Willow project; -An alternative considering seasonal (i.e., winter-only) drilling; -An alternative eliminating infrastructure from within the Teshekpuk Lake Special Area; -An alternative considering a different gravel mine location; -Alternative configurations for the layout, size or location of projects drilling pads or the Willow Central Processing Facility; -An alternative using an existing airstrip rather than construction of at least one new airstrip for the Willow project; -An alternative using natural gas and renewable energy for Project purposes with minimal backup diesel, rather than relying on diesel for facility operations, eliminating the need for diesel pipelines; and -Delayed project permitting.	Appendix D.1, <i>Alternatives Development</i> , Table D.3.2 provides a summary of Project components considered for development as alternatives but dismissed and the rationale for dismissal. Alternative components considered but eliminated included use of an alternative to the proposed mine site, use of other airstrips, and the Project's permitting schedule. Appendix D.1 (<i>Alternatives Development</i>), Section 3.1.5, <i>Additional Alternatives Concepts Evaluated by ConocoPhillips Alaska, Inc.</i> , includes additional discussion on an alternative mine site and provides the rationale for not including winter-only drilling (i.e., ice road or tundra access only). Parts of the infield road system, as well as BT2 and BT4, would be within the TLSA in an area that is available to oil and gas leasing. Like most or all previous NPR-A projects, much of the Project area overlaps previously undisturbed area. All else being equal, the TLSA is only an administrative boundary, and Project impacts would not necessarily be greater within the TLSA than they would outside the TLSA. The SDEIS added a third module delivery option (Option 3: Colville River Crossing), based on stakeholder feedback to include an alternative that would not construct an offshore gravel island.	N
864	42	Psarianos	Bridget	Trustees for Alaska	Alternatives	Avoiding Infrastructure in Special Areas: BLM failed to analyze any alternative where ConocoPhillips’ pads and roads would not be located within Teshekpuk Lake and Colville River Special Areas. Though the Special Area boundaries are conspicuously absent from BLM’s alternatives maps (and they should not be missing for public comment purposes), the draft EIS acknowledges—buried in the Land Use and Ownership section, not the project description—that Alternative B’s access road and pipeline cross through a mile of the Colville River Special Area raptor protection area, and proposes an infield road, pipeline, and two drill sites (BT2 and BT4) within the TLSA (110 acres) and road, pipeline, and drill site (BT4) within the Teshekpuk Lake Caribou Habitat Area. We note the latter statement is inconsistent with BLM’s maps, and assertions throughout Appendix D that BT4 is no longer located within the Teshekpuk Lake Caribou Habitat Area. The draft EIS states that “four options for gravel pads were considered during alternatives development. Suggested options for pads ranged from reducing pad size, altering pad locations, and reducing the overall number of pads. These options were aimed at reducing impacts to wetlands and vegetation. Each of these options is described in Table D.3.1.” However, there is no discussion in that table of any option considered which would eliminate drill sites in the Teshekpuk Lake Special Area or road and pipeline routing through the Colville River Special Area. As described herein, both of these areas have very important wildlife, subsistence and scenic values. The fact that BLM did not even evaluate the potential for ConocoPhillips to place two large drilling pads, projected to have 50 wells apiece, outside of the Teshekpuk Lake Special Area boundary is a clear shortcoming of its alternatives analysis. Technology is improving such that additional areas can be accessed by directional drilling, allowing wells to be placed further from potential resources. BLM should have considered the environmental benefits to caribou, birds, and other wildlife from avoiding the placement of ConocoPhillips’ massive infrastructure pads within an area BLM has identified as deserving the maximum protection of surface values. A failure to consider such an alternative is a clear shortcoming of this draft EIS, which must be revised.	All action alternatives would construct infrastructure (e.g., gravel roads, pipelines) in the CRSA and TLSA; the areas have been added to figures in Chapter 2.0, <i>Alternatives</i> , and Appendix D.1, <i>Alternatives Development</i> , for the Final EIS. Parts of the infield road system, as well as BT2 and BT4, would be within the TLSA in an area that is available to oil and gas leasing. Like most or all previous NPR-A projects, much of the Project area overlaps previously undisturbed area. All else being equal, the TLSA is only an administrative boundary, and Project impacts would not necessarily be greater within the TLSA than they would outside the TLSA. No action alternative would construct infrastructure in the Teshekpuk Lake Caribou Habitat Area (also known as BMP K-5 in BLM 2013 NPR-A IAP/EIS ROD). In accordance with BMP E-5, the Project development footprint was minimized. The footprint of gravel pads and roads were refined as engineering advanced and refined pad and road sizes and locations are analyzed in the Final EIS.	N

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Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	43	Psarianos	Bridget	Trustees for Alaska	Alternatives	<p>Gravel Mine:</p> <p>BLM improperly dismissed consideration of the Clover material site prior to beginning its NEPA process, solely based on ConocoPhillips’ preference. BLM should reconsider Clover as a potential gravel source for the project. BLM also dismissed the ASRC mine site, an existing site used for many of ConocoPhillips’ existing Alpine infrastructure, allegedly due to that mine creating additional noise and air quality impacts in Nuiqsut caused by its closer proximity. This, however, does not account for the potential environmental benefits of NOT mining for gravel in an important subsistence area, one of the rapidly dwindling areas near the community of the Nuiqsut that has not already been industrialized. Moreover, there is no indication that any quantitative analysis was done to differentiate between the air and noise impacts that would be felt by the community. Indeed, BLM fails to account for the fact that the ASRC mine site would very likely continue to operate to serve other infrastructure projects in the area, meaning that Nuiqsut would have active gravel mining sites on both sides of the community. Such tradeoffs should have been fully considered as an alternative and subjected to modeling for air quality and noise impacts, and for input from the community of Nuiqsut.</p> <p>Also, though not expressly listed in BLM/ConocoPhillips’ Table dismissing alternatives, it is possible that ConocoPhillips and BLM do not believe the ASRC mine site has sufficient gravel for the Willow project. As described herein, BLM has failed to consider alternatives which would minimize the amount of gravel needed for the project—such as eliminating the massive gravel island, requiring seasonal drilling, or reconfiguring any pad layouts or locations. Such changes would decrease the gravel footprint of the project, making alternative mining sites more feasible. BLM’s foreclosure of meaningful alternatives has thus had a cascading effect, by limiting its consideration of alternative gravel sites.</p>	<p>The Clover Mine Site does not contain the required gravel volume needed to construct the Project. Further, the material at Clover is poorer (with increased silts and other fines) and would require additional maintenance over the life of the Project (Appendix D.1, <i>Alternatives Development</i>, Section 3.1.5.1, <i>Use of Clover Mine Site</i>). Finally, the Clover mine site would be approximately 1 mile closer to Nuiqsut than the proposed Tinjiaqsiugvik Mine Site (6 miles vs. 7 miles).</p> <p>The use of the ASRC Mine Site has been repeatedly opposed by Nuiqsut residents, as voiced in previous Project comments. Use of the ASRC Mine Site would increase gravel haul lengths and associated ice roads, adding to air quality and noise impacts in the immediate vicinity of Nuiqsut from mining and trucking activity. The proposed mine site is approximately 7 miles from Nuiqsut and mining activity at this location is anticipated to have reduced impacts to the community from the Project (versus the ASRC Mine Site).</p> <p>It is assumed the ASRC Mine Site would have a sufficient volume of gravel to construct all Project action alternatives as described in the EIS.</p>	N
864	44	Psarianos	Bridget	Trustees for Alaska	Alternatives	<p>Alternative Layout, Designs, and Size:</p> <p>According to the draft EIS, the Project would construct five drill sites of the same size and the same locations under each action alternative. The pipelines would use the same alignment under each alternative. The Willow Operations Center (WOC), the Willow Processing Facility (WPF), water sources with associated gravel pads, and airstrip would remain the same size and in the same location under all the action alternatives. This is not a reasonable range of alternatives.</p> <p>During scoping, groups reminded BLM of its obligation to consider a range of alternatives that might include the use of directional drilling to minimize the number and size of pads, and locating infrastructure to avoid the most sensitive areas. BLM should have also considered different designs and configurations, such as whether pipelines should be buried at water crossings instead of crossing either below the bridge decks or on vertical support members downstream from the bridge. It is not clear why horizontal directional drilling for burying a pipeline is only being considered at the Colville River crossings for seawater and diesel pipelines.</p>	<p>At the development stage, the siting of oil and gas facilities is largely dependent on the location of the subsurface resources to be extracted. Under the NPR-A IAP and Section 404 of the CWA, lessees are required to minimize facility footprints and propose siting and alignment of facilities in such a manner as to minimize environmental impacts to various resources (e.g., caribou, wetlands). Alternatives to a proponent’s proposal are considered and analyzed in detail only if they offer potential environmental benefits to one or more resources or uses. The target resources (i.e., oil reservoirs) are in fixed locations and remain the same regardless of action alternative, hence the same drill site pad locations across all action alternatives. Pad sizes and pipeline alignments have been updated based on additional engineering—all action alternatives have been designed to the same level of engineering. Airstrip locations varied in the Draft EIS and continue to do so in the Final EIS.</p> <p>The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. During alternatives development for the Willow MDP Project, the BLM considered issues identified during scoping, such as impacts to caribou and subsistence. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1, <i>Alternatives Development</i>, including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All action alternatives meet the Project’s purpose and need.</p> <p>The Project would employ extended reach drilling (i.e., “directional drilling”) at all drill site locations. Extended reach drilling still has technical limitations to the range it can reach. Buried pipelines in permafrost create additional risk associated with the potential for permafrost thaw and the inability to readily complete regular visual inspections. Additionally, HDD, as noted by the commenter, has been proposed for crossing the Colville River. This has been proposed by the Project proponent to minimize impacts to the Colville River, specifically where there is no existing crossing (bridge or pipeline) over the river.</p>	N

No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	46	Psarianos	Bridget	Trustees for Alaska	Alternatives	<p>BLM should have considered less environmentally-damaging alternatives to the project design such as eliminating the airstrip for Alternative B and eliminating all diesel pipelines and using natural gas and renewable energy sources such as wind for fuel with minimal amounts of diesel employed as backup. Neither of these options would prevent ConocoPhillips from accessing oil resources.</p> <p>Notably, it is unclear to us why Alternative B contains an airstrip at all since access to the project is possible via road, and flying to the project via fixed-wing aircraft would have a number of negative impacts including to subsistence. Alternative D understandably requires an airstrip for year-round operations as it is disconnected from existing infrastructure.</p> <p>It’s not clear how BLM and cooperating agencies weighed the difference in impacts from construction of a new Project airstrip vs. utilizing the Alpine airstrip. BLM states such an alternative would increase air traffic at Alpine by approximately 700 flights per year during construction and would increase vehicle traffic through the GMT and Alpine developments. This is roughly two flights per day, and only during construction. Would this number decrease once Willow enters its development phase? What would be the tradeoffs in terms of decreased noise disturbance to wildlife and subsistence users, air quality, and other resources west of Nuiqsut during overflights? BLM should have evaluated these factors and weighed them carefully, instead of simply dismissing this potential alternative without a full analysis.</p> <p>As stated during scoping, BLM should have fully evaluated the positive and negative trade-offs of the different alternatives such as road disturbances compared to aircraft disturbances, including mitigating aviation impacts to the maximum extent possible. However, the proposed flight patterns in the draft EIS indicate that there will be significant impacts at a Willow airstrip, as flights to Willow will originate from Alpine, Kuparuk, Deadhorse, or other locations. It is absurd that ConocoPhillips would fly such a short distance between Alpine to Willow, which would involve flights at low altitudes that will disturb wildlife and the community of Nuiqsut. It also further begs the question as to why air traffic could not simply be routed through Alpine, since flights to a Willow airstrip will not in fact be protective of the Colville River Delta. We also encouraged BLM to incorporate minimal aircraft operations into all alternatives, including the use of low-impact drones where possible instead of helicopters and fixed-wing aircraft, e.g., for pipeline and methane emission inspections and aerial studies. The draft EIS fails to analyze these options as potential alternatives or mitigation measures.</p>	<p>USFWS voiced strong concern about the use of the Alpine airstrip to support the Willow MDP Project due to that airstrip's location in the more sensitive CRD. As noted by USFWS, the Alpine airstrip was never permitted with the intent to serve as an industrial hub within the NPR-A and is poorly sited to do such (e.g., coastal weather such as fog routinely grounds flights into and out of Alpine). Additionally, flight paths for the Willow MDP Project would include direct flights from Anchorage to Alpine, minimizing impacts to Nuiqsut based on possible flight paths. Finally, routing all air traffic through Alpine would increase ground traffic between Alpine and the Willow MDP Project area significantly.</p> <p>The Project proponent has provided updated traffic volumes (including fixed-wing aircraft flights) based on the use of a new, larger aircraft with the capability to carry approximately four times as many passengers (Bombardier Q400); these updated values are provided in the Final EIS. See Final EIS Appendix D.1 (<i>Alternatives Development</i>), Section 5.4, <i>Fixed-Wing Aircraft Traffic Comparisons</i>, for air traffic details by alternative for the life of the Project.</p>	N
864	49	Psarianos	Bridget	Trustees for Alaska	Alternatives	<p>When constructing the Module Transfer Island (MTI), ConocoPhillips says it will utilize a sheet pile dock design. The draft EIS does not explain this decision, which is particularly questionable given the problems that the Port of Anchorage has experienced with a sheet pile design for its dock expansion. Additionally, the draft EIS does not explain why the Point Atigaru location—7.2 miles offshore—was selected for analysis as opposed to a location closer to shore and/or closer to existing infrastructure. Last and notably, onshore impacts will differ depending on where the MTI is located. BLM needs to provide information about the MTI siting decision for the public to understand and comment on why that location was selected.</p>	<p>The sheet-pile dockface proposed for the MTIs is not comparable to the design the Port of Anchorage attempted to install as part of its upgrade an expansion plans. (<i>Note:</i> The Anchorage Port attempted to use sheet-pile lengths that were 70 to 90 feet long, and “90 foot sheet pile lengths are nearly twice as long as those used for previous open sheet pile projects . . . PND’s own literature explains that sheet lengths exceeding 24 meters [78 feet] exceed the ‘practical limit’ of [open cell sheet pile] construction” [https://www.adn.com/anchorage/article/city-sues-three-firms-over-anchorage-port-design-oversight/2013/03/16/].)</p> <p>The Atigaru Point MTI would be located approximately 2.2 miles offshore (Final EIS Appendix D.1 (<i>Alternatives Development</i>), Section 4.7.1, <i>Atigaru Point Module Transfer Island</i>). The distance from shore is driven by the water depth, with approximately 8 feet of water being required for barges; this is the location where this water depth is present. (<i>Note:</i> The Point Lonely MTI would be located approximately 0.6 mile offshore.) The Draft EIS does provide discussion on why these sites were identified as possible MTI locations.</p>	N
85	1	Svoboda	Nathan	The Wildlife Society Alaska Chapter	Alternatives	<p>We find the number and range of alternatives to be unduly narrow. The proposed action would extract the same amount of oil (~590 million barrels) from the same number of drill sites (5) at the same locations, across all alternatives. All of the action alternatives include 2 drilling sites and associated infrastructure (BT-2 and BT-4) within the Teshekpuk Lake Special Area (TLSA)-an area of high sensitivity and concern. The project life is the same across alternatives (30 - 32 years) and the permanent infrastructure is similar across all action alternatives. For example, the gravel footprint is similar (411 - 489 ac), the miles of gravel roads is similar (28.3 - 38.2 mi), the length of pipeline rack is similar (95.6 - 95.7 mi), the number of stream crossings is similar (14 - 18), and the required number of bridges is similar (6 - 7). The associated greenhouse gas emissions for each alternative are essentially the same (261,419 - 263,816 metric tons).</p>	<p>At the development stage, the siting of oil and gas facilities is largely dependent on the location of the subsurface resources to be extracted. Under the NPR-A IAP and Section 404 of the CWA, lessees are required to minimize facility footprints and propose siting and alignment of facilities in such a manner as to minimize environmental impacts to various resources (e.g., caribou, wetlands). Alternatives to a proponent’s proposal are considered and analyzed in detail only if they offer potential environmental benefits to one or more resources or uses.</p> <p>The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. During alternatives development for the Willow MDP Project, the BLM considered issues identified during scoping, such as impacts to caribou and subsistence. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1, <i>Alternatives Development</i>, including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All action alternatives meet the Project’s purpose and need.</p> <p>The SDEIS added a third module delivery option (Option 3: Colville River Crossing), based on stakeholder feedback to include an alternative that would not construct an offshore gravel island.</p> <p><i>Note:</i> All quantitative values have been updated to reflect Project design refinements in the Final EIS.</p>	N
1054	2	—	—	—	Alternatives	<p>All formally required Alternatives to the Willow Plan are NOT included in the DEIS, rendering it deficient legally.</p>	<p>The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. During alternatives development for the Willow MDP Project, the BLM considered issues identified during scoping, such as impacts to caribou and subsistence. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1, <i>Alternatives Development</i>, including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All action alternatives meet the Project’s purpose and need.</p>	N

4.2.3 Avoidance, Minimization, and Mitigation

Table B.2.6. Substantive Comments Received on Avoidance, Minimization, or Mitigation

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
48	1	Ahmaogak	Roy	—	Avoidance, Minimization, or Mitigation	We have a family cabin that’s on the west end of Teshekpuk Lake. We’re about four miles from the lake, itself, and we’re six miles from the coast inland. And if there’s any way possible that the air carriers, the helicopters can refrain from flying again, twice. This last year was the second year that they’ve been flying 200 feet, 250 feet above ground. There should be a minimum of 500 feet that they should be flying, because for three years in a row, we’ve had — been having issues with the air carriers flying their chopper in the summertime, because we only have such a short period to harvest our caribou. And if there’s any way that — and I don’t know if Leyla can answer this, but if there’s any way that — you know, it impacts our family and having to deal with that helicopter issue the last two years, and if there’s any way they can have minimum of 500 feet flying around Teshekpuk area.	Proposed BMP F-3 (previously described as F-1) would require all aircraft to maintain specified altitudes that vary by alternative. Alternative E would require all aircraft to maintain a 1,500-foot minimum altitude throughout NPR-A. This was added to the Final EIS in the <i>Applicable Lease Stipulations and Best Management Practices</i> sections.	Y
989	9	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Avoidance, Minimization, or Mitigation	We are concerned that the construction of a module transfer island and related ship traffic could impact the migration of bowhead whales and other marine mammal species. BLM and CPAI must work with the Alaska Eskimo Whaling Commission on mitigating impacts to whales and other marine mammals and potential conflicts with whalers. CPAI should make this project and all associated ship traffic compliant with the conflict avoidance agreement.	The effects of ship traffic on marine mammals is described in Section 3.13.2.3.2.2, <i>Coastal and Marine Disturbance or Displacement</i> . Agreements between CPAI and AEWC are beyond the jurisdiction of BLM. AEWC communicates directly with oil and gas operators through AEWC’s annual conflict-avoidance agreement.	N
986	11	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Avoidance, Minimization, or Mitigation	We encourage BLM and CPAI to allow local residents access to the Willow project’s roads. CPAI should allow hunting from the road and produce concise policies regarding hunting from its roads. Moreover, the road should have several vehicle pullout pads and subsistence ramps to allow free passage and subsistence access. These pullouts and ramps will help mitigate the impacts of Willow on subsistence. The road to Greater Mooses Tooth 1 had insufficient subsistence ramps. The ramps are too steep, and should have a more gradual incline, especially for the winter months, in order to allow adequate passage. An additional concern expressed about these ramps is the fact that the stopping area at the top of these ramps is not large enough to accommodate someone on a snow machine towing a sled to stop without stopping in the middle of the road. This creates the possibility of snow machine collisions with oncoming vehicular traffic. BLM must allow and require CPAI to make these ramps larger and more gradual. In crafting alternatives, BLM and CPAI should also consider: suspending helicopter flights around select rivers for month long periods during peak caribou hunting season; and implementation mitigation measures for road dust including speed limits, a dust control plan, increased remote monitoring of facilities to reduce traffic and the watering of roads; and constructing a warm storage building to house vehicles, minimizing the need to idle vehicles for long periods of time.	The Project would include subsistence access ramps which have been designed based on lessons learned from GMT-1 and community feedback; additionally, the Project proponent has added boat ramps to support subsistence access (see the SDEIS and Final EIS). The updated boat ramps have reduced gradients and “landing pads” to reduce conflicts with vehicle traffic. A Project-specific dust plan is included in the Final EIS (which includes reduced speed limits) as Appendix I.3 (<i>Dust Control Plan</i>). Additionally, potential revisions to NPR-A IAP BMPs places limitations on helicopter use during specified periods (including peak caribou hunting, BMP F-4) and on vehicle idling (BMP I-14)—both are described and considered in the Final EIS under <i>Applicable Lease Stipulations and Best Management Practices</i> sections (typically, Section 3.X.2.1.1).	Y
989	24	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Avoidance, Minimization, or Mitigation	Page 69, Sect 3.8.2.6.1, Option 1: Proponent’s Module Transfer Island “Approximately 4.9 acres in front of the MTI dock would be screeded two times over the life of the MTI. A temporary increase in turbidity during and immediately after screeding would occur. Pile and sheet pile driving for MTI construction would occur in winter through bottom-fast sea ice, thus they would not increase turbidity during installation.” This statement contradicts the following prior statements in the EIS: -Page 61, Sect 3.8.1.1.4, Para 6: “The coastline of Harrison Bay is predominantly erosional (Gibbs and Richmond 2015). Though a shoal occurs near Atigaru Point, it has had little deposition (0.06 foot/year) in the last 65 years (CPAI 2019a).” -Page 68, Sect 3.8.2.6.1, Para 8: “Based on data for western Harrison Bay, current speeds are too low to cause significant, permanent scour of the sea bottom surrounding the MTI (Coastal Frontiers Corporation 2018a). Average rates of shoaling in the area are low (CPAI 2019a). Other human made islands in the Beaufort Sea experience small amounts of shoaling on the leeward side. Similar amounts would be expected al the MTI and would not affect the stability of the MTI or coastal processes around it. No accretion or further shallowing of the MTI area would be expected to occur.” If there is little deposition in Harrison Bay and currents and wave action are too low to scour the sea bottom, how is the MTI expected to subside int he next 10-20 years? We recommend, as mitigation measure, that the gravel be moved to the shore and that appropriate navigation aids be placed so that mariners do not crash into the artificial shoal produced by the island.	First part of comment is unclear; BLM does not believe that the identified statements are in contradiction. As stated in Final EIS Section 3.8.2.6, <i>Module Delivery Option 1: Atigaru Point Module Transfer Island</i> , the MTI is not expected to subside. It is expected to be reshaped by wind and waves, but the gravel would still be present. The MTI would be located on state submerged lands. BLM does not have regulatory jurisdiction over that aspect of the Project and thus cannot require removal of the material.	N
989	25	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Avoidance, Minimization, or Mitigation	Page 70-71, 3.8.3 Additional Suggested Best Management Practices or Mitigation Please implement these BMPs, especially the ones concerning flood events.	Comment noted, selected measures for the Project will be included in the ROD.	N

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989	28	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Avoidance, Minimization, or Mitigation	Page 97-98, 3.11.3 Additional Suggested Best Management Practices or Mitigation -“7. Restrict speed limits to minimize collision hazard and dust production (35 miles per hour except in areas of congestion, on bridges, and on pads, which should be slower).” *Why use 35 miles per hour? Is there any data to support this BMP? If not, perhaps it should be slower, such as 25 or 30 miles per hour, until data are available to justify 35 mph. -“8. Haze birds out of blast area before blasting.” *This stipulation should restrict blasting during nesting (analogous with 10 below) and brood-rearing/molting. -“12. Require aircraft to fly at altitudes higher than 1,500 feet to minimize effects to birds; consult with BLM to determine altitude.” *BLM needs to collect data to see if 1,500 feet is appropriate. It may be that birds are still sensitive when aircraft are at 1,500 feet but it is likely that birds will tolerate aircraft at lower heights. -“13. Avoid routine use of helicopters during drilling and operations activities to minimize noise and impacts related to birds.” *Why is this about drilling and operations and not about nesting and brood-rearing/molting? -“15. Avoid preferred habitats, where possible.” *What are the thresholds for “where possible” what are the allowable tradeoffs? For example, building a longer road (and thus putting more gravel on the tundra) relative to building in preferred habitats. Thresholds should be specified. -“16. Minimize barge and support vessel speed to reduce potential for bird strikes.” *This will also minimize disturbance to marine mammals.	Speed limits for the Project would be 25 mph to BT3, BT4, and BT5 and 35 mph elsewhere. The speed limit of 35 mph is what has been used and approved by agencies on other projects. Mining would be a winter activity only and would not overlap with nesting. Proposed BMP F-3 (previously described as F-1) would require all aircraft to maintain specified altitudes that vary by alternative. Alternative E would require aircraft to a 1,500 foot minimum altitude maintain throughout NPR-A. This was added to the Final EIS in Section 3.12.2.1.1, <i>Applicable Lease Stipulations and Best Management Practices</i> . Helicopter support is required for construction activities but can be minimized for drilling and operations. However, some helicopter traffic would be required for wildlife surveys at specific times of the year that cannot be altered. <i>Where possible</i> indicates that there are instances where practicability or allowable trade-offs in effects should be considered. Marine vessels would transit at a slow speed, below 14 knots.	N
989	34	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Avoidance, Minimization, or Mitigation	Page 111-112, Table 3.13.2. Summary of Applicable Existing Lease Stipulations and Best Management Practices Intended to Mitigate Impacts to Marine Mammals -BMP A-5 - Other protective equipment at refueling stations? Booms? Membrane to prevent seepage? -BMP C-1 - Seal birthing lairs are extremely difficult to see. It would be good to survey desired ice routes using dogs trained to find seal birthing lairs. -BMP F-1—If polar bears are observed reacting to aircraft (helicopters in particular), flight path and/or altitude should be adjusted to avoid further disturbance. High levels of research related helicopter activity by USGS has caused most polar bears in the Beaufort Sea to have had many disturbing experiences with aircraft. -BMP H-3—Does this mean protect sport hunting and trapping? Not sure how much “sport” occurs up here. Definitely need to protect subsistence. -LS/BMP K-6—Need to protect the winter shoreline for ringed seals. Protecting the winter shoreline for polar bears would accomplish this, but should be stated clearly. -This seems counterintuitive. Disturbance to walrus aggregations may lead to injury/death of conspecifics. Seal aggregations do not. Need to be more conservative with walrus than with seals.	-BMP A-5: BLM requires use of oil pans (also called duck ponds) at refueling stations to contain any potential spills of hazardous liquids. All oil pans must be marked with the responsible party’s name. -BMP C-1: There are only a few dogs trained to find seal birthing lairs. It has been shown that these dogs may result in disturbance to seals and may also lead polar bears to the lair. Therefore, use of dogs is not the preferred method for identifying lairs. Companies typically use subsistence advisors in the field experienced in identifying seal lairs and provide training to workers. -BMP F-1: Standard operations for point to point aircraft traffic is to fly at altitudes of at least 1,500 feet aboveground level to avoid disturbance to marine mammals, other than landing and takeoff. Companies require all workers (including pilots) to be trained in wildlife reporting, with a particular emphasis on polar bears. When a polar bear is sighted, workers must send in a report to the Environmental Coordinator within 24 hours. If those reports indicate cases of disturbance to aircraft, operators may adjust flight paths as necessary. -BMP H-3: This protects both sport (when approved) and subsistence. -LS/BMP K-6: It is agreed that disturbance to a group of walrus hauled out on shore may result in stampeding, which may result in injury or mortality to pups. However, the 0.5 mile is the recommended buffer by USFWS. Further, walrus are extralimital in the Beaufort Sea, only a few individuals have been observed in this region over the last 15 years, so there is very low probability that there would be a walrus haulout in the Project analysis area. Lairs of ringed seals are found in shorefast ice in early spring (March), so companies are generally required to commence work in this area prior to March 1 to avoid disturbance of lairs. The work planned for this Project does not require winter work in this area, so impacts to seals are not anticipated.	N
991	2	Bruno	Jeff	Alaska State, Department of Natural Resources	Avoidance, Minimization, or Mitigation	(Chapter 2, page 16) This page discusses Best Management Practices (BMPs) from the 2013 NPR-A EIS. Air quality BMPs A-9 and A-10 have been rewritten for the latest NPR-A EIS and ANWR Coastal Plain Lease Plan EIS to more accurately reflect agency authorities. Please consider using these updated BMPs (now ROPs) in the Willow EIS. At a minimum, please include the full text of BMPs A-9 and A-10 in the EIS document. Given the importance of air quality to the residents of Nuiqsut, it would be important to provide those in this document. Chapter 3, pages 44 and 55 offer a more completed discussion of BMPs and Chapter 2 should match the amount of detail provided.	Applicable BMPs/ROPs considered in the revised IAP are included as <i>Applicable Lease Stipulations and Best Management Practices</i> sections (typically, Section 3.X.2.1.1) in the Final EIS.	Y
991	15	Bruno	Jeff	Alaska State, Department of Natural Resources	Avoidance, Minimization, or Mitigation	(Appendix C, page 7) The fifth text box on the left side of this page reads Alaska Department of Conservation. The correct listing should be Alaska Department of Environmental Conservation.	This has been corrected.	Y
991	23	Bruno	Jeff	Alaska State, Department of Natural Resources	Avoidance, Minimization, or Mitigation	(Section I.1-8, Table I.1.2, No. 14, column 2, line 2) there is a repeated phrase: “to minimize impacts.” Delete duplicate “to minimize impacts.”	Typo was corrected in Table I.1.2.	Y
991	28	Bruno	Jeff	Alaska State, Department of Natural Resources	Avoidance, Minimization, or Mitigation	General comment on “Unavoidable Adverse, Irretrievable, and Irreplaceable Effects” These sections seem inconsistent throughout the document. These sections should address unavoidable impacts from the project as described with the addressed mitigation measures, BMPs, and other project requirements (i.e. reclamation). Several of these sections say things like “if reclamation did not occur” than these impacts would be unavoidable. This is misleading to the reader and not the intent of these sections. That statement in itself identifies that the impact(s) are avoidable if the applicant does reclamation.	Section 3.9.3, <i>Unavoidable Adverse, Irretrievable, and Irreversible Effects</i> , states that “if reclamation did not occur, including the removal of gravel fill, the loss would be irreversible. The loss would not be irreversible if reclamation occurred . . .” <i>Unavoidable Adverse, Irretrievable, and Irreplaceable Effects</i> sections in each resource section were reviewed and updated to be consistent with Section 3.9.3.	Y

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991	30	Bruno	Jeff	Alaska State, Department of Natural Resources	Avoidance, Minimization, or Mitigation	(Page 152, Section 3.17.6) This “Unavoidable Adverse, Irretrievable, and Irreplaceable Effects” section seems to be written from a different perspective than most other sections with the same heading. This section should focus on certain and known effects and should not speculate on potential scenarios and probable outcomes: “if reclamation does not occur,” “may be irreversible,” “depending on the extent of” are subjective outcomes. The title of this section accompanied by this subjective scenario/language noted above is very misleading to the reader/public. It appears that the impacts under 3.17.6 are avoidable if the applicant adheres to local, State, and Federal requirements . . . This section should only address “Unavoidable Adverse, Irretrievable, and Irreplaceable Effects” that will occur regardless of mitigation and BMPs rather than addressing impacts from a theoretical scenario of the applicant being non- compliant.	The EIS text states that the effects would be irreversible if reclamation did not occur, not unavoidable. Effects from the Project would be unavoidable during construction and operations. Because it is unknown if reclamation would occur (most gravel infrastructure on the North Slope is in use beyond its stated lifetime and has not be reclaimed), the EIS must disclose effects if reclamation did occur <i>and</i> if it did not.	N
991	36	Bruno	Jeff	Alaska State, Department of Natural Resources	Avoidance, Minimization, or Mitigation	General: Additional mitigation and BMPs Please make sure to consider if the impacts for additional requirements/BMP/monitoring/surveying reduce impacts to the resource you are attempting mitigate. . . . while many of those requirements are important there is also the potential that additional surveying and monitoring would be an additional/unnecessary impact. Please review and consider if the impacts from additional monitoring and/or surveying are worth the information being collected. (I.e., survey and monitoring that requires additional [otherwise not necessary] helicopter or fixed wing flights or requires some sort of presence/disturbance in a sensitive area that otherwise would not have happened without a specific/additional monitoring or survey requirement.)	BLM will consider suggested BMPs, any associated monitoring requirements, and public comments in its ROD.	N
991	38	Bruno	Jeff	Alaska State, Department of Natural Resources	Avoidance, Minimization, or Mitigation	(Page 18, Table I.1.3—Additional suggested BMP and mitigation) Please note that monitoring ice road impacts (including compression of soil and vegetation) is a requirement for both the NSB and DNR for ice road permitting. Is the intention of this requirement to go above and beyond what is already required by these entities and if yes why and how does BLM plan to manage this requirement in coordination with the appropriate permitting authority? Suggest removing duplicative requirement.	This measure is not duplicative with the ADNR’s requirement to monitor active layer depth. Measure was retained.	N
991	39	Bruno	Jeff	Alaska State, Department of Natural Resources	Avoidance, Minimization, or Mitigation	(Page 20, Table I.1.3—Additional suggested BMP and mitigation) “Prior to the start of construction, undertake a thorough scientific review and risk assessment regarding impacts associated with the introduction of non-native species.” This requirement seems to overlap and possible duplicate requirements from Storm Water Pollution Prevention Plan (SWPPP). Please explain how these requirements would be different. Seems that this part of 3.4 might be duplicating existing requirements. Suggest removing due to duplication.	SWPPPs include measures to reduce invasive species related to products used for erosion control (e.g., vegetation seed, straw waddles); other components of the Project could also introduce invasive species; thus, language was retained as is.	N
991	40	Bruno	Jeff	Alaska State, Department of Natural Resources	Avoidance, Minimization, or Mitigation	(Page 20, Table I.1.3—Additional suggested BMP and mitigation) “Monitor lake levels to ensure sufficient recharge is occurring and adjust future withdrawals accordingly to allow for sufficient recharge.” This is a requirement of temporary water use authorizations (TWUA) and any water rights. Suggest removing duplicated requirement.	Measure was removed from Section 3.11 (<i>Birds</i>) and Appendix I.1 (<i>Avoidance, Minimization, and Mitigation</i>). Multiple years of recharge monitoring indicates recharge in lakes permitted for water withdrawal is sufficient (Michael Baker International 2014a, 2014b, 2014c, 2015; Michael Baker Jr. Inc. 2002a, 2002b, 2007a, 2007b, 2008, 2009, 2011, 2012, 2013a, 2013b).	Y
1302	39	Dunn	Connor	ConocoPhillips	Avoidance, Minimization, or Mitigation	In Section 3.3.3, BLM recommends a fugitive dust control plan, but nothing in the DEIS supports a conclusion that fugitive dust mitigation is necessary. Model-predicted PM ₁₀ and PM _{2.5} impacts are no more than 80% of applicable AAQS even for the worst-case scenario, which is construction activity that is highly variable on space and time. Further, these impacts are the result of extremely conservative fugitive dust control assumptions (50% control) that ignore conditions on the North Slope. There is simply no demonstrated need for additional fugitive dust mitigation measures.	A dust control plan has been incorporated into the Final EIS and is provided as Appendix I.3 (<i>Dust Control Plan</i>).	N
1302	40	Dunn	Connor	ConocoPhillips	Avoidance, Minimization, or Mitigation	In Section 3.6.3, Noise (and in Appendix I), BLM proposes that ConocoPhillips “[c]onduct noise monitoring during construction and operations.” It’s unclear what components of construction and operations this is intended to apply to. This is also unprecedented, and in the absence of a fact-based justification and rationale, it is unreasonable to expect noise monitoring for a project on the North Slope. Indeed, the impact analysis of noise does not warrant this level of monitoring. . . . this proposed mitigation measure would monitor a potential effect that has already been demonstrated to be insignificant. . . . This proposed mitigation measure should be removed because it lacks a factual basis and would impose a burden without providing a corresponding benefit.	This was removed as a potential mitigation measure.	Y
1302	41	Dunn	Connor	ConocoPhillips	Avoidance, Minimization, or Mitigation	BLM proposes in section 3.8.3, Water Resources (page 71) that ConocoPhillips “[p]rovide annual surveillance of bridge, culvert, and pipeline river crossings[.]” Aside from water crossings, the Willow project is not located within an active floodplain. . . . the impact analysis described under the Water section of the DEIS does not anticipate an impact that would support this level of monitoring. The same objection applies to the proposed stipulation in Wetlands and Vegetation Section 3.9.3 (page 78) that ConocoPhillips Monitor vegetation damage, and compression of soil and vegetation in annual resupply ice road footprint. ConocoPhillips is already required to report any tundra disturbance and welcomes annual inspections from many regulatory agencies each summer after ice roads have melted, which accomplishes the apparent goal of these proposed measures, and these proposed measures would be additional to those required under the IAP. Vague mitigation measures that require monitoring, such as the two discussed here, tend to give rise to scope disputes and create collateral problems such as increased helicopter traffic, which is a concern to the local community. Moreover, BLM has provided no factual basis for asserting that such new measures are necessary.	The minimization measure in Section 3.8.2.1.3, <i>Additional Suggested Avoidance, Minimization, or Mitigation</i> , “Provide annual surveillance of bridge, culvert, and pipeline river crossings to confirm that structures are functioning properly and provide maintenance as required,” is included in the Final EIS due to the lack of a basis of design for structures proposed by CPAI. As previously stated by BLM, if CPAI provides a basis of design, then effects as resulting mitigation could be described more definitively and narrowly. The minimization measure in Section 3.9.2.1.3, <i>Additional Suggested Avoidance, Minimization, or Mitigation</i> , “Monitor vegetation damage, and compression of soil and vegetation in annual resupply ice road footprint (footprints that are used consecutively each year),” is included in the Final EIS given that ice infrastructure placed in the same footprint cause more effects. As stated in Section 3.9.2.3.2, <i>Direct Vegetation Damage and Soil Compaction</i> , effects from ice roads are amplified by repeated use of the same route over multiple seasons (Yokel, Huebner et al. 2007). Proposed revisions to BMP C-2 stipulate that “ice roads may not use the same route each year; ice roads would be offset to avoid portions of an ice road route from the previous 2 years.”	N

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1302	50	Dunn	Connor	ConocoPhillips	Avoidance, Minimization, or Mitigation	(Section 3.1.3, Birds - Mitigation) BLM proposes that ConocoPhillips “[l]imit water withdrawal to lakes without sensitive fish or breeding yellow-billed loons.” (Page 97.) ConocoPhillips is not aware of any science or supporting data that would require this proposed mitigation measure. In fact, as noted earlier, a recently published study (Johnson, Wildman et al. 2019) found no displacement of nests or broods from long-standing territories by oil development. Moreover, several of the nest sites included in this study are from year-round water withdrawal sources for the Alpine field. BMP B-2 and the withdrawal limits set forth by the State of Alaska Department of Natural Resources and Department of Fish and Game for surface water withdrawals are sufficient to provide necessary protection of water levels for birds.	While it is true that yellow-billed loons continue to nest in water-source lakes in Alpine, that does not mean water withdrawals in all lakes would not negatively affect use for loon nesting. The problem is reduced water levels, not the water withdrawal itself. If lakes recharge to their original level and fish and invertebrates are conserved, then water withdrawal is not expected to have a negative impact. The nesting lakes on the CRD that are water-source lakes are regularly flooded by the Colville River and its channels, thus ensuring recharge annually. Yellow-billed loons do not nest in tapped lakes because of fluctuating water levels (North and Ryan 1989). Yellow-billed loons ceased nesting in a lake with a 10-year-plus nesting history that was breached by a channel of the Colville River in 2009, after which its water levels dropped to the same level as the river (Johnson, C. B., A. M. Wildman, J. P. Parrett, J. R. Rose, T. Obritschkewitsch, and P.E. Seiser. 2011. Avian studies for the Alpine Satellite Development Project, 2010. Eighth annual report for ConocoPhillips Alaska, Inc., and Anadarko Petroleum Corporation, Anchorage, by ABR, Inc., Fairbanks, AK. 69 pp). Water withdrawal from impoundments caused higher nest failures in Pacific loons (Kertell, K. 1996. Response of Pacific Loons [Gavia pacifica] to impoundments at Prudhoe Bay, Alaska. Arctic 49:356–366). Common loon nests in New Hampshire, Maine, and Minnesota had increased failure rates with water level fluctuations (see review in Evers, D.C. 2004. Status assessment and conservation plan for the Common Loon [Gavia immer] in North America. U.S. Fish and Wildlife Service, Hadley, Massachusetts). While BMP B-2 and State of Alaska restrictions on water withdrawal protect fish and water quality, they do not directly address maintenance of shoreline water levels for nesting birds.	N
1302	52	Dunn	Connor	ConocoPhillips	Avoidance, Minimization, or Mitigation	(Section 3.1.3, Birds - Mitigation) BLM also proposes that ConocoPhillips “[m]onitor lake levels to ensure sufficient recharge is occurring and adjust future withdrawals accordingly to allow for sufficient withdrawal.” Monitoring recharge in lakes is typically a condition of higher than standard withdrawal limitations, which ConocoPhillips is not seeking. ConocoPhillips plans to abide by BMP B-2 and the State of Alaska water withdrawal limitations and therefore does not believe that monitoring recharge at all lakes used for water withdrawal is warranted or necessary. Additionally, as BLM notes on page 83 of this DEIS, “[h]abitat alterations in withdrawal lakes would be temporary and would last until spring breakup, when lakes recharge.”	Measure was removed from Section 3.11 (<i>Birds</i>) and Appendix I.1 (<i>Avoidance, Minimization, and Mitigation</i>). Multiple years of recharge monitoring indicates recharge in lakes permitted for water withdrawal is sufficient (Michael Baker International 2014a, 2014b, 2014c, 2015; Michael Baker Jr. Inc. 2002a, 2002b, 2007a, 2007b, 2008, 2009, 2011, 2012, 2013a, 2013b).	Y
1302	53	Dunn	Connor	ConocoPhillips	Avoidance, Minimization, or Mitigation	(Section 3.17.5, Environmental Justice - Mitigation) The proposed mitigation measures 1 and 2 are vague and lack a foundation. The first proposal would require establishing a group to continue meaningful engagement. But ConocoPhillips already has an effective community outreach program and keeps Nuiqsut residents informed of our projects and operations. Our community engagement with Nuiqsut also provides us with feedback, information, and community concerns. We are not aware of any gap that the vague proposal is intended to fill. The second proposal would require a separate program to identify topics for additional review, and determine possible solutions for implementation. This seems to be a solution in search of a problem. ConocoPhillips continues to support the Kuukpik Subsistence Oversight Panel (KSOP), and community outreach and engagement, but we see no reason for BLM to impose additional, vague requirements and we oppose proposed mitigation measures 1 and 2.	The BLM added details to Section 3.17.3.1.4, <i>Additional Suggested Best Management Practices or Mitigation</i> , to clarify the measures.	Y
1302	71	Dunn	Connor	ConocoPhillips	Avoidance, Minimization, or Mitigation	The draft EIS states: “BLM is also recommending ConocoPhillips implement a fugitive dust control plan to mitigate impacts from fugitive PM emissions from the Project. This plan would require regular watering of pads and unpaved roads, enforcing speed limits on unpaved access and haul roads, and several other measures to reduce fugitive dust emissions and impacts. The fugitive dust control plan will be included as part of the Final EIS.” The origin of this potential BMP is unclear as the analysis contained in the draft EIS does not support the need for fugitive dust mitigation beyond what ConocoPhillips has already committed to in their proposed action. . . . [T]hese impacts are well below the AAQS even though they were based on extremely conservative assumptions about fugitive dust control. This analysis would therefore suggest there is no need for additional fugitive dust mitigation measures.	A dust control plan has been incorporated into the Final EIS and is provided as Appendix I.3 (<i>Dust Control Plan</i>).	N
1302	138	Dunn	Connor	ConocoPhillips	Avoidance, Minimization, or Mitigation	“Restrict use of heavy equipment in summer to pads.” Heavy equipment use in summer is already restricted to pads. This mitigation measure is not needed.	Because this is covered by BMP C-2, it was removed from the EIS.	Y
1302	148	Dunn	Connor	ConocoPhillips	Avoidance, Minimization, or Mitigation	BLM states that “all action alternatives would also place new VSMS along existing pipeline corridors due to pipe rack capacity limits (deviation to BMP E-5).” Installing new VSMS because of capacity concerns should not require a deviation to BMP E-5, which in itself simply requires an applicant to “minimize impacts of the development footprint.” Reaching pipeline capacity and installing new VSMS can still be done while minimizing environmental footprint, consistent with the IAP Best Management Practice. This reference to a deviation from E-5 also occurs again on page 135 in the Subsistence Section 3.16.2.1.	BMP E-5 was removed from the deviation list for the Final EIS.	Y
1302	161	Dunn	Connor	ConocoPhillips	Avoidance, Minimization, or Mitigation	“Limit water withdrawal to lakes without sensitive fish or breeding yellow-billed loons.” B-2 addresses this, and abiding by the recommended volumes of water use allowed in sensitive lakes makes this an unnecessary stipulation. Yellow billed loons don’t breed in winter.	BMP B-2 does address water withdrawals. BMPs can be waived or have exceptions granted. BMP B-2e adds this contingent requirement: Additional modeling or monitoring may be required to assess water level and water quality conditions before, during, and after water use from any fish-bearing lake or lake of special concern. Thus, the mitigation measure is nothing new. The suggested mitigation for monitoring lake recharge is not required, but for water-source lakes that are used by sensitive species (e.g., yellow-billed loons, red-throated loons, spectacled eiders), this mitigation would help protect these nesting species from habitat alteration.	N

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33	1	Krause	David	The Wilderness Society	Avoidance, Minimization, or Mitigation	If there is going to be meaningful, fair, and science-based administration of the NPR-A, we believe real conservation actions must be part of any Willow Master Development Plan approvals. . . . for this project to move forward and given the high ecological and cultural value of the NPR-A, the Wilderness Society expects there to be a robust package of conservation offsets associated with any approval. If industry gets this project with the numerous, unavoidable and significant impacts, we believe that there should be meaningful actions to protect areas of conservation importance. Such offsets must include large durably-protected areas of ecological value. These protections are not only necessary to ensure landscape-scale resilience in the face of a dramatically warming Arctic, but are also consistent with the laws that administer the NPR-A and the Record of Decision for the Greater Mooses Tooth 1 development project.	The BLM is required to respond through a ROD on the Willow MDP Project regardless of potential revisions to the IAP. The Project is subject to LSs from prior IAPs, which do not change when a new IAP is issued. Applicable BMPs/ROPs considered in the revised IAP are included as <i>Applicable Lease Stipulations and Best Management Practices</i> sections in the Willow MDP Final EIS (typically, Section 3.X.2.1.1). Avoidance, minimization, and mitigation measures (i.e., BMPs) were further developed in the Final EIS and will be included in the BLM’s ROD. Details are included in throughout the resources sections in Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>), in Chapter 5.0 (<i>Mitigation</i>), and in Appendix I.1 (<i>Avoidance, Minimization, and Mitigation</i>). The Willow MDP ROD will detail which of the measures will be implemented for the Project.	N
1295	4	Nogi	Jill	U.S. Environmental Protection Agency Region 10	Avoidance, Minimization, or Mitigation	. . . [W]e recommend that the Final EIS include a draft compensatory wetland mitigation plan, with compensatory mitigation sufficient to replace lost aquatic resource functions and values, to the extent practicable. Council on Environmental Quality regulations implementing NEPA require that the alternatives and impacts analysis address mitigation measures, including measures that compensate for impacts. . . . In addition, . . . we understand that the Corps will be signing their own Record of Decision for the project and the analysis in the EIS will be used to inform future Corps permit decisions for the Project. Therefore, the inclusion of a draft compensatory wetland mitigation in the Final EIS would also help to improve the Corps’ NEPA compliance for the project.	Except as required by law, BLM policy precludes imposition of compensatory mitigation on public land users (IM 2019-018, Compensatory Mitigation, DOI 2019). A Compensatory Mitigation Plan is not required for NEPA or for the Section 404 permit application; only a compensatory mitigation statement is required. USACE determines compensatory mitigation requirements associated with Section 404 permits, and provides a public comment opportunity upon issuance of the Public Notice for permit applications under Section 404. The Public Notice was issued on March 26, 2020, and the comment period ended on May 11, 2020.	N
1295	17	Nogi	Jill	U.S. Environmental Protection Agency Region 10	Avoidance, Minimization, or Mitigation	We recommend consideration of on-going health monitoring and health education as potential mitigation measures to establish a basis for accurately assessing Project impacts on residents’ health over time, to function as a form of community engagement around this project, and to help reduce potential adverse impacts.	It is not clear which ongoing health monitoring and health education programs the commenter is referring to. Public health monitoring was added to Section 3.18.2.1.3, <i>Additional Suggested Avoidance, minimization, or Mitigation</i> .	Y
1295	18	Nogi	Jill	U.S. Environmental Protection Agency Region 10	Avoidance, Minimization, or Mitigation	In addition, as acknowledged in Section 3.18 Public Health, Nuiqsut residents have expressed concerns about the potential for public health effects associated with oil and gas development on the North Slope. The Draft EIS includes an analysis of impacts to public health using the eight health effects categories defined in the Alaska Department of Health and Social Services Alaska Health Impact Analysis Technical Guidance; however, a complete Health Impacts Assessment was not performed for the project. To help mitigate the identified potential adverse impacts to public health, we recommend that a Health Impacts Assessment for Nuiqsut be considered as an additional suggested mitigation measure in Section 3.17.5.	Baseline health data for Nuiqsut are provided in Section 3.18.1, <i>Affected Environment</i> . A HIA conducted by the State of Alaska would not further inform BLM of the differences between the alternatives presented for the Willow MDP Project. Health impacts are analyzed in Final EIS Section 3.18, <i>Public Health</i> ; BLM determined, in consultation with the State of Alaska, that an HIA was unnecessary.	N
1294	13	Nukapigak	Joe	Kuukpik Corporation	Avoidance, Minimization, or Mitigation	Not only does the Draft EIS not acknowledge these problems [potential shallowing of Harrison Bay from erosion of MTI], it downplays the negative consequences by suggesting that Fish Creek is no longer as important for subsistence purposes as it once was. (Volume 4, Appendix G, page 39) And remarkably, the Draft even attributes this purported decline at least in part to the difficulty people have navigating into Fish Creek from Harrison Bay. . . . Kuukpik believes Fish and Judy Creeks will both continue to be important subsistence access routes going forward, especially as more oil development is constructed in land-accessible areas. BLM should be encouraging and facilitating those kinds of shifts to help make up for areas lost to subsistence, not writing off areas just because they’re harder to get to. Kuukpik has already suggested CPAI build boat ramps at Fish and Judy Creeks to provide just this sort of expanded access.	CPAI has proposed boat ramps at Fish and Judy creeks. This was analyzed in the SDEIS, and included in the Final EIS.	N
1294	18	Nukapigak	Joe	Kuukpik Corporation	Avoidance, Minimization, or Mitigation	The mine will be quite disruptive in summer, but its impacts on winter subsistence impacts should not be overlooked or downplayed. While it’s true that the proposed mine area is used less during winter, winter activities that occur there tend to be particularly important. . . . The proposed mine location and areas to the west of there are also important to Nuiqsut’s fur trappers. . . . [T]he mine (and the Willow Project generally) will have significant impacts on trapping . . . Those impacts would mostly occur in winter, again confirming that the mine poses a year-round and significant threat to subsistence activities. The Final EIS needs to make that clear, but also focus on ways to mitigate impacts from the mine. . . . This could mean things like including boat ramps for subsistence users at Fish or Judy Creek or both, and compensatory mitigation-type payments to subsistence hunters that are forced to “travel further with greater expense, effort, and risk,” as BLM puts it.	CPAI has proposed boat ramps at Fish and Judy creeks. This was analyzed in the SDEIS, and included in the Final EIS.	Y
1294	27	Nukapigak	Joe	Kuukpik Corporation	Avoidance, Minimization, or Mitigation	(Volume 1, page 10, Section 2.5.3.1, Gravel Roads) This section states that gravel roads would be a minimum of 5 feet thick but average 7 feet thick due to topography. Kuukpik recommends exploring the feasibility of using insulating material (such as the rigid Styrofoam boards installed at the Nuiqsut runway this past summer) within the gravel roads in order to reduce the thickness and the amount of gravel needed. This could be added to the additional suggested mitigation measures at page 80.	CPAI is completing a pilot study to look at both rigid and spray foam insulation for road cores. This study is ongoing, and feasibility will not be determined until after the EIS ROD. At this time, it has not been included in the EIS due to not being technically proven.	N
1294	28	Nukapigak	Joe	Kuukpik Corporation	Avoidance, Minimization, or Mitigation	(Volume 1, page 10, Section 2.5.3.2.1, Bridges) This section generally describes the proposed bridges. Kuukpik would like to know what flood/high water data these designs are based on. Bridges should be high enough to allow subsistence users on Fish and Judy Creeks to pass below them in boats during normal (and somewhat higher than normal) water levels.	As stated in Appendix D.1 (<i>Alternatives Development</i>) Section 4.2.3.2.1, <i>Bridges</i> , bridges crossing Judy (Iqalliqpik) and Fish (Uvlutuuq) creeks would be designed to maintain a bottom chord clearance of at least 13 feet above the 2-year design flood elevation (open water) to provide vessel clearance.	N
1294	36	Nukapigak	Joe	Kuukpik Corporation	Avoidance, Minimization, or Mitigation	(Volume 1, page 42, Section 3.3.3, Additional Suggested Best Management Practices or Mitigation) The additional mitigation measures should include use of drilling rigs that meet Tier 4 final standards prior to use of “high-line” power.	Use of drilling rigs that meet Tier 4 final standards is a design feature and therefore not a mitigation measure.	N
1294	44	Nukapigak	Joe	Kuukpik Corporation	Avoidance, Minimization, or Mitigation	(Volume 1, page 146, Section 3.16.3, Additional Suggested Best Management Practices or Mitigation) Flight restrictions and vehicle convoys should be considered as additional project-specific BMPs. Boat ramps at Fish and Judy Creeks should also be considered as mitigation actions. Kuukpik commented on these items at the October 2 Draft EIS meeting in Nuiqsut.	Flight and vehicle restrictions are required in proposed BMPs F2 through F-4, E-1, K-6, K-9, and M-1. These are described throughout the resource sections in Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>) under <i>Applicable Lease Stipulations and Best Management Practices</i> sections (typically, Section 3.X.2.1.1). Boat ramps have been added to the Project description for the Final EIS.	Y

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1294	47	Nukapigak	Joe	Kuukpik Corporation	Avoidance, Minimization, or Mitigation	(Volume 1, page 176-78, Section 5.4, Proponent’s Voluntary Mitigation) The discussion of CPAI’s so-called “philanthropy program” is inaccurate. Several of the most important benefits listed in this section are not philanthropy at all, but rather, commitments that first ARCO and now CPAI are contractually obligated to provide as a result of agreements negotiated with Kuukpik over the years.	This section has been updated to reflect the differences between voluntary and nonvoluntary mitigation.	Y
1307	28	Pardue	Margaret	Native Village of Nuiqsut	Avoidance, Minimization, or Mitigation	A particular area of importance, among others, is the Colville (Kuukpik) River . . . With progress towards the finalization of the Colville River access road, which has taken decades to advance and will be completed at great cost, we believe that protecting the Colville is particularly important. As we have stated before, if the Colville River access road and boat ramp is going to be meaningful into the future, the areas it enables access to must be protected. Fish Creek is another especially important subsistence use area that is threatened by existing and planned development . . . Remaining undeveloped portions of the Fish Creek watershed should be protected, and access to these areas must be maintained. Areas identified for their subsistence importance should be meaningfully safeguarded so that oil companies and changes in administrative priorities cannot compromise the integrity of these places. BLM’s decision to allow ConocoPhillips to violate the Fish Creek Buffer exemplified how discretionary protective measures fail to protect important places on the landscape. NVN would like a meaningful role in the stewardship of these protected subsistence use areas. This role can involve both management and monitoring efforts that provide employment opportunities for residents of the community. These jobs can be paid for by a compensatory mitigation fund.	BMPs are designed to protect subsistence users, access, and resources. These include those listed in Table 3.16.4 of the Final EIS (Section 3.16, <i>Subsistence and Sociocultural Systems</i>), such as BMPs A-11, E-1, H-1, H-4, and more. Requiring employment opportunities as a mitigation measure for the Willow MDP Project would equate to compensatory mitigation, which BLM cannot require. CPAI has volunteered to provide the City of Nuiqsut access to a grant writer to assist with grant proposals that could be paid for out of the NPR-A Impact Grant Program.	N
1307	29	Pardue	Margaret	Native Village of Nuiqsut	Avoidance, Minimization, or Mitigation	NVN feels strongly that the entire mitigation hierarchy (avoidance, minimization, and compensatory offsets) must be employed for the proposed Willow MDP. The agency has failed to effectively avoid and offset the impacts of development in the region . . . The encroachment of GMT-1 and GMT-2 into Fish Creek, an area identified for its very high subsistence importance, exemplifies BLM’s lack of commitment to effectively avoiding irreplaceable areas. . . . Steps should be taken through the RMS and through the Willow NEPA process to ensure that areas of traditional and cultural importance are protected from the impacts of development. Unavoidable impacts of development projects within the NPR-A must be accurately quantified and effectively offset through compensatory mitigation actions.	Avoidance, minimization, and mitigation measures (i.e., BMPs) were further developed in the Final EIS and will be included in the BLM’s ROD. Details are included throughout the resource sections in Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>), in Chapter 5.0 (<i>Mitigation</i>), and in Appendix I.1 (<i>Avoidance, Minimization, and Mitigation</i>). Steps to avoid, minimize, and mitigate potential impacts to areas of traditional and cultural importance are described in Section 3.16.2.1, <i>Avoidance, Minimization, and Mitigation</i> , and in Appendix F (<i>Section 106 Cultural Resources Findings: Process and Analysis</i>). BLM evaluated impacts quantitatively when practicable; if impacts are not described quantitively, they are described qualitatively. BLM policy prohibits the BLM from requiring compensatory compensation (IM 2019-018, Compensatory Mitigation, DOI 2019).	Y
5	5	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	One area of particular concern is the lack of appropriate consideration of mitigation measures in the EIS. Another concern is that this process denies the public or other federal, state, local and tribal agencies the opportunity to comment on CPAIs mitigation proposal and its adequacy to compensate for unavoidable impacts resulting from project implementation, construction and operation.	Except as required by law, BLM policy precludes imposition of compensatory mitigation on public land users (IM 2019-018, Compensatory Mitigation, DOI 2019). A Compensatory Mitigation Plan is not required for NEPA or for the Section 404 permit application; only a compensatory mitigation statement is required. USACE determines compensatory mitigation requirements associated with Section 404 permits, and provides a public comment opportunity upon issuance of the Public Notice for permit applications under Section 404. The Public Notice was issued on March 26, 2020, and the comment period ended on May 11, 2020.	N
864	59	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	BLM’s analysis of mitigation measures is deficient for multiple reasons. First, it is unclear if BLM is authorizing any deviations from the lease stipulations and best management practices that BLM identifies as likely to occur. Additionally, BLM does not analyze the need for the potential deviations. Additionally, BLM fails to adequately identify and analyze additional mitigation measures to impose given the failure of existing lease stipulations and best management practices to actually mitigate from the impacts of oil and gas activities on Reserve resources and uses. We note that BLM is analyzing the project under the 2013 IAP stipulations and best management practices, not the proposed stipulations and required operating procedures being proposed for the revision of the IAP. BLM identified that Conoco is likely to receive “deviations” from one lease stipulation and five best management practices. We note that it is unclear if BLM is considering granting waivers, exceptions, or modifications for these requirements when it refers to deviations. BLM proposed course of action must be clarified now, as each option is different, with potentially different resulting impacts.	The deviations described in the Final EIS are exceptions (one-time exemptions to an LS or BMP determined on a case-by-case basis), applying only to the Willow MDP Project. A lessee may propose a deviation from the requirements and standards of stipulations and BMPs as part of an authorization application. Final EIS Section 2.5.12 (<i>Compliance with Bureau of Land Management Stipulations and Best Management Practices</i>) lists the likely deviations to include LS E-2 and four BMPs: E-7, E-11, K-1, and K-2. (Deviations from BLM BMPs are further detailed in the Final EIS Appendix D.1, <i>Alternatives Development</i> , by action alternative.) As noted in Section 2.5.12, each deviation would be reviewed as the Project design engineering advances for opportunities to conform to LSs and BMPs to the extent practicable. The BLM is required to respond through a ROD on the Willow MDP Project regardless of potential revisions to the IAP. The Project is subject to LSs from prior IAPs, which do not change when a new IAP is issued. Applicable BMPs/ROPs considered in the revised IAP are included as <i>Applicable Lease Stipulations and Best Management Practices</i> sections in the Willow MDP Final EIS (typically, Section 3.X.2.1.1).	Y
864	60	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	It is not clear if BLM is granting the deviations now, or if it will evaluate potential deviations in the future. BLM must be clear about whether it is granting deviations from these protective measures so that the public can understand the full impacts of the project and BLM’s decision. While we assume that BLM is not actually granting the waivers now based on its lack of analysis, BLM must nevertheless fully evaluate the impacts of granting these deviations in this DEIS, regardless of whether it is in fact granting them, because the agency has identified that such deviations are likely.	Final EIS Section 2.5.12 (<i>Compliance with Bureau of Land Management Stipulations and Best Management Practices</i>) lists the likely deviations to include LS E-2 and four BMPs: E-7, E-11, K-1, and K-2. (Deviations from BLM BMPs are further detailed in the Final EIS Appendix D.1, <i>Alternatives Development</i> , by action alternative.) As noted in Section 2.5.12, each deviation would be reviewed as the Project design engineering advances for opportunities to conform to LSs and BMPs to the extent practicable. The EIS impact analysis assumed that these deviations would be granted.	N
864	61	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	More fundamentally, there is considerable confusion in the DEIS about the application of the lease stipulations and best management practices because BLM makes contradictory statements. In some places, BLM indicates that deviations would be required. But then, in the same resource section, BLM states that [a]ll existing NPR-A IAP [lease stipulations] and [best management practices] would be implemented. It is, therefore, very unclear what BLM is considering, analyzing, or requiring. This must be corrected and a revised DEIS must be reissued. Additionally, while BLM indicates that the deviations are likely, it does not appear that BLM has analyzed the project and likely deviations to ensure that the objectives of the protective measures are still met, as required. . . . [I]n the DEIS, it does not appear that BLM considered the ability of the project to meet the objectives of the lease stipulations and best management practices that it deems likely to allow Conoco to not have to meet.	Final EIS Section 2.5.12 (<i>Compliance with Bureau of Land Management Stipulations and Best Management Practices</i>) lists the likely deviations to include LS E-2 and four BMPs: E-7, E-11, K-1, and K-2. (Deviations from BLM BMPs are further detailed in the Final EIS Appendix D.1, <i>Alternatives Development</i> , by action alternative.) As noted in Section 2.5.12, each deviation would be reviewed as the Project design engineering advances for opportunities to conform to LSs and BMPs to the extent practicable. All action alternatives would require deviations to the LSs and BMPs, which are common deviations for projects in the NPR-A and part of the reason that the BMPs are undergoing revision. Thus, the measures would likely not be met under another alternative. The language has been clarified in the Final EIS to specify that “all existing NPR-A IAP LSs and BMPs would be implemented <i>except for those where deviations are granted</i> .” All resource sections in Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>) list the applicable LSs and BMPs for that resource, followed by the deviations that would be required, and how that may affect that resource.	Y

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864	63	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	An additional problem with BLM’s approach to protective measures is that it focuses on the deviations that may be granted, but BLM does not take the necessary step of considering additional protective measures to impose to protect all likely resources that would be negatively impacted by the Willow development. . . . BLM purports to identify and consider additional mitigation measures in Appendix I by including a chart of suggested measures, but additional measures for key resources are absent. For example, there is no additional protective measure for air quality. . . . [T]here is nothing proposed to protect subsistence use and access. . . . More generally, there is no analysis of the proposed measures in the DEIS so it is unclear that what is proposed is sufficient to ensure that resources are protected. BLM generally just lists the suggested additional measures in both the Appendix I and includes that same list in the DEIS analysis, without analyzing if they are sufficient to protect the Reserves resources . . .	Avoidance, minimization, and mitigation measures were further developed in the Final EIS and will be included in the ROD. Details are included throughout the individual resource sections in Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>), in Chapter 5.0 (<i>Mitigation</i>), and in Appendix I.1 (<i>Avoidance, Minimization, and Mitigation</i>). Air quality is permitted by the State, and additional mitigation measures may be imposed during permitting. State air quality specialists reviewed the air quality modeling (as a cooperating agency with special expertise) and did not identify additional BMPs beyond what are already in the EIS or implemented under the 2013 NPR-A IAP ROD or 2020 revisions (BLM 2013, 2020). The IAP already includes subsistence mitigation measures; the Project alternatives were developed in response to concerns over subsistence resources and access; the SDEIS and Final EIS include not only subsistence tundra access ramps but boat ramps intended to help mitigate impacts to subsistence users.	Y
864	92	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	Because the Corps does not have a permit application and the necessary information to analyze this project, the draft EIS also does not contain appropriate mitigation measures for this project. . . . Pursuant to the Corps’ permitting regulations, compensatory mitigation may be required to ensure that a permit complies with the 404(b)(1) Guidelines. The 2008 Mitigation Rule sets out how mitigation requirements are determined and provides the Corps with the authority to deny a permit if there is a “lack of appropriate and practicable compensatory mitigation.” The 2008 Mitigation Rule also contains substantive provisions regarding the size and location of compensatory mitigation that are directly pertinent to the Corps’ decision whether to permit this project.	A Section 404 permit application is not required to undertake the NEPA process. Section 404 requires a permit before dredged or fill material may be discharged into WOUS; the Section 404 program is administered by USACE, which will provide a public comment period on any Section 404 permit application prior to issuing a permit. Except as required by law, BLM policy precludes imposition of compensatory mitigation on public land users (IM 2019-018, Compensatory Mitigation, DOI 2019). A Compensatory Mitigation Plan is not required for NEPA or for the Section 404 permit application; only a compensatory mitigation statement is required. USACE determines compensatory mitigation requirements associated with Section 404 permits and provides a public comment opportunity upon issuance of the Public Notice for permit applications under Section 404. USACE issued its Public Notice on March 26, 2020.	N
864	119	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	BLM must also analyze the potential adverse effects of gravel mining to the Colville River Special Area. The proposed mine site is within the Colville River Special Area. . . . BLM failed to include current information on basin characteristics, streamflow data, channel geometry, and water quality to properly determine potential impacts and mitigate disturbances in this sensitive habitat. BLM also failed consider alternative sources of gravel, such as the Clover mine, as discussed above. BLM failed to describe how the objectives of the applicable IAP setbacks could be met through other means if it grants a deviation. In addition to the two-mile setbacks for the Colville River and its tributaries, BMP C-2(f) provides the following requirement: “Motorized ground-vehicle use within the Colville River Special Area associated with overland moves, seismic work, and any similar use of heavy equipment shall be minimized within an area that extends 1 mile west or northwest of the bluffs of the Colville River, and 2 miles on either side of the Kogosukruk and Kikiakrorak rivers and tributaries of the Kogosukruk River from April 15 through August 5, with the exception that use will be minimized in the vicinity of gyrfalcon nests beginning March 15. Such use will remain 1/2 mile away from known raptor nesting sites, unless authorized by the authorized officer.” BLM should not waive this BMP. Furthermore, ConocoPhillips’ map shows that the mine site would be located directly on the Tiñmiaqsiuġvik (Ublutuoch) River. Gravel mine sites are typically located away from major streams and lakes. BLM failed to explain how this is consistent with protections for this waterway under Lease Stipulation/Best Management Practice K-1(g). BLM should also rely on BMP E-8 to ensure that ConocoPhillips minimizes the impacts of gravel mining on air, land, water, fish, and wildlife resources.	The gravel mine site would not be located in the CRSA or the 2-mile Colville River setback. Refer to Figures 2.4.1 through 2.4.3 in the Final EIS (Appendix A, <i>Figures</i>). The gravel mine site would be approximately 3.8 miles from the boundary of the CRSA, at the closest point. The Tiñmiaqsiuġvik Mine Site would be located within the half-mile setback of the Ublutuoch (Tiñmiaqsiuġvik) River (Final EIS Figure 2.5.4 in Appendix A, <i>Figures</i>), which would require a waiver for BMP K-1(g). Gravel resources are limited on the North Slope and within the NPR-A. CPAI identified a suitable material source (quality and volume) that could supply the needs for the entire Project and has continued mine site engineering; for the Final EIS, the total surface area impacts would be 149.7 acres over two distinct mine site cells. This is a reduction from up to 230 acres described in the Draft EIS; the reduction in footprint meets the objective of BMP K-1 to minimize the disruption of natural flow patterns. CPAI has provided a mine site plan, including mine site reclamation, consistent with BMP E-8. The mine site plan was developed with input from cooperating agencies and in consultation with BLM. The mine site plan is included with the Final EIS as Appendix D.2, <i>Willow Mine Site Mining and Reclamation Plan</i> .	N
864	120	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	BLM also failed to consider a full suite of mitigation measures to avoid and minimize impacts from the extensive gravel mining proposed as part of the Willow Plan. . . . There is no clear mine reclamation plan in the DEIS . . . Damage to permafrost from gravel mining would be permanent, which the draft EIS acknowledges. As stated by Terzi . . . “Addressing permanent impacts to at a minimum of 230 acres of permafrost from gravel mines through compensatory mitigation needs to occur. BLM fails to address these issues in the DEIS. Delaying a decision on this until formulation of reclamation plans is not consistent with the NEPA process and federal rules and regulations.” In sum, BLM failed to consider the significant adverse impacts of gravel mining from the proposed Willow Plan. The draft EIS should be revised and reissued with an evaluation of the full scope of these impacts, a full reclamation plan, and mitigation to avoid, minimize, and compensate for unavoidable adverse impacts.	The Draft EIS analysis incorporated preliminary information provided by CPAI regarding how it proposes to restore the gravel mine site. The CPAI Willow Mine Site Mining and Reclamation Plan was developed following meetings with relevant cooperating agencies and in consultation with BLM. The mine site plan is included in the Final EIS as Appendix D.2, <i>Willow Mine Site Mining and Reclamation Plan</i> . Impacts from mine site development are included in resource sections throughout Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>) of the EIS.	N
864	162	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	Finally, the draft EIS offers no compensation or mitigation plan to address these and other potential impacts to water resources and hydrology in the region. Rehabilitation at a future date is not consistent with federal rules and regulations and may not be effective. In addition, BLM has not provided enough information and baseline data to adequately design the infrastructure associated with this project, especially in terms of climate change and sustainability of the project into the future.	The Draft EIS analysis incorporated preliminary information provided by CPAI regarding how it proposes to restore the gravel mine site. The CPAI Willow Mine Site Mining and Reclamation Plan was developed following meetings with relevant cooperating agencies and in consultation with BLM. The mine site plan is included in the Final EIS as Appendix D.2, <i>Willow Mine Site Mining and Reclamation Plan</i> . Impacts from mine site development are included in resource sections throughout Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>) of the EIS.	N
864	170	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	Finally, the draft EIS fails to adequately consider mitigation to avoid, minimize and compensate for the significant, and likely permanent, losses of wetlands associated with the proposed Willow Plan. . . . The Draft EIS does not justify nor substantiate the assertion that functional loss would only occur absent reclamation, implying that reclamation can avoid such loss. BLM also does it discuss which functions could be impaired or lost and for how long. There is nothing presented that would validate BLM’s claim that if reclamation occurred, lost and impaired wetland functions would be reversible and the wetlands, their functions impacted by the project would rebound, and impacts would not be permanent.	Except as required by law, BLM policy precludes imposition of compensatory mitigation on public land users (IM 2019-018, Compensatory Mitigation, DOI 2019). A Compensatory Mitigation Plan is not required for NEPA or for the Section 404 permit application; only a compensatory mitigation statement is required. USACE determines compensatory mitigation requirements associated with Section 404 permits and provides a public comment opportunity upon issuance of the Public Notice for permit applications under Section 404. Section 404 requires a permit before dredged or fill material may be discharged into WOUS; the Section 404 program is administered by USACE, which will provide a public comment period on any Section 404 permit application prior to issuing a permit. USACE issued its Public Notice on March 26, 2020.	N

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864	255	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	BLM should include monitoring data from past projects in this area to support any contention that existing BMPs, LSs and any additionally proposed BMPs (as cited above) are effective in quantifying and qualifying impacts from the project.	The NPR-A IAP considered the effectiveness of BMPs and is the reason that specific BMPs were selected in the ROD and are now required. Various BMPs require lessees to monitor specific resources; if monitoring indicates that BMPs are not effective, then BLM adaptively manages to reduce impacts. Proposed BMP H-5 requires that data and summary reports derived from North Slope studies be made easily accessible. This was added to the <i>Applicable Lease Stipulations and Best Management Practices</i> sections throughout Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>) (typically, Section 3.X.2.1.1).	N
864	259	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	<p>BMP C-2: Protect stream banks, minimize compaction of soils, and minimize the breakage, abrasion, compaction, or displacement of vegetation. The requirement for this BMP would be: Tundra activities shall be allowed only when frost and snow cover are at sufficient depths to protect the tundra. [Low-ground-pressure] vehicles shall be selected and operated in a manner that eliminates direct impacts to tundra. Bulldozing of tundra mat and vegetation, or trails is prohibited.</p> <p>BLM needs to include this BMP in enforceable and measurable terms. BLM needs to set a threshold for sufficient depth in order to make this BMP meaningful and possibly minimize impacts from this project on climate change both individually and cumulatively.</p>	<p>The BLM has analyzed proposed revisions to ROP C-2 in the 2020 IAP Final EIS that would address specific thresholds and stipulates that:</p> <ul style="list-style-type: none">– Ground operations would only be allowed when frost and snow cover are at sufficient depth, strength, density, and structure to protect the tundra. Soils must be frozen to at least 23 degrees F at least 12 inches below the lowest surface height (e.g., inter-tussock space). Tundra travel would be allowed when there is at least 3 to 6 inches of snow (depending on the alternative). For alternatives B, C, and D: Snow depth and snow density must amount to no less than a snow water equivalent of 3 inches over the highest vegetated surface (e.g., top of tussock) in the NPR-A.– Snow survey and soil freeze-down data collected for ice road or snow trail planning and monitoring shall be submitted to the BLM.– Clearing or smoothing drifted snow is allowed to the extent that the tundra mat is not disturbed. Only smooth pipe snow drags would be allowed for smoothing drifted snow.– For alternatives B, C, and D: avoid using the same routes for multiple trips, unless necessitated by serious safety or environmental concerns and approved by the BLM. This provision does not apply to hardened snow trails or ice roads.– Ice roads would be designed and located to avoid the most sensitive and easily damaged tundra types, as much as practicable. For alternatives B, C, and D: ice roads may not use the same route each year; ice roads would be offset to avoid portions of an ice road route from the previous 2 years. <p>Applicable BMPs considered in the revised IAP are included in the Final EIS as <i>Applicable Lease Stipulations and Best Management Practices</i> sections (typically, Section 3.X.2.1.1). The BLM has the discretion to include these in the ROD regardless of whether the revised IAP is approved.</p>	Y
864	260	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	BMP L-1: Protect stream banks and water quality; minimize compaction of soils; minimize the breakage, abrasion, compaction, or displacement of vegetation. On a case-by-case basis, BLM may permit low-ground-pressure vehicles to travel off gravel pads and roads during times other than those identified in BMP C-2a. It is unclear what BMP C-2a is and how it differs from BMP C-2. BMP L-1 allows deviation from BMP C-2 and there is no way to enforce this BMP nor are there any limits or sideboards on the deviation, making both of these BMPs, designed to address the potential effects of the project on climate change meaningless.	C-2a is a subpart of C-2. This was simplified to be consistently referred to as C-2 for the Final EIS.	Y
864	262	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	Given the length of this project (projected out for decades) and the potential effects of climate change/global warming on the Arctic, in general, and permafrost specifically, it is incumbent upon BLM to address the potential impacts of this project into the future. It is evident that use of BMPs and LSs to address permafrost impacts is inadequate.	Section 3.2.1, <i>Affected Environment</i> , of the Final EIS addresses ongoing impacts of climate change on the environment, including in the Project area. Section 3.2.2, <i>Environmental Consequences: Effects of the Project on Climate Change</i> , and Section 3.19.4, <i>Cumulative Impacts to Climate Change</i> , analyze impacts that Project alternatives and cumulative actions may have on climate.	N
864	263	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	Addressing permanent impacts to at a minimum of 230 acres of permafrost from gravel mines through compensatory mitigation needs to occur. BLM fails to address these issues in the DEIS. Delaying a decision on this until formulation of reclamation plans is not consistent with the NEPA process and federal rules and regulations.	<p>Except as required by law, BLM policy precludes imposition of compensatory mitigation on public land users (IM 2019-018, Compensatory Mitigation, DOI 2019). A Compensatory Mitigation Plan is not required for NEPA or for the Section 404 permit application; only a compensatory mitigation statement is required. USACE determines compensatory mitigation requirements associated with Section 404 permits and provides a public comment opportunity upon issuance of the Public Notice for permit applications under Section 404. USACE issued its Public Notice on March 26, 2020.</p> <p>The CPAI Willow Mine Site Mining and Reclamation Plan was developed in consultation with cooperating agencies and BLM. This plan is included with the Final EIS as Appendix D.2, <i>Willow Mine Site Mining and Reclamation Plan</i>. The effects of mine site development and reclamation were considered in the analysis of resources throughout Chapter 3.0, <i>Affected Environment and Environmental Consequences</i>, in the development of the Draft and Final EISs.</p>	N
864	277	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	Finally, BLM has failed to provide enforceable, measurable, and meaningful mitigation measures to compensate for project impacts, let alone cumulative impacts. A compensatory mitigation plan must be developed, submitted for review and approved by the agencies for BLM to make the assertions cited above.	<p>Except as required by law, BLM policy precludes imposition of compensatory mitigation on public land users (IM 2019-018, Compensatory Mitigation, DOI 2019). A Compensatory Mitigation Plan is not required for NEPA or for the Section 404 permit application; only a compensatory mitigation statement is required. USACE determines compensatory mitigation requirements associated with Section 404 permits and provides a public comment opportunity upon issuance of the Public Notice for permit applications under Section 404. USACE issued its Public Notice on March 26, 2020.</p> <p>Avoidance, minimization, and mitigation measures/BMPs were further developed in the Final EIS and will be included in BLM’s ROD. Details are included throughout the individual resource sections in Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>), in Chapter 5.0 (<i>Mitigation</i>), and in Appendix I.1 (<i>Avoidance, Minimization, and Mitigation</i>).</p>	N

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864	300	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	The DEIS notes that eventually the gravel mines could be reclaimed to provide off-channel wintering habitat for fish. If BLM/CPAI want to consider reclamation as compensatory mitigation for fish impacts, then they must prepare the reclamation plan for review and adequacy to compensate for fish and habitat impacts. Once approved, the plan must be subject to a special condition of the Corps Section 404/10 Permit for implementation, construction, monitoring and other relevant components of a compensatory mitigation plan. It is not appropriate to delay a decision on reclamation for 20 or 30 years into the future if this is being proposed as potential compensation for fish and fish habitat impacts. This is not consistent with 33 CFR Part 332.4(c).	The Draft EIS analysis incorporated preliminary information provided by CPAI regarding how they proposed to restore the gravel mine site. BLM has also met several times with CPAI and cooperating agencies to discuss the mining and restoration plan. The CPAI Willow Mine Site Mining and Reclamation Plan is included in the Final EIS in Appendix D.2, <i>Willow Mine Site Mining and Reclamation Plan</i> . A Section 404 permit application is not required to undertake the NEPA process. Section 404 requires a permit before dredged or fill material may be discharged into WOUS; the Section 404 program is administered by USACE, which will provide a public comment period on any Section 404 permit application prior to issuing a permit. USACE issued its Public Notice on March 26, 2020. The CPAI Willow Mine Site Mining and Reclamation Plan was developed in consultation with cooperating agencies and BLM. This plan is included with the Final EIS as Appendix D.2, <i>Willow Mine Site Mining and Reclamation Plan</i> . The effects of mine site development and reclamation were considered in the analysis of resources throughout Chapter 3.0, <i>Affected Environment and Environmental Consequences</i> , in the development of the Draft and Final EISs.	N
864	301	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	The DEIS also states that the Project could adopt the 6 additional BMPs suggested by NMFS for EFH for invasive species. This should not be discretionary. The FEIS must make it clear what is being proposed for avoidance, minimization and compensation and how it is adequate compensation.	Avoidance, minimization, and mitigation measures/BMPs were further developed in the Final EIS and will be included in BLM’s ROD. Details are included throughout the resource sections in Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>), in Chapter 5.0 (<i>Mitigation</i>), and in Appendix I.1 (<i>Avoidance, Minimization, and Mitigation</i>).	N
864	302	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	Reclamation is touted as the compensation (maybe) in 30 years or so and the BLM is actually claiming this project only has “temporary” impacts if reclamation is done postproject. CPAI and BLM should give examples of ANY reclamation projects within the National Petroleum Reserve that have occurred to date and the success or failure of such actions. The DEIS proclaims that the ecosystem rebounds after fill is taken out (although they acknowledge that tundra ecotypes can take another 10 years to rebound after fill is taken out and a project is abandoned or decommissioned). Taking this into consideration, the DEIS asserts “temporary” impacts can exist in the landscape for 40 or more years. This is inconsistent with the very term temporary.	As stated in Section 3.9.3, <i>Unavoidable Adverse, Irretrievable, and Irreversible Effects</i> , the function associated with wetland loss would be irretrievable throughout the life of the Project until reclamation is complete. If reclamation did occur, the duration of vegetated wetland recovery after reclamation is expected to be greater than 20 to 30 years, or until more than 50% aerial cover of the wetland is hydrophytic vegetation and soils are saturated or inundated for more than 10 days during the growing season (Everett, Murray et al. 1985). Reclamation is not described as temporary anywhere in the EIS.	N
864	303	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	LSs and/or BMPs are only meaningful if they are enforceable, measurable, verifiable and transparent (understandable). In addition, Table I.1.2. Design Features to Avoid and Minimize Impacts do not have parameters that are enforceable or measurable so they are not meaningful. . . . BLM needs to clarify who will be responsible to ensure such a measure takes place and how would it be monitored, by who and when.	Table I.1.2 in Section I.2, <i>Design Features to Avoid and Minimize Impacts</i> , in Appendix I.1 (<i>Avoidance, Minimization, and Mitigation</i>), is not a listing of LSs or BMPs. The referenced table, as noted in the section text, summarizes a list of measures incorporated by CPAI to “avoid and minimize impacts into their Project design.” Specifically, Measure No. 91 is not associated with an LS or BMP, but is noted as a stipulation of ADNRR and ADEC regulations.	N
864	304	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	Another BMP states “(m)onitor vegetation damage, and compression of soil and vegetation in annual resupply ice road footprint (footprints that are used consecutively each year).” BLM needs to explain the parameters of this monitoring, and if adverse impacts are noted, what the next steps would be. Without a specific monitoring plan, with performance standards, contingencies, adaptive management and other requirements typically included in a mitigation plan, then this measure is not meaningful nor enforceable in any way.	These types of specifications would be listed in the ROD.	N
864	305	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	BMP E-11 states “minimize the take of species, particularly those listed under the Endangered Species Act and BLM Special Status Species, from direct or indirect interaction with oil and gas facilities.” The Action required is noted as “(a)erial surveys for species will be conducted prior to construction.” This BMP is useless for small mammals and fish.	BMP E-11 is specifically geared for the protection of birds and includes subsections for yellow-billed loons and spectacled and Steller’s eiders. This BMP is not intended to protect fish or small mammals. Other BMPs and LSs are intended to protect fish and mammals (e.g., LS E-3).	N
864	306	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	BMP E-14 states (e)nsure the passage of fish at stream crossings. The Action Required is noted as “(t)o ensure that crossings provide for fish passage, all proposed crossing designs shall collect at least 3 years of hydrologic and fish data.” BLM has not done so to date and needs to adhere to this BMP.	CPAI will have met these requirements (at least 3 years of hydrologic and fish data) by the time of construction.	N
864	308	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	The DEIS states in Chapter 3, Section 3.10.3 Additional Suggested Best Management Practices or Mitigation (in terms of reducing impacts to fish) could include adoption of BMPs suggested by NMFS for EFH for invasive species. Again, BLM does not explicitly state if they will include the BMPs or how to, or who will, provide the oversight to enforce them. For example, one of these BMPs states “Prior to the start of construction, undertake a thorough scientific review and risk assessment regarding impacts associated with the introduction of non-native species.” This does not provide a clear timeframe for compliance or what constitutes a “scientific review and risk assessment.” It is not clear whether this will be subject to approval by the BLM authorized officer, or how the adequacy of such a document will be determined. BLM needs to explain how this is an enforceable or valid BMP.	Avoidance, minimization, and mitigation measures/BMPs were further developed in the Final EIS and included throughout the individual resources sections in Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>), in Chapter 5.0 (<i>Mitigation</i>), and in Appendix I.1 (<i>Avoidance, Minimization, and Mitigation</i>). Details will be included in the ROD. Consultations with the NMFS and the USFWS will be complete prior to the BLM issuing a ROD; any additional BMPs that are required as a result of consultations would be included in the ROD. The BLM monitors BMPs required by NMFS and USFWS, and the BLM has the discretion to halt operations if needed. The BMP stating, “Prior to the start of construction, undertake a thorough scientific review and risk assessment regarding impacts associated with the introduction of non-native species,” has been removed from consideration. BMP M-2 addresses invasive species prevention and is included in Section 3.9.2.1.1, <i>Applicable Lease Stipulations and Best Management Practices</i> .	N
864	309	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	There are many more examples of how the LSs, BMPs, design features are not written with adequate sideboards to be enforceable, measurable and meaningful. BLM inappropriately relies on these mitigation measures to state that impacts will be avoided and minimized. In addition, there will be deviations to some of the most effective measures (as noted previously) to protect water resources, wetlands, and fish. Given the proposed deviations from certain BMPs and LSs, and as currently provided, the analysis by BLM is severely defective to demonstrate the proposed mitigation measures are adequate surrogates for a fully fleshed compensatory mitigation plan.	The NPR-A IAP considered the effectiveness of BMPs and is the reason that specific BMPs were selected in the ROD and are now required. Various BMPs require lessees to monitor specific resources; if monitoring indicates that BMPs are not effective, then BLM adaptively manages to reduce impacts. BMPs requiring waivers are detailed in Final EIS Appendix D.1 (<i>Alternatives Development</i>), Section 4.2.12, <i>Compliance with Bureau of Land Management Stipulations, Best Management Practices, and Supplemental Practices</i> . The BLM evaluated these deviations as a part of the Project design, and therefore, they are included in the EIS analysis. A Compensatory Mitigation Plan is not required for NEPA or for the Section 404 permit application; only a compensatory mitigation statement is required. USACE determines compensatory mitigation requirements associated with Section 404.	N

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864	310	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	Chapter 5 of the DEIS is an overview of avoidance, minimization, and mitigation measures proposed to offset environmental impacts. BLM’s existing LSs, BMPs, and design features to avoid and minimize impacts are the proposed mitigation measures, and although the DEIS states this also includes compensatory mitigation, the DEIS does not contain such provisions.	Final EIS Section 5.3, <i>Compensatory Mitigation</i> , provides an overview of compensatory mitigation for the Project. Except as required by law, BLM policy precludes imposition of compensatory mitigation on public land users (IM 2019-018, Compensatory Mitigation, DOI 2019). A Compensatory Mitigation Plan is not required for NEPA or for the Section 404 permit application; only a compensatory mitigation statement is required. USACE determines compensatory mitigation requirements associated with Section 404 permits and provides a public comment opportunity upon issuance of the Public Notice for permit applications under Section 404. USACE issued its Public Notice on March 26, 2020. As described in Section 5.3, BLM considers other compensatory mitigation programs applicable to the Project and Project area (e.g., voluntary or state-mandated compensatory mitigation), in its determination of mitigation for impacts from the Project, including USACE’s compensatory mitigation program under Section 404 of the CWA and the State’s NPR-A Impact Grant Program.	N
864	311	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	Table D.4.4.—Anticipated Deviations from National Petroleum Reserve in Alaska Lease Stipulations or Best Management Practices. These 6 proposed deviations from the standard LSs and BMPs increase the risk and likelihood of impacts to waters of the U.S. during project implementation, construction and operation. BLM must fully analyze these impacts.	The <i>Environmental Consequences</i> sections for individual resources in Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>) includes analysis of deviations to LSs and BMPs that the Project would require. Deviations that would affect specific resources are described in those resource sections under the <i>Applicable Lease Stipulations and Best Management Practices</i> section (typically, Section 3.X.2.1.1).	N
864	312	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	Activities and design features that may avoid and minimize impacts is NOT synonymous to compensation for functional and areal extent of loss of Waters of the U.S. There is no compensation proposed for the permanent, temporary, indirect and temporal loss of wetlands and other waters of the U.S. . . . There is no opportunity for the public or agencies to comment on a compensatory mitigation proposal and its adequacy to compensate for unavoidable impacts resulting from project implementation, construction and operation . . . If the Corps waits until the ROD to require, discuss and incorporate a compensatory mitigation plan into their ROD and Section 404/10 permit required for this project, then there would be no opportunity for comments from the public, agencies, and tribal entities. BLM and CPAI need to draft a compensatory mitigation plan and include it in the FEIS and in their application to the Corps so that the proposal can be subject to Public Notice, along with project details, and afford others the opportunity to review and provide comments.	A Compensatory Mitigation Plan is not required for NEPA or for the Section 404 permit application; only a compensatory mitigation statement is required. USACE determines compensatory mitigation requirements associated with Section 404 permits and provides a public comment opportunity upon issuance of the Public Notice for permit applications under Section 404. USACE issued its Public Notice on March 26, 2020.	N
864	314	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	It is imperative for BLM and/or CPAI to demonstrate the proposed BMPs, LSs, eventual reclamation (including removal of all fill and connection of gravel pits to river for off-channel deep water fish habitat) and tundra wetland rebound after temporal impacts ranging anywhere from 10-40 years is adequate compensation. The DEIS is woefully inadequate in demonstrating this and is not compliant with the Federal Rule) and the 2018 Alaska MOA [Memorandum of Agreement Between the Department of the Army and the Environmental Protection Agency Concerning Mitigation Sequencing for Wetlands in Alaska under Section 404 of the Clean Water Act, June 15, 2018] . . . Compensatory mitigation in the form of restoration and/or preservation must be provided and a detailed compensatory mitigation plan addressing the 13 required components of such a plan as outlined in the Federal Rule (33 CFR Part 332.4 (c)(2)-(c)14) must be submitted for review and comment.	A Compensatory Mitigation Plan is not required for NEPA or for the Section 404 permit application; only a compensatory mitigation statement is required. USACE determines compensatory mitigation requirements associated with Section 404 permits and provides a public comment opportunity upon issuance of the Public Notice for permit applications under Section 404. USACE issued its Public Notice on March 26, 2020. <i>Note:</i> Mine site engineering has advanced since the Draft EIS, and as described in the Final EIS, the mine site would not be connected to adjacent waterways to provide overwintering fish habitat. The Willow Mine Site Mining and Reclamation Plan is included with the Final EIS as Appendix D.2, <i>Willow Mine Site Mining and Reclamation Plan</i> .	N
864	315	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	The Alaska MOA [Memorandum of Agreement Between the Department of the Army and the Environmental Protection Agency Concerning Mitigation Sequencing for Wetlands in Alaska under Section 404 of the Clean Water Act, June 15, 2018] states the following in terms of difficult to replace resources: “Technical Feasibility. In determining whether compensatory mitigation is practicable, issues associated with the technical feasibility of restoring, enhancing, or establishing wetlands and other aquatic resources are also relevant. In spite of significant advances in restoration science, the technical challenges associated with establishing and re-establishing certain difficult-to-replace aquatic resources, such as permafrost wetlands, remains high. Compensation for impacts to these types of resources should be provided, if practicable, through in-kind rehabilitation, enhancement, or preservation since there is greater certainty that these methods of compensation will successfully offset permitted impacts (see 33 CFR Part 332.3(e)(3) and 40 CFR Part 230.93(e)(3)).” This statement is particularly relevant in terms of providing compensation for permafrost wetlands. Permafrost wetlands are not only defined as difficult-to-replace, but as acknowledged in the DEIS, are irreplaceable. Therefore, BLM must address the direct and indirect impacts to permafrost wetlands through preservation of high functioning permafrost wetlands at ratios no less than 5-10:1 replacement. If BLM deviates from standard ratios, they must provide adequate justification.	Except as required by law, BLM policy precludes imposition of compensatory mitigation on public land users (IM 2019-018, Compensatory Mitigation, DOI 2019). A Compensatory Mitigation Plan is not required for NEPA or for the Section 404 permit application; only a compensatory mitigation statement is required. USACE determines compensatory mitigation requirements associated with Section 404 permits and provides a public comment opportunity upon issuance of the Public Notice for permit applications under Section 404. USACE issued its Public Notice on March 26, 2020.	N
864	316	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	Although there is no metric presented in the Federal Rule or the Alaska MOA for what constitutes a temporary impact, it is inconceivable that 30 to 40 years could ever be considered a temporary impact. The DEIS presents no rationale or logic for stating that the impacts are temporary if reclamation/fill removal/decommission of the project after some 30 or more years occurs. The assertion, throughout the DEIS, that impacts from the project will be reversible, temporary and minimal in nature is simply not justified.	As stated in Section 3.9.3, <i>Unavoidable Adverse, Irretrievable, and Irreversible Effects</i> , the function associated with wetland loss would be irretrievable throughout the life of the Project until reclamation is complete. If reclamation did occur, the duration of vegetated wetland recovery after reclamation is expected to be greater than 20 to 30 years, or until more than 50% aerial cover of the wetland is hydrophytic vegetation and soils are saturated or inundated for more than 10 days during the growing season (Everett, Murray et al. 1985). Reclamation is not described as temporary anywhere in the EIS.	N

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864	319	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	<p>The following scoping comments from EPA were not addressed adequately in the EIS, and should be addressed and included in the next iteration for the EIS:</p> <p>“The EPA recommends that the EIS identify the type of activities that would require mitigation measures during the construction, operation, and closure phases of this project. In addition, we recommend identifying whether implementation of each measure is required by BLM or any other governmental entity and which entity will be responsible for implementing the measure. To the extent possible, mitigation goals and measurable performance standards should be identified in the EIS to reduce impacts and adopted to achieve environmentally preferable outcomes. The CEQ guidance on Appropriate Use of Mitigation and Monitoring seeks to enable agencies to create successful mitigation planning and implementation procedures with robust public involvement and monitoring programs.”</p> <p>There is no compensatory mitigation plan included in the DEIS nor has BLM included any information relative to the comment above.</p>	<p>Avoidance, minimization, and mitigation measures/BMPs were further developed in the Final EIS and will be included in the ROD. Details are included throughout the individual resources sections in Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>), in Chapter 5.0 (<i>Mitigation</i>), and in Appendix I.1 (<i>Avoidance, Minimization, and Mitigation</i>).</p> <p>Except as required by law, BLM policy precludes imposition of compensatory mitigation on public land users (IM 2019-018, Compensatory Mitigation, DOI 2019). A Compensatory Mitigation Plan is not required for NEPA or for the Section 404 permit application; only a compensatory mitigation statement is required. USACE determines compensatory mitigation requirements associated with Section 404 permits and provides a public comment opportunity upon issuance of the Public Notice for permit applications under Section 404. USACE issued its Public Notice on March 26, 2020.</p> <p>Draft and Final EIS Section 5.3.2, <i>Compensatory Mitigation for the Fill of Wetlands and Waters of the United States</i>, does provide an overview of USACE’s requirements to consider compensatory mitigation and how this would be described in USACE’s ROD for the EIS.</p>	N
864	320	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, or Mitigation	<p>The following scoping comments from EPA were not addressed adequately in the EIS, and should be addressed and included in the next iteration for the EIS:</p> <p>“An environmental monitoring program should be designed to assess both impacts from the project and whether mitigation measures being implemented are effective. We recommend the EIS identify clear monitoring goals and objectives, such as what parameters are to be monitored, where and when monitoring will take place, who will be responsible, how the information will be evaluated, and what actions (contingencies, triggers, adaptive management, correct actions, etc.) will be taken based on the information. We also recommend the EIS discuss public participation, and how the public can get information on mitigation effectiveness and monitoring results.”</p> <p>Nothing in the DEIS addresses this comment. Monitoring protocols are typically included in a detailed compensatory mitigation plan, which is lacking in the DEIS.</p>	<p>Except as required by law, BLM policy precludes imposition of compensatory mitigation on public land users (IM 2019-018, Compensatory Mitigation, DOI 2019). A Compensatory Mitigation Plan is not required for NEPA or for the Section 404 permit application; only a compensatory mitigation statement is required. USACE determines compensatory mitigation requirements associated with Section 404 permits and provides a public comment opportunity upon issuance of the Public Notice for permit applications under Section 404. USACE issued its Public Notice on March 26, 2020.</p> <p>Details regarding monitoring required by measures stipulated in the EIS would be provided in the ROD.</p>	N
50	1	Simmonds	Isaac Thomas	—	Avoidance, Minimization, or Mitigation	<p>But the pipeline concern about the equipment, construction work to make sure there are no tools leave behind on that area, . . . That’s my concern about the (unclear) Nuiqsut and our village there that they go berry picking. But the things that are most important as labor to make sure that nothing leave behind after work. That’s the safety work, tools or anything, including with the pipeline. But some way, in the line, it’s got to be — on the line, it’s got to be somebody watching out for that. Like security work for the wildlife.</p>	<p>BMP A-1 (Waste and Litter) stipulates that “areas of operation shall be left clean of all debris.” The proposed changes to this BMP expand the requirement language: “All solid waste and industry-derived trash originating from permitted activities is required to be properly containerized while on-site or removed from the area of operation and activity.” Applicable BMPs/ROPs considered in the revised IAP are included in the Final EIS as <i>Applicable Lease Stipulations and Best Management Practices</i> sections (typically, Section 3.X.2.1.1).</p> <p>The BLM Arctic Office conducts inspections at the start of winter operations or activity, typically the first winter inspection is in January and occurs monthly through the winter. After stick-picking is complete in the summer, the BLM inspects across the permitted area once via helicopter. Anything that is left, the BLM would attempt to pick up. Any notable observations are documented in the inspection reports, which are also shared with the operators.</p>	N
85	7	Svoboda	Nathan	The Wildlife Society Alaska Chapter	Avoidance, Minimization, or Mitigation	<p>We had some confusion over which areas operated under which BMPs, but that should be easily clarified in the FEIS. Appendix D provides a list of expected exemptions from BMPs. We would like to see BLM and Conoco Phillips commit to tracking compliance with BMPs, and identify any deviations in a publicly accessible database.</p>	<p>BMPs requiring waivers are detailed in Final EIS Appendix D.1 (<i>Alternatives Development</i>), Section 4.2.12, <i>Compliance with Bureau of Land Management Stipulations, Best Management Practices, and Supplemental Practices</i>.</p> <p>Deviations for any activity the BLM authorizes in the NPR-A can be found in the associated NEPA documentation, as the BLM must analyze deviations under NEPA. The public may request inspection and monitoring reports from the Arctic District Office through FOIA.</p>	N
85	9	Svoboda	Nathan	The Wildlife Society Alaska Chapter	Avoidance, Minimization, or Mitigation	<p>Commenters requested the EIS identify the responsible parties for implementing mitigation, monitoring requirements, and where the public can find mitigation effectiveness and monitoring results as they become available. Commenters encouraged the use of the mitigation hierarchy (avoidance, minimization, and compensatory offsets) to ensure that unavoidable impacts are effectively and meaningfully offset with appropriate mitigation.</p> <p>The DEIS identifies scores of environmental and operational variables that will be monitored by either Conoco Phillips or BLM over the life of the project . . . Lesser attention is given to monitoring the effectiveness of proposed mitigation measures, especially long-term. . . . Commenters’ suggestions to employ a mitigation hierarchy (avoidance, mitigation, compensatory offsets) is a good idea, but we see little evidence of that approach reflected in the DEIS. Economic considerations appear to dominate.</p>	<p>Proposed BMP H-5 requires data and summary reports derived from North Slope studies be made easily accessible. This was added to the <i>Applicable Lease Stipulations and Best Management Practices</i> section throughout the resource sections in Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>) (typically, Section 3.X.2.1.1) and to Appendix I.1 (<i>Avoidance, Minimization, and Mitigation</i>).</p> <p>The BLM requires weekly reports from operators on NPR-A activities during construction of surface development. The BLM Arctic Office conducts inspections at the start of winter operations or activity, typically the first winter inspection is in January and occurs monthly through the winter. After stick-picking is complete in the summer, the BLM inspects across the permitted area once via helicopter. Any notable observations are documented in the inspection reports, which are also shared with the operators.</p> <p>The public may request inspection and monitoring reports from the Arctic District Office through FOIA.</p>	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
85	11	Svoboda	Nathan	The Wildlife Society Alaska Chapter	Avoidance, Minimization, or Mitigation	<p>Mitigation and Best Management Practices (BMPs)</p> <p>. . . It was difficult for us to clearly discern what BMPs apply to what areas. For example, it appears BMP K-5 would be applied within the “Teshekpuk Lake Caribou Habitat Area.” BMP K-9 would be applied within the “Caribou Movement Corridors,” and BMP K-10 would be applied in the “Southern Caribou Calving Area.”</p> <p>. . . [I]t would be helpful to clarify in the Willow FEIS with maps and definitions.</p> <p>It is unclear to us whether BMPs E-5, E-7 and F-1 will be applied throughout the Willow project area. We hope that is the case, but if not, please clarify in the FEIS which BMPs apply to what land areas.</p> <p>If Best Management Practices have any real force, applying just BMP E-5 (requiring that the development footprint be “minimized”) would seemingly drive the FEIS to identify alternative D as the preferred. Because that is doubtfully the case, we wonder how broadly and firmly any BMPs are supposed to be applied. The FEIS should speak to this.</p>	<p>The boundaries of the CRSA and TLSA were added to the alternatives figures in Chapter 2.0, <i>Alternatives</i>, and to Figure 3.12.1 (the K-5 Teshekpuk Lake Caribou Habitat Area boundary was already displayed) in Section 3.12, <i>Terrestrial Mammals</i>.</p> <p>Proposed BMP F-3 (previously described as F-1) would require all aircraft to maintain specified altitudes that vary by alternative. Alternative E would require all aircraft to maintain a 1,500-foot minimum altitude throughout NPR-A. This was added to the Final EIS in Section 3.12.2.1.1, <i>Applicable Lease Stipulations and Best Management Practices</i>.</p> <p>Under the NPR-A IAP and Section 404 of the CWA, lessees are required to minimize facility footprints and propose siting and alignment of facilities in such a manner as to minimize environmental impacts to various resources (e.g., caribou, wetlands). The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. During alternatives development for the Willow MDP Project, the BLM considered issues identified during scoping, such as impacts to caribou and subsistence. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1, <i>Alternatives Development</i>, including options considered but eliminated from detailed analysis and the screening criteria for those alternatives.</p> <p>During selection of a preferred alternative, or of any alternative, the BLM looks beyond the scope of any one BMP. The purpose of NEPA is to provide decision-makers and other stakeholders with information they need to understand environmental impacts resulting from an action. The process includes the development of alternatives to an action, which allows decision-makers to consider information about the consequences and trade-offs associated with taking any given course action.</p>	Y

4.2.4 Birds

Table B.2.7. Substantive Comments Received on Birds

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
991	29a	Bruno	Jeff	Alaska State, Department of Natural Resources	Birds	Page 97, Section 3.11.3, #9 Already required by State law. Please remove duplicative requirement.	Measure was removed from Section 3.11 (<i>Birds</i>) and Appendix I.1 (<i>Avoidance, Minimization, and Mitigation</i>).	N
1302	45	Dunn	Connor	ConocoPhillips	Birds	BLM’s analysis of potential impacts to birds fails to account for important scientific research, and, as a result, presents some inaccurate and unsupported conclusions. First, an analysis area of 3.7 miles is excessive. Recent NEPA analyses conducted on the North Slope such as for the Nanushuk development and the GMT2 development analyzed impacts within 2.5 miles of gravel infrastructure, and there is no reason that Willow should be treated differently. We recommend re-evaluating the analysis area for birds to better align with the available literature and recent NEPA documents for North Slope projects. Specifically, we challenge the appropriateness of including the area around ice road routes in light of the fact that ice roads are a winter activity that takes place when few birds a present and would have minimal impacts on birds.	<p>The extent of the analysis area is appropriate and includes the potential effects areas for disturbance, displacement, and predation. As described in Section 3.11, <i>Birds</i>, Liebezeit et al. (2009) estimated songbird nest survival was reduced within 5 km (3.1 miles) of oil field infrastructure and presented evidence from post hoc tests that all shorebirds combined had lower nest survival at even greater distances (16 km from infrastructure), but this distance was based on less widely accepted statistical testing. Predators such as foxes, gulls, and ravens may travel distances greater than 6 km, but little work has documented movements of predators around facilities on the North Slope. The EIS uses a conservative distance of 6 km that encompasses the predation effects documented by Liebezeit et al. (2009), plus an area to account for predation effects beyond those estimated for nesting songbirds.</p> <p>Ice road effects on bird habitat extend beyond the winter season. As described in Section 3.11.2.3.1, <i>Habitat Loss or Alteration</i>, ice infrastructure compacts vegetation, changes drainage patterns, and delays snowmelt. Thus, including ice infrastructure in the analysis area is necessary.</p>	Y
1302	46	Dunn	Connor	ConocoPhillips	Birds	In section 3.11.2.3.5, BLM partially relies on the Johnson, Wildman et al. 2019 study to conclude that yellow-billed loons could be impacted by water withdrawal or human disturbance that occurs at nesting lakes due to high nest lake fidelity. However, BLM fails to mention that this study did not find a displacement of nests or broods from long-standing territories by oil development. Several of the nest sites included in this study are from year-round water withdrawal sources for ConocoPhillips Alpine oil field. This statement should be removed from the EIS because it is not consistent with the underlying scientific information.	Johnson, Wildman et al. (2019) found no displacement from active infrastructure, which implies that territories will not be lost when development occurs within 1 mile. However, the two nest lakes that had water withdrawal were not successful every year they were monitored, and the other territories within 1 mile of infrastructure had mixed success; it is not possible to say that these nest sites were less or more successful than other nest sites due to small sample size. Uher-Koch, Schmutz et al. (2015) found that human disturbance reduced nesting success. Text was added to Section 3.11.2.9, <i>Special Status Species</i> , to describe the findings of Johnson, Wildman et al. (2019) and Uher-Koch, Schmutz et al. (2015), which are not contradictory.	Y
1302	47	Dunn	Connor	ConocoPhillips	Birds	In section 3.11.2.3.2, BLM discusses disturbance and displacement of birds in relation to the proposed Willow development, but there is no mention of a recent study, conducted by the US Geological Survey (USGS). See Meixwell and Flint (2017) Effects of Industrial and Investigator Disturbance on Arctic-Nesting Goose. This study found that vehicular and aircraft disturbance at an Arctic industrial site did not impact nest attendance.	Johnson, Burgess, Lawhead, Neville et al. (2003); Meixell and Flint (2017); Rozell and Johnson (2020) and Murphy and Anderson (1993) were added to Section 3.11.2.3.2, <i>Disturbance or Displacement</i> . However, most of these reports only deal with nesting birds and not post-breeding birds, which tend to be more sensitive to disturbance.	Y
1302	48	Dunn	Connor	ConocoPhillips	Birds	ConocoPhillips has been conducting avian studies in and around North Slope oil fields for decades, but BLM did not include in the DEIS citations and results from annual reports that ConocoPhillips has distributed to BLM and also made publicly available on the North Slope Science Initiative website (northslopescience.org). For instance, in section 3.11.2.3.2, BLM discusses nesting spectacled eider buffer zones but does not note that avian researchers working in the Colville River Delta and NPR-A areas over the past 20 years of eider nest searching report that the species rarely flushes away from a nest when people are greater than 25 meters away.	Not all annual reports are cited, but the summary or most recent reports are cited with a selection from Willow, NPR-A, Colville, and Kuparuk. The reported details on disturbance observations for spectacled eiders were added to the text. However, disturbance to spectacled eiders is not only manifested in flight reactions; there are subtle physiological effects of stress, possible effects to incubation behavior (increased time off nests), lower nest survival, and displacement or separation of broods. Many species are more reactive to disturbance before and after breeding, when they are more mobile and not tied to a nest site. The buffer zones apply to portions of the pre-breeding period (when nest sites are being selected) and the brood-rearing period (after early July through the end of July or mid-August, depending on which Biological Opinion is applicable).	Y

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1302	49	Dunn	Connor	ConocoPhillips	Birds	Finally, during the summer of 2018, a spectacled eider nest was observed about 75 meters from the Alpine CD3 runway. Monitoring of this nest indicated that the hen successfully hatched four chicks on July 16, 2018. The hen had an incubation constancy of 97.2%, averaging only 1.2 recesses per day, even with 45 airplane events (one landing or takeoff from a twin-engine turboprop CASA or Otter), while the eider was incubating her nest.* The data, along with the USGS report cited above, suggest that the disturbance zone for arctic nesting birds is much smaller than BLM’s study area analyzed in the DEIS. *The report was provided to BLM and available via the North Slope Science Initiative site here: https://northslopescience.org/wp-content/uploads/2018_Eider_Nest_Searches_in_Alpine_Area.pdf .	Text was added to Section 3.11.2.9, <i>Special Status Species</i> , on the 2018 example (it is anecdotal but important), as well as other examples of successful spectacled eiders nesting near active infrastructure. There are instances reported in the study conducted at CD3 (Johnson, Parrett et al. 2008) and later (Seiser and Johnson 2018), but not all nests within 200 m hatched.	Y
1302	111	Dunn	Connor	ConocoPhillips	Birds	Paragraph at top of page “Hazing birds at or near airstrips would temporarily disturb or displace additional individual birds.” The text should note that hazing birds near airstrips is critical for ensuring human life safety when aircraft are departing or approaching, and hazing birds would be done with proper State and Federal authorizations and permits, and as required by the FAA to ensure a safe operating environment.	Similar text was added as suggested to Section 3.11.2.3.2, <i>Disturbance or Displacement</i> .	Y
984	1	Hartsig	Andrew	Ocean Conservancy	Birds	These comments focus on the two sealift module delivery options, both of which would involve construction and use of a gravel island with a 5- to 10-year design life. As it considers the potential impacts from those modules, BLM must account for the unique and important marine habitat in the vicinity and ensure a robust analysis of alternatives. CPAI’s Module Transfer Islands Would Be Built in Important and Sensitive Marine Habitat. The shallow depth and nutrient supply from the Colville River result in higher productivity on the Harrison Bay-Colville Delta region compared to other nearshore Beaufort Sea areas. The attached document—A Synthesis of Important Areas of the U.S. Chukchi and Beaufort Seas—includes additional information, references, and citations.	Marine habitat in the vicinity of Options 1 and 2 is described in Section 3.8.1.1.4, <i>Marine Waters</i> ; Section 3.10.1, <i>Affected Environment</i> ; Section 3.11.1.2, <i>Bird Habitats</i> ; and Section 3.13.1, <i>Affected Environment</i> . Text about the IBAs in the analysis area was added to Section 3.11, <i>Birds</i> .	Y
984	2	Hartsig	Andrew	Ocean Conservancy	Birds	BLM must account for the unique and important marine habitat in the vicinity and ensure a robust analysis of alternatives . . . The shallow depth and nutrient supply from the Colville River result in higher productivity on the Harrison Bay-Colville Delta region compared to other nearshore Beaufort Sea areas. The attached document, A Synthesis of Important Areas of the U.S. Chukchi and Beaufort Seas, includes additional information, references, and citations. Harrison Bay constitutes important and sensitive marine habitat. Specifically, the Harrison Bay - Colville Delta area is: A major hotspot for marine birds. A summer (May through October) core area for WatchList bird species of concern. A globally significant International Bird Area (IBA). A hotspot for benthic-feeding seabirds in summer. Feeding and high-density denning habitat for polar bears. Identified by Alaska Department of Fish and Game in the Most Environmentally Sensitive Areas (MESA) program.	A description of the IBAs was added to Final EIS Section 3.11.1.2, <i>Bird Habitats</i> .	Y
864	154	Psarianos	Bridget	Trustees for Alaska	Birds	Noise from industrial activity can also impact birds causing stress, fright or flight, avoidance, [and] changes in behavioral habits like nesting and foraging, changes in nesting success, modified vocalizations, or interference with the ability to hear conspecifics or predators. The EIS should catalogue the existing noise in the project area, explain the changes in noise that will occur with the Willow Plan development, describe impacts that will occur for birds, and provide a method for addressing and monitoring this issue. The draft EIS falls short of this, simply noting that [a]ll action alternatives would require a deviation from BMP E-11 due to the proximity of Steller’s eiders to the Project area. The draft EIS does not discuss impacts to these protected species as a result of noise from this project.	Ambient airborne noise and potential changes to it are described in Section 3.6, <i>Noise</i> .	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	178	Psarianos	Bridget	Trustees for Alaska	Birds	<p>The ranking of habitat by number of bird species found within the habitat type is not useful for analysis or public understanding. The EIS uses the number of present bird species (species richness) to rank the importance of the various habitat designations. This is incomplete, because species richness is only one metric with which habitat value can be quantified. Habitats with lower species richness can and do support highly specialized species, which are the most acutely effected by climate change. Furthermore, many species that are ranked by the EIS within the most commonly used habitats are also shown as using the habitat types associated with lower species richness during portions of their life history, making these less commonly used areas still important for a species life cycle. These species displaying this pattern include Yellow-billed Loons and Spectacled Eiders, which are recognized by BLM as Species of Special Status. The agency should describe habitat use more fully. We also note that a substantial portion of the analysis area is categorized as unknown and unmapped, presumably because the analyses conducted did not investigate these regions. Without more information about the analyses conducted, it is possible that there will be more permanent loss, alteration, and damage and displacement acreages for unmapped habitat than is presently reported in the EIS. We urge the agency to provide more information on how the area was mapped.</p>	<p>Ranking habitat types by species richness is not the only way to compare habitats. With about 80 species of birds potentially in the analysis area, many of which do not have abundance or density data to describe their distribution in the NPR-A or the analysis area, the task of describing spatially explicit effects in the analysis area is constrained by what data are available. Detailed habitat mapping is available for the area where permanent infrastructure would be located. Summarizing individual species use of habitat types and aggregating for each habitat type to species richness provides a useful measure of the potential importance of each habitat type within the analysis area to the overall bird community; it does not factor in species abundance or the probability of a species occurring in the analysis area, because for most species, those data are not available. Relative abundance described in Table E.11.1, is based on the best-available information. Table E.11.2 summarizes the number of species using each habitat type, which was used to rank the habitats by species richness. This ranking is better than descriptive evaluations, as it is quantitative and based on a broad synthesis of the literature and field studies. Previous studies in the vicinity indicate that there is a correspondence between species richness and abundance of nests and broods (Tables 7, 9–11 in Burgess, Johnson et al. 2003; Tables 14 and 15 in Johnson, Burgess et al. 2005; Table 5 in Rozell, Johnson et al. 2020; Johnson, Lancot et al. 2007; Bart, Brown et al. 2012; Bart, Platte et al. 2013). The habitats with most species and most nests and broods of waterbirds are Patterned Wet Meadow, Sedge Marsh, Old Basin Wetland Complex, Moist Sedge-Shrub Meadow, and Shallow Open Water with Islands or Polygonized Margins. The other habitats with high species diversity were either not very common in the analysis area (e.g., Open Nearshore Water, Salt Marsh, Deep Polygon Complex) or they were used by shorebirds and passerines, which use a broad range of habitats. We point out that many of the habitat types with low species richness (<10 species) occupy small portions of the analysis area and comprise minor amounts (<1%) of the area lost to direct and indirect effects (Tables E11.4 through E11.6). Many are not very abundant due to the location of the analysis area, which includes very little of the coast, or as in the case of Rivers, Streams, and associated habitat types, are narrow strips of habitat types without much areal extent. However, these habitat types are not necessarily rare in the ACP, nor would they be appreciably diminished or affected by the Project. All but two habitat types are used by at least one special status species, so use by special status species is not helpful to identify relative importance to the bird community. To address the concerns about not emphasizing habitats used by Sensitive Status Species, and not describing habitat use adequately, we added discussion and emphasized those habitats used by special status species in the tables of effects. The examples from the commenter (spectacled eiders and yellow-billed loons) actually do not prefer or use many of the habitat types with low species richness (<10 species); only one habitat type (Salt-killed Tundra, preferred by spectacled eiders) is used by <10 species. Tapped Lake with High Water Connection, which is preferred by spectacled eiders during breeding and preferred by yellow-billed loons for nesting and brood-rearing, is used by 10 species. Neither habitat type occurs in the Project footprint, and only one is intersected by the 200-m disturbance zone (Tables E.11.4 through E.11.6). However, those types are no more, or less, important to these species than the other habitat types they prefer or use as listed in Table E.11.1; these habitats are examples of the breadth of habitat use, not examples of specific types critical to sustain the species. Although the analysis area was not completely mapped for habitat, less than 1% of the Project footprint, <1% of the area of indirect effects from dust and other gravel impacts (328 feet), and <1% of the disturbance zone (656 feet) were in unmapped areas (Tables E.11.4 through E.11.6). Since the Draft EIS, we have added habitat mapping for the Kuparuk area, where Option 3 is located, which provides mapping for much of the gravel impacts and disturbance zone. The unmapped areas primarily include ice road routes for module delivery. Direct and indirect habitat impacts would be minor in unmapped areas; furthermore, indirect impacts in unmapped areas would be limited to the construction phase. Mapping is described in Section 3.9, <i>Wetlands and Vegetation</i>.</p>	Y
864	179	Psarianos	Bridget	Trustees for Alaska	Birds	<p>The EIS downplays the presence of special status species in the project area, The EIS states, “Stellers eiders, whimbrels, buff-breasted sandpipers, and red knots are unlikely to be affected by habitat loss, or disturbance or displacement, because they are rare in the vicinity of the Project.” The EIS elsewhere states, “Seven additional species of birds listed as special status species by the Bureau of Land Management (BLM) yellow-billed loon, red-throated loon, dunlin, bar-tailed godwit, whimbrel, buff-breasted sandpiper, and red knot may also occur in the analysis area.” This is either unnecessarily vague or misinformed, as there is substantial evidence to confirm that all listed species indeed to occur within the analysis area. The fact that a species may be rare in the study area does not ensure that it will not be affected; indeed, it likely increases the chances that any effects experienced would be more significant. For instance, Buff-breasted Sandpipers are a special concern, because they are rare to begin with. This rarity is exacerbated by the fact that additional important nesting habitats to the east are either developed (within the Prudhoe complex) or are at risk of being developed (within the Arctic National Wildlife Refuge). The EIS must correctly describe the presence of special status species in the area and note that these species may be more affected by habitat loss because of their rarity.</p>	<p>The quoted statements from the Draft EIS are accurate; the Willow MDP Project is in an area where these species are rare relative to other areas in the ACP. Whimbrels and buff-breasted sandpipers could occur and breed in the analysis area, red knots and Steller’s eiders are not likely to occur there and even less likely to breed. Thus, the probability of these species would be affected by disturbance or displacement, given their rarity in the analysis area, is exceedingly low. Rarity lowers the chance the species would occur near infrastructure and if they are not near infrastructure and sources of disturbance or other adverse effects of development, they are “unlikely to be affected.” The second quote that seven BLM special status species “may occur in the analysis area” is simply a statement that all of the species could possibly occur at some time and does not speak to their probability or rarity of occurrence. If a species was both rare and regularly occurring in the analysis area, we could expect the Project might have an impact, even a disproportional impact, but of the 4 species identified as unlikely to be affected, none are regular visitors to or breeders in the analysis area. We have added more descriptive text, with citations to supplement the information, on abundance, distribution, and habitat use by the special status species in Table E.11.1.</p>	Y

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864	180	Psarianos	Bridget	Trustees for Alaska	Birds	The EIS also downplays the potential for impact to wintering and marine species. The statement that Few species winter on the ACP [Arctic Coastal Plain] is dismissive and points to the lack of analyses performed regarding over-wintering species, which includes three Audubon Alaska WatchList species: the Snowy Owl, Rock Ptarmigan, and Willow Ptarmigan. Their inclusion in the WatchList is due to precipitous population declines due in large part to climate change. The importance of marine habitat to avian species in the proposed development area is not addressed. While there is mention of Harrison Bay in the section Marine Waters, there is no mention of Harrison Bays exceptional value for birds, especially sea ducks, loons, and shorebirds.	The statement that few species winter in the ACP is accurate. The comment that there are few studies of wintering birds in the ACP is also accurate. Impacts to wintering birds are primarily related to disturbance from ice road construction and subsequent traffic and construction activities. The species wintering in the analysis area are foraging and sheltering. All species are highly mobile at this time and able to move to alternative areas if disturbed. Willow ptarmigan are tolerant of human activity (Hannon, Eason et al. 1998), as are rock ptarmigan (Montgomerie and Holder 2008). The subspecies of willow and rock ptarmigan that achieved Audubon’s Yellow List status do not occur in the ACP, and none are known to be in decline (Warnock 2017). Snowy owl numbers in the ACP are highly variable, and tracking small-mammal abundance and population growth rates over 32 years (1986 to 2017) and the latest 10 years do not differ significantly from equilibrium (Wilson, Larned et al. 2018). The marine habitat is very important, especially the lagoon areas; Open Nearshore Water is in the top tier of habitat types for species richness (22 species rely on it, mostly for post-breeding, migration, and foraging; Table E.11.1). The Project description for the Final EIS describes barge deliveries for every action alternative and module delivery option. However, activities related to barging and associated infrastructure would occur over a short time during four barging seasons (4 years over a 5-year span). A small area (12.1 to 14.1 acres) of the seafloor would be screeeded each year of barge delivery. While the marine environment is crucial to many bird species, birds in nearshore areas are very mobile after nesting and can move if disturbed or foraging areas are temporarily altered. See research on long-tailed ducks and common eiders for a summary of impacts observed in the Prudhoe Bay area (Fischer, Tiplady et al. 2002; Flint, Reed et al. 2003). Substantial material was added on the subject of birds in the marine environment for the SDEIS and is incorporated in the Final EIS. The IBA designations are described.	Y
864	181	Psarianos	Bridget	Trustees for Alaska	Birds	The EIS does not accurately describe Spectacled Eider usage of the analysis area. The EIS states, “Small numbers of spectacled eiders occur in the analysis area annually during pre-breeding and post-breeding (Johnson et al. 2019; Sexson et al. 2014), but nesting has not been confirmed. Sexson et al. (2014) denotes areas of especially high importance to Spectacled Eiders.” This study includes a substantial portion of the analysis area, which lies within the Western Beaufort Sea Important Area, defined by Sexson et al. (2014) as “. . . where [satellite transmitted] locations occurred in greater density as defined by 95% Gaussian kernel density isopleths.” Additionally, it is misleading to suggest that nesting has not been confirmed, when many recent studies have indeed confirmed nesting, including implanting satellite transmitters on nesting Spectacled Eiders and surveying specifically for nesting Spectacled Eiders at Point Lonely, the Colville Delta and in broader survey efforts across the Arctic Coastal Plain. Similarly, the statement that “[Spectacled Eider] nesting has not been confirmed.” is misleading, suggesting that there are no known examples of breeding Spectacled Eiders, which is clearly not the position of the authors, as they use much of page 7 of Appendix E.11 attempting to quantify the impact of each alternative to Spectacled Eider nests. By underestimating and downplaying the potential impact of this development to Spectacled Eiders, substantial detriment to an Endangered Species Act-listed species is more likely.	The Willow area, where the permanent gravel footprint would be located, supports small numbers of spectacled eiders as stated. The larger analysis area includes coastal areas used for module transport, which support higher densities of spectacled eiders, including those important areas determined by satellite tracking in the Sexson et al. (2014) study. Sexson, Pearce et al. (2014) identified important marine areas used by spectacled eiders, not onshore nesting areas. The module delivery sites do fall within the Barrow Canyon and Western Beaufort Sea Important Areas. Nesting does occur at Point Lonely, Oliktok Point, and probably at Atigaru Point, although we are not aware of any data from that last location. The text was revised to clarify where and how spectacled eiders use different parts of the analysis area. Nesting by spectacled eiders has not been confirmed in the Willow area, which is inland from the coast, nor have nests been found in the GMT-1 and GMT-2 areas, immediately east of the Project and equally inland. The analysis of nesting potential in Appendix E.11 (<i>Birds Technical Appendix</i>) is based on the overall density of pre-breeding eiders recorded in the Project area, where direct and indirect impacts from Project infrastructure could occur during the breeding season. Project activity at module delivery locations would occur in the open water season, in winter (gravel deposition for pad expansions and island building), and during summer from existing roads and pads. We have measured a disturbance zone (656 feet) around all new gravel infrastructure to estimate the area over which spectacled eiders that could be disturbed or displaced. The analysis is not based on nesting data in the area, because no research into nesting has been conducted in the Willow area, where nesting could be affected by summer construction, drilling, and operation activity. Nesting studies in the Kuparuk oil field provide a few nest locations near the road that would be used for module transport in Option 3, but have not sampled enough area to produce an estimate of numbers potentially affected by disturbance (see Attanas, L.B. and J.E. Shook. 2020. Eider surveys in the Kuparuk oil field, Alaska, 2019. Draft report for ConocoPhillips Alaska, Inc., Anchorage, AK, by ABR, Inc., Fairbanks, AK. 40 pp.).	Y
864	182	Psarianos	Bridget	Trustees for Alaska	Birds	The description of the importance of the analysis area to Steller’s Eiders is similarly incomplete. Steller’s Eiders are known to have regularly nested in the analysis area before substantial declines reduced their breeding population westward, warranting their listing as Threatened under the Endangered Species Act. Because the purpose of the Endangered Species Act is “to protect and recover imperiled species and the ecosystems upon which they depend” any development action that would further impede the ability of the Steller’s Eider to recolonize previously used habitat is incongruous with its ESA designation.	Text was added to address Steller’s eider status. The USFWS has concluded that the last 3 oil fields (CD5, GMT-1, and GMT-2) constructed in the NPR-A would not likely adversely affect the Steller’s eider because the species occurs in those areas sporadically, there are no records of breeding, and the BMPs in the 2013 NPR-A IAP/EIS would ameliorate many of the effects posed by the Project. Only a handful of Steller’s eiders have been seen in the Willow area, CRD, and Kuparuk oil field in 28 years of aerial surveys. A figure to show those records was added to the Final EIS.	Y
864	183	Psarianos	Bridget	Trustees for Alaska	Birds	The EIS also fails to address the conservation of the Arctic-nesting subspecies of Dunlin (<i>Calidris alpina arctica</i>)—a US Fish and Wildlife Bird of Conservation Concern— which has exhibited population declines in the last decade. The Willow development is in important nesting habitat for this subspecies population. The BLM-designated Teshekpuk Lake Special Area encompasses the lake and the wetland complex extending northeast to the coast, and <i>articola</i> Dunlin are one of the core nesting species. Liebezeit et al. (2011) describes shorebird nesting in the Teshekpuk Special Area by saying, “Overall nest densities at the Teshekpuk Lake site far exceeded those found at six other sites on the Arctic Coastal Plain, including the Prudhoe Bay oilfield site.” The EIS should address this subspecies, analyze the impacts from the development, and articulate mitigation measures.	Arctic-nesting dunlin (<i>C. a. arctica</i>) is one of the most numerous shorebirds nesting in the NPR-A, the TLSA, and the ACP (Andres, Johnson et al. 2012; Bart, Brown et al. 2012). It is almost five times more abundant on the outer coastal plain than the inner coastal plain (Andres, Johnson et al. 2012), and the majority of permanent infrastructure for the Willow MDP Project is inland from that inner coastal plain location. Liebezeit et al. (2009) found no difference in shorebird nest survival around development and Liebezeit, White et al. (2011) found no difference in nest survival between Prudhoe Bay and undeveloped Teshekpuk Lake. Bart, Platte et al. (2013) concluded that there was no conclusive evidence that oil development in Prudhoe Bay had caused declines in shorebird density or productivity. Declines in the <i>C. a. arctica</i> population appear to be related to degradation and loss of wintering habitat (Warnock 2017; Warnock and Gill 1996). Impacts to the subspecies from oil development have not been documented. Direct habitat loss from gravel placement and habitat alteration from dust, gravel spray, impoundments and thermokarsting would affect nests within 100 m of roads, just as those habitat effects would impact other ground nesting species. Impacts and mitigation (by BMPs) would be the same as for other species of birds.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	184	Psarianos	Bridget	Trustees for Alaska	Birds	The data used to analyze impacts to Yellow-billed Loons appear inadequate, resulting in an inadequate impacts analysis. The nest location data and the associated lake/nest buffers in Figure 3.11.4 seem to be focused on areas of new development but do not include a substantial portion of proposed ice road construction in the vicinity of Teshekpuk Lake. Ice roads are known to cause impacts that persist beyond the winter. Ice roads compress and can damage tundra vegetation, alter timing of snowmelt, and can block streams during critical times such as spring flooding. We therefore expect nonresident birds, including loons, to also be impacted by ice roads. Moreover, it is difficult to tell whether the relatively fewer loon nests near the proposed Willow development may be due to due to lower survey intensity, or another artifact of data collection. Without access to the ABR reports containing the referenced data, it is impossible to find more information. The EIS should explain these issues in its analysis and also provide the referenced studies in an appendix or on the ePlanning website.	Data on yellow-billed loons were collected for 3 years as required by BMP E-11, which requires surveys for nests that could be within 1 mile of infrastructure. The area surveyed completely covered all lakes 10 hectares and larger in the vicinity of new permanent infrastructure, and the distribution of nests around the Project represents complete coverage by those surveys. Survey boundaries were added to Final EIS figures to make that clear. The survey area did not include all the ice roads for the action alternatives. Ice roads can affect vegetation and block streams, but standard mitigation is to cut slots in ice roads for all cross-drainage areas, mitigating that problem. Vegetation compaction has not affected nest sites in other locations in the GMT, CD5, or CRD areas, but routing ice roads away from nest sites and nesting lakes could be a beneficial mitigation measure and therefore was added to the Section 3.11.2.1.3 (<i>Additional Suggested Avoidance, Minimization, or Mitigation</i>). Yellow-billed loon reports were posted to BLM’s ePlanning website for the commenter to access.	Y
864	185	Psarianos	Bridget	Trustees for Alaska	Birds	There are also numerous inconsistencies and omissions in the description of Best Management Practices (BMP) relating to Yellow-billed Loons. BMP B-2 fails to mention protection of fish-bearing lakes where Yellow-billed Loons are known to nest. While the proposed project appears to limit water withdrawal to only those lakes without sensitive fish or breeding yellow-billed loons the EIS also states, “Winter water withdrawals for ice infrastructure could occur from any permitted lake in the Willow area during construction.” The EIS goes on to say, “Because yellow-billed loons have high nest lake fidelity (Johnson, Wildman et al. 2019; Schmutz, Wright et al. 2014), they likely would not move to other lakes” and could be impacted by withdrawals that occur at nesting lakes. The EIS should explain this contradiction, and correct the BMP to protect loon lakes. All alternatives waive the requirement to keep roads and infrastructure away from loon nests and nesting lakes and the EIS fails to provide any meaningful mitigation for this impact. BMP E-11 notes that infrastructure should adhere to the 1 mile (1.6 km) suggested buffer around all recorded Yellow-billed Loon nest sites lakes and a 1625-foot (500 m) buffer around the remaining shoreline of Yellow-billed Loon nest lakes. However, the EIS waives these requirements. . . . These waivers come without any meaningful mitigation or added conservation for Yellow-billed Loons. While the EIS states several times that a conservation plan for Yellow-billed Loons was adopted by federal, state, and local governments, it fails to mention that the conservation plan has now lapsed. By referencing an old conservation plan and waiving BMPs intended to protect loons, the agency has failed to provide meaningful conservation for loons.	BMP B-2 restricts water withdrawal from lakes to protect soils, hydrology, fish, and invertebrates; yellow-billed loons, other loons, waterfowl, and shorebirds would benefit from BMP B-2. Allowing water withdrawal from permitted lakes is not inconsistent with BMP B-2 if the lakes satisfy restrictions described and meet State of Alaska water withdrawal guidelines. BMP E-11 specifically protects yellow-billed loon nest sites and lakes, and the current Project alternatives would require waivers for infrastructure within buffers around specific nest sites and breeding lakes; a separate waiver or exception would be required to withdraw water from those lakes. The commenter is correct that the conservation agreement from 2006 has not been renewed; the text was revised to reflect that fact.	Y
864	186	Psarianos	Bridget	Trustees for Alaska	Birds	The impacts to molting geese are poorly described and mitigation of the impacts is unclear. BMP F-1 charges lessees to “Minimize the effects of low-flying aircraft on wildlife, subsistence activities, and local communities”; with an accompanying requirement to stating that: “Aircraft use (including fixed wing and helicopter) in the Goose Molting Area should be minimized from May 20 through August 20.” But according to BMP K4a, “Within the Goose Molting Area, aircraft use (including fixed wing and helicopter) shall be restricted from June 15 through August 20. Other restrictions are specified.” It is impossible to know from these contradictions whether flights over the Goose Molting Area are minimized, restricted, or prohibited; if there is a minimum altitude during these flyovers; and when they will or will not occur. This is concerning as there is significant evidence that aircraft overflights have negative impacts on molting geese. The EIS should reconcile these contradictions and clearly describe the aircraft activity prohibited in the Goose Molting Area.	Option 2 for module transport would overlap the GMA. Options 1 and 3 would avoid the GMA. Text regarding air traffic in the GMA was added to Option 2 (Section 3.11.2.7, <i>Module Delivery Option 2: Point Lonely Module Transfer Island</i>). There would be 5 to 12 total fixed-wing trips during the summer, for three summer seasons. If these flights stayed along the coast (not overland), they would not need waivers to either BMP F-1 or BMP K-4a to land at the Point Lonely airstrip.	Y
864	187	Psarianos	Bridget	Trustees for Alaska	Birds	The EIS contains statements regarding habitat loss, abandonment, and reclamation that are questionable, vague, or contradictory . . . In addition, the already-inadequate reclamation and recovery strategies described in the report also reveal that some gravel infrastructure may be left in place for future, post-project uses. The EIS should accurately describe the difficulties of restoration and reclamation, and explain where these mitigation measures will or will not take place. The EIS downplays habitat loss that would occur due to activities beyond construction. The EIS describes habitat due to gravel fill (e.g., 672.2 ac) but does not relate those losses to actual loss in avian productivity, an analysis that is particularly important for sensitive species. The EIS also states, “Habitat loss should affect small numbers of nesting birds due to the small area lost; most displaced birds could relocate to similar habitats available in the analysis area.” There is no justification or citation supporting that assertion. And while the EIS states that habitat loss will be constrained to the construction period, in fact much of the habitat loss consequential to the proposed development actions would occur during the decades and centuries following construction, much of which is immitigable and effectively permanent . . . The EIS should accurately account for habitat loss in both the short-term and long-term.	The temporal scale of potential reclamation is described in Section 3.9, <i>Wetlands and Vegetation</i> . Though the life of the Project is stated as 30 years, much of the gravel infrastructure on the North Slope has lasted longer than its stated lifespan. Very little gravel has been reclaimed because it is still in use (i.e., not abandoned). Thus, the EIS assumes effects that are permanent. If abandonment were to occur, BMP G-1 would require reclamation by CPAI. The EIS describes acres of habitat lost to gravel placement and does not imply that is only a construction-period effect. It will last the life of the Project and likely be permanent. The acres of habitat altered indirectly by dust, gravel spray, thermokarsting, impoundments, and snow berms is described as long term, lasting the life of the Project or longer. The acres of disturbance and displacement is accounted for, and although greatest impacts would be during construction, they would continue as long as there is traffic and human activity and thus would be long-term for the life of the Project. Overflights under BMP F-1 restrictions should be at an altitude that does not disturb or displace birds, except in landing and take-off areas. As far as relating habitat loss to loss of avian productivity, there is not much information supporting that. Studies of geese (Johnson, Burgess, Lawhead, Neville et al. 2003) at Alpine and shorebirds in Prudhoe Bay (Troy and Carpenter 1990) have found displacement of nesting birds from new gravel pads but have not documented loss of birds or nests; rather, there appears to be resettlement with no loss in productivity (decline in nest success). Other studies of geese and spectacled eiders in the ACP have found no displacement or decline in productivity (nesting success) with vehicular or air traffic and human activity (Johnson, Parrett et al. 2008; Meixell and Flint 2017; Rozell and Johnson 2020). Territorial birds, such as yellow-billed loons, with specific habitat requirements and who are possibly habitat limited, may not have the same flexibility to move to unoccupied habitat. More discussion for the above literature and the special requirements of yellow-billed loons was added to Section 3.11, <i>Birds</i> .	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	189	Psarianos	Bridget	Trustees for Alaska	Birds	Impacts on predator/prey relationships will be substantially changed by this development, though the DEIS fails to describe those changes. For instance, there is little mention in the EIS of the potential for human development to attract increased numbers of predators, thereby impacting the breeding success of ground nesting birds. There is research that suggests a substantial increase in Common Ravens associated with infrastructure. An increase in Common Ravens can have disastrous effects on bird communities, as 19% of the Common Raven summer diet consists of birds. Additionally, the impact this development action will have on lemmings is poorly described, as is the effect this impact will have on breeding bird populations. There is substantial evidence that lemming populations are closely associated with many ground nesting bird species.	The effects on birds and bird nests from increases in predators attracted to facilities and human food are discussed in Section 3.11.2.3.4, <i>Attraction to Human Activity and Facilities</i> . More detail was added to that discussion. Ravens and glaucous gulls have increased over time, and ravens have increased with human development. Ravens, however, are not by themselves disastrous. Ravens were only ≤16% of the subsidized predators (those using human food or nest sites), whereas jaegers were the most prevalent predators (32%–77% of all predators) in the region-wide study of tundra-nesting birds by Liebezeit et al. (2009). In a recent study at CD5, ravens were only 2% of the predators counted on breeding bird plots; glaucous gulls were 50% and jaegers were 47% (Rozell and Johnson 2020). Ravens accounted for 10% of attacks on snow goose nests in Canada (Bêty, Gauthier et al. 2001). Thus, ravens, which are efficient nest predators, were not a large component of the nest predator community. Foxes were attracted to and subsidized by human food in Prudhoe during the 1980s and 1990s (Burgess, Rose et al. 1993; Eberhardt, Garrott et al. 1983; Eberhardt, Hanson et al. 1982; Garrott, Eberhardt et al. 1983). The attraction of foxes and gulls to recent development with better waste-handling practices is less clear, with no increase in foxes and gulls at Alpine (see Johnson, Burgess et al. 2003). Bart, Platte, et al. (2013) found no difference in number of foxes observed between Prudhoe Bay and NPR-A. Liebezeit et al. (2011) found no difference between Prudhoe Bay and Teshekpuk study areas in total predators counted on bird plots. Additionally, no relationship was found between number of predators and shorebird or passerine nest survival at various sites (Liebezeit, White et al. 2011; Liebezeit, Kendall et al. 2009). The case for lemmings having an indirect effect on bird productivity is suggestive but not clear-cut; evidence of lemming numbers affecting Steller’s eider nesting success in Utqiagvik (Barrow) has been mixed, and small-mammal abundance did not enter models of tundra-nesting bird nest survival at four sites (Liebezeit, Kendall et al. 2009) but was related to Lapland longspur (but not shorebird) nest survival at Teshekpuk Lake and Prudhoe Bay (Liebezeit, White et al. 2011). Lemmings have been documented as having a positive effect on nesting success of snow geese, a dense colony of nesting geese in Canada, where Arctic foxes were the primary predator (Bêty, Gauthier et al. 2001). However, the same relationship has not been demonstrated for dispersed nesting birds in the ACP. Thus, drawing a conclusion on the effect of development on lemmings (whatever those might be) and extending that to bird nesting in the Willow area is not supported by literature from the ACP.	Y

4.2.5 Climate Change

Table B.2.8. Substantive Comments Received on Climate Change

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
11	8	Baraff	Lisa	—	Climate Change	And a footnote — a Footnote A to Table E-13.6 states that there will be no underwater noise anticipated from sheet and pile driving since work would be done on and through bottom fast ice. Given climate change and the rapidly changing sea ice in freeze-up conditions, what are the plans, if there is no — or insufficient bottom fast ice?	Conditions are not expected to change before construction is complete.	N
1305	3	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	BLM overlooks the social cost of greenhouse gases metric that was designed by a federal Interagency Working Group (IWG) and allows BLM to contextualize the significance of the plans climate impacts as NEPA requires. BLM should use that metric to monetize the damages that will result from this master development plan.	Section 2.4, <i>Social Cost of Carbon</i> , of Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i> , provides a detailed discussion of why the social cost of carbon or similar monetization metrics are not required here.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1305	5	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	In addition to its failure to analyze and disclose to the public the significance of the actual climate damages associated with the master development plan, BLM downplays the effect of these emissions by claiming that more than 95 percent of downstream emissions from new federal mineral production described in the plan would, absent the project, be offset by increased emissions in other locations. Yet this conclusion relies on several faulty assumptions that overstate this substitution effect. Most significantly, BLM assumes that global oil and gas demand will remain constant over the next 70 years, despite the fact that such a scenario would produce catastrophic climate damages and, for this reason, nations around the world are adopting policies to avert such a scenario. BLM also fails to recognize this substitution effect when describing the plans projected economic impacts, arbitrarily and impermissibly placing a thumb on the scale by discounting only the plans environmental harms.	BLM did analyze the Willow MDP Project’s impact on climate in the form of GHG emissions. A sophisticated set of models were used to perform the GHG Emissions analysis that BOEM did for the BLM. Those results were disclosed. Downstream emissions were not downplayed; changes in domestic emissions as a result of the MDP approval were presented. The MDP production would displace other energy sources used to meet demand for energy. While overall energy consumption would increase due to prices falling slightly, the mix of energy sources used to meet that demand shifts as a result of the Willow MDP Project approval. For all three Alternatives, MDP production would displace 93.69% of its volume in existing oil supplied. It would also displace 1.98% and 0.71% of its energy value in existing supplied energy from natural gas and coal, respectively. Due to lower prices, demand increased by only a net 3.24% of the MDP production energy equivalent volumes: an increase of 5.39% for oil demand; and decreases of -1.49% in natural gas, -0.21% in coal, and -0.46% in electricity demand relative to MDP production energy equivalent volumes. The estimated emissions of the MDP production volume relative to the domestically displaced energy supplied was disclosed. Page 3 of the MarketSim documentation shows that both the domestic and global demand equations incorporate elasticity adjustment rate factors that allow both global and domestic assumptions made by the EIA to respond to price changes due to a domestic supply shock. Page 4 of this document shows that the domestic and global supply equations used by the model also incorporate price shock sensitivity and are therefore not constant. MarketSim documentation (Industrial Economics 2017) is available at https://epis.boem.gov/final%20reports/5612.pdf . These equations adjust supply and demand from the forecasted baseline provide by EIA, which itself incorporates shifts in demand over time. EIA’s forecast looks at existing policies and does not forecast future laws or policies. The BOEM uses the EIA projections as the official Government estimates of future energy consumption. Any potential climate policy would be too uncertain at this stage to fully estimate in the model. BOEM’s approach was to take a worst-case scenario and consider the maximum emissions and not account for future improvements for which future emission rates are unknown.	N
1305	7	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	BLM significantly understates the plans projected net emissions by applying an energy substitution analysis that irrationally inflates energy substitution effects, while artificially exaggerating the plans projected benefits relative to its environmental costs by inconsistently failing to project this substitution analysis to the economic benefits. We explain each of these points in turn below. I. BLM Impermissibly Fails to Disclose the Plans Actual Climate Impacts Despite the Presence of a Simple and Readily-Available Tool for Doing So: The IWGs Social Cost of Greenhouse Gases A. BLM Must Monetize the Social Cost of Greenhouse Gases in the DEIS NEPA, the statute under which environmental impact statements are required, directs agencies to fully and accurately analyze the environmental, public health, and social welfare differences between proposed alternatives, and to contextualize that information for decision-makers and the public. NEPA requires a more searching analysis than merely disclosing the amount of pollution. Rather, BLM must examine the ecological[,] economic, [and] social impacts of those emissions, including an assessment of their significance.	The MarketSim model used in the EIS is a highly sophisticated model that analyzes the energy market’s response to production anticipated to emerge from oil and gas developments. In the substitution analysis based on MarketSim, the assumption is made that other oil producing countries will supply oil for U.S. import without additional restraints due to GHG-related policies in those countries. This may not be true if other countries establish policies to reduce their GHG emissions in the future. Typically, a single project has a negligible impact on overall global GHGs. It may be more helpful to think of substitutions as displacements. Prior to any MDP production supply shock, there is an existing energy market with a forecasted domestic supply of energy (some of which is imported). In the event the Willow MDP Project is approved, demand for oil would increase slightly. With demand for Willow MDP Project volumes only going up slightly, the rest of the volumes must go somewhere. It displaces oil supplied (consumed), mostly imports, as well as other energy sources. That displaced energy is defined by the model and in the EIS as energy substitutes, from the perspective of a No Action Alternative. That displaced energy has emissions for which an estimation is made domestically. MarketSim is a very sophisticated model and the estimates it produces on energy substitutes are the most reliable estimates available. In response to the second portion of this comment: Section 2.4, <i>Social Cost of Carbon</i> , of Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i> , provides a detailed discussion of why the social cost of carbon or similar monetization metrics are not required here.	N
1305	8	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	By failing to use available tools, such as the social cost of carbon, to analyze the significance of the greenhouse gas emissions resulting from the master development plan, BLM has violated NEPA. Monetizing Climate Damages Fulfills the Obligations and Goals of NEPA When a project has climate consequences that must be assessed under NEPA, monetizing the climate damages fulfills an agency’s legal obligations under NEPA in ways that simple quantification of tons 40 C.F.R. 1508.8(b), 1502.16(a)(b). of greenhouse gas emissions cannot. NEPA requires hard look consideration of beneficial and adverse effects of each alternative option for major federal government actions. The U.S. Supreme Court has called the disclosure of impacts the key requirement of NEPA, and held that agencies must consider and disclose the actual environmental effects of a proposed project in a way that brings those effects to bear on [the agency’s] decisions. Courts have repeatedly concluded that an environmental impact statement must disclose relevant climate effects. NEPA requires a reasonably thorough discussion of the significant aspects of the probable environmental consequences, to foster both informed decision-making and informed public participation. In particular, [t]he impact of greenhouse gas emissions on climate change is precisely the kind of cumulative impacts analysis that NEPA requires, and it is arbitrary to fail to provide the necessary contextual information about the cumulative and incremental environmental impacts.	Section 2.4, <i>Social Cost of Carbon</i> , of Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i> , provides a detailed discussion of why the social cost of carbon or similar monetization metrics are not required here.	N

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1305	9	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	<p>As this section explains, by only quantifying the volume of greenhouse gas emissions, agencies fail to assess and disclose the actual climate consequences of an action and misleadingly present information in ways that will cause decisionmakers and the public to overlook important climate consequences. Using the social cost of greenhouse gas metrics to monetize climate damages fulfills NEPAs legal obligations in ways that quantification alone cannot.</p> <p>BLM Must Assess Actual Incremental Climate Impacts, Not Just the Volume of Emissions</p> <p>The tons of greenhouse gases emitted by a project are not the actual environmental effects under NEPA. Rather, the actual effects and relevant factors that must be analyzed and disclosed to the public are the incremental climate impacts caused by those emissions, including: Baltimore Gas & Elec. Co. v. Natural Res. Def. Council, 462 U.S. 87, 96 (1983) (emphasis added); see also 40 C.F.R. 1508.8(b) (requiring assessment of the ecological, economic, social, and health effects) (emphasis added). . . . [P]roperty lost or damaged by sea-level rise, coastal storms, flooding, and other extreme weather events, as well as the costs of protecting vulnerable property and resettling following property losses; changes in energy demand, from temperature-related changes to the demand for cooling and heating; lost productivity and other impacts to agriculture, forestry, and fisheries, due to alterations in temperature, precipitation, CO2 fertilization, and other climate effects; human health impacts, including cardiovascular and respiratory mortality from heat-related illnesses, changing disease vectors like malaria and dengue fever, increased diarrhea, and changes in associated pollution; changes in fresh water availability; ecosystem service impacts; impacts to outdoor recreation and other non-market amenities; and catastrophic impacts, including potentially rapid sea-level rise, damages at very high temperatures, or unknown events.¹³ Even in combination with a general, qualitative discussion of climate change, by calculating only the tons of greenhouse gases emitted, an agency fails to meaningfully assess the actual incremental impacts to property, human health, productivity, and so forth. An agency therefore falls short of its legal obligations and statutory objectives by disclosing only volume estimates. To take an analogous example, courts have held that just quantifying the acres of timber to be harvested or the miles of road to be constructed does not constitute a description of actual environmental effects, even when paired with a qualitative list of environmental concerns such as air quality, water quality, and endangered species, when the agency fails to assess the degree that each factor will be impacted.</p>	<p>Current scientific knowledge cannot associate particular actions with specific climate effects, and a single project cannot significantly impact global GHG emissions; however, all projects may contribute cumulatively to the significant impact of global climate change. See Appendix E.2B (<i>Market Substitutions and Greenhouse Gas Downstream Emissions Estimates</i>), for a description of the method used to estimate GHG emissions. The social cost of carbon, a measure used to assess the economic cost of a project’s or action’s climate change effects, was not used in the EIS; the reasons for this are detailed in Section 2.4, <i>Social Cost of Carbon</i>, of Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i>. Direct and indirect GHG emissions due to the Project are assessed as a proxy for understanding the potential effects of the Project on climate change.</p>	N
1305	10	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	<p>By monetizing climate damages using the social cost of greenhouse gas metrics, BLM can satisfy NEPAs legal obligations and statutory goals to assess the incremental and actual effects bearing on the public interest. The social cost of greenhouse gases methodology calculates how the emission of an additional unit of greenhouse gases affects atmospheric greenhouse concentrations, how that change in atmospheric concentrations changes temperature, and how that change in temperature incrementally contributes to the above list of economic damages, including property damages, energy demand effects, lost agricultural productivity, human mortality and morbidity, lost ecosystem services and non-market amenities, and so forth. The social cost of greenhouse gases tool therefore captures the factors that actually affect public welfare and assesses the degree of impact to each factor, in ways that just estimating the volume of emissions cannot.</p> <p>Climate Damages Depend on Stock and Flow, But Volume Estimates Only Measure Flow</p> <p>The climate damage generated by each additional ton of greenhouse gas emissions depends on the background concentration of greenhouse gases in the global atmosphere. Once emitted, greenhouse gases can linger in the atmosphere for centuries, building up the concentration of radiative-forcing pollution and affecting the climate in cumulative, non-linear ways. As physical and economic systems become increasingly stressed by climate change, each marginal additional ton of emissions has a greater, non-linear impact. The climate damages generated by a given amount of greenhouse pollution is therefore a function not just of the pollutions total volume but also the year of emission, and with every passing year an additional ton of emissions inflicts greater damage.</p>	<p>Current scientific knowledge cannot associate particular actions with specific climate effects, and a single project cannot significantly impact global GHG emissions; however, all projects may contribute cumulatively to the significant impact of global climate change. See Appendix E.2B (<i>Market Substitutions and Greenhouse Gas Downstream Emissions Estimates</i>), for a description of the method used to estimate GHG emissions. The social cost of carbon, a measure used to assess the economic cost of a project’s or action’s climate change effects, was not used in the EIS; the reasons for this are detailed in Section 2.4, <i>Social Cost of Carbon</i>, of Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i>. Direct and indirect GHG emissions due to the Project are assessed as a proxy for understanding the potential effects of the Project on climate change.</p>	N
1305	11	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	<p>As a result, focusing just on the volume or rate of emissions, as BLM does here, is insufficient to reveal the incremental effect on the climate. The change in the rate of emissions (flow) must be assessed given the background concentration of emissions (stock). A percent comparison to national emissions is perhaps even more misleading. A project that adds 23 million additional tons per year of carbon dioxide would have contributed to 0.43% of total U.S. carbon dioxide emissions in the year 2012. In the year 2014, that same project with the same carbon pollution would have contributed to just 0.41% of total U.S. carbon dioxide emissions, a seemingly smaller relative effect, since the total amount of U.S. emissions increased from 2012 to 2014. However, because of rising background concentrations of global greenhouse gas stock, and because of growing stresses in physical and economic systems, the marginal climate damages per ton of carbon dioxide (as measured by the social cost of carbon) increased from \$33 in 2012 to \$35 in 2014 (in 2007\$).Consequently, those 23 million additional tons would have caused marginal climate damages costing \$759 million in the year 2012, but by 2014 that same 23 million tons would have caused \$805 million in climate damages. To summarize: the percentage comparison to national emissions misleadingly implies that a project adding 23 million more tons of carbon dioxide would have a relatively less significant effect in 2014 than in 2012, whereas monetizing climate damages would accurately reveal that the emissions in 2014 were much more damaging than the emissions in 2012 almost \$50 million more. Capturing how marginal climate damages change as the background concentration changes is especially important because NEPA requires assessing both present and future impacts.</p>	<p>Current scientific knowledge cannot associate particular actions with specific climate effects, and a single project cannot significantly impact global GHG emissions; however, all projects may contribute cumulatively to the significant impact of global climate change. See Appendix E.2B (<i>Market Substitutions and Greenhouse Gas Downstream Emissions Estimates</i>), for a description of the method used to estimate GHG emissions. The social cost of carbon, a measure used to assess the economic cost of a project’s or action’s climate change effects, was not used in the EIS; the reasons for this are detailed in Section 2.4, <i>Social Cost of Carbon</i>, of Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i>. Direct and indirect GHG emissions due to the Project are assessed as a proxy for understanding the potential effects of the Project on climate change.</p>	N

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1305	12	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	Different project alternatives can have different greenhouse gas consequences over time. Most simply, different alternatives could have different start dates or other consequential changes in timing. Calculating volumes or percentages, especially on an average annual basis, is insufficient to accurately compare the climate damages of project alternatives with varying greenhouse gas emissions over time. Here, for instance, BLM reports only the total greenhouse gas emissions from each of the three action alternatives, misleadingly implying a proportional relationship between these volumetric estimates and the climate impacts of each alternative. Yet BLM fails to recognize that, because Alternative D calls for oil production to occur two years later than Alternatives B and C, its emissions will have a greater incremental climate impact than those alternatives. By reporting only volumetric greenhouse gas projections, therefore, BLM paints an incomplete and misleading portrait of the relative climate impacts of the master development plans various alternatives. This problem would be easily solved by applying the social cost of greenhouse gases metric, which seamlessly accounts for timing differences between different alternatives. By factoring in projections of the increasing global stock of greenhouse gases as well as increasing stresses to physical and economic systems, the social cost of greenhouse gas metrics enable accurate and transparent comparisons of projects with varying greenhouse gas emissions over time.	Current scientific knowledge cannot associate particular actions with specific climate effects, and a single project cannot significantly impact global GHG emissions; however, all projects may contribute cumulatively to the significant impact of global climate change. See Appendix E.2B (<i>Market Substitutions and Greenhouse Gas Downstream Emissions Estimates</i>), for a description of the method used to estimate GHG emissions. The social cost of carbon, a measure used to assess the economic cost of a project’s or action’s climate change effects, was not used in the EIS; the reasons for this are detailed in Section 2.4, <i>Social Cost of Carbon</i> , of Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i> . Direct and indirect GHG emissions due to the Project are assessed as a proxy for understanding the potential effects of the Project on climate change.	N
1305	13	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	Monetization Provides the Required Informational Context that Volume Estimates Alone Lack NEPA requires sufficient informational context. Yet the limited context that BLM provides for the plans projected greenhouse gas emissions, namely, comparing such totals to largely irrelevant volumes of greenhouse gas emissions including the U.S. greenhouse gas inventory provides a confusing and inadequate picture that attempts to minimize the impacts of the plans substantial emissions. Indeed, in a country of over 300 million people and over 6.5 billion tons of annual greenhouse gas emissions, it is far too easy to make highly significant effects appear relatively trivial. For example, presenting all weather-related deaths as less than 0.1% of total U.S. deaths makes the risk of death by weather event sound trivial, but in fact that figure represents over 2,000 premature deaths per year, hardly an insignificant figure. As the U.S. Court of Appeals for the Fifth Circuit recently observed, even a seemingly very small portion of a gargantuan source of [harmful] pollution may nevertheless constitute a gargantuan source of [harmful] pollution on its own terms. In other words, percentages can be misleading and can be manipulated by the choice of the denominator; what matters is the numerators actual contribution to total harm. For example, the presentation of the master development plans average annual emissions as just 0.135% of the U.S. greenhouse gas inventory makes a substantial and incredibly costly amount of emissions seem inconsequential. As described by Professor Cass Sunstein drawing from the work of recent Nobel laureate economist Richard Thaler a well-documented mental heuristic called probability neglect causes people to irrationally reduce such small probability risks entirely down to zero. People have significant difficulty understanding a host of numerical concepts, especially risks and probabilities. By presenting large quantities of emissions more than 260 million metric tons as a tiny percentage representing less than 0.2% percent or a much larger total, the DEIS is likely to cause stakeholders to misunderstand the true significance of these emissions and treat them as meaningless. By comparison, through monetization it becomes clear that, for example, annual gross emissions from the project could cause about \$500 million per year in climate damages. Economic theory also explains why monetization is a much better tool than mere volume estimates to provide the necessary contextual information on climate damages. Abstract volume estimates fail to give people the required informational context due to another well-documented mental heuristic called scope neglect. Scope neglect, as explained by Nobel laureate Daniel Kahneman, among others, causes people to ignore the size of a problem when estimating the value of addressing the problem. For example, in one often-cited study, subjects were unable to meaningfully distinguish between the value of saving 2,000 migratory birds from drowning in uncovered oil ponds, as compared to saving 20,000 birds. As the Environmental Protection Agency’s website explains, abstract measurements of so many tons of greenhouse gases can be rather inscrutable for the public, unless translat[ed] . . . into concrete terms you can understand.	Section 2.4, <i>Social Cost of Carbon</i> , of Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i> , provides a detailed discussion of why the social cost of carbon or similar monetization metrics are not required here. Briefly, federal agencies are not required to consider the social cost of carbon in decision making, since 2017 when EO 13783 (Promoting Energy Independence and Economic Growth) was issued. NEPA does not require a cost-benefit analysis (40 CFR 1502.23) and has not been conducted in the Draft EIS. Inclusion of a global social cost of carbon without monetized estimates of other effects, including the social benefits of energy production, would be unbalanced and of limited use to the decision-maker. Given the uncertainties associated with assigning a specific, accurate value to the social cost of carbon resulting from the Willow MDP Project, BLM has elected not to use this tool in its analysis.	N
1305	14	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	By failing to contextualize greenhouse gas emissions in the DEIS, BLM potentially misleads the reader into believing that there would be no climate effects from the master development plan, or that the effects would be extremely limited. As a result of scope neglect, for instance, many decisionmakers and members of the public may be unable to meaningfully contextualize the impact of more than 8 million metric tons of carbon dioxide equivalent into the atmosphere each year. . . . Losing 2,000 lives prematurely to weather-related events is equivalent to a loss of public welfare worth over \$19 billion per year. Decisionmakers and the public can certainly tell this is a non-zero number, without any context it may be difficult to weigh the climate risks to which this volumetric estimate equates. In contrast, the plans climate risks would be readily discernible through application of the social cost of greenhouse gas metrics. While the impact of releasing over 8 million metric tons of carbon dioxide equivalent annually into the atmosphere may seem indiscernible, that impact is clearly conveyed by explaining that such a figure represents approximately \$500 million per year in annual climate damages. In general, non-monetized effects are often irrationally treated as worthless. On several occasions, courts have struck down administrative decisions for failing to give weight to non-monetized effects. Most relevantly, in <i>Center for Biological Diversity v. National Highway Traffic Safety Administration</i> , the U.S. Court of Appeals for the Ninth Circuit found it arbitrary and capricious to give zero value to the most significant benefit of more stringent [fuel-economy] standards: reduction in carbon emissions.	Current scientific knowledge cannot associate particular actions with specific climate effects, and a single project cannot significantly impact global GHG emissions; however, all projects may contribute cumulatively to the significant impact of global climate change. See Appendix E.2B (<i>Market Substitutions and Greenhouse Gas Downstream Emissions Estimates</i>), for a description of the method used to estimate GHG emissions. The social cost of carbon, a measure used to assess the economic cost of a project’s or action’s climate change effects, was not used in the EIS; the reasons for this are detailed in Section 2.4, <i>Social Cost of Carbon</i> , of Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i> . Direct and indirect GHG emissions due to the Project are assessed as a proxy for understanding the potential effects of the Project on climate change.	N

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1305	15	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	<p>Monetizing climate damages provides the informational context required by NEPA, whereas a simple tally of emissions volume and a qualitative, generic description of climate change are misleading and fail to give the public and decisionmakers the required information about the magnitude of discrete climate effects. Thus, while BLM treats emissions . . . as a proxy for climate change impacts throughout the DEIS, the social cost of greenhouse gases metrics in fact convey the plans actual climate effects and contextualize the significance in ways that quantification alone cannot, and thus should be utilized to satisfy the agency’s obligations under NEPA.</p> <p>Climate Effects Must Be Monetized If Other Costs and Benefits Are Monetized Though</p> <p>NEPA does not always require a full and formal cost-benefit analysis, agencies approaches to assessing costs and benefits must be balanced and reasonable. Courts have warned agencies, for example, that an agency cannot selectively monetize benefits in support of its decision while refusing to monetize the costs of its action. In High Country Conservation Advocates v. Forest Service, for instance, the U.S. District Court of Colorado found that it was arbitrary and capricious to quantify the benefits of the lease modifications and then explain that a similar analysis of the costs was impossible when such an analysis was in fact possible. The court explained that, to support a decision on coal mining activity, the agencies had weighed several specific economic benefits coal recovered, payroll, associated purchases of supplies and services, and royalties but arbitrarily failed to monetize climate costs using the readily available social cost of carbon protocol. Similarly, in Montana Environmental Information Center v. Office of Surface Mining (MEIC v. OSM), the U.S. District Court of Montana followed the lead set by High Country and likewise held an environmental assessment to be arbitrary and capricious because it quantified the benefits of action (such as employment payroll, tax revenue, and royalties) while failing to use the social cost of carbon to quantify the costs. High Country and MEIC v. OSM were simply the latest applications of a broader line of case law in which courts find it arbitrary and capricious to apply inconsistent protocols for analyzing some effects compared to others, especially when the inconsistency obscures some of the most significant effects. For example, in Center for Biological Diversity v. National Highway Traffic Safety Administration, the U.S. Court of Appeals for the Ninth Circuit ruled that, because the agency had monetized other uncertain costs and benefits of its vehicle fuel efficiency standard, like traffic congestion and noise costs, its decision not to monetize the benefit of carbon emissions reduction was arbitrary and capricious. Specifically, it was arbitrary to assign no value to the most significant benefit of more stringent [vehicle fuel efficiency] standards: reduction in carbon emissions. When an agency bases a decision on cost-benefit analysis, it is arbitrary to put a thumb on the scale by undervaluing the benefits and overvaluing the costs. Similarly, the U.S. Court of Appeals for the District of Columbia Circuit has chastised agencies for inconsistently and opportunistically fram[ing] the costs and benefits of the rule [and] fail[ing] adequately to quantify the certain costs or to explain why those costs could not be quantified; and the U.S. Court of Appeals for the Tenth Circuit has remanded an environmental impact statement because unrealistic assumptions misleading[ly] skewed comparison of the projects positive and negative effects. The DEIS monetizes economic benefits similar to those highlighted in High Country and MEIC, including government revenues such as taxes and royalties. BLM does not sufficiently justify this inconsistent approach to monetizing some effects but not others, but tries to skirt the precedent set in the cases discussed above by labeling taxes and royalties as economic impacts rather than costs or benefits. First, as explained in MEIC v. OSM, this is a semantical distinction without a difference. Indeed, NEPA regulations group all impacts including economic, social, ecological, and public health under the same category of effects, and NEPA requires the agency to discuss all of these effects in as much detail as possible. Whether an effect is a cost, benefit, or transfer, if monetization is the best way to assess that effects significance and contextualize its precise impacts, then monetization is also the best way to comply with NEPAs obligations. Second, BLM has effectively calculated the market value of oil and gas production through its estimate of the plans royalties. In a competitive market, like for coal, oil, and natural gas, the market price is typically thought to reflect aggregate willingness to pay based on social utility. Therefore, in calculating and reporting royalties, BLM has effectively presented a monetized estimate of the plans projected social benefits.</p>	<p>Section 2.4, <i>Social Cost of Carbon</i>, of Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i>, provides a detailed discussion of why the social cost of carbon or similar monetization metrics are not required here. BLM’s analysis complies with EO 13783 (Promoting Energy Independence and Economic Growth) and 43CFR 1502.23. Assigning a specific, accurate value to the social costs of carbon resulting from the Willow MDP Project would be too speculative to inform the decision-maker. NEPA does not require a cost-benefit analysis (40 CFR 1502.23), and one has not been completed for this Draft or Final EIS. Inclusion of a global social cost of carbon without monetized estimates of other effects, including the social benefits of energy production, would be unbalanced and of limited use to the decision-maker.</p>	N

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1305	16	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	<p>As detailed further below, the IWGs approach presents a readily available tool to monetize the effects of greenhouse gas emissions based on peer-reviewed inputs and widely accepted assumptions. Agencies are every bit as capable of monetizing climate damages as they are of monetizing socioeconomic impacts. BLM therefore violates NEPA by monetizing social and economic effects in the DEIS while refusing to monetize climate impacts.</p> <p>B. The Social Cost of Greenhouse Gas Metric Is Appropriate for This Plan</p> <p>Seemingly anticipating the objections presented above, BLM argues that it cannot monetize the master development plans effects on greenhouse gas emissions because [i]t is not currently possible to determine the impact of a single project on global climate change. This statement, however, is simply incorrect: the social cost of greenhouse gas protocol is exactly such a tool to monetize the incremental climate impacts of specific projects or plans, and to contextualize the magnitude of those impacts. NEPA requires BLM to use the best available science to support its NEPA analysis, and the social cost metrics remain the best estimates yet produced by the federal government for monetizing the impacts of greenhouse gas emissions and are generally accepted in the scientific community.</p> <p>Monetization Is Appropriate and Useful in Any Decision with Significant Climate Impacts, Not Just Regulations</p> <p>BLM argues that use of the IWGs social cost metrics is inappropriate for this plan because it is not a rulemaking for which the [social cost of carbon] protocol was originally developed. But this argument misses the point: BLM fails to explain why those metrics should not be used in environmental impact statements when they provide the best method to convey the climate impacts of a plan that would contribute substantially to greenhouse gas emissions. Indeed, there is nothing in the development of the social cost metrics that would limit applications to other contexts. The social cost of greenhouse gases measures the marginal cost of any additional unit of greenhouse gases emitted into the atmosphere. The government action that precipitated that unit of emissions regulation, the granting of a permit, a project approval, or a master development plan is irrelevant to the marginal climate damages caused by its emissions. Whether emitted by a leaking pipeline or the extraction process, because of a regulation or a resource management decision, or in Alaska or Maine, the marginal climate damages per unit of emissions remain the same. Indeed, the social cost of greenhouse gases has been used by many federal and state agencies in environmental impact reviews and resource management decisions.</p> <p>The Social Cost of Greenhouse Gas Metrics Provide a Tool to Assess the Significance of Individual Physical Impacts</p> <p>The social cost of greenhouse gas methodology is well suited to measure the marginal climate damages of individual projects. These protocols were developed to assess the cost of actions with marginal impacts on cumulative global emissions, and the metrics estimate the dollar figure of damages for one extra unit of greenhouse gas emissions. This marginal cost is calculated using integrated assessment models. These models translate emissions into changes in atmospheric greenhouse concentrations, atmospheric concentrations into changes in temperature, and changes in temperature into economic damages. A range of plausible socioeconomic and emissions trajectories are used to account for the scope of potential scenarios and circumstances that may actually result in the coming years and decades. The marginal cost is attained by first running the models using a baseline emissions trajectory, and then running the same models again with one additional unit of emissions. The difference in damages between the two runs is the marginal cost of one additional unit. The approach assumes that the marginal damages from increased emissions will remain constant for small emissions increases relative to gross global emissions.</p>	<p>Section 2.4, <i>Social Cost of Carbon</i>, of Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i>, provides a detailed discussion of why the social cost of carbon or similar monetization metrics are not required here. Briefly, federal agencies are not required to consider the social cost of carbon in decision making, since 2017 when EO 13783 (Promoting Energy Independence and Economic Growth) was issued. NEPA does not require a cost-benefit analysis (40 CFR 1502.23), and one has not been completed for the Draft or Final EIS. Inclusion of a global social cost of carbon without monetized estimates of other effects, including the social benefits of energy production, would be unbalanced and of limited use to the decision-maker. Given the uncertainties associated with assigning a specific, accurate value to the social cost of carbon resulting from the Willow MDP Project, BLM has elected not to use this tool in its analysis.</p>	N

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1305	17	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	<p>In other words, the monetization tools are in fact perfectly suited to measuring the marginal effects of individual projects or other discrete agency actions. Some of the incremental impacts on the environment that the social cost of greenhouse gas protocol captures and which the DEIS fails to meaningfully analyze include property lost or damaged; impacts to agriculture, forestry, and fisheries; impacts to human health; changes in fresh water availability; ecosystem service impacts; impacts to outdoor recreation and other non-market amenities; and some catastrophic impacts, including potentially rapid sea-level rise, damages at very high temperatures, or unknown events.⁶³ A key advantage of using the social cost of greenhouse gas tool is that each physical impact such as sea-level rise and increasing temperatures need not be assessed in isolation. Instead, the social cost of greenhouse gases tool conveniently groups together a multitude of climate impacts and, consistent with NEPA regulations,⁶⁴ enables agencies to assess whether all those impacts are cumulatively significant and to then compare those impacts with other impacts or alternatives using a common metric.</p> <p>The Tons of Greenhouse Gas Emissions at Stake Here Are Clearly Significant</p> <p>BLM quantifies upstream and downstream greenhouse gas emissions from the plan, amounting to more than 8 million metric tons per year. But BLM refuses to take the straightforward next step of applying the social cost of greenhouse gas values to those quantified tons, claiming that it cannot determine the effects of the master development plan on climate change and minimizing the significance of the plans emissions by presenting them as only a small percentage of the global concentration of greenhouse gas emissions. The threshold for monetization, to the extent that it exists at all, is well below the volumetric emissions estimates that BLM projects here. While the projected emissions in this plan total more than 8 million metric tons annually, numerous courts have held that far lower annual emissions totals warrant monetization. For instance, the court in High Country found that it was arbitrary for the Forest Service not to monetize the 1.23 million tons of carbon dioxide equivalent emissions [from methane] the West Elk mine emits annually. Likewise, in Center for Biological Diversity, the Ninth Circuit found that it was arbitrary for the Department of Transportation not to monetize the 35 million metric ton difference in lifetime emissions from increasing the fuel efficiency of motor vehicles: given the estimated lifetime of vehicles sold in the years 2008-2011 (sometimes estimated at about 15 years on average), this could represent as little 2 million metric tons per year. And in a recent environmental impact statement from the Bureau of Ocean Energy Management (BOEM), the agency explained that the social cost of carbon was a useful measure for a NEPA analysis of an action anticipated to have a difference in greenhouse gas emissions compared to the no-action baseline of about 25 million metric tons over a 5-year period, or about 5 million metric tons per year. While there may not be a bright-line test for significance, the emissions BLM estimates for this plan are significant and warrant monetization. This is especially true since, once emissions have been quantified, the additional step of monetization through application of the IWGs cost estimates entails a simple arithmetic calculation. It is difficult to understand how NEPAs mandate that an agency take a hard look at the environmental impacts of its actions can be satisfied if BLM fails to take the simple step of analyzing the impacts of the greenhouse gas emissions that it quantifies.</p> <p>Monetizing Climate Damages Is Appropriate and Useful Regardless of Whether Every Effect Can Be Monetized in a Full Cost-Benefit Analysis</p> <p>BLM further argues that use the social cost of greenhouse gases would be inappropriate because [w]ithout a complete monetary cost-benefit analysis, which would include the social benefits of the proposed action to society as a whole and other potential positive benefits, including only an SCC cost analysis would be unbalanced, potentially inaccurate, and not useful to the decisionmaker. This is mistaken for several reasons. First, as noted above, BLM has effectively monetized the full benefits of the plan as an input into its calculation of government royalties. BLM’s repeated attempts to hide behind its failure to monetize the plans benefits therefore fails. But even accepting BLM’s premise that it has not monetized the social benefits of the proposed plan, monetizing the plans negative climate impacts would still provide useful information for decision-makers and the public, and not skew the analysis. In particular, whether or not other effects are monetized, using the social cost of greenhouse gases will facilitate comparison between alternative options along the dimension of climate change. As discussed above, different alternatives could have varying greenhouse gas consequences over time, and monetization provides an appropriate means of comparing plan alternatives along the dimension of climate change. Monetizing the plans climate effects could also provide a framework for making decisions when some effects but not others are monetized, through what is not as break-even analysis. As described in the Office of Management and Budgets Circular A-4, which provides guidance to agencies on conducting economic analysis including methods for weighing monetized and qualitative costs and benefits, agencies should carry out a break-even analysis when it is not possible to.</p>	<p>Section 2.4, <i>Social Cost of Carbon</i>, of Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i>, provides a detailed discussion of why the social cost of carbon or similar monetization metrics are not required here. BLM’s analysis complies with EO 13783 (Promoting Energy Independence and Economic Growth) and 43CFR 1502.23. Assigning a specific, accurate value to the social costs of carbon resulting from the Willow MDP Project would be too speculative in order to inform the decision-maker. NEPA does not require a cost-benefit analysis (40 CFR 1502.23), and one has not been completed for the Draft or Final EIS. Inclusion of a global social cost of carbon without monetized estimates of other effects, including the social benefits of energy production, would be unbalanced and of limited use to the decision-maker.</p>	N

1305	18	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	<p>Agencies simply need to multiply their estimate of tons in each year by the IWGs 2016 values for the corresponding year of emissions (adjusted for inflation to current dollars). If the emissions change occurs in the future, agencies would then discount the products back to present value. . . . [E]xpress in monetary units all of the important benefits and costs. Under such an analysis, the agency considers [h]ow small could the value of the non-quantified benefits be (or how large would the value of the non-quantified costs need to be) before the rule would yield zero net benefits. Such an analysis could be useful here: Even if BLM is unable to fully monetize all costs and benefits, it could consider whether the alleged benefits of this proposal are worth the roughly \$500 million in annual climate costs. Moreover, even without using something as formal as a break-even analysis, it is clear that monetizing climate damages provides useful information whether or not every effect can be monetized in a full cost-benefit analysis. NEPA regulations acknowledge that when monetization of costs and benefits is relevant to the choice among environmentally different alternatives, that analysis can be presented alongside any analyses of unquantified environmental impacts, values, and amenities. In other words, contrary to BLM’s argument against the use of the social cost of greenhouse gas metrics, the inability to monetize some impacts should not preclude the monetization of impacts like climate damages that can be readily monetized.</p> <p>C. BLM Should Use the Interagency Working Groups 2016 Estimates of the Social Cost of Carbon, the Social Cost of Nitrous Oxide, and the Social Cost of Methane</p> <p>In 2016, the IWG published updated central estimates for the social cost of greenhouse gases: \$50 per ton of carbon dioxide, \$1440 per ton of methane, and \$18,000 per ton of nitrous oxide (in 2017 dollars for year 2020 emissions). Agencies must continue to use estimates of a similar or higher value in their analyses and decision-making. A recent Executive Order disbanding the IWG which BLM credits in part for its decision not to monetize climate impacts does not change the fact that the IWG estimates still reflect the best available data and methodologies.</p> <p>IWGs Methodology Is Rigorous, Transparent, and Based on the Best Available Data</p> <p>Beginning in 2009, the IWG assembled experts from a dozen federal agencies and White House offices to estimate the monetized damages associated with an incremental increase in carbon emissions in a given year based on a defensible set of input assumptions that are grounded in the existing scientific and economic literature. IWGs methods combined three frequently used models built to predict the economic costs of the physical impacts of each additional ton of carbon. The models together incorporate such damage categories as: agricultural and forestry impacts, coastal impacts due to sea level rise, impacts from extreme weather events, impacts to vulnerable market sectors, human health impacts including malaria and pollution, outdoor recreation impacts and other non-market amenities, impacts to human settlements and ecosystems, and some catastrophic impacts. IWG ran these models using a baseline scenario including inputs and assumptions drawn from the peer-reviewed literature, and then ran the models again with an additional unit of carbon emissions to determine the increased economic damages. IWGs social cost of carbon estimates were first issued in 2010 and have been updated several times to reflect the latest and best scientific and economic data. Following the development of estimates for carbon dioxide, the same basic methodology was used in 2016 to develop the social cost of methane and social cost of nitrous oxide estimates that capture the distinct heating potential of methane and nitrous oxide emissions. These additional metrics used the same economic models, the same treatment of uncertainty, and the same methodological assumptions that IWG applied to the social cost of carbon, and these new estimates underwent rigorous peer-review. IWGs methodology has been repeatedly endorsed by reviewers. In 2014, the U.S. Government Accountability Office concluded that IWG had followed a consensus-based approach, relied on peer-reviewed academic literature, disclosed relevant limitations, and adequately planned to incorporate new information through public comments and updated research. In 2016 and 2017, the National Academies of Sciences, Engineering, and Medicine issued two reports that, while recommending future improvements to the methodology, supported the continued use of the existing IWG estimates. And in 2016, the U.S. Court of Appeals for the Seventh Circuit held that the Department of Energy’s reliance on IWGs social cost of carbon was reasonable. It is, therefore, unsurprising that leading economists and climate policy experts have endorsed the IWGs values as the best available estimates. Furthermore, uncertainty over the values or range of values included in the IWGs social costs of greenhouse gases metric is not a reason to abandon the social cost of greenhouse gas methodologies; quite the contrary, uncertainty supports higher estimates of the social cost of greenhouse gases, because most uncertainties regarding climate change entail tipping points, catastrophic risks, and unknown unknowns about the damages of climate change. Because the key uncertainties of climate change include the risk of irreversible catastrophes, applying an options value framework to the regulatory context strengthens the case for ambitious regulatory action to reduce greenhouse gas emissions. Not only was justifying omitted climate damages due to uncertainty rejected by the Ninth Circuit in Center for Biological Diversity while . . . there is a range of values, the value of carbon emissions reduction is certainly not zero but the range of values recommended by the IWG93 and endorsed by the National Academies of Sciences is rather manageable. In 2016, the IWG recommended values at discount rates from 2.5% to 5%, calculated as between \$12 and \$62 for year 2020 emissions. Numerous federal agencies have had no difficulty either applying this range in their environmental impact statements or else focusing on the central estimate at a 3% discount rate. Most recently, in August 2017, BOEM applied the IWGs range of estimates calculated at three discount rates (2.5%, 3%, and 5%) to its environmental impact statement for an offshore oil development plan, and called this range of estimates a useful measure to assess the benefits of CO2 reductions and inform agency decisions.</p> <p>A Recent Executive Order Does Not Change the Requirements to Monetize Climate Damages</p> <p>In March 2017, President Trump disbanded the IWG and withdrew its technical support documents. Nevertheless, Executive Order 13,783 assumes that federal agencies will continue to monetiz[e] the value of changes in greenhouse gas emissions and instructs agencies to ensure such estimates are consistent with the guidance contained in OMB Circular A-4. Consequently, while federal agencies no longer benefit from ongoing</p>	<p>Section 2.4, <i>Social Cost of Carbon</i>, of Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i>, provides a detailed discussion of why the social cost of carbon or similar monetization metrics are not required here. BLM’s analysis complies with EO 13783 (Promoting Energy Independence and Economic Growth) and 43CFR 1502.23. Assigning a specific, accurate value to the social costs of carbon resulting from the Willow MDP Project would be too speculative to inform the decision-maker. NEPA does not require a cost-benefit analysis (40 CFR 1502.23), and one has not been completed for the Draft or Final EIS. Inclusion of a global social cost of carbon without monetized estimates of other effects, including the social benefits of energy production, would be unbalanced and of limited use to the decision-maker.</p>	N
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						<p>technical support from the IWG on using the social cost of greenhouse gases, by no means does the new Executive Order imply that agencies should not monetize important effects in their environmental impact statements. The Executive Order does not prohibit agencies from relying on the same choice of models as the IWG, the same inputs and assumptions as the IWG, the same statistical methodologies as the IWG, or the same ultimate values as derived by the IWG. To the contrary, because the Executive Order requires consistency with Circular A-4, as agencies follow the Circulars standards for using the best available data and methodologies, they will necessarily choose similar data, methodologies, and estimates as the IWG, since the IWGs work continues to represent the best available estimates. The Executive Order does not preclude agencies from using the same range of estimates as developed by the IWG, so long as the agency explains that the data and methodology that produced those estimates are consistent with Circular A-4 and, more broadly, with standards for rational decision-making. Similarly, the Executive Orders withdrawal of the Council on Environmental Quality’s guidance on greenhouse gases, does not and legally cannot remove agencies statutory requirement to fully disclose the environmental impacts of greenhouse gas emissions. As the Council on Environmental Quality explained in its withdrawal, the guidance was not a regulation, and [t]he withdrawal of the guidance does not change any law, regulation, or other legally binding requirement. In other words, when the guidance originally recommended the appropriate use of the social cost of greenhouse gases in environmental impact statements, it was simply explaining that the social cost of greenhouse gases is consistent with longstanding NEPA regulations and case law, all of which are still in effect today. Notably, some agencies under the Trump administration have continued to use the IWG estimates even following the Executive Order. For example, in August 2017, the BOEM called the social cost of carbon a useful measure and applied it to analyze the consequences of offshore oil and gas drilling. And in July 2017, the Department of Energy used the IWGs estimates for carbon and methane emissions to analyze energy efficiency regulation, describing the social cost of methane as having undergone multiple stages of peer review. Two agencies have developed new interim values of the social cost of greenhouse gases following the Executive Order. Relying on faulty economic theory, these interim estimates drop the social cost of carbon from \$50 per ton in year 2020 down to as little as \$1 per ton, and drop the social cost of methane from \$1420 per ton in year 2020 down to \$58. These interim estimates are inconsistent with accepted science and economics; the IWGs 2016 estimates remain the best available estimates. The IWGs methodology and estimates have been repeatedly endorsed by reviewers as transparent, consensus-based, and firmly grounded in the academic literature. By contrast, the interim estimates ignore the interconnected, global nature of our climate-vulnerable economy, and obscure the devastating effects that climate change will have on younger and future generations. BLM should not use the interim social cost of greenhouse gas estimates because of its methodological flaws.</p> <p>Uncertainty Supports Higher Social Cost of Greenhouse Gas Estimates, and Is Not a Reason to Abandon the Metric</p> <p>Generally, uncertainty is not a reason to abandon the social cost of greenhouse gas methodologies; quite the contrary, uncertainty supports higher estimates of the social cost of greenhouse gases, because most uncertainties regarding climate change entail tipping points, catastrophic risks, and unknown unknowns about the damages of climate change. Because the key uncertainties of climate change include the risk of irreversible catastrophes, applying an options value framework to the regulatory context strengthens the case for ambitious regulatory action to reduce greenhouse gas emissions.</p>		

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1305	19	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	<p>There are numerous well-established, rigorous analytical tools available to help agencies characterize and quantitatively assess uncertainty, such as Monte Carlo simulations, and the IWGs social cost of greenhouse gas protocol incorporates those tools. To further deal with uncertainty, the IWG recommended to agencies a range of four estimates: three central or mean-average estimates at a 2.5%, 3%, and 5% discount rate respectively, and a 95th percentile value at the 3% discount rate. While the IWGs technical support documents disclosed fuller probabilities distributions, these four estimates were chosen by agencies to be the focus for decision-making. In particular, application of the 95th percentile value was not part of an effort to show the probability distribution around the 3% discount rate; rather, the 95th percentile value serves as a methodological shortcut to approximate the uncertainties around low-probability but high-damage, catastrophic, or irreversible outcomes that are currently omitted or undercounted in the economic models. The shape of the distribution of climate risks and damages includes a long tail of lower-probability, high-damage, irreversible outcomes due to tipping points in planetary systems, inter-sectoral interactions, and other deep uncertainties. Climate damages are not normally distributed around a central estimate, but rather feature a significant right skew toward catastrophic outcomes. In fact, a 2015 survey of economic experts concludes that catastrophic outcomes are increasingly likely to occur. Because the three integrated assessment models that the IWGs methodology relied on are unable to systematically account for these potential catastrophic outcomes, a 95th percentile value was selected instead to account for such uncertainty. There are no similarly systematic biases pointing in the other direction which might warrant giving weight to a low-percentile estimate. Additionally, the 95th percentile value addresses the strong possibility of widespread risk aversion with respect to climate change. The integrated assessment models do not reflect that individuals likely have a higher willingness to pay to reduce low-probability, high-impact damages than they do to reduce the likelihood of higher-probability but lower impact damages with the same expected cost. Beyond individual members of society, governments also have reasons to exercise some degree of risk aversion to irreversible outcomes like climate change. The National Academies of Sciences, Engineering, and Medicine did recommend that the IWG document its full treatment of uncertainty in an appendix and disclose low-probability as well as high-probability estimates of the social cost of greenhouse gases. However, that does not mean it would be appropriate for individual agencies to rely on low-percentile estimates to justify decisions. While disclosing low-percentile estimates in a sensitivity analysis may promote transparency, relying on such an estimate for decision-making in the face of contrary guidance from the best available science and economics on uncertainty and risk would not be a credible, objective, realistic, and scientifically balanced approach to uncertainty, as required by Circular A-4. In short, the 95th percentile estimate attempts to capture risk aversion and uncertainties around lower probability, high-damage, irreversible outcomes that are currently omitted or undercounted by the models. There is no need to balance out this estimate with a low-percentile value, because the reverse assumptions are not reasonable: There is no reason to believe the public or the government will be systematically risk seeking with respect to climate change. The consequences of overestimating the risk of climate damages (i.e., spending more than we need to on mitigation and adaptation) are not nearly as irreversible as the consequences of underestimating the risk of climate damage (i.e., failing to prevent catastrophic outcomes). Though some uncertainties might point in the direction of lower social cost of greenhouse gas values, such as those related to the development of breakthrough adaptation technologies, the models already account for such uncertainties around adaptation; on balance, most uncertainties strongly point toward higher, not lower, social cost of greenhouse gas estimates. There is no empirical basis for any long tail of potential benefits that would counteract the potential for extreme harm associated with climate change. Moreover, even the best existing estimates of the social cost of greenhouse gases are likely underestimated because the models currently omit many significant categories of damages such as depressed economic growth, pests, pathogens, erosion, air pollution, fire, dwindling energy supply, health costs, political conflict, and ocean acidification, as well as tipping points, catastrophic risks, and unknown unknowns and because of other methodological choices. Consequently, uncertainty suggests an even higher social cost of greenhouse gases and so is not a reason to abandon the metric, which would misleadingly suggest that climate damages are worthless.</p>	<p>Section 2.4, <i>Social Cost of Carbon</i>, of Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i>, provides a detailed discussion of why the social cost of carbon or similar monetization metrics are not required here. BLM’s analysis complies with EO 13783 (Promoting Energy Independence and Economic Growth) and 43CFR 1502.23. Assigning a specific, accurate value to the social costs of carbon resulting from the Willow MDP Project would be too speculative to inform the decision-maker. NEPA does not require a cost-benefit analysis (40 CFR 1502.23), and one has not been completed for the Draft or Final EIS. Inclusion of a global social cost of carbon without monetized estimates of other effects, including the social benefits of energy production, would be unbalanced and of limited use to the decision-maker.</p>	N

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1305	20	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	<p>II. BLM’s Energy Substitution Analysis is Flawed and Inconsistently Applied, Leading to a Likely Underestimation of Net Emissions and an Inflation of Economic Benefits</p> <p>In addition to its refusal to monetize the social cost of the master development plans projected greenhouse gas emissions, BLM also seeks to downplay the quantified emissions by asserting that approximately 95 percent of increased downstream greenhouse gas emissions would be substituted by additional emissions elsewhere under a no action scenario suggesting, in other words, that the plan is only actually responsible for 5 percent of its generated emissions.¹¹⁴ But BLM does not release its full analysis, and its estimates are based on a model known as MarketSim that has significant structural flaws. BLM should not only release its full analysis to provide for meaningful public review, but should also reconsider its reliance on MarketSim in its present form. Given the models fundamental flaws and unexplained results, reliance on this model without further reassessment or disclosure would violate BLM’s obligations under NEPA. BLM also inconsistently fails to apply any substitution analysis to its estimates of projected oil and gas revenues and other economic effects, thereby misleadingly inflating the plans purported economic benefits relative to its environmental harms.</p>	<p>Downstream emissions were not downplayed; changes in domestic emissions as a result of the Willow MDP Project approval were presented. The Willow MDP Project production would displace other energy sources used to meet consumption. While overall energy consumption would increase due to prices falling slightly, the mix of energy sources used to meet that demand shifts as a result of the Willow MDP Project approval, and the emissions from those other sources would decrease. Addressing the net change in emissions is in fact methodologically correct. For all three Alternatives, the estimated emissions of the MDP production volume relative to the domestically displaced energy supplied was disclosed. Key assumptions and data for the Project GHG emissions, indirect (GHG Lifecycle Model) emissions and MarketSim model emissions were provided in Draft EIS Section 3.2.2 (<i>Environmental Consequences: Effects of the Project on Climate Change</i>), Appendix E.2A (<i>Climate and Climate Change Technical Appendix</i>), and Appendix E.2B (<i>Market Substitutions and Greenhouse Gas Downstream Emissions Estimates</i>), as well as Chapter 2.0 of Appendix E.3B (<i>Air Quality Technical Support Document</i>). Additional information is also provided in the Project GHG emission calculation spreadsheets that are available on request from BLM. The MarketSim model used in the EIS is a highly sophisticated model that analyzes the energy market’s response to production anticipated to emerge from oil and gas developments. In the substitution analysis based on MarketSim, the assumption is made that other oil producing countries will supply oil for U.S. import without additional restraints due to GHG-related policies in those countries. This may not be true if other countries establish policies to reduce their GHG emissions in the future. Typically, a single project has a negligible impact on overall global GHGs.</p>	N
1305	21	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	<p>BLM Should Release Its Full Substitution Analysis, Particularly in Light of MarketSim’s Previously Inconsistent and Unexplained Results</p> <p>According to BLM’s substitution analysis, only 3.26% of the oil and gas production called for under this plan represents new demand, meaning that the remainder 96.74% would be offset by substitute fuels at other locations under a no action alternative. However, while BLM reports that it obtained these results using a model developed by BOEM known as MarketSim, it does not release its full analysis or its runs of the simulation tool. BLM should provide such information to allow the public to meaningfully review and analyze the results. Full disclosure of all MarketSim runs is particularly critical because the tool has produced inconsistent results in the past. For instance, when BLM ran MarketSim for its recent draft resource management plan for Eastern Colorado, it found that the majority of increased oil and gas production would be replaced by onshore production a nearly inverse result from its MarketSim results earlier in the year for the now-finalized oil and gas leasing in the Arctic National Wildlife Refuge Coastal Plain, which found most substitution coming from increased foreign imports. In this case, BLM conspicuously fails to provide any breakdown of where the different substitutes would come from such as from increased foreign imports or additional onshore production making it impossible to determine whether its present results are consistent with any of BLM’s previous substitution analyses. To facilitate meaningful public review, therefore, BLM should make all data models and runs of its substitution analysis available, and reopen public comment to provide adequate opportunity for all stakeholders to assess this data. If it refuses to do so, it should at least provide a summary of where the substitution would come from (onshore production, foreign imports, etc.) as it has for previous substitution analyses.</p>	<p>Key assumptions and data for Project GHG emissions, indirect (GHG Lifecycle Model) emissions, and MarketSim model emissions were provided in Draft EIS Section 3.2.2 (<i>Environmental Consequences: Effects of the Project on Climate Change</i>), Appendix E.2A (<i>Climate and Climate Change Technical Appendix</i>), and Appendix E.2B (<i>Market Substitutions and Greenhouse Gas Downstream Emissions Estimates</i>), as well as Chapter 2.0 of Appendix E.3B (<i>Air Quality Technical Support Document</i>). Additional information is also provided in the Project GHG emission calculation spreadsheets that are available on request from BLM. The MarketSim model used in the EIS is a highly sophisticated model that analyzes the energy market’s response to production anticipated to emerge from oil and gas developments. In the substitution analysis based on MarketSim, the assumption is made that other oil producing countries will supply oil for U.S. import without additional restraints due to GHG-related policies in those countries. This may not be true if other countries establish policies to reduce their GHG emissions in the future. Typically, a single project has a negligible impact on overall global GHGs.</p> <p>The cited differences in MarketSim’s estimated supply displacement for Coastal Plain oil and Eastern Colorado oil are an indication that MarketSim is properly adjusting for regional factors most relevant to location of the proposed production. Most, if not all, Coastal Plain oil would be transported by tanker to market, as it might be expected would be the case for most of the imported oil it would displace. On the other hand, it is reasonable to assume that oil produced in landlocked Eastern Colorado would largely displace other onshore production that would be transported primarily by pipeline. The documentation for MarketSim is publicly available, but BOEM has typically only released full analyses and specific model output when requested via FOIA.</p>	N

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1305	22	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	<p>Fundamental Problems with BLM’s Substitution Analysis Cause Likely Underestimates of Net Downstream Emissions from the Proposed Plan and Counsel in Favor of Developing a New Model Before Finalizing the Environmental Impact Statement</p> <p>In addition to the above-mentioned concerns about BLM’s lack of transparency and its inconsistent prior findings, there are also broader and more fundamental issues with MarketSim that skew its results, likely causing it to underestimate the substitution effects of decreased demand and thereby also underestimate a projects climate impacts. These errors, enumerated below, should be rectified in any final analysis, and any revision of MarketSim and new analysis of the environmental effects of the master development plan should be republished in draft form for public comment. 1) Agencies applications of MarketSim omit effects on foreign consumption and so grossly underestimate net downstream emissions BLM has followed BOEMs lead in applying MarketSim to assess energy substitution,<i>118</i> and so has copied a significant error from BOEM. Specifically, BOEMs applications of MarketSim have not accounted for changes in foreign oil and gas demand, <i>119</i> which drastically skews MarketSim’s results since there is strong evidence that foreign demand is decreasing.<i>120</i> Indeed, while MarketSim estimates a foreign reduction in consumption . . . for oil, the simulations that BOEM and now BLM have run to estimate energy substitution in the no-action scenario seemingly do not account for any changes in foreign demand. Specifically, MarketSim finds that reducing U.S. oil production decreased foreign oil consumption by approximately 50% in a mid-price scenario a result that is consistent with economic literature. This 50% offset from reduced demand is significantly more than the 3.26% drop in U.S. demand that BLM reports, and so omitting the effects of global consumption may translate into a massive underestimate of the plans net downstream emissions effects. BLM offers no explanation for how it has approached, or ignored, changes in foreign demand. In the past, BOEM has claimed that [e]xcluding the foreign oil and gas markets is reasonable because BOEM does not have information related to which countries would consume less oil and so cannot make predictions about the changes in net emissions from changes in foreign consumption. In other words, according to BOEM, we should entirely ignore foreign reductions in demand for oil and gas that we know are occurring because it would be too difficult to translate those reductions into changes in net greenhouse gas emissions. This logic is unsound. The Department of the Interior hardly explains why it could not make a reasonable assumption about average emissions from total foreign consumption of oil, stating only that oil is consumed in a variety of products, which have a wide range of emissions factors. But there are numerous ways to rationally account for this uncertainty. In fact, the Department of Energy’s National Energy Technology Laboratory recently published a methodology to study the impacts of U.S. energy exports on greenhouse gas generation around the world, comparing the greenhouse gas implications of electric power generation on different continents. And the emissions factors for oil that BLM has used elsewhere show a rather manageable range of between a low of 5.72 kilograms of carbon dioxide per gallon to a high end of 14.64 kilograms per gallon. BLM could easily apply either the U.S. Energy Information Administrations (EIA) tables of U.S. exports by petroleum product, or could simply give a lower-bound estimate of the net emissions effect. Either option would be much more accurate and reasonable than a complete omission. (Meanwhile, emissions factors for natural gas do not vary, and so there should be no bar whatsoever in calculating emissions reductions from a global drop in the consumption of gas.) While there may a range of values regarding the net greenhouse gas impacts of declining foreign oil consumption, the proper value is certainly not zero, which is what BLM has improperly assumed by excluding foreign oil and gas markets entirely. In short, the available information is more than sufficient to make reasonable estimates regarding the impacts of reductions in foreign demand on greenhouse gas emissions. By falsely concluding that this task is impossible and excluding such reductions altogether, BLM may be massively underestimating the net downstream emissions of the proposed master development plan.</p>	<p>It is unreasonable to extend BOEM’s limited modeling of foreign oil markets used in establishing an equilibrium price in the model to global GHG emissions estimates comparisons between a Willow MDP Project alternative and a No Action Alternative. The issue is the uncertainty and lack of reliable data as to the likely distribution of demand changes among countries, the oil-substitutes available in other countries and those countries’ incremental substitution patterns (cross-price elasticities) and resulting energy mix of oil and the various substitutes, and the GHG intensity of at least the major substitutes in each country. The incremental substitution patterns and the GHG emission rates for even the same class of fuels can vary significantly from country to country, and using broad averages in place of weighted averages can result in very different results, especially when the averages hide wide ranges in the underlying factors.</p> <p>Also, the D.C. Circuit has held that agencies are not required to model how their actions will affect global energy markets and how those market changes will, in turn, affect foreign GHG emissions. <i>Sierra Club</i>, 867 F.3d at 202. That kind of analysis is simply “too speculative” and infeasible to be required under NEPA. <i>Id.</i></p>	N

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Accordingly, the model assumes a constant global demand for oil and gas throughout most of the century’s remainder an assumption that is totally incompatible with international efforts to mitigate the impacts of climate change and would lead to unsustainable amounts of warming. The main assumption that the government makes in forecasting constant demand over 70 years that there will be no future changes in laws and policies is simply unreasonable given the realities of climate change. Indeed, the Interior Department has acknowledged that [a]s countries, including the U.S., address climate change with individual policy targets, this assumption could no longer hold, and that as new energy sources become more economically feasible, they could displace existing sources and/or alter the composition of energy supply. And sure enough, numerous states in recent years have adopted low- and zero-emission vehicle standards along with net-zero carbon emissions targets laws that would require oil and gas consumption within those states to decline precipitously. BLM’s projection of constant demand over the next 70 years is based on the EIA reference case. But the EIAs reference case estimates are intended to reflect trends and are not necessarily firm predictions about the future; indeed, the EIA recently projected decreasing domestic demand for petroleum products through 2034. As such, these trends should not be used in isolation as point estimates; instead, agencies should conduct sensitivity analysis over reasonable assumptions and scenarios. For instance, BLM could provide oil and gas demand projections assuming that nations (including the United States) meet their commitments under the Paris Agreement. Instead of conducting sensitivity analysis over reasonable assumptions, BLM assumes the worst-case scenario outcome that demand for oil and gas will continue unabated for most of the century. Basing a model on what BLM admits is an extreme premise is not consistent with the agency’s obligation under NEPA to make assumptions that are reasonable and based on the best available information. Particularly concerning is BLM’s assumption that uncertainty about climate change should be used as a reason to trivialize net emissions, thereby using uncertainty as cover to promote policies like this plan that will exacerbate climate change. As discussed above, uncertainty about the rate and impacts of climate change should counsel for more restraint, not less. So long as BLM continues to assume near constant long-term energy demand through its use of MarketSim, it will significantly inflate the substitution effect of proposed energy projects and thereby underestimate their net greenhouse gas emissions.	The comment asserts that the model uses constant domestic and global demand, but this is not accurate. While the GHG Modeling documentation (Wolvovsky and Anderson 2016), available at: https://www.boem.gov/sites/default/files/oil-and-gas-energy-program/Leasing/Five-Year-Program/2012-2017/BOEMOceanInfo/ocs_oil_and_natural_gas.pdf) outlines one of its key limitations on page 20 as, “Near Constant Demand is assumed . . . ,” it also states that this “near constant demand” is taken directly from the EIA reference case. This reference case is not actually constant. BOEM models its analysis based on current policy rather than on speculations of what direction policy might take. Further, page 3 of the MarketSim Model documentation shows that the domestic and global demand equations incorporate elasticity adjustment rate factors that allow both global and domestic assumptions made by EIA to respond to price changes due to a domestic supply shock. Page 4 of this document show domestic and global supply equations also incorporate price shock sensitivity and are therefore not constant. MarketSim documentation (Industrial Economics 2017) is available here: https://espis.boem.gov/final%20reports/5612.pdf . These equations adjust supply and demand from the forecasted baseline provide by EIA. EIA’s forecast looks at existing policies and does not forecast future laws or policies. BOEM uses the EIA projections as the official government estimates of future energy consumption. Any potential climate policy would be too uncertain at this stage to fully estimate in the model. BOEM’s approach was to take a worst-case scenario and consider the maximum emissions and not account for future improvements for which future emission rates are unknown.	N
1305	24	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	MarketSim over-relies on a single experts opinion. For several parameters, MarketSim relies on the opinion from a single expert: Dr. Stephen Brown. While use of expert elicitation is acceptable when estimates are unavailable in the literature, it is not clear that the agencies have fully explored all the most current literature to check the accuracy of their parameters, and, furthermore, expert elicitations should not rely on a single author. Indeed, a recent study concluded that less than one-third of elicited experts produced statistically accurate assessments, thereby highlighting the need for validation from a multitude of experts. Accordingly, after a thorough review of the literature, BOEM and BLM should identify multiple experts to survey to develop a range of possible estimates, which can be further characterized by central values and variance. This would allow BLM to conduct an informed sensitivity analysis over these parameter values. Indeed, BOEM and BLM should be conducting more sensitivity analyses over all of their key parameters and assumptions, such as assumptions based on the EIA Energy Outlooks NEMS scenarios. The model should also break down non-U.S. producers in OPEC and non-OPEC nations, and conduct sensitivity analysis on whether OPEC will act competitively or non-competitively in response to changes in U.S. production. Given NEPAs public information requirements, BLM should be conducting more sensitivity analyses and then disclosing all relevant data, models, and runs, so the public can review these analyses.	MarketSim uses the best-available information for estimating elasticities. In cases where information is not available through published sources, Dr. Stephen Brown's expert opinion is used.	N
1305	25	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	MarketSim does not account for within-region substitution While it seems natural that much of the potential substitution of fossil fuel production from a given area would come from nearby areas, MarketSim’s assumptions largely foreclose such results, since MarketSim holds the supply constant within the project areas region for the same resource when conducting its substitution analysis. This assumption is especially problematic given how broad some of the models regions are: for instance, onshore oil production from the continental United States constitutes a single region. This leads to the implausible result that energy substitution from a single project cannot come from the same resource in nearby areas and instead must come from more distant regions, when in reality the opposite is likely to be true. Such an assumption is irrational, and must be reassessed as part of a greater reevaluation of the MarketSim model.	MarketSim represents the best-available model to perform an analysis of the reasonably foreseeable GHG emissions resulting from the action. It is a sophisticated model that uses national baseline data, a supply shock, and elasticities to estimate changes on a national level.	N

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1305	26	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	MarketSim’s elasticities are questionable Many of MarketSim’s elasticities are out of date, not grounded in the literature, or based on inconsistent sources. The model assumes equality between onshore and offshore supply elasticities for the lower 48 states, and uses two-decade-old supply elasticities for the lower 48 states. Some elasticities are derived from different versions of NEMS, which may make them inconsistent. All elasticities should be derived from the same version of NEMS and should be consistent with the calibrations run for quantity and prices in each year.	MarketSim’s approach to developing an energy model for policy evaluation is to represent the observed conditions prevailing at any moment in the market as observable short-run conditions that are the result of a market equilibrating process and the partial adjustment toward long-run demand and supply conditions. These long-run conditions are not directly observable, but can be inferred from observed market conditions and the underlying parameters of the model. The result is a model that is characterized by partial adjustment toward a long-run equilibrium in each time period. To create such a model, it is necessary to provide a set of assumed long-run elasticities and partial adjustment parameters. These are developed by reviewing the appropriate economic research, by using technology assessments, and by making comparisons across existing runs of NEMS to infer elasticities (see below). The supply and demand equations in the sections that follow show how MarketSim applies these partial adjustment parameters and long-run supply and demand elasticities. To the extent possible, MarketSim relies upon demand and supply elasticities obtained from peer-reviewed studies in empirical economics literature. Using peer-reviewed values is central to ensuring that MarketSim’s simulation of energy markets reflects the best information available on the demand and supply responses that result from changes in energy prices. As suggested above, elasticity estimates were derived from NEMS outputs or from expert input provided by Dr. Stephen Brown (University of Las Vegas). To be useful in the MarketSim context, the elasticities need to cover the long-run. BOEM frequently updates its model and works to ensure the most recent information is available that provides the necessary elasticity. MarketSim’s documentation (Industrial Economics 2017) is available at: https://espis.boem.gov/final%20reports/5612.pdf .	N
1305	27	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	MarketSim ignores upstream emissions MarketSim calculates only downstream emissions and omits any upstream emissions. While the DEIS calculates some upstream emissions from oil and gas production, the substitution analysis does not calculate comparable upstream emissions from substitute energy sources. The analysis is therefore necessarily incomplete, and BLM should rectify this omission and all of the others issues with MarketSim discussed above before finalizing the environmental impact statement.	MarketSim was used only for estimating downstream emissions and associated substitution effects, which are more uncertain than upstream emissions given the various market forces at play. Upstream emissions estimates were calculated separately based on Project-specific emissions estimates associated with Project design and operations, which are comparatively well known.	N

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1305	28	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	MarketSim irrationally ignores expected efficiency gains While MarketSim assumes that engines used to produce and consume oil and gas will not become more efficient, this assumptions ignores standard best practices for cost-benefit analysis that instruct agencies to make reasonable assumptions about technological growth. It can only be expected that as technology continues to improve and become more efficient, then engines used to produce and consume oil and gas will have lower energy footprints. The government should consider this flaw in MarketSim along with all the others discussed above and give the public another opportunity to comment on the environmental impact statement with its revamped substitution analysis.	While the assumptions section of the GHG Lifecycle Model methodology documentation (BOEM 2016) does state that “engines used for production, processing, and consumption of oil and gas will not become more efficient, and oil and gas will remain a primary energy source,” BOEM does still acknowledge and incorporate changes in efficiencies in several ways. Further, efficiency gains are likely to impact emissions estimates under both the Action and No Action alternatives and will have little impact on the difference in the emissions. The GHG model documentation does suggest that improvements will be made in efficiencies and how those changes could impact results. This response outlines the different components of the GHG analysis conducted for BLM and the various ways efficiency changes are considered. The GHG Lifecycle Model is used in the BLM analysis to estimate the GHG emissions coming from mid and downstream activities. Midstream (refining and delivery): The GHG model uses the EPA’s most recent emissions inventory for refining and transmission and storage of oil and gas. The model then multiplies that total by a ratio of offshore to total oil and gas for each stage and for each GHG (CO ₂ , CH ₄ , and N ₂ O). It does not assume a shift in either direction of the EPA inventory of emissions from these activities due to future changes in engine/refining efficiency. However, changes in engine/refining efficiency would affect the refining of both emissions from the No Action and action alternatives, and would likely have little impact on the difference in emissions associated with midstream components of the two alternatives. Downstream (end-user consumption of produced oil and gas): The GHG model states that improvements in energy and transport efficiency are likely to occur. It even suggests that these changes may change the ratios of the end products consumed from a barrel of oil (i.e., as of 2015, 47% of a barrel went towards gasoline, which would theoretically decrease if car efficiencies or alternative fuels became prevalent). It is this assumed ratio of the mix of end products (e.g., gasoline vs. lubricants vs. jet fuel vs. distillate fuel oil) that determines the estimated GHG factors for each barrel consumed. However, the model documentation also states that it is impossible to know how those efficiencies will manifest themselves in the ratios of end-products that come from a barrel of oil. Since those ratios have been steady over the near term, it asserts that using those ratios within the model, and updating them periodically as they change, is a reasonable practice. Similarly, major changes in how barrels of oil are used would have minor implications on the difference between the two alternatives. Within MarketSim, changes in efficiency are incorporated through EIA’s production and consumption forecasts. EIA accounts for technology and energy density improvements in those runs which then serve as the basis for the comparison analysis between the No Action Alternative and the Action Alternatives. Given, and to the extent, that EIA does assume some increase in efficiency of engines in its NEMS runs, those assumptions were then incorporated into MarketSim, then into the GHG Lifecycle Model for the downstream analysis that was provided to BLM.	N
1305	29	Brooks; Cleetus; Grab; Hedges; Krause; Monahan; Nichols	Anne; David; Denise; Jeremy; Rachel; Rose; Susanne	Environmental Defense Fund; Institute for Policy Integrity at New York University School of Law; Montana Environmental Information Center; Sierra Club; The Wilderness Society; Union of Concerned Scientists; WildEarth Guardians	Climate Change	BLM Arbitrarily Inflates the Plans Economic Benefits by Failing to Apply Substitution Analysis Beyond the Plans Environmental Harms In addition to the above critiques of the methodology for substitution analysis, BLM also inconsistently applies energy substitution to the master development plans environmental harms without applying the same analysis to the plans economic benefits. BLM must apply substitution analysis consistently to all of the plans impacts, and cannot place its thumb on the scale by discounting only the plans environmental harms. BLM cannot have it both ways: On one hand, it discounts the plans environmental impacts by claiming that most of them would occur regardless as a result of substitute oil and gas production in other areas, while on the other it attributes a wealth of economic benefits to the plan without any mention of this substitution effect. Of course, if BLM is indeed accurate that most of the plans oil and gas production would be offset through increased production elsewhere under a no action alternative, this would also mean that many of the supposed economic benefits of the plan would also occur under the no action scenario due to this increased production. For instance, given that, according to BLM’s calculations, more than 96% of oil and gas production would be replaced by additional production under a no action scenario, then that production would also produce tax revenues, employment income, and (because much fossil fuel development occurs on lands own by the federal or state governments) royalties meaning that the U.S. economy would still reap many of the plans supposed economic impacts. Yet BLM never acknowledges this reality, providing total government revenues from the master development plan and projected employment numbers without any recognition that most of these economic benefits would, under the logic of BLM’s own substitution analysis, be offset through increased production elsewhere under the no action scenario. Under BLM’s logic, in other words, this plan is responsible for all of its positive economic impacts but few of its environmental harms. This is a clear violation of NEPA. As stated above, agencies may not put a thumb on the scale by inconsistently and opportunistically fram[ing] the costs and benefits of a proposed project. Yet this is precisely what BLM is doing by using substitution analysis to offset the plans environmental costs without also offsetting the plans economic benefits. BLM must apply substitution consistently between the projects costs and benefits. By failing to do so, it adopts an inconsistent methodological approach to the plans economic benefits versus climate costs, further skewing their inconsistent treatment throughout the DEIS. For all the reasons further described herein, this incomplete, inconsistent, and misleading framing violates NEPA.	The EIS provides estimates of the potential economic output for each action alternative (Section 3.15, <i>Economics</i>), which is the anticipated economic activity. An economic impact stems directly from economic activity, but it may be perceived as a positive or negative impact depending on individual perspective. Section 3.15.2.2 (<i>Alternative A: No Action</i>) notes that “there would be no increase in employment or wages in Nuiqsut, the NSB or the state.” The analysis for the No Action Alternative does not speculate on what sort of economic activity would occur or where it may occur. This is consistent with the analysis area for economics: Nuiqsut (local), NSB (regional), and the State of Alaska. This is not a cost-benefit analysis but is a disclosure of the anticipated economic impacts.	N

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989	21	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Climate Change	Page 25 & 26, 3.2.2.2 Alternative A: No Action and Appendix E.2B, Market Substitutions and Greenhouse Gas Downstream Emissions Estimates Market substitution of oil from this project with other energy sources is a very important topic. BLM addresses this topic in Appendix E.2B by looking at how much oil, natural gas, coal and biofuels would be displaced if the project is approved and developed. It appears this model (BOEM’s Market Simulation Model or MarketSim) does not account for all the effects of market substitution. It needs to address where other energy production will likely occur if the project does not move forward and the associated environmental impacts and GHG emissions of such market substitution. If market substitution results in development in another state or country with less stringent environmental protections, it is possible net environmental impacts and GHG emissions will increase. The no action alternative could actually harm the environment when you take into account market substitution. BLM needs to answer the question: Does oil production on the North Slope produce more or less GHGs (and more or less environmental harm) than other oil and gas (or energy development) operations around the world? Appendix E.2B does not appear to answer this question.	The market substitution calculations are the best-available calculations to determine the changes in GHG emissions if the Project did not occur. The suggested need to determine whether North Slope oil production produces more or less GHG emissions than every other oil and gas operation around the globe is out of scope of this analysis.	N
1302	35	Dunn	Connor	ConocoPhillips	Climate Change	The DEIS states that “[t]he baseline used in MarketSim is a modified version of the EIAs 2018 Annual Energy Outlook reference case; the modification involves omission of new OCS lease sales starting in 2019.” Appendix E.2B (page 1). We recommend that BLM clarify how the Project is treated in the reference case used by BLM. If the Project is included in the AEO 2018 projection, then the Project should be removed from the baseline projection for this analysis. If the Project is included but is not removed from the baseline, BLM should discuss the sensitivity and ramifications of this assumption.	According to EIA, the discovery year for Willow was 2017, which was too late for the Annual Energy Outlook 2018. Thus, the Willow MDP Project is not included in the reference case in the MarketSim analysis, and no further sensitivity analyses are required.	N
1302	37	Dunn	Connor	ConocoPhillips	Climate Change	Finally, but importantly, the proposed mitigation measures listed at Section 3.2.4, page 29, include . . . limiting flaring to pilot flares or emergency flares. Similar language is used for a similar proposed mitigation measure in Section 3.3.3. BLM should clarify that there are some limited, additional situations in which flares are used for non-emergency purposes (e.g., for initial well clean out and testing). The DEIS emission inventory did not limit flaring solely to pilot or emergency flares. The DEIS emissions inventory included process flares combusting pilot, purge, sweep and assist gas, and limited use of portable flares combusting pilot gas and vented gas during pre-production drilling. Since these emissions were included in the project emissions inventory and none of the impacts noted in the DEIS suggest that flare usage needs to be further limited, BLM should expand their description of flaring to be consistent with the project emissions inventory.	Since flaring is part of the Willow MDP Project emissions inventory that was shown to not have significant adverse impacts in the air quality analysis, this language has been removed from Final EIS Section 3.2.2.1.2, <i>Proponent’s Design Measures to Avoid and Minimize Effects</i> (Draft EIS Section 3.2.4, <i>Additional Suggested Best Management Practices or Mitigation</i>). The activities that would result in flaring are described in Appendix D.1, <i>Alternatives Development</i> , Section 4.2.1.1, <i>Willow Processing Facility</i> .	Y
1302	112	Dunn	Connor	ConocoPhillips	Climate Change	The first paragraph (page 8, Section 3.1.2.3, Black Carbon Effects on Climate), “. . . there is a ‘very high’ probability that black carbon emissions have a positive forcing and warm the climate.” It is unclear what is meant by “have a positive forcing.”	Text was added to clarify positive forcing in Appendix E.2A (<i>Climate and Climate Change Technical Appendix</i>), Section 3.1.2.3, <i>Black Carbon Effects on Climate</i> .	Y
1302	114	Dunn	Connor	ConocoPhillips	Climate Change	Section 3.2.1 states: “Major GHGs from oil and gas development include carbon dioxide (CO2), nitrous oxide (N2O), and methane (CH4). GHG emissions are reported in units of carbon dioxide equivalent (CO2e) to account for the varying global warming potential (GWP) of pollutants.” The discussion of GHG emissions in Section 3.2.1.3 mixes CO2 and CO2e in a way that is unclear. For example: “CO2 emissions associated with the combustion and extraction of fossil fuels from U.S. federal lands increased from 1,362 MMT CO2e in 2005 to 1,429 MMT CO2e in 2010 and then decreased to 1,279 MMT CO2e in 2014.” The discussion would be clearer if CO2e units were consistently used for describing GHG emissions.	In some cases, the GHG emissions data in CO2e are only available for CO2 and not for the other GHGs. Additional text has been added to Section 3.2.1.3, <i>Trends in U.S. and Alaska Greenhouse Gas Emissions</i> , to clarify this.	Y
1302	115	Dunn	Connor	ConocoPhillips	Climate Change	In this section (page 6, Social Cost of Carbon), the Willow project is incorrectly referred to a “leasing action.”	Text was removed from Appendix E.2A (<i>Climate and Climate Change Technical Appendix</i>), Section 2.4, <i>Social Cost of Carbon</i> .	Y
1302	116	Dunn	Connor	ConocoPhillips	Climate Change	Out of context, the third paragraph in this section suggests that direct GHG emissions were not estimated for the Project in the draft EIS. We recommend refocusing the paragraph to describe that the analysis methods described here are used specifically for the estimation of indirect GHG emissions, as opposed to what is not included in the analysis in this section.	Appendix E.2B, <i>Market Substitutions and Greenhouse Gas Downstream Emissions Estimates</i> , is an original document produced by the BOEM, who drafted the <i>Market Substitutions and Downstream Emissions Estimates</i> report. This appendix (and report) only analyze indirect emissions (i.e., downstream emissions associated with processing and consumption of the oil produced by the Project). No changes to the BOEM report (Appendix E.2B). However, additional text has been added to Section 3.2.2, <i>Environmental Consequences: Effects of the Project on Climate Change</i> , to clarify that direct GHG emissions were calculated for the Project.	Y
75	1	Finocchio	David	—	Climate Change	While not stated directly, the level of detail and reference to oil and gas production in section 3.2.1.1, when read in the context of the Willow development project, leads the reader to believe the North Slope oil and gas development is a primary cause for North Slope climate change and related impacts. This contradicts the statement in 3.2.1 that clarifies that climate change is a global phenomenon that is caused by global release of CO2 and other greenhouse gasses. When read in the context of this document I believe this presents a bias against the Willow development by overexaggerating the incremental impact of what is a relatively small project on the global scale. Furthermore, there is no way to know exactly how the oil produced from the Willow field will be used (i.e. as a fuel or as a chemical feedstock for creating of non-fuel products such as polymers or lubricants). Please consider revising this section by means of abbreviating the discussion or providing additional clarifying text highlighting the level of uncertainty and fractional incremental impact of the Willow project on the global climate change issue.	The introductory text in Section 3.2.1, <i>Affected Environment</i> , has been edited to confirm that the EIS is discussing climate change generally and not the impacts of the Willow MDP Project on the Project area. The uncertainty of the impact of the Willow MDP Project on global GHG emissions is covered in Section 3.2.2, <i>Environmental Consequences: Effects of the Project on Climate Change</i> .	Y

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84	8	Long	Becky	—	Climate Change	<p>The exploration, production and burning of fossil fuels creates significant Greenhouse Gas (GHG) emissions. The 11/23/2018 United States Geological Survey report entitled FEDERAL LANDS GREENHOUSE GAS EMISSIONS AND SEQUESTRATION IN THE UNITED STATES: ESTIMATES FOR 2005-2014, Report 2018-5131 show this. This report is a first of its kind accounting for fossil fuel extraction emissions. Oil and gas drilling and production on federal lands and offshore contributes a yearly average of 23.7% of carbon dioxide emissions, 7.3% of methane emissions and 1.5% nitrous oxide emissions. This report can provide a context for future energy decisions as well as a basis to track future fugitive emissions from fossil fuel leasing. BLM needs to figure out the GHG emissions from this proposed project.</p> <p>Methane is a potent GHG emission which enters the atmosphere from flaring, venting, and infrastructure leaking of natural gas. Methane is the primary component of gas making up 87 to 97% by volume. Methane’s warming effect is 87 times greater than carbon dioxide over a 20 year period and 36 times greater over a 100 year average. The current federal administration is gutting the EPA and BLM 2016 waste prevention rules that would have reduced 35% of methane emissions. Comprehensive leak detection and repair requirements, methane capture standards for various field equipment and common drilling practices and establish volume metrics and percentage based venting and flaring limits. But now we don’t have that for federal lands. The oil and gas industry states that methane emissions from production are unavoidable. In a recent 12/18/2018 Alaska Oil and Gas Conservation Commission hearing on methane emissions, Kara Moriarty, the Executive Director of the Alaska Oil and Gas Association which is an industry trade lobbying group testified to the following. The venting or flaring of some natural gas is practically an unavoidable consequence of oil and gas development. Routine and continuous flaring of pilot and purged gas during the non-emergency situations is a key component to the safe development of oil and gas reserves. If this is so, it makes a good case to eliminate new leasing on public lands in the arctic.</p> <p>Natural gas flaring produces black carbon which is a known recognized localized warming impact on ice and snow thus creating more climate impacts. Flaring also produces particulate matter and toxics such as benzene which are known carcinogens. This affects the environment and human health. Black carbon pollution accelerates climate changing impacts on the North Slope. This is by darkening the surface of the sea ice and land. It is also the main ingredient in fine particulate matter pollution.</p>	<p>The USGS report (2018-5131) (Merrill, Sleeter et al. 2018) is cited in the Draft and Final EIS in Section 3.2.1.3., <i>Trends in U.S. and Alaska Greenhouse Gas Emissions</i>. GHG emissions from the Project are also quantified in Section 3.2.2.3, <i>Alternative B: Proponent’s Project</i>, and the emissions inventory accounts for fugitive and downstream emissions. The GHG emissions disclosed in Section 3.2.2.3 for the Project are inclusive of additional activities that are not typically included in these reports, and therefore, it is not appropriate to compare the Project emissions as quantified in the EIS; however, the EIS does compare them to state and national totals. The Project would be developed with the LSs required by BLM for the NPR-A. Methane emissions are disclosed individually in the EIS emissions inventory, and the global warming potentials used for methane are listed in Section 3.2.2.3. Pilot and purge emissions would be a very small fraction of emissions from the Project. (<i>Note: Natural gas–powered home hot-water heaters and gas heaters also use pilot lights as a constant ignition source. These are not significant emissions sources.</i>) Please see Section 3.2.2, <i>Environmental Consequences: Effects of the Project on Climate Change</i>, for the Project’s effects on black carbon and climate and black carbon’s effects on the Project. Flaring impacts are addressed in the modeling, as are the impacts from benzene.</p>	N
988	5	Peter	Enei Begaye	Native Movement	Climate Change	<p>Additionally, climate change is not mentioned once within the entire Draft EIS. 90% of the global science community agrees that fossil fuel extraction and usage are the leading causes of climate change. The DEIS lack of climate change implications is irresponsible and must be addressed. Currently there are 12 villages in immediate need of relocate including Utqiag̃vik due to climate change. All new fossil fuel extraction will aid in the increased warming of the permafrost, coastal erosion, and subsequent climate refugees from their traditional lands of the Arctic Slope.</p>	<p>Draft and Final EIS Section 3.2, <i>Climate and Climate Change</i>, and Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i>, discuss climate change and the impacts of the Project on climate change.</p>	N

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864	99	Psarianos	Bridget	Trustees for Alaska	Climate Change	BLM’s analysis of the greenhouse gas emissions and associated climate change impacts of Willow is deficient in several fundamental respects and therefore does not comply with NEPA. First, the DEIS fails to evaluate the impacts of Willow in light of the urgent need to reduce greenhouse gas emissions. Second, the DEISs greenhouse gas emissions estimates are unsupported and inaccurate because (a) the DEIS fails to disclose key assumptions and data used in its models and it excludes the key variable of foreign consumption without any appropriate adjustment, and (b) BLM’s finding that Willow will result in only a negligible increase in energy consumption and emissions is unrealistic, wildly inconsistent with other energy market substitution modeling, and flouts clear precedent rejecting perfect or near perfect fossil fuel substitution. Third, the DEIS fails to provide a meaningful analysis of the significance of the greenhouse gas emissions from Willow. Fourth, the DEIS fails to adequately consider the effects of the project in the context of a warming Arctic. Finally, the DEIS fails to quantify and adequately analyze the effects of black carbon.	<p>In response to the first part of this comment, the Draft EIS evaluates Project impacts for the range of alternatives selected by BLM with input from cooperating agencies.</p> <p>In response to the second part of this comment, key assumptions and data for Project GHG emissions, indirect (GHG Lifecycle Model) emissions, and MarketSim model emissions were provided in Draft EIS Section 3.2.2 (<i>Environmental Consequences: Effects of the Project on Climate Change</i>), Appendix E.2A (<i>Climate and Climate Change Technical Appendix</i>), and Appendix E.2B (<i>Market Substitutions and Greenhouse Gas Downstream Emissions Estimates</i>), as well as Chapter 2.0 of Appendix E.3B (<i>Air Quality Technical Support Document</i>). Additional information is also provided in the Project GHG emission calculation spreadsheets that are available upon request from BLM. The MarketSim model used in the EIS is a highly sophisticated model that analyzes the energy market’s response to production anticipated to emerge from oil and gas developments. In the substitution analysis based on MarketSim, the assumption is made that other oil-producing countries will supply oil for U.S. import without additional restraints due to GHG-related policies in those countries. This may not be true if other countries establish policies to reduce their GHG emissions in the future. Typically, a single project has a negligible impact on overall global GHGs. It is reasonable to exclude foreign oil consumption in the context of market substitution because the oil produced by the Willow MDP Project would likely be consumed domestically; therefore, substitution sources for the Project would also be consumed domestically. In addition, oil consumption is different in each country, and information on which countries would consume less oil was not available. For gas consumption, we do not have information on how changes in the U.S. market would affect other countries. While there is uncertainty regarding consumption in different energy markets, in the short term, EIA tends to project continued demand.</p> <p>In response to the third part of this comment, the Project emissions have been disclosed and compared to state and national totals, similar to other EISs in the region and other BLM projects. As noted in Section 3.2.2, GHG emissions were assessed as a proxy for climate impacts.</p> <p>In response to the fourth part of this comment, we have considered the effects of the Project in the context of a warming Arctic; see Section 3.2.3, <i>Effects of Climate Change on the Project</i>.</p> <p>In response to the fifth part of this comment, Section 3.2.1, <i>Affected Environment</i>, includes information on black carbon and its potential effects on climate based on available, peer-reviewed literature. Although black carbon emissions from the Willow MDP Project are not explicitly quantified, black carbon is implicitly included as part of the Project PM_{2.5} emissions inventory used in the air quality impact analysis. The effect of black carbon on Arctic climate is complex and still an active area of research. There are still many uncertainties to be resolved by the scientific community to better understand the complex mechanisms and feedbacks between black carbon and its effect on Arctic climate. Therefore, it is not possible to quantitatively assess the effect of a project’s black carbon emissions on global climate change at this time.</p>	Y
864	100	Psarianos	Bridget	Trustees for Alaska	Climate Change	<p>NEPA Requires BLM to Accurately and Completely Analyze the Climate Consequences of the Willow Project. . .</p> <p>It is well established that when an agency considers a decision that will result in greenhouse gas emissions, NEPA requires the agency to analyze and disclose the effects of these emissions, including emissions from fossil fuels that will be burned because they will be produced or delivered to market as a result of the agency’s decision. Indeed, as the Ninth Circuit has explained, [t]he impact of greenhouse gas emissions on climate change is precisely the kind of cumulative impacts analysis that NEPA requires agencies to conduct. Numerous other courts have affirmed the necessity of analyzing the climate consequences of an action under NEPA, in a wide variety of contexts. Additionally, courts have rejected agency findings of perfect or near-perfect fossil fuel substitution, i.e., that emissions from a fossil fuel project will be negligible because other sources will simply fill in to meet demand.</p> <p>All of these sources point to BLM’s duty under NEPA to perform a thorough and accurate accounting of Willows greenhouse gas emissions and their environmental effects. The DEIS does not fulfill BLM’s obligations, as explained below.</p>	<p>The Draft and Final EIS includes an analysis of direct and indirect (i.e., upstream and downstream) GHG emissions, and modeled results are provided in Section 3.2, <i>Climate and Climate Change</i>, and Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i>.</p>	N

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864	101	Psarianos	Bridget	Trustees for Alaska	Climate Change	<p>The DEIS Fails to Evaluate the Impacts of Willow in Light of the Urgent Need to Reduce Greenhouse Gas Emissions.</p> <p>Extensive research demonstrates the urgent need to reduce greenhouse gas emissions. For example, an October 2018 report from the Intergovernmental Panel on Climate Change (IPCC) quantified the devastating harms that would occur at 2C warming, highlighting the necessity of limiting warming to 1.5C to avoid catastrophic impacts to people and life on Earth. Consistent with that assessment, in November 2018, the U.S. Global Change Research Program released the Fourth National Climate Assessment, an authoritative assessment of the science of climate change that describes the economic costs of climate change. It concludes, among other things, that the impacts of climate change are intensifying across the country, and that climate related threats to Americans physical, social, and economic well-being are rising. These include more frequent and intense extreme weather and climate-related events, increasing temperatures, and rising sea levels, which are expected to disrupt the economy, resulting in annual losses in some economic sectors . . . [of] hundreds of billions of dollars by the end of the century more than the current gross domestic product (GDP) of many U.S. states.</p> <p>In its October 2018 report, the IPCC underscored the need for urgent emissions reductions on an unprecedented scale. To avoid exceeding 1.5C of warming, global net CO2 emissions reductions would need to decline by 45% relative to 2010 levels by 2030, and reach net zero by 2050. To keep warming below 2C, emissions would have to decline by 20% relative to 2010 levels by 2030, and reach net zero by 2075. According to the report, “[b]y the end of 2017, anthropogenic CO2 emissions since the preindustrial period are estimated to have reduced the total carbon budget for 1.5C by approximately 2200 + 320 GtCO2.” Further, [t]he associated remaining budget is being depleted by current emissions of 42 + 3 GTCO2 per year. Estimates of the remaining carbon budget to remain under 1.5C depend on the measure of temperature effects considered and the probability of success. For a 50% chance of successfully staying under 1.5C, estimates range from 580 to 770 GtCO2. For a 66% chance, estimates range from 420 to 570 GtCO2.</p> <p>The report explains that limiting global warming to 1.5C would require rapid and far-reaching transitions, including in energy, unprecedented in terms of scale. With high confidence, the report finds that, “[i]n 1.5C pathways with no or limited overshoot, renewables are projected to supply 70-85% (interquartile range) of electricity in 2050.” It also acknowledges that current Paris Agreement ambitions will fail to limit warming to 1.5C, even if additional aggressive emissions goals are pursued after 2030: Estimates of the global emissions outcome of current nationally stated mitigation ambitions as submitted under the Paris Agreement would lead to global greenhouse gas emissions in 2030 of 5258 GtCO2eq yr-1 (medium confidence). Pathways reflecting these ambitions would not limit global warming to 1.5C, even if supplemented by very challenging increases in the scale and ambition of emissions reductions after 2030 (high confidence). With high confidence, the report finds that, Pathways that limit global warming to 1.5C with no or limited overshoot show clear emission reductions by 2030. All but one show a decline in global greenhouse gas emissions to below 35 GtCO2eq yr-1 in 2030, and half of available pathways fall within the 2530 GtCO2eq yr-1 range (interquartile range), a 4050% reduction from 2010 levels. Alarminglly, the report also finds that “[p]athways reflecting current nationally stated mitigation ambition until 2030 are broadly consistent with cost-effective pathways that result in a global warming of about 3C by 2100, with warming continuing afterwards (medium confidence).”</p> <p>This necessary transition leaves no room in the global carbon budget for new fossil fuel extraction if we are to avoid the worst dangers from climate change. Instead, new fossil fuel production and infrastructure must be halted, and most existing production must be phased out. A 2019 global analysis found that carbon emissions from burning the oil, gas, and coal in the worlds currently operating fields and mines would exceed the carbon budget consistent with staying below 1.5C.</p> <p>The estimated U.S. carbon budget consistent with limiting temperature rise to 2C level of warming well above what the Paris Agreement requires ranges from 34 GtCO2 to 123 GtCO2. To stay well below 2C, the 2019 study recommends that no new fossil fuel extraction or transportation infrastructure should be built, and governments should grant no new permits for new fossil fuel extraction and infrastructure. Moreover, some fields and mines, primarily in rich countries, must be closed before fully exploiting their resources. Importantly, a 2015 scientific and economic study found that all Arctic [oil and gas] resources should be classified as unburnable, because development of [oil and gas] resources in the Arctic . . . [is] incommensurate with efforts to limit average global warming to 2 C. A U.S. Geological Survey report demonstrates that fossil fuels produced on federal lands account for a significant percentage of U.S. emissions, approximately 24 percent of national carbon dioxide, seven percent of methane, and two percent of nitrogen emissions from 2005-2014. The potential carbon emissions from already leased fossil fuel resources on U.S. federal lands would exhaust the remaining U.S. carbon budget consistent with the 1.5C target.</p>	<p>The BLM has prepared the EIS to inform decision making related to a proposed project to construct drill sites, processing facility, access roads, pipelines, and ancillary facilities to develop and transport petroleum from the Willow MDP Project production pads for shipment to market.</p> <p>Broader energy policy issues, such as the nation’s ongoing use of fossil fuels or other types of energy sources, are beyond the scope of the Project and are not included in the EIS. The comment also refers to an overall carbon budget which is no longer applicable given the decision by the United States to withdraw from the Paris Agreement in 2017.</p>	N

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864	103	Psarianos	Bridget	Trustees for Alaska	Climate Change	<p>The DEISs Net Greenhouse Gas Emissions Estimates are Inaccurate and Unsupported.</p> <p>The DEIS estimates that the proposed Willow development will result in a total of 261,419,000 metric tons of CO2e. This is an enormous contribution to emissions from a single project, equivalent to more than 4% of current annual emissions for the entire country. But BLM asserts that production from Willow will largely replace production of energy sources that would result in their own emissions. According to BLM, when this energy substitution is accounted for, the net greenhouse gas emissions from Willow will be substantially lower than its total direct and indirect emissions, only 36,262,000 metric tons of CO2e.</p> <p>The DEISs substitution modeling and its resulting net emissions estimates are critically flawed for two principal reasons. First, the DEIS fails to disclose key assumptions and data, and it excludes the key variable of foreign consumption without any appropriate adjustment. Second, BLM’s finding that Willow will result in only a negligible increase in energy consumption and emissions is unrealistic, is inconsistent with other energy market substitution modeling, and flouts clear precedent rejecting perfect or near perfect fossil fuel substitution.</p>	<p>Key assumptions and data for Project GHG emissions, indirect (GHG Lifecycle Model) emissions, and MarketSim model emissions were provided in Draft EIS Section 3.2.2 (<i>Environmental Consequences: Effects of the Project on Climate Change</i>), Appendix E.2A (<i>Climate and Climate Change Technical Appendix</i>), and Appendix E.2B (<i>Market Substitutions and Greenhouse Gas Downstream Emissions Estimates</i>), as well as Chapter 2.0 of Appendix E.3B (<i>Air Quality Technical Support Document</i>). Additional information is also provided in the Project GHG emission calculation spreadsheets that are available upon request from BLM. The MarketSim model used in the EIS is a highly sophisticated model that analyzes the energy market’s response to production anticipated to emerge from oil and gas developments. In the substitution analysis based on MarketSim, the assumption is made that other oil-producing countries will supply oil for U.S. import without additional restraints due to GHG-related policies in those countries. This may not be true if other countries establish policies to reduce their GHG emissions in the future. Typically, a single project has a negligible impact on overall global GHGs. It is reasonable to exclude foreign oil consumption in the context of market substitution because the oil produced by the Willow MDP Project would likely be consumed domestically; therefore, substitution sources for the Project would also be consumed domestically. In addition, oil consumption is different in each country, and information on which countries would consume less oil was not available. For gas consumption, we do not have information on how changes in the U.S. market would affect other countries. While there is uncertainty regarding consumption in different energy markets, in the short term, EIA tends to project continued demand.</p>	N
864	104	Psarianos	Bridget	Trustees for Alaska	Climate Change	<p>The DEIS Fails to Consider Foreign Consumption</p> <p>The DEIS and supporting documents do not disclose all assumptions and data that BLM relies on as necessary to evaluate the accuracy of its emissions modeling. BLM must provide a complete disclosure of this information to satisfy its obligation to make relevant information available to the public. One assumption that BLM does disclose reveals a crucial weakness in its methodology. Although it acknowledges that Willow would affect both domestic and foreign energy consumption, BLM fails to account for how the Willow production will affect foreign energy consumption. The choice to exclude foreign markets greatly skews the results of the analysis to make the GHG consequences of Willow look much less significant than they are.</p> <p>BLM asserts that it excluded foreign consumption because it lacks the ability to estimate differences in emissions caused by changes in foreign consumption. First, it is not true that BLM lacks that ability. The MarketSim model itself is capable of estimating foreign consumption. Second, BLM cannot simply zero out a variable that is a key factor in a reasonable estimation of substitution.</p> <p>MarketSim models oil as a global market with supply and demand specified separately for the U.S. and the rest of the world. BOEM in fact used the same MarketSim models global market capabilities when it calculated the GHG pollution from the 2017-2022 Five Year Plan for offshore oil and gas in 2016. When BOEM modeled the true global market effect, rather than a falsely-created U.S. market effect, it found that, for each barrel of U.S. oil left undeveloped, global oil consumption would go down by about half a barrel. In the context of the 2017-2022 Five Year Plan, BOEM estimated that this reduction in foreign oil consumption is highly significant, amounting to roughly 50 percent of BOEMs estimated oil OCS production in those scenarios.</p>	<p>It is reasonable to exclude foreign oil consumption in the context of market substitution because the oil produced by the Willow MDP Project would likely be consumed domestically; therefore, substitution sources for the Project would also be consumed domestically. In addition, oil consumption is different in each country, and information on which countries would consume less oil was not available. For gas consumption, we do not have information on how changes in the U.S. market would affect other countries. While there is uncertainty regarding consumption in different energy markets, in the short term, EIA tends to project continued demand.</p>	N
864	105	Psarianos	Bridget	Trustees for Alaska	Climate Change	<p>Oil market analysis conducted by the Stockholm Environment Institute (SEI), and consistent with BOEM MarketSim parameters, has previously confirmed that a reduction in global oil consumption could be around 50 percent of the decrease in rest-of-world supply a highly significant portion of the carbon accounting for the project. As summarized by experts at SEI:</p> <p>The oil market is also highly global, with oil readily traded among countries, and substantial infrastructure in place to do so. The U.S. both imports and exports oil, and world and domestic oil prices very closely track each other (U.S. EIA 2016).</p> <p>For this reason, we expect that changes in U.S. oil production would affect an integrated global oil market, an assumption also made by many other analysts that have looked at changes in U.S. oil supply.⁴¹⁴ Though in the past the oil market could be strongly influenced by cartel behavior among a small number of producers, many analysts now see the market as more likely to behave competitively (The Economist 2016; U.S. EIA 2016), meaning that increases or decreases in supply do translate into shifts in prices and, in turn, consumption. Zeroing out foreign consumption therefore results in a plainly inaccurate and misleading result. If BLM had properly accounted for foreign consumption, the reduction of greenhouse emissions in the no action alternative would have been in the range of fifteen times greater than the 3.26 % reduction that BLM’s flawed model produced.</p>	<p>It is reasonable to exclude foreign oil consumption in the context of market substitution because the oil produced by the Willow MDP Project would likely be consumed domestically; therefore, substitution sources for the Project would also be consumed domestically. In addition, oil consumption is different in each country, and information on which countries would consume less oil was not available. For gas consumption, we do not have information on how changes in the U.S. market would affect other countries. While there is uncertainty regarding consumption in different energy markets, in the short term, EIA tends to project continued demand.</p>	N

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864	106	Psarianos	Bridget	Trustees for Alaska	Climate Change	<p>BLM’s Finding of Near-Total Substitution is Unreasonable</p> <p>BLM’s finding that nearly 97% of the oil produced at Willow would replace other energy sources is not consistent with reality. Numerous analyses show that near-perfect substitution for oil and gas production simply does not occur in the real world and is not a reasonable assumption. Oil and gas production operates in a global market where changes in U.S. production translate into shifts in global prices, global consumption, and associated GHG pollution. All other things being equal, analyses show that increasing U.S. oil and gas production lowers oil prices and increases global consumption, while leaving U.S. oil and gas undeveloped increases oil prices and decreases global consumption. In short, every barrel of oil and unit of gas that is left undeveloped results in a reduction in global oil and gas consumption with associated decreases in GHG pollution, as detailed below.</p> <p>A comprehensive analysis of the GHG consequences of ending new oil leasing on U.S. federal lands and waters, and avoiding renewal of existing leases for resources that are not yet producing, found that ceasing new oil leasing would result in a large GHG and climate benefit. Like BLM’s analysis, this study accounted for the effects of substitution by other fuels for the oil that would be forgone by ending new leasing. The study estimated that for each unit (Qbtu) of federal oil production cut, other oil supplies would substitute for about half a unit (0.56 Qbtu) and net oil consumption would drop by nearly half a unit (0.44 Qbtu). Additionally, about half of that drop in consumption (0.22 Qbtu) would be replaced by a mix of oil substitutes (such as biofuels or electricity, which SEI estimates to have 85 percent the carbon intensity of oil). In short, every barrel of federal oil left undeveloped would result in nearly half a barrel reduction in net oil consumption, with associated reductions in GHG pollution. The analysis estimated that ending new federal oil leasing would reduce 2030 global CO2 emissions from oil consumption by 54 million metric tons of CO2, with an increase in CO2 emissions from other fuels of 23 million metric tons of CO2, for a net emissions benefit of 31 million metric tons CO2. The analysis recommended that policy-makers should give greater attention to measures that slow the expansion of fossil fuel supplies.</p>	<p>The MarketSim model used in the EIS is a highly sophisticated model that analyzes the energy market’s response to production anticipated to emerge from oil and gas developments. In the substitution analysis based on MarketSim, the assumption is made that other oil-producing countries will supply oil for U.S. import without additional restraints due to GHG-related policies in those countries. This may not be true if other countries establish policies to reduce their GHG emissions in the future. Typically, a single project has a negligible impact on overall global GHGs.</p>	N
864	107	Psarianos	Bridget	Trustees for Alaska	Climate Change	<p>An analysis of the effects of removing subsidies for U.S. oil and gas production similarly found that decreases in the U.S. oil and gas supply would result in substantial decreases in global oil and gas consumption. In the case of oil, the model estimated that a decrease of 600, barrels per day in U.S. oil supply, resulting from a drop in U.S. oil production due to subsidy removal, would lead to a decrease in global oil consumption of 300,000 to 500,000 barrels per day. In the model, the decreased U.S. oil supply is only partially replaced by other sources of U.S., OPEC, and other rest-of-world supply. In short, each U.S. barrel not developed would result in a net reduction in global oil consumption of 0.5 barrels to 0.8 barrels. Similarly, for natural gas, a 1.06 to 1.32 Tcf per year decrease in U.S. natural gas supply would lead to a net reduction in global gas consumption of 0.94 to 1.06 Tcf per year, which translates into a net reduction in global gas consumption of 0.7 to 1 unit for each unit of U.S. natural gas left undeveloped.</p> <p>An analysis by experts at Columbia University and the Rhodium Group on the effects of lifting U.S. crude oil export restrictions shows that U.S. oil production affects global crude oil prices, which is only possible if there is not perfect substitution. As illustrated in Figure 23 of the study, when U.S. crude oil exports are permitted, as they were by the lifting of the crude oil export ban in December 2015, all modeling groups agreed that the international oil market will respond to changes in U.S. production. Specifically, all modeling groups projected that global crude prices will decrease as U.S. production increases, resulting in an increase in global crude oil demand: a 1.2 million b/d increase in U.S. production due to removing current export restrictions could result in anywhere between a 0 and 1 million b/d increase in global crude demand. This study demonstrates that crude oil is sold and consumed in a global market, where increasing U.S. supply increases global consumption and results in more greenhouse gas pollution.</p>	<p>The MarketSim model used in the EIS is a highly sophisticated model that analyzes the energy market’s response to production anticipated to emerge from oil and gas developments. In the substitution analysis based on MarketSim, the assumption is made that other oil producing countries will supply oil for U.S. import without additional restraints due to GHG-related policies in those countries. This may not be true if other countries establish policies to reduce their GHG emissions in the future. Typically, a single project has a negligible impact on overall global GHGs.</p>	N
864	108	Psarianos	Bridget	Trustees for Alaska	Climate Change	<p>Several courts have also rejected agency findings of perfect or near-perfect fossil fuel substitution. For example, in WildEarth Guardians v. Bureau of Land Mgmt., the Tenth Circuit rejected BLM’s argument that it could ignore the climate effects of extracting coal in Wyoming’s Powder River Basin because if BLM had not issued the leases in question, demand would be met with coal from another source. BLM’s conclusion that replacement coal was available at a comparable price lacked support in the administrative record. Moreover, the court found BLM’s perfect substitution assumption irrational in part because it was contrary to basic supply and demand.</p>	<p>The MarketSim model used in the EIS is a highly sophisticated model that analyzes the energy market’s response to production anticipated to emerge from oil and gas developments. In the substitution analysis based on MarketSim, the assumption is made that other oil-producing countries will supply oil for U.S. import without additional restraints due to GHG-related policies in those countries. This may not be true if other countries establish policies to reduce their GHG emissions in the future. Typically, a single project has a negligible impact on overall global GHGs.</p>	N

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864	109	Psarianos	Bridget	Trustees for Alaska	Climate Change	<p>BLM Must Provide a Meaningful Analysis of the Significance of the Greenhouse Gas Emissions from Willow NEPA requires that agencies discuss not only a proposed actions environmental effects, but also their significance. BLM incorrectly asserts that it is not currently possible to determine the impact of a single project on global climate change. While it may not be possible to directly associate particular actions with specific effects, as the DEIS acknowledges, all projects producing greenhouse gas emissions will contribute to the cumulative impact of climate change. And contrary to BLM’s assertion well established methods exist to evaluate the significance of a projects greenhouse gas emissions. Indeed BLM acknowledged, and improperly rejected, one such method—the social cost of carbon.</p> <p>Although a cost-benefit analysis is not necessarily the ideal or exclusive method for assessing contributions to an adverse effect as enormous and potentially catastrophic as climate change, a tool to determine the costs of carbon pollution has been developed by the Interagency Working Group on Social Cost of Greenhouse Gases. The Interagency Working Group has produced estimates for the social cost of carbon in order to allow agencies to incorporate the social benefits of reducing carbon dioxide (CO2) emissions into cost-benefit analyses of regulatory actions. The working group presented values for social costs from 2010 to 2050, assuming discount rates of 5 percent, 3 percent, 2.5 percent and the 95th percentile of the 3 percent discount rate. These values range from \$10 to \$212 (in 2007 dollars per metric ton of carbon dioxide), and can help in analyzing the costs imposed by the net greenhouse gas emissions that might eventually result from development, especially where BLM monetizes the purported economic benefits of the project.</p> <p>However, studies have demonstrated that the numeric value assigned to the social cost of carbon vastly underestimates the true cost. The social cost of carbon is therefore a minimum value. Developed by a federal interagency working group, the social cost of carbon is an estimate of the monetized damages from an incremental increase in carbon emissions in a given year, which includes but is not limited to climate-related changes in net agricultural productivity, human health, property damages from increased flood risk, and the value of ecosystem services.</p> <p>An accurate estimate of net carbon emissions resulting from the proposed action is a prerequisite for applying a social cost of carbon analysis. A complete and accurate assessment of the costs of Willows impacts on the climate is even more essential to a reasoned decision because BLM takes into account the potential economic benefits of the project. For example, it states that total royalties from Willow would amount to approximately \$4.95 billion; state taxes would be approximately \$1.8 billion, and local property tax revenue would be about \$1.9 billion. It is arbitrary for the agency to quantify certain economic benefits of Willow (and allude to others) without accurately disclosing the social cost of its likely carbon emissions.</p>	<p>Federal agencies are not required to consider the social cost of carbon in decision making, since 2017 when EO 13783 (Promoting Energy Independence and Economic Growth) was issued. NEPA does not require a cost-benefit analysis (40 CFR 1502.23) and a cost-benefit analysis has not been conducted in the Draft EIS. Inclusion of a global social cost of carbon without monetized estimates of other effects, including the social benefits of energy production, would be unbalanced and of limited use to the decision-maker. Given the uncertainties associated with assigning a specific, accurate value to the social cost of carbon resulting from the Willow MDP Project, the BLM has elected not to use this tool in its analysis. Section 2.4, <i>Social Cost of Carbon</i>, of Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i>, provides a detailed discussion of why the social cost of carbon or similar monetization metrics are not required here.</p>	N
864	110	Psarianos	Bridget	Trustees for Alaska	Climate Change	<p>BLM Must Consider the Effects of the Project in the Context of a Warming Arctic</p> <p>BLM must consider the ongoing and increasing effects from climate change in the project area, including by incorporating the changing climate into the baseline against which the alternatives will be evaluated and evaluating how existing and increasing climate change impacts will act cumulatively and synergistically with effects from developing .</p>	<p>Text was added to Section 3.1.1, <i>Past and Present Actions</i>, to clarify that climate change is a part of the existing condition of the affected environment for all resources analyzed in Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>).</p> <p>Text was also added to Section 3.2.3, <i>Effects of Climate Change on the Project</i>, regarding design considerations for climate change.</p> <p>Text was added throughout Section 3.19, <i>Cumulative Effects</i>, regarding effects of the Project in combination with future climate change.</p>	Y
864	112	Psarianos	Bridget	Trustees for Alaska	Climate Change	<p>BLM Must Consider the Impacts of Climate Change on Terrestrial, Aquatic and Marine Habitats and Wildlife.</p> <p>The changes to temperature, sea ice, permafrost and ocean chemistry described above are already having, and are projected to continue to have, myriad profound effects on the biological environment. These climate effects include: Warming temperatures . . . Sea Ice Loss and Ocean Changes . . . Changes in Precipitation Timing and Amount . . . NEPA also requires BLM to evaluate how climate change will affect proposed activities in the Willow project. Warming temperatures are causing shorter ice road seasons, which are presenting challenges to current operations that will continue to worsen. Permafrost degradation may impair the integrity of oil and gas infrastructure and any gravel roadways used for access. Climate change is leading to increased storm intensity, which may make accessing remote sites by aircraft challenging in the event of an emergency. BLM must carefully consider how a changing climate will affect development in each alternative analyzed in the EIS. BLM states that climate change could affect the project by, among other things, permafrost thawing causing damage to infrastructure, shorter ice road seasons, and more extreme precipitation events increasing runoff.</p>	<p>EIS Section 3.2.3 (<i>Effects of Climate Change on the Project</i>) and EIS Appendix E.2A (<i>Climate and Climate Change Technical Appendix</i>), Section 3.2 (<i>Effects of Climate Change on the Project</i>), address the impact of climate change on the Project, including the impact of a shorter ice road season, permafrost thawing, and increased precipitation.</p>	N

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864	113	Psarianos	Bridget	Trustees for Alaska	Climate Change	<p>BLM must quantify and consider the effects of black carbon from Willow</p> <p>BLM fails to quantify or consider the impacts of black carbon emissions from Willow. Willows potential to affect the Arctic climate and melting sea ice is not limited to greenhouse gas emissions; BLM must also address black carbon in its NEPA analysis.</p> <p>According to EPA, black carbon is now recognized as an important climate-forcing agent with particular impact on the arctic region. Black carbon, or more colloquially, soot, is comprised of small dark particles that remain after incomplete combustion of fossil fuel or biomass. “Black carbon darkens the surface of snow and ice, directly absorbing light [and] reducing the reflectivity (albedo) of snow and ice, both of which are widely understood to lead to climate warming.” EPA has found that this increased absorption of solar radiation is a significant contributor to local warming, and importantly, to the hastening of snow and ice melt, and that [s]ensitive regions such as the Arctic . . . are particularly vulnerable to the warming and melting effects of [black carbon].” Indeed, [s]tudies have shown that [black carbon] has especially strong impacts in the Arctic, contributing to earlier spring melting and sea ice decline. The acceleration of melting due to black carbon deposition is believed to contribute significantly to the rapid melting of Arctic and Himalayan glaciers. [Black carbon]s short atmospheric lifetime (days to weeks) and heterogeneous distribution . . . result in regionally concentrated climate impacts, meaning the location of emissions releases is a critical determinant of [black carbon]s impacts, which is not the case for long-lived and more homogeneously distributed greenhouse gas like carbon dioxide. As a result, according to EPA, [t]here is general scientific consensus that mitigation of [black carbon] will lead to positive regional impacts and that [t]he Arctic . . . may benefit more than other regions from reducing emissions of [black carbon], with mitigation of sources near to or within the Arctic having particularly significant impacts per unit of emissions.</p>	<p>Draft EIS Section 3.2.1, <i>Affected Environment</i>, includes information on black carbon and its potential effects on climate based on available, peer-reviewed literature. Although black carbon emissions from the Willow MDP Project are not explicitly quantified, black carbon is implicitly included as part of the Project PM_{2.5} emissions inventory used in air quality impact analysis (EIS Section 3.3, <i>Air Quality</i>). The effect of black carbon on Arctic climate is complex and still an active area of research. There are still many uncertainties to resolve in order to better understand the complex mechanisms and feedbacks between black carbon and its effect on Arctic climate. Therefore, it is not possible to quantitatively assess the effect of a project’s black carbon emissions on global climate change at this time.</p>	N
864	114	Psarianos	Bridget	Trustees for Alaska	Climate Change	<p>Several types of fuel sources, including fossil and biomass, emit black carbon, but in differing ratios. Diesel engines are a particularly important source, with up to 80% of its sub-2.5 micrometer particulate matter (PM_{2.5}) composed of black carbon PM_{2.5} (and smaller), in addition to being a climate-forcing material through altered albedo, is also associated with human health impacts, particularly cardiovascular and respiratory ailments. The flaring of natural gas is another important source of black carbon, particularly in the Arctic, where it contributes 42% of the annual mean black carbon concentration, and 52% of the concentration in March, when it could have significant effects on early spring ice dynamics. Given these impacts, the eight-nation Arctic Council in April 2015 adopted a framework agreement to hasten reduction of black carbon and methane emissions, in which those nations (including the U.S.) committed to taking enhanced, ambitious, national and collective action to accelerate the decline in our overall black carbon emissions. The Framework established an Expert Group on Black Carbon and Methane, which met in 2017 and recommended that black carbon emissions be further collectively reduced by at least 25-33 percent below 2013 levels by 2025.</p> <p>BLM recognizes some of these concerns in the DEIS, but it fails to estimate the projects emissions of black carbon, discuss specific impacts, or identify potential mitigation measures when discussing air quality impacts and climate change.</p>	<p>Draft EIS Section 3.2.1, <i>Affected Environment</i>, includes information on black carbon and its potential effects on climate based on available, peer-reviewed literature. Although black carbon emissions from the Willow MDP Project are not explicitly quantified, black carbon is implicitly included as part of the Project PM_{2.5} emissions inventory used in air quality impact analysis (EIS Section 3.3, <i>Air Quality</i>). The effect of black carbon on Arctic climate is complex and still an active area of research. There are still many uncertainties to resolve in order to better understand the complex mechanisms and feedbacks between black carbon and its effect on Arctic climate. Therefore, it is not possible to quantitatively assess the effect of a project’s black carbon emissions on global climate change at this time.</p>	N
864	258	Psarianos	Bridget	Trustees for Alaska	Climate Change	<p>BLM fails to address the risk climate change can, and likely will, have on the project in any real manner (e.g. see BMPs listed below). Climate change can impact not only the design of this project (e.g. designing the infrastructure to account for increased peak discharges) but could increase the projected impacts analyzed for this project. BLM must consider climate change in all aspects of this project and has not done so adequately.</p>	<p>Text was moved from Draft EIS Appendix E.2A (<i>Climate and Climate Change Technical Appendix</i>), Section 3.2, <i>Effects of Climate Change on the Project</i>, to Final EIS Section 3.2.3, <i>Effects of Climate Change on the Project</i>. Additional text was also added to Section 3.2.3 regarding design considerations for Project elements.</p>	Y
864	285	Psarianos	Bridget	Trustees for Alaska	Climate Change	<p>Because the life of this project is projected to be 30 or more years, the climate change factors increase the risk of recovery and rebound of ecosystems, as well as reclamation success if and when the project is abandoned and/or decommissioned. The design criteria outlined in the previous bullet may address some of the short-term climate change issues, but cannot fully address the potential long-term impacts of climate change to this project and does not address the potential significant impacts to the ecosystem especially in terms of wetlands, stream flows and permafrost thawing.</p>	<p>If localized climate change impacts begin to occur, such as thaw penetration and subsidence at the gravel surface, CPAI would perform maintenance as needed to increase the insulative value of the infrastructure, through additional gravel or other techniques, in the problem area(s). CPAI would adaptively manage all infrastructure in response to potentially changing climatic conditions. Specific areas where subsidence or other climate change effects may occur are unknown due to site complexity and uncertainties inherent in any model or projection. This text was added to Final EIS Section 3.2.3, <i>Effects of Climate Change on the Project</i>.</p> <p>When reclamation occurs in the future, CPAI would coordinate a reclamation plan with BLM that would accommodate for the current and expected future conditions at that time.</p>	Y

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4	1	Schwarz	Anthony	—	Climate Change	<p>This EIS . . . completely fails to address how climate will affect the project design and operating assumptions over the life of the project. To omit evaluating these predictable impacts as part of the project design abrogates the EIS purpose and process.</p> <p>Due to unexpectedly rapid global warming impacts numerous modifications have been required for existing facilities after the EIS process. These unplanned circumstances have limited the ability to consider environmental consequences. There is ample data available to support the assumption that detrimental environmental trends will continue into the future and specifically during the life cycle of the Willow Project. I have reviewed key sections of the DRAFT Willow Master Development Plan Environmental Impact Statement. Project development impacts due to future global warming are woefully missing from this report . . . To not consider these facts in evaluating the Willow and other future projects deprives decision makers of key information affecting the projects entire life cycle impacts.</p> <p>Section 3.0 of the draft report is titled, Affected Environment and Environmental Consequences, barely addresses the future impacts on the project. Specifically, Section 3.2.3, Effects of Climate Change on the Project gives the only vague reference in the entire report as follows: Key changes to anticipate as a result of a changing arctic climate are permafrost thawing, shorter ice road seasons, and changes to precipitation. Permafrost thawing and uneven settlement could cause damage to infrastructure such as gravel pads, roads, and pipelines. A shorter ice road season would affect the transport of materials and personnel that depend on ice roads; consequently, the impacts due to climate would be more substantial for Alternatives C and D due to their reliance on annual ice roads to connect the Project area to existing development during winter. Then in section 3.19.3 Past, Present and Reasonably Foreseeable Future Action the report only addresses the future of project impacts, not impacts on the project during the projects life cycle.</p>	<p>Text was moved from Draft EIS Appendix E.2A (<i>Climate and Climate Change Technical Appendix</i>), Section 3.2, <i>Effects of Climate Change on the Project</i>, to Final EIS Section 3.2.3, <i>Effects of Climate Change on the Project</i>. Additional text was also added to Section 3.2.3 regarding design considerations for Project elements. BLM evaluated ice road season duration (which has natural variability) over the last 20 years to consider the potential effects of climate change on ice road construction. Because the duration of the Alpine Ice Road season has not changed substantially over the last 20 years (CPAI 2020) despite climate change occurring, the design uses the existing ice road season. The Alpine Ice Road has remained open for an average of 92 days for the last 21 years and 99 days for the last 10 years; there is no apparent trend in increasing or decreasing duration. Thus, there is no basis to assume in the EIS that there would be a shortened ice road season, and our conclusions in the EIS on the effects of transport of materials and personnel are reasonable. Text regarding this was added to Final EIS Section 3.2.3.</p>	Y
4	2	Schwarz	Anthony	—	Climate Change	<p>Over the period from 1976 to recent times the Arctic has witnessed the following easily observed impacts:</p> <p>1. Ocean Based Ice Road Availability: Ice roads historically established on the Arctic Ocean along the coast are no longer reliable. During the development of Point Thomson, these roads broke apart in mid-winter due to nearby open water and resulting surging action. After winter of 2010-11, ocean ice roads were no longer used, and land-based ice roads became the only winter connection to Point Thomson. Land based ice roads use added freshwater resources, additional construction equipment and associated emissions. Stream crossings and tundra can be permanently affected in some cases.</p> <p>2. Land Based Ice Road Availability: Shorter or potentially no ice road availability will increase the need for air transport or additional permanent roads. Ice roads are used for construction of pipelines and other infrastructure as well as supply of critical heavy lift items that cannot be transported any other way. Historically ice roads were permitted starting in November or December, today road construction cannot be started until January or later and must be abandoned earlier in the spring of each year. Various public agencies have detailed historic records of permafrost temperatures which are used to determine annual ice road windows. This data is significant as it represents a trend that should be extrapolated into the future and be a part of this report.</p>	<p>Sea ice roads would only be used for Options 1 and 2 during construction (three winter seasons), during which time conditions are not expected to change to the point of not being able to build 1.8 to 7.2 miles of ice road as proposed.</p> <p>BLM evaluated ice road season duration (which has natural variability) over the last 20 years to consider the potential effects of climate change on ice road construction. Because the duration of the Alpine Ice Road season has not changed substantially over the last 20 years (CPAI 2020) despite climate change occurring, the design uses the existing ice road season. The Alpine Ice Road has remained open for an average of 92 days for the last 21 years and 99 days for the last 10 years; there is no apparent trend in increasing or decreasing duration. Thus, there is no basis to assume in the EIS that there would be a shortened ice road season, and our conclusions in the EIS on the effects of transport of materials and personnel are reasonable. Text regarding this was added to Final EIS Section 3.2.3, <i>Effects of Climate Change on the Project</i>.</p>	Y
4	3	Schwarz	Anthony	—	Climate Change	<p>Increased Road and Pad Thickness</p> <p>This report needs to address how increased tundra thawing will affect design and operation of the Willow Project. Referring again to the Point Thomson Project, there was considerable research and discussion regarding gravel road and pad thickness. Since the 1970s typical road and pad infrastructure called for gravel thickness to be a minimum of 5 feet above the native tundra. Recently the depth of the active zone (permafrost near the tundra surface which thaws each summer) has increased. This has led Arctic Civil Engineering experts, such as Bez Hazen, to recommend increasing the thickness of roads and pads to 6 feet or greater to help minimize damage to the tundra. This particular study was done about ten years ago and the tundra thawing issue continues to worsen.</p>	<p>Project gravel and pads would be a minimum of 5 feet thick to help insulate the underlying tundra, though they would average more than 7 feet thick due to the local topography. These design thicknesses include CPAI’s observations from its historical operations in Kuparuk and at Alpine, while addressing the need to minimize the overall Project gravel footprint and its associated impacts. See Final EIS Appendix D.1 (<i>Alternatives Development</i>), Sections 4.3.6, 4.4.6, and 4.5.6 (all titled <i>Gravel and Other Fill Requirements</i>) for average pad thicknesses.</p>	N

No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
4	4	Schwarz	Anthony	—	Climate Change	Reduction of Near Shore Sea Ice Barge docking and unloading activities will require more complex and environmentally impacting designs to deal with significantly increased surge and wave action. The lack of sea ice allows the near shore wind fetch to increase and thus enlarge the size of waves and tidal surge affecting the coastline. Many existing island and near shore projects like North Star Island and Endicott, among others, have had to make significant modifications to their infrastructure starting as long ago as 2010. This includes relocating facilities exposed to wave action along with added sea walls and gravel berms to defend the facilities from waves as large as 10 feet. Previous designs anticipated waves of 1-2 feet.	The MTI design water levels and wave conditions are based on the 100-year event, as presented in Resio and Coastal Frontiers Corporation (2019). This hindcast assessment of extreme water level and wave conditions indicates that storm surge and wave conditions have not changed appreciably in the recent past. Twenty westerly and twenty easterly storms that occurred from 1954 through 2014 were selected for inclusion in that study based on their potential to generate large waves. Only five of the westerlies and eight of the easterlies occurred after 2000, and only one westerly and three easterlies after 2010. Furthermore, the highest water level ever recorded at the Prudhoe Bay tide gage, which was established in 1990, occurred in August 2000 (based on the station information available at: https://tidesandcurrents.noaa.gov/stationhome.html?id=9497645). The MTI design considered the effects of declining ice cover in the Beaufort Sea. Because the predominant directions for storm winds are coast-parallel (easterly and westerly), the retreat of the pack ice to the north does not materially increase the fetch length. The fetch width (perpendicular to the wind direction) is indeed increasing, but the impact of fetch width on surge and wave generation is relatively minor compared to that of fetch length. As a result, the severity of nearshore surge and wave has not changed substantially. Coastal erosion rates are increasing due to higher air temperatures (thermal erosion of ice-bonded coastal bluffs) and longer open-water seasons (more wave energy), but these factors would not impact an armored structure such as Oliktok Dock or the MTI. As a point of additional clarification, fetch length does not impact tidal surge, which is astronomically driven rather than wind-driven. The response above assumes that storm surge was the term intended by the commenter. The slope protection systems on the Endicott Main Production Island, Endicott Satellite Drilling Island, and Endeavor Island, as well as the Northstar Production Island, have required periodic maintenance since their construction in 1985–1986 and 2000, respectively. However, no significant modifications have been made since 2010, including no additions of sea walls or gravel berms. Sacrificial gravel has been added to the North Leg of the West Dock Causeway on an annual basis, but this activity represents planned maintenance of unarmored sacrificial beaches rather than a significant modification. Maximum wave heights exceeding 10 feet were anticipated in the design of both Endicott and Northstar, based on hindcast analyses similar to that performed for the Willow MDP Project. The statement “previous designs anticipated waves of 1-2 feet” is inaccurate. As indicated above, maximum wave heights in excess of 10 feet were anticipated in the design of the Endicott and Northstar slope protection systems. This information was added to Final EIS Section 3.2.3, <i>Effects of Climate Change on the Project</i> .	Y

4.2.6 Cumulative Effects

Table B.2.9. Substantive Comments Received on Cumulative Effects

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
11	6	Baraff	Lisa	—	Cumulative Effects	And due to limited time — and I’m already rambling — there was one omission I also wanted to note in the reasonably foreseeable and future actions, and I looked at the map in the appendix for mapping out all the RFFAs. Harrison Bay had nothing in it. And there could well be something, and that’s the SALSA project, which is the Special Alaska Lease Sale Areas, or SALSA, and it includes a number of areas up for sale or for lease in Harrison Bay. Nothing sold last year, but those areas are up for sale again this fall. So, I think that that needs to be considered.	SALSA would not open any new areas to leasing or change management of those areas; thus, it is considered speculative. It is therefore not included as an RFFA.	N
986	6	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Cumulative Effects	Nuiqsut is at the center of oil and gas development in Alaska. Nearby development projects include Alpine, Kuparuk, Greater Mooses Tooth, as well as nearshore developments in the Beaufort (Ooguruk, Oliktok and Spy Island) and other foreseeable projects, including Nanushuk, Liberty, PUTU, Stoney Hill and now Willow. The cumulative effects from these development projects have taken a toll on the community. These effects include near constant construction, noise, increased vehicle and air traffic, air emissions and inversion, impediments to tundra travel, road dust, decreased visibility, impacts to water resources and thermokarsting. Residents have noted the following impacts: the disruption of wildlife, loss of traditionally used subsistence areas, degradation of air quality, increased vehicle and air traffic, increased travel time and expense associated with longer hunts, disruption and transformation of local lifestyle and impacts to water quality. CPAI and BLM must be cognizant of these issues and implement all practicable measures to minimize the impacts of continued exploration and development to our residents, wildlife and land.	Text acknowledging the recent trend in increased exploration and development near Nuiqsut were added to Section 3.19.3, <i>Reasonably Foreseeable Future Actions</i> . Avoidance, minimization, and mitigation for each resource are described in the Final EIS, typically in the sections numbered and titled Section 3.X.2.1, <i>Avoidance, Minimization, and Mitigation</i> .	Y
989	2	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Cumulative Effects	However, we are concerned that this project may impact our residents and their subsistence lifestyle. CPAI and BLM must give special attention to the increasing cumulative impacts around Nuiqsut, including the deflection of wildlife by air traffic, air emissions and road dust.	Additional details were added to Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> , to address cumulative effects to wildlife.	Y
989	35	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Cumulative Effects	Page 113, Section 3.13.2.3.2 - Disturbance or Displacement “Exposure of marine mammals to aircraft presence would occur throughout the life of the Project, but each occurrence would be temporary and of short duration and would result in brief behavioral responses.” Many “brief” responses may have a cumulative effect.	Most of the air traffic for the Project would occur near Willow; because the Willow airstrip would be 20 miles inland, it is expected to minimize effects to marine mammals. More text was added to clarify this in Section 3.13.2.3.2, <i>Disturbance or Displacement</i> .	Y

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989	38	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Cumulative Effects	Page 159-168, Section 3.19 - Cumulative Effects -This section could be improved. Cumulative effects analyses are typically ad hoc, unrepeatable and completely non-quantitative. . . . The cumulative effects analysis in the Willow DEIS is an example of the inadequacies typical of EISs. - . . . [T]he discussion in Section 3.19.4 about cumulative impacts with contributions from climate change is limited to two short paragraphs that entirely focused on greenhouse gases. This section should discuss the many other concerns, issues and impacts associated with climate change. - . . . The Willow project proposes to extend development farther to the west into areas that have never had pipelines or roads. There should be a substantial discussion and evaluation, which leads to improved mitigation, on cumulative impacts on caribou, waterfowl, and fish resources, especially those important for subsistence to Nuiqsut and other North Slope villages. -An adequate and repeatable analysis of cumulative impacts on all resources is needed. The methodology provided in Section 3.19.2.2 does not provide meaningful information that could allow someone else to take the same information about “past, present, and reasonably foreseeable future actions” and the biological resources and reach the same conclusions. . . . Decision makers and the public need to have additional information to adequately assess the cumulative impacts on North Slope resources that include possible impacts from the proposed Willow project.	Quantitative analysis was provided where feasible; otherwise, qualitative analysis was used. The cumulative effects of climate change on other resources are described throughout Section 3.19, <i>Cumulative Effects</i> , such as in Section 3.19.6, <i>Cumulative Impacts to Soils, Permafrost, and Gravel Resources</i> ; Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> ; and Section 3.19.13, <i>Cumulative Impacts to Environmental Justice</i> . Section 3.2.1, <i>Affected Environment</i> , of the Final EIS addresses ongoing impacts of climate change on the environment, including in the Project area. Section 3.2.2, <i>Environmental Consequences: Effects of the Project on Climate Change</i> , and Section 3.19.4, <i>Cumulative Impacts to Climate Change</i> , analyze impacts that the Project and cumulative actions may have on climate. The cumulative effects of roads and pipelines on caribou are described in Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> .	N
991	10	Bruno	Jeff	Alaska State, Department of Natural Resources	Cumulative Effects	Chapter 3, Page 161 The list of reasonably foreseeable future actions on this page includes both the Alaska LNG Project and the ASAP Pipeline Project. Only one of these projects, if any, will be constructed. Please make this clear in the table, otherwise it would appear that impacts would be twice what is being proposed.	Which of the two projects would be built, or even if only one would be built, is speculative at this time. Both are included in the NEPA analysis.	N
991	31	Bruno	Jeff	Alaska State, Department of Natural Resources	Cumulative Effects	Chapter 3.19, Page 159 Might be helpful to note that cumulative impacts are generally negative but can also be positive. (i.e. compensatory mitigation, NPR-A Mitigation Impact funds, scientific studies and research collected from the project) Chapter 3.19, Page 161, Table 3.19.1—Reasonably foreseeable future actions Concerning that NPR-A Impact Mitigation Grant Program projects are not included in this section. Past projects have been built within the project area, grants have been awarded and are presently being worked on within the project area, and up to \$2.5 billion of additional projects would happen if the project were to be built. These projects are required to mitigate impacts from oil and gas development and should be included in the cumulative analysis and should discuss how this program will help reduce impacts from O&G development. Should be considered as a potential positive cumulative impact, past, present, and future.	The NPR-A Impact Grant Program was added to the list of RFFAs in Table 3.19.1 (Section 3.19, <i>Cumulative Effects</i>), and effects of the program were added to Section 3.19.11, <i>Cumulative Impacts to the Social Environment (Land Use, Economics, and Public Health)</i> .	Y
991	32	Bruno	Jeff	Alaska State, Department of Natural Resources	Cumulative Effects	Chapter 3.19, Page 161 Please change the language in ASTAR description. ASTAR is much more than roads and less than 5% of the projects identified are roads. ASTAR is any infrastructure needs. Additionally, the communities are in the process of identifying what they consider to be their priority projects and we should hold off at this time summarizing projects related to ASTAR. Planning level effort to identify North Slope community needs at a local and regional level (BLM 2008); includes potential roads (seasonal ice, snow, or all-season gravel) that may connect communities to the Dalton Highway. Please consider removing from list altogether.	Additional information on ASTAR was added to Table 3.19.1.	Y
991	33	Bruno	Jeff	Alaska State, Department of Natural Resources	Cumulative Effects	Page 161, Section 3.19.1 For ASTAR in the column Distance to BT3 (miles) please mark it NA as it is a planning effort and has no physical location.	Distance of ASTAR to BT3 is stated as unknown.	N
1302	36	Dunn	Connor	ConocoPhillips	Cumulative Effects	In the section addressing cumulative effects, the DEIS states: “Cumulative GHG emissions include Willow direct and indirect emissions, existing GHG emissions sources on the North Slope (presented in Table 3.19.2), and GHG emissions from the Greater Willow potential drill sites 1 and 2 (figure 3.19.2). Together, the cumulative annual average GHG emissions are approximately 0.1% of the 2017 U.S. GHG inventory for all action alternatives.” DEIS 3.19.4, page 162. We recommend that BLM more clearly describe, in an appendix or a footnote, how the 0.1% figure is calculated.	Information has been added to Section 3.19.4, <i>Cumulative Impacts to Climate Change</i> , to explain the calculation of the 0.1% fraction.	Y
1302	113	Dunn	Connor	ConocoPhillips	Cumulative Effects	This section presents an inventory of GHG emissions on the North Slope and compares these emissions to the total U.S. GHG inventory, implying that the cumulative impact of the Project and other North Slope GHG sources is very small. However, Section 3.2.2 Environmental Consequences: Effects of the Project on Climate Change indicates that “It is not currently possible to determine the impact of a single project on global climate change; the USEPA has not set specific thresholds for GHG emissions. Current scientific knowledge cannot associate particular actions with specific climate effects, and a single project cannot significantly impact global GHG emissions; however, all projects may contribute cumulatively to the significant impact of global climate change.” This discussion is particularly relevant to the GHG summary presented in Section 3.19.4 and Table 3.19.2. and we recommend that Section 3.19.4 be updated to reflect these same ideas for context in understanding the information presented.	Section 3.19.4, <i>Cumulative Impacts to Climate Change</i> , has been updated with this additional information.	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1302	117	Dunn	Connor	ConocoPhillips	Cumulative Effects	This section does not adequately address the beneficial economic impacts of cumulative actions such as of oil and gas developments, including substantial revenues to Nuiqsut, the NSB, and the State.	Section 3.19.11, <i>Cumulative Impacts to the Social Environment (Land Use, Economics, and Public Health)</i> , describes improved health care; jobs for construction, operations, and supporting services; and some new wages that would accrue in both the local and regional economy. Additional text was added regarding the NPR-A Impact Grant Program and its role to help support essential public services and facilities, as well as to offset direct, indirect, and cumulative effects of oil and gas development in the NPR-A.	Y
1302	120	Dunn	Connor	ConocoPhillips	Cumulative Effects	The text refers to Willow direct and indirect emissions and existing North Slope GHG emission sources, referring to Table 3.19.2, but that table only lists direct emissions from other North Slope sources. This discussion should be clarified.	The text, “presented in Table 3.19.2,” only refers to the other existing North Slope sources. Text was clarified.	Y
9	5	Miller	Pamela	—	Cumulative Effects	I’m assuming that the numbers are per year for the 1.8 billion gallons of fresh water that will be needed for ice roads in Alternative B, or 2 million in C. The ground traffic of 3 million trips in Alternative B are 2.3 in Alternative C. Fixed-wing aircraft access, 35,000 flights; helicopter, 2,400 flights. Is that annual? What time period? Is that for the life of the field? Is it considering the cumulative impacts that will happen next once this oilfield project is built?	Freshwater use is presented as total gallons needed for the life of the Project. Traffic is presented as total trips for the life of the Project. More than 25 additional traffic details were added to Appendix D.1, <i>Alternatives Development</i> , to clarify ground, air, and vessel traffic. Quantitative descriptions of the gallons of water use and traffic trips for other projects (past, present, or reasonably foreseeable future actions) are not available to quantitatively describe cumulative values of the Project combined with other actions.	Y
9	11	Miller	Pamela	—	Cumulative Effects	The cumulative impacts analysis that was done for this project had a line around an area that was much smaller than the sprawl of current oilfield activities, aircraft flights, and activities that affect the fish, the wildlife, the birds, and the people on the North Slope and well beyond. Teshekpuk Lake Special Area will be affected by this project. It’s not depicted very well on the maps that are here tonight, but Teshekpuk Lake is critically important for molting brant and geese.	The TLSA boundary was added to numerous figures in the Final EIS, such as those related to Section 3.12, <i>Terrestrial Mammals</i> , and Section 3.14, <i>Land Ownership and Use</i> .	Y
1294	46	Nukapigak	Joe	Kuukpik Corporation	Cumulative Effects	Volume I, pages 160-68, Section 3.19, Cumulative Effects Table 3.19.1 Reasonably Foreseeable Future Actions That May Interact with the Project. Page 161 incorrectly lists Eni as developing Nuna 2. CPAI now proposes to develop Nuna 1 and 2. The Colville River Access Road is being constructed by NVN and the NSB, not the City of Nuiqsut.	Edits made as suggested.	Y
1307	8	Pardue	Margaret	Native Village of Nuiqsut	Cumulative Effects	Exploration and development activities within the region continue to compromise Nuiqsut’s irreplaceable subsistence use areas. Several hundred thousand more acres have been leased on adjacent state lands. With active exploratory drilling and production to the east, west, and north, our community is effectively surrounded by oil and gas development. BLM has taken no action to meaningfully protect subsistence resources and our remaining subsistence use areas from the impacts of oil development. . . . In scoping comments, we encouraged BLM to conduct robust analysis of how Willow and the cumulative effects of development in the region could further affect subsistence resources and practices. The DEIS’s review is not sufficient.	Section 3.19.12, <i>Cumulative Impacts to Subsistence and Sociocultural Systems</i> , has been updated to provide additional discussion of the cumulative impacts of continued exploration and development within traditional subsistence use areas.	Y
1307	12	Pardue	Margaret	Native Village of Nuiqsut	Cumulative Effects	BLM must also consider the effects of exploration and development on Native allotments. Native allotments were largely selected based on their proximity to abundant subsistence resources, and as discussed, noise and other industrial activities are effecting subsistence resources and practices in the region. These impacts are affecting the availability of resources that have traditionally been harvested at or near certain Native allotments. These impacts are harming individuals’ use of these areas and compromising the value of individually selected lands.	Section 3.19.12, <i>Cumulative Impacts to Subsistence and Sociocultural Systems</i> , has been updated to address potential cumulative effects on Native allotments.	Y
1307	19	Pardue	Margaret	Native Village of Nuiqsut	Cumulative Effects	NVN considers projects and land-management from a landscape-scale perspective, which means that cumulative impacts are a primary concern. The DEIS fails to adequately consider the cumulative effects of the Willow MDP and the many other past, present, and reasonably foreseeable future actions around Nuiqsut. . . . BLM must use a landscape-level analysis to conduct a comprehensive and meaningful cumulative effects analysis of oil and gas related activities, including exploration activities. This analysis should include CD-5, GMT-1, GMT-2, the Nanushuk Project, exploration drilling and associated activities in the NPR-A, the exploration activities and potential development of Smith Bay, the other Alpine developments in the Colville River Delta, oil and gas exploration and development in the Arctic National Wildlife Refuge, the Liberty project in Foggy Island Bay, and all other developments on state lands.	All the actions listed in the comment are included in the cumulative effects analysis, except the following: Smith Bay and Liberty. Smith Bay does not have funding or a partner for further actions and thus is speculative. Liberty is outside the area that would overlap with effects from the Willow MDP Project.	N
1307	20	Pardue	Margaret	Native Village of Nuiqsut	Cumulative Effects	Moreover, a meaningful analysis of cumulative impacts is not possible until BLM has finalized any revisions to the IAP. BLM acknowledges that it plans to revise the IAP, but the DEIS fails to provide any information about the potential changes that could result, including the potential for opening currently closed areas to development. BLM must consider the changes to the IAP in its analysis of cumulative effects and therefore should wait to take further action to permit the Willow project until any revisions to the IAP are approved.	The BLM is required to respond through a ROD on the Willow MDP Project regardless of potential revisions to the IAP. The Project is subject to LSs from prior IAPs, which do not change when a new IAP is issued. Applicable BMPs/ROPs considered in the revised IAP are included as <i>Applicable Lease Stipulations and Best Management Practices</i> sections in the Willow MDP Final EIS (typically, Section 3.X.2.1.1). The NPR-A IAP revisions are included in the cumulative effects analysis. Now that more details are available about the alternatives assessed in the NPR-A IAP revisions, those details were added to the analysis in Final EIS Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> .	Y
864	25	Psarianos	Bridget	Trustees for Alaska	Cumulative Effects	Additionally, because BLM has indicated its intent to shrink Special Areas and allow for more oil and gas development in the Reserve, BLM must analyze that scenario as part of its cumulative impacts analysis . . . BLM is evaluating the impacts of the proposed Willow project based on the premise that areas avoided in the IAP will continue to be avoided and that existing stipulations and best management practices will continue to be applied and enforced to future development projects. These assumptions are faulty if the agency changes those protections and mitigation measures. To only analyze the proposed Willow project under the existing land management plan while simultaneously undertaking a process to change that plan to make it less protective means that if permitting and the new plan is adopted, the cumulative impacts in the Reserve could be greater than anticipated. BLM must analyze those impacts now, particularly to determine if it needs to impose additional protective measures on the Willow project.	The NPR-A IAP revisions are included in the cumulative effects analysis. Now that more details are available about the alternatives assessed in the NPR-A IAP revisions, those details were added to the analysis in Final EIS Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> .	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	54	Psarianos	Bridget	Trustees for Alaska	Cumulative Effects	The BLM’s cumulative impacts analysis fails to contain the “quantified or detailed information” required. . . . The DEIS includes only a cursory and general discussion of cumulative impacts resulting from Willow and other past, present, and reasonably foreseeable future actions. Additionally, while the DEIS lists a number of reasonably foreseeable future actions that could interact with the project, the list is incomplete, most notably by excluding any past and present actions, and it includes only single sentence descriptions of the actions. BLM must identify and fully consider the potential indirect and cumulative effects of Willow, including considering all past, present, and reasonably foreseeable future actions that may flow from Willow development as well as unconnected actions that act cumulatively with the impacts of Willow.	Past and present actions are described in Section 3.1.1, <i>Past and Present Actions</i> , so that they can be used to establish existing conditions of the affected environment for all resources analyzed in Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>). Table 3.19.1 was updated to include additional RFFAs.	Y
864	55	Psarianos	Bridget	Trustees for Alaska	Cumulative Effects	BLM must also consider a number of foreseeable developments and decisions, including in areas currently closed to development, that could further exacerbate the impacts to the region in conjunction with Willow. Reasonably foreseeable ongoing and future actions that have not been adequately considered in the DEIS include, but are not limited to: -Development and production at ConocoPhillips’ other Reserve projects, including Colville Delta 5 (CD-5), GMT-1, and GMT-2; -Winter exploration drilling and associated activities in the Willow area and adjacent parts of the Reserve; -Exploration, development, and production of recent oil and gas discoveries near the Reserve, including Caelus’s Smith Bay and Oil Search’s Pikka-Horseshoe; -State nearshore oil and gas lease sales, including Special Alaskan Lease Sale Areas, which are blocks of contiguous leases offered together with large amounts of related data and seismic information; -Oil and gas exploration, development, and production in the Arctic National Wildlife Refuge; -Potential reversal of protections in the IAP for Special Areas in the Reserve, including the Teshekpuk Lake Special Area, leading to oil and gas leasing, exploration, development, and production in sensitive areas immediately adjacent to the current Willow proposal; -Further development in the Reserve that may flow from the development of Willow, its potential central processing facility, and associated roads; -The Arctic Strategic Transportation and Resources (ASTAR) project where the State of Alaska is proposing to construct a series of gravel roads or rights-of-ways spanning portions of the North Slope Borough; -Oil and gas activities in Outer Continental Shelf areas of the Beaufort Sea, as well as the potential for additional leasing and oil and gas activities and infrastructure in those areas and additional support infrastructure and activities within or adjacent to the Reserve; -The Alaska Natural Gas Pipeline and other commercial natural gas pipelines and related activities; and -Increased vessel traffic in the Beaufort, Bering, and Chukchi seas.	CPAI’s existing developments are described in Section 3.1.1, <i>Past and Present Actions</i> . Future actions at those sites are described in Table 3.19.1. Text describing the approach and analysis of exploration actions was added to Section 3.19.3, <i>Reasonably Foreseeable Future Actions</i> . SALSA would not open any new areas to leasing or change management of those areas; thus, it is considered speculative. It is therefore not included as an RFFA. Increased vessel traffic in the Beaufort, Bering, and Chukchi seas is not an RFFA in and of itself. However, most of the actions listed in Table 3.19.1 would incrementally add vessel traffic to the Beaufort, Bering, and Chukchi seas. These are included in the cumulative effects analysis, and more detail was added to Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> , about this. The rest of the actions described in the comment are already included in the cumulative effects analysis.	Y
864	56	Psarianos	Bridget	Trustees for Alaska	Cumulative Effects	The DEIS’s failure to discuss BLM’s plan to revise the Integrated Activity Plan (IAP) is especially problematic. BLM acknowledges that it is revising the IAP. Yet the DEIS fails to provide any information about the potential changes that could result, including the potential for opening additional areas to development. The primary target of any such effort could be the Teshekpuk Lake Special Area. . . . The 2013 IAP safeguards much of the Teshekpuk Lake Special Area from leasing and non-subsistence permanent infrastructure because of its high conservation and subsistence values. . . . Any efforts to expand industrial activity into these areas would have far-reaching direct, indirect, and cumulative impacts across the region. The DEIS completely fails consider the potentially enormous impacts that a decision to open additional areas to development could have on the entire region.	The BLM is required to respond through a ROD on the Willow MDP Project regardless of potential revisions to the IAP. The Project is subject to LSs from prior IAPs, which do not change when a new IAP is issued. Applicable BMPs/ROPs considered in the revised IAP are included as <i>Applicable Lease Stipulations and Best Management Practices</i> sections in the Willow MDP Final EIS (typically, Section 3.X.2.1.1).	Y
864	57	Psarianos	Bridget	Trustees for Alaska	Cumulative Effects	The DEIS also fails to disclose and analyze the cumulative impacts of roaded development in the Reserve. As we explained in scoping comments, an analysis of the true impacts of roaded development in the NPR-A is essential and long-overdue. The Reserve is the largest tract of roadless land in the United States. When the federal government decided to allow oil development there, it determined that any development must be without roads, in order to protect the rich biological resources in the Reserve. According to former Interior Secretary Bruce Babbitt, “[t]he problem with roads is that roads beget more roads beget more roads. A road becomes a network, becomes a spider-web of landscape fragmentation and destruction, with little use for wildlife.” When BLM abandoned this plan for protecting the roadless character of the Reserve, it did so without taking full account of the impact of roads. BLM cannot avoid the full impacts of a roaded development scenario for Willow by ignoring the foreseeable impacts of development beyond Willow that will almost certainly follow the newly built road.	Section 3.19 (<i>Cumulative Effects</i>) of the Draft EIS and Final EIS analyze the cumulative effects of potential roads connecting NPR-A to the Dalton Highway, as well as roads connecting communities within NPR-A, as part of the RFFA ASTAR project.	N
864	58	Psarianos	Bridget	Trustees for Alaska	Cumulative Effects	BLM’s analysis in the DEIS continues the historical pattern of underestimating the cumulative effect of oil development in the reserve This failure to accurately represent impacts is unacceptable and deprives the public of the information necessary to understand the true impacts of the project. In assessing the indirect and cumulative effects, BLM must maintain a broad scope to avoid underestimating the effects of oil and gas projects across the North Slope. According to the National Research Council, “[t]he effects of industrial activities are not limited to the footprint of a structure or to its immediate vicinity; a variety of influences can extend some distance from the actual footprint.” Thus, “[t]he common practice of describing the effects of particular projects in terms of the area directly disturbed by roads, pads, pipelines, and other facilities ignores the spreading character of oil development on the North Slope and the consequences of this to wildland values. All of these effects result in the erosion of wildland and other values over an area far exceeding the area directly affected.”	The BLM prepared the Draft EIS and SDEIS according to 40 CFR 1502 and the BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement.	N

4.2.7 EIS Process and Timeline

Table B.2.10. Substantive Comments Received on EIS Process and Timeline

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1303	4	Christopherson	Jen	Defenders of Wildlife	EIS Process and Timeline	I urge BLM to slow this analysis process down to make sure that the agency is getting sufficient public input; properly analyzing issues raised by a cross-section of stakeholders; and especially sufficiently analyzing impacts to imperiled polar bears, ice seals, whales and other wildlife.	The public comment period for the Willow MDP Draft EIS was scheduled to minimize overlap with review periods for other Arctic projects. In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiagvik [Barrow]). The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Responses</i> . The BLM has analyzed potential impacts to polar bears, seals, whales, and other wildlife, including preparation of a Biological Assessment for threatened or endangered species. Detailed information about special status species can be found in Appendix E.13 (<i>Marine Mammals Technical Appendix</i>). BLM is also conducting Section 7 consultation with USFWS and the NMFS under the ESA.	N
31	2	Culliney	Susan	Audubon Alaska	EIS Process and Timeline	We are also concerned about the intersection of Willow and the IAP revision. The environmental review for the Willow project should not happen concurrently or just prior to the rewriting of the IAP. The Willow project will have far-reaching impacts on the Teshekpuk wetlands complex which is within the Teshekpuk Lake Special Area, an area of immense value to birds and wildlife, one of the most important bird habitats in the entire international Arctic. A new IAP poses the potential that — the potential that more acreage of the Teshekpuk area will be available for leasing. It is impossible to consider one impact to this critically important bird and wildlife area while the other is still pending and uncertain. Reviewing these two projects simultaneously will be confusing to the picture and will weaken the agency’s analysis on both topics.	The BLM is required to respond through a ROD on the Willow MDP Project regardless of potential revisions to the IAP. The Project is subject to LSs from prior IAPs, which do not change when a new IAP is issued. Applicable BMPs/ROPs considered in the revised IAP are included as <i>Applicable Lease Stipulations and Best Management Practices</i> sections in the Willow MDP Final EIS (typically, Section 3.X.2.1.1).	N
84	2	Long	Becky	—	EIS Process and Timeline	The Process BLM’s process to follow NEPA is out of order and is wrong legally. You should NOT have this DEIS process before BLM completes the Integrated Activity Plan (IAP)/DEIS. The scoping was in December 2018. To my knowledge there has been no DEIS. I have heard that the DEIS for IAP will probably come out right after the end of the comment period for the Willow Project. You should have completed the IAP EIS process which would change the 2013 IAP. This whole process is being rushed by the accelerated timeline. NEPA is being eroded. The public process is being curtailed. NEPA review is intended to discover significant individual or cumulative impacts created by the proposed development. The project sponsor must answer the concerns and make changes to mitigate the changes. This produces better projects and lessens impacts including costs to the public on down the line. The Call for Nominations and Comments 2019 NPR-A Oil and Gas Lease Sale, 84 Fed. Reg. 28854 is itself questionable legally. This step in the process is illegal and not conforming to the NEPA process. How can leasing move forward when the revision of the Integrated Activity Plan is just in the scoping phase. The IAP revision could change the mitigation measures for future leases.	The BLM is required to respond through a ROD on the Willow MDP Project regardless of potential revisions to the IAP. The Project is subject to LSs from prior IAPs, which do not change when a new IAP is issued. Applicable BMPs/ROPs considered in the revised IAP are included as <i>Applicable Lease Stipulations and Best Management Practices</i> sections in the Willow MDP Final EIS (typically, Section 3.X.2.1.1).	N
84	3	Long	Becky	—	EIS Process and Timeline	There are currently 3 lawsuits because BLM has been shoddy in following the NEPA process. In fact, I question if BLM is able to responsibly follow the NEPA process due to agency commitments to be the lead in so many industrial developments: Ambler Road EIS, Arctic National Wildlife Refuge Coastal Plain Leasing, Nominations for NPR-A, IAP/EIS process that erodes the habitat of the special management areas, the Willow Project, LNG Gas Line and the list goes on and on. Does BLM have the resources to do it right. Also, the question goes beyond whether BLM can do it right. All the different, simultaneous federal process have exhausted the public and the communities especially when commenters feel like they are being ignored. These massive projects have a huge impact on communities. We are being disenfranchised by these multiple processes which are occurring at rapid speed to benefit interested applicants. We are restricted.	The public comment period for the Willow MDP Draft EIS was scheduled to minimize overlap with review periods for other Arctic projects. In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiagvik [Barrow]). The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Response</i> .	N
1297	1	Mazzola	Lisa	—	EIS Process and Timeline	BLM piled on project proposal documents and comment periods all at once—including those for Willow, the Ambler road, and the AKLNG gas line—making it impossible for people to weigh in on multiple proposals that interrelate, accumulate impacts, and will dramatically affect the entire Arctic region. BLM has made it hard for those most affected to participate in the public process.	The public comment period for the Willow MDP Draft EIS was scheduled to minimize overlap with review periods for other Arctic projects. In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiagvik [Barrow]). The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Response</i> .	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
9	10	Miller	Pamela	—	EIS Process and Timeline	For the general person we cannot afford to print out the document to compare maps to see and process the information. At the very minimum that should be required for every community; I don’t see a plain-language summary that would be helpful to the general person in a community, small or large. There’s not a map available here that puts this project in context with all that is happening on the North Slope of Alaska in our changing Arctic climate. It does not show BLM’s current EIS on the road to Ambler, nor the upcoming imminent final EIS on the Arctic Refuge Coastal Plain EIS, which will also impact resources used by the village of Nuiqsut and other people on the North Slope. There is currently a public comment period open on the FERC LNG Alaska Natural Gas Pipeline. That’s a massive document. There are also other public comment periods related to lease sales on state lands and upcoming activities. Showing those maps on a map to put it in perspective would be helpful.	Hard copies of the Draft EIS were provided to the community of Nuiqsut, and to this commenter (after the meeting). The Draft EIS cumulative effects analysis (Section 3.19, <i>Cumulative Effects</i>) describes other past, present, and reasonably foreseeable future actions that may contribute to overall effects on certain North Slope resources. Figure 3.19.2 depicts the RFFAs considered in the Draft EIS.	N
58	2	Olemaun	Chastity	—	EIS Process and Timeline	I just wanted to know who in the BLM decided to make all the community meetings right when whaling season starts. A very poor decision.	In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiaġvik [Barrow]). The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Response</i> .	N
1307	1	Pardue	Margaret	Native Village of Nuiqsut	EIS Process and Timeline	BLM should not permit the Willow MDP at this time. NVN asks that BLM not permit the Willow MDP at this time. Development is happening too fast, and the full effects of the Alpine Satellite Field, including the Greater Mooses Tooth One (GMT-1) and Greater Mooses Tooth Two (GMT-2) projects, as well as numerous other nearby oil development projects, are still unfolding and have not been fully felt or understood by the community. The impacts of those projects are not yet known.	An oil and gas lease grants certain exploration and development rights, subject to reasonable regulation. Placement of a moratorium on such activities is not reasonable regulation and thus is in contradiction to the lease rights.	N
1307	2	Pardue	Margaret	Native Village of Nuiqsut	EIS Process and Timeline	NVN also opposes permitting the Willow MDP at this time because there is significant uncertainty about the future management of the NPR-A and about ConocoPhillips’ ultimate plan for developing Willow. BLM is planning to revise its Integrated Activity Plan (IAP) for the NPR-A, which could significantly change BLM’s management of the region. And ConocoPhillips has signaled that it is uncertain about its plan for developing Willow; it is planning to conduct additional exploration and is pushing back the Willow MOP start date by at least 1-2 years.* ConocoPhillips also has not yet requested a Section 404 permit from the Army Corps of Engineers for this project. *E. Brehmer, ConocoPhillips announces busy plans for winter drilling, Alaska Journal of Commerce (Sept. 18, 2019), https://www.alaskajournal.com/2019-09-18/conocophillips-announces-busy-plans-winter-drilling .	The BLM is required to respond through a ROD on the Willow MDP Project regardless of potential revisions to the IAP. The Project is subject to LSs from prior IAPs, which do not change when a new IAP is issued. Applicable BMPs/ROPs considered in the revised IAP are included as <i>Applicable Lease Stipulations and Best Management Practices</i> sections in the Willow MDP Final EIS (typically, Section 3.X.2.1.1). CPAI has submitted its Section 404 permit to USACE. A Public Notice was issued by USACE on March 26, 2020, with a comment period through May 11, 2020.	N
1307	3	Pardue	Margaret	Native Village of Nuiqsut	EIS Process and Timeline	BLM’s position that it must permit Willow now is unsupported and is inconsistent with its obligation under the NPRPA, NEPA, and ANILCA to fully consider the impacts of the project and to ensure that any development will not unnecessarily harm our community or resources in the NPR-A. Permitting the Willow MDP with such significant uncertainty about (a) the effects of already ongoing development; (b) the nature of potential future development; and (c) ConocoPhillips’ final plan for the Willow MDP itself is not acceptable. We ask that any permitting for the Willow MDP be delayed for at least five years.	An oil and gas lease grants certain exploration and development rights, subject to reasonable regulation. Placement of a moratorium on such activities is not reasonable regulation and thus is in contradiction to the lease rights. The BLM prepared the Draft EIS according to 40 CFR 1502 and the BLM’s NEPA Handbook (H-1790-1); the EIS includes a full and fair discussion of significant environmental impacts that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement.	N
3	3	Pavic	Karolina	—	EIS Process and Timeline	You collect data that was — you analyzed and modeled data that was collected by the company that is developing this project. I can’t even believe I said that. I mean, that’s unheard of.	It is common for federal agencies to reference data and studies conducted by the project proponent when developing an EIS. NEPA does not require federal agencies to conduct new studies and data collection; rather, NEPA requires the use of best-available data. The current NPR-A BMPs require project proponents to collect baseline data for certain resources and to provide that data to BLM. BLM’s subject-matter experts conducted a thorough and independent review of all existing data and studies and referenced them, as appropriate, for the various EIS analyses.	N
864	2	Psarianos	Bridget	Trustees for Alaska	EIS Process and Timeline	BLM failed to consider the significant negative environmental impacts of this project, and has not included a sufficient range of alternatives or mitigation measures. Our review of the draft EIS has identified numerous relevant resource issues that were either not addressed at all or were inadequately addressed. As the lead agency, BLM must ensure this process complies with the National Environmental Policy Act (NEPA), the Federal Land Policy and Management Act, the Endangered Species Act, and the legal and permitting requirements of its cooperating agencies. BLM’s efforts to date fall far short of what is required. BLM’s analysis is so lacking that BLM must revise the draft EIS and reissue it for public review and comment before it can proceed.	The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. During alternatives development for the Willow MDP Project, the BLM considered issues identified during scoping, such as impacts to caribou and subsistence. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1, <i>Alternatives Development</i> , including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All action alternatives meet the Project’s purpose and need. The BLM prepared the Draft EIS according to 40 CFR 1502 and the BLM’s NEPA Handbook (H-1790-1); the EIS includes a full and fair discussion of significant environmental impacts, as well as potential mitigation measures, that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	7	Psarianos	Bridget	Trustees for Alaska	EIS Process and Timeline	Additionally, the timing of this draft EIS is troubling. According to a recent article in the Alaska Journal of Commerce, ConocoPhillips is not confident about the geology and reservoir characteristics of the Willow development and therefore is pushing back the project’s startup date by 1-2 years. BLM should not move forward with issuing a Master Development Plan, nor a final EIS, without the project being well enough defined to advance further. Doing so means that the project that BLM is considering now may not end up being the project that ConocoPhillips ultimately wants to develop. This leads to public confusion and a waste of agency resource, as it will likely require a supplemental NEPA process.	The Project as proposed by the proponent must be analyzed as required by regulation, along with alternatives. BLM cannot speculate about the intentions of the Project proponent with regard to current fluctuations in the price of oil and other economic considerations that may influence when they chose to apply for authorization. If CPAI chooses to change a BLM-approved Project design, the BLM would evaluate the change and determine whether the change would result in effects outside of the scope of what is analyzed in the EIS. Any Project changes that would result in effects outside of the scope of what was analyzed in the EIS would need additional NEPA analysis.	N
864	10	Psarianos	Bridget	Trustees for Alaska	EIS Process and Timeline	Additionally, BLM’s notice of intent (NOI) for the Willow project contains an alarming predecisional statement: “Analyzing the entire proposed Willow development in a single [Master Development Plan]/EIS will allow the BLM to make determinations of NEPA adequacy when” individual applications for permits to drill are submitted. BLM expects this “to result in a quicker and more efficient process for the approval of applications for permits to drill.” As Groups pointed out during scoping, BLM cannot predetermine that future applications associated with Willow will be sufficiently analyzed in this Willow Plan EIS, and that no new circumstances or information will arise in the interim, such that a determination of NEPA adequacy (DNA) would be appropriate. As written, this draft EIS is not at all adequate to support that type of process, particularly since it does nothing to address core elements like the Corps’ obligations under the CWA. Although this DNA reference does not appear in the draft EIS, BLM has not affirmatively indicated that the agency has changed its approach regarding the application of DNAs to future Willow approvals nor indicated what NEPA mechanism could be used for future approvals or why such future approvals are necessary. BLM must be transparent about this process and clearly describe the agency’s future intent.	The BLM did not make any decisions in the NOI. The statement this comment refers to ought to have been written to read, “would allow the BLM to . . .”; the use of the verb “will” is a mere typo. After approval of the Willow MDP Project, CPAI could submit an APD. An APD is required for each proposed well to develop a proponent’s onshore lease. Prior to authorizing an APD, the BLM reviews the information in the APD package to ensure that it is accurate and addresses all requirements; during this time, the BLM also ensures that there is appropriate NEPA documentation. APDs submitted for proposed wells and associated infrastructure as part of the Willow MDP Project are analyzed in the Willow MDP EIS. Each APD would be checked against the existing NEPA documentation, using a DNA. If the BLM cannot document in a DNA that the existing NEPA documentation fully covers activities and the effects of those activities in an APD package, the BLM would require that additional analysis (either in an EA or an EIS) be completed to comply with the NEPA.	N
864	11	Psarianos	Bridget	Trustees for Alaska	EIS Process and Timeline	BLM must be clear whether its ROD for the Willow Project will allow ConocoPhillips to move forward in applying for future permits without additional NEPA and where BLM will retain discretion to prohibit development of future Willow-related infrastructure. To the extent that BLM does not retain such discretion, the agency may not defer to future NEPA analyses to determine the impacts of this project. Because it is so unclear what BLM will be permitting in its ROD, it’s very difficult for the public to determine if BLM is complying with legal mandates in its analysis. This should be clarified in a revised draft EIS.	This is described in Section 1.3.1, <i>Decision to be Made</i> .	N
864	12	Psarianos	Bridget	Trustees for Alaska	EIS Process and Timeline	BLM and ConocoPhillips must also be clear regarding its timeframes for these future actions and approvals. As described above, it is concerning that ConocoPhillips does not intend to begin development on Willow until 2025–2026, raising serious questions as to why the company is pushing this project through on such an accelerated timeline now. DOI and ConocoPhillips should not be hastily permitting this process in order for the company to obtain permits under the current Administration; such an attempt to dodge basic legal and policy requirements of environmental permitting is inappropriate. As discussed later in these comments, this process is also insufficient to support the Corps’ legal obligations under NEPA and the CWA since the Corps has yet to even receive a permit application. BLM and the Corps should not be segmenting out the review of this project into pieces that could illegally skew any analysis under the 404 Guidelines. This also implicates related concerns regarding the application of NEPA streamlining provisions to the Willow Plan EIS. As described below, the arbitrary time and page limits established by DOI for NEPA review are not appropriate for the Willow Plan EIS. If BLM adopts a streamlined NEPA analysis for this project, it is even more unlikely that DNAs will be sufficient in the future, because the initial analysis may have been truncated. The purpose of NEPA is to “ensure that important effects will not be overlooked or underestimated only to be discovered after resources have been committed or the die otherwise cast. It would be contrary to the purposes of NEPA for the agency to truncate its analysis of this significant project, particularly given the agency’s apparent predetermined decision to forego future NEPA analyses related to the specific components of this project.	The Final EIS includes an updated schedule for construction. A Section 404 permit application is not required to undertake the NEPA process; however, it should be noted that USACE issued its Section 404 Public Notice on March 26, 2020, and solicited comments through May 11, 2020. The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Response</i> .	N
864	14	Psarianos	Bridget	Trustees for Alaska	EIS Process and Timeline	BLM cannot simply tier to the affected environment section considered in the IAP without considering whether the information there is adequate to evaluate the impacts of the Willow Plan, particularly in light of the significant developments that have occurred since and BLM’s acknowledgment that impacts are greater than expected in the IAP. As pointed out during scoping, new studies are needed in light of changes to resources resulting from climate change and other new information related to the scale of potential developments and impacts in the region.	Baseline studies are continually updated throughout Northeast NPR-A, and the most recent studies were referenced for the Final EIS. Section 3.2.1 (<i>Affected Environment</i>) of the Final EIS addresses ongoing impacts of climate change on the environment, including in the Project area. Section 3.2.2 (<i>Environmental Consequences: Effects of the Project on Climate Change</i>) and Section 3.19.4 (<i>Cumulative Impacts to Climate Change</i>) analyze impacts that the Project and cumulative actions may have on climate.	N
864	16	Psarianos	Bridget	Trustees for Alaska	EIS Process and Timeline	BLM should not proceed with authorizing ConocoPhillips’ Willow Plan, and there is no basis in the law for the agency’s assertion that it cannot delay project permitting. BLM should not conflate political pressure from ConocoPhillips and the Trump Administration with its own legal mandates.	An oil and gas lease grants certain exploration and development rights, subject to reasonable regulation. Placement of a moratorium on such activities is not reasonable regulation and thus is in contradiction to the lease rights.	N
864	17	Psarianos	Bridget	Trustees for Alaska	EIS Process and Timeline	Groups pointed out in scoping comments that the time and page limits envisioned by DOI Secretarial Order 3355 and associated guidance memoranda are particularly inappropriate a project of this massive scale. Groups also pointed out that BLM did not have sufficient information on this project to fully consider the potential impacts, the timeline would not allow for sufficient time for consultation with affected tribal entities or input from remote communities in the region that will be directly affected, and that the agency would not have adequate time to do new studies or even fully consider existing data.	The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Response</i> . Baseline studies are continually updated throughout Northeast NPR-A. The EIS analysis did not identify major data gaps, or a need for additional studies.	N

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864	18	Psarianos	Bridget	Trustees for Alaska	EIS Process and Timeline	BLM’s timeframes for review of the draft EIS are insufficient to allow for meaningful public involvement. Ensuring that the public has sufficient time to receive and review all of the documents and understand their relationship to what is being proposed is essential to the public’s ability to analyze and provide meaningful comments to the agency on the project. BLM has stated that it intends to issue a Final EIS in early 2020 and is rushing toward that goal at the expense of the public and a thorough analysis.	In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiagvik [Barrow]). The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Responses</i> .	N
864	21	Psarianos	Bridget	Trustees for Alaska	EIS Process and Timeline	<i>Four EIS documents were or are being released by the same federal agency during a time period which is critical to meet the subsistence needs of the communities in Arctic Alaska.</i> Finally, the comment period for the Alaska Liquefied Natural Gas pipeline, which involves extensive North Slope infrastructure, is scheduled to close on October 3, 2019. This schedule has resulted in a multitude of highly impactful and significant public comment or review periods for development projects in Arctic Alaska going on at the same, overlapping, or similar timeframes. <i>The manner in which DOI is operating appears to be specifically targeted at suppressing the public’s ability to review and engage in the evaluation of these substantial projects, contrary to NEPA.</i> A core purpose of NEPA is to ensure public participation and involvement in agency decisions. There are countless requirements in applicable regulations designed to ensure agencies fulfil this core purpose by involving the public. Agencies are required to “[m]ake diligent efforts to involve the public in preparing and implementing their NEPA procedures,” “[p]rovide availability of environmental documents so as to inform those persons and agencies who may be interested or affected,” “solicit appropriate information from the public,” and “[e]xplain in its procedures where interested persons can get information or status reports on environmental impact statements and other elements of the NEPA process. Under these requirements, BLM “must insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken. The information must be of high quality. Accurate scientific analysis, expert agency comments, and public scrutiny are essential to implementing NEPA.”	The public comment period for the Willow MDP Draft EIS was scheduled to minimize overlap with review periods for other Arctic projects. In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiagvik [Barrow]). The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Responses</i> .	N
864	23	Psarianos	Bridget	Trustees for Alaska	EIS Process and Timeline	BLM’s adherence to the page limits in the Secretarial Order has led to the many documents simply being incorporated as appendices, resulting in a disjointed analysis that is hard for the public to follow. It has also resulted in less transparency in the analysis, more mistakes, and missing key data and analysis, as explained in detail below. BLM has also referred to or incorporated by reference numerous documents into its current analysis as a way of further truncating its analysis in the draft EIS. However, BLM often does so without any clear indication of how the analysis in the previous document applies in the context of the current proposal before the agency. This is improper and deprives the public of the ability to fully understand and comment on BLM’s analysis and the potential impacts of the Willow project. Additionally, because BLM has not considered the full scope of impacts in the draft EIS, such as cumulative impacts from future development, meaningful mitigation measures, and meaningful analysis of differing impacts among alternatives, the public cannot review or comment on these issues.	The BLM prepared the Draft EIS according to 40 CFR 1502 and the BLM’s NEPA Handbook (H-1790-1); the EIS includes a full and fair discussion of significant environmental impacts that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment.	N
864	51	Psarianos	Bridget	Trustees for Alaska	EIS Process and Timeline	BLM Improperly Dismisses the No Action Alternative. NEPA and Council on Environmental Quality (CEQ) regulations mandate that the agency consider a no-action alternative in all environmental reviews. The no-action alternative provides a baseline against which the effects of the action alternatives may be measured. Groups advised BLM during scoping that BLM should closely analyze and consider a no-action alternative in the draft EIS, and not merely pay it lip service. The BLM points out that the No Action Alternative would not meet the Project’s purpose and need. However, this statement appears to overlook the fact that BLM’s purpose and need is to determine whether to authorize ConocoPhillips’ application for permits to drill and associated rights-of-way consistent with its NPRPA mandate to authorize oil and gas leasing consistent with the protection of surface resources, and BLM’s FLPMA mandate to avoid unnecessary and undue degradation to the public lands. According to BLM’s NEPA Handbook: “The applicant’s purpose and need may provide useful background information, but this description must not be confused with the BLM purpose and need for action. The BLM action triggers the NEPA analysis. <i>It is the BLM purpose and need for action that will dictate the range of alternatives and provide a basis for the rationale for eventual selection of an alternative in a decision.</i> ” Thus, BLM should not conflate its purpose and need to be ConocoPhillips’ purpose and need. BLM must consider the option of selecting the No Action alternative should the agency find that it best protects surface resources and prevents unnecessary and undue degradation of lands within the Reserve. The draft EIS expressly states that the No Action alt is provided only to provide a baseline for the comparison of impacts of the action alternatives, and that BLM will not or cannot select it in its Record of Decision. BLM further asserts that on previously leased lands, the U.S. Court of Appeals has determined BLM has made an irrevocable commitment to allow some surface disturbances to support drilling and operations, for which BLM cites its own supplemental EIS for the GMT-2 project. BLM should clarify what U.S. Court of Appeals case the agency is citing, instead of citing its own NEPA document.	Under the NPRPA, the BLM is required to conduct oil and gas leasing and development in the NPR-A (42 USC 6506a). An oil and gas lease grants certain exploration and development rights, subject to reasonable regulation; BLM may not preclude CPAI from developing its leases. The No Action Alternative would not meet the Project’s purpose and need but is included for detailed analysis to provide a baseline for the comparison of impacts of the action alternatives as required by 40 CFR 1502.14(d). The Willow MDP Project was designed in accordance with requirements in the NPR-A IAP, which is consistent with both the NPRPA and FLPMA. The NPRPA, as amended, requires oil and gas leasing in the NPR-A and the protection of surface values to the extent consistent with exploration and development of oil and gas. NPR-A IAPs meet that mandate by designating numerous Special Areas within the NPR-A and closing certain sensitive areas to leasing while allowing for oil and gas leasing elsewhere. As described in Section 1.3, <i>Purpose and Need</i> , FLPMA would apply to any authorization BLM issues for the Project. Pursuant to Section 302(b) and Title V of FLPMA, proposed actions may not cause unnecessary or undue degradation.	N

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864	52	Psarianos	Bridget	Trustees for Alaska	EIS Process and Timeline	Finally, BLM’s refusal to consider the viability of the No Action alternative is inappropriate because BLM is analyzing this project at the site-specific level and considering authorizing this project as proposed. This is not a programmatic decision subject to future NEPA. It is at this stage, when the agency makes a critical decision to act, that the agency is obligated fully to evaluate the impacts of the proposed action. It is a dangerous public policy for BLM to assert that it must approve any and all drilling and right-of-way applications received in the NPR-A, especially given that the agency does not conduct NEPA at the lease sale stage. An agency is required to fully evaluate site-specific impacts once it reaches the point of making “a critical decision . . . to act on site development.” An agency reaches the threshold triggering site-specific review when it proposes to make an irreversible and irretrievable commitment of resources. BLM cannot do this without considering the changes to the environmental baseline, and meaningfully consider the potential benefits of the No Action alternative. The draft EIS must be supplemented and re-released for public comment after BLM has included meaningful consideration of the No Action alternative.	Under the NPRPA, the BLM is required to conduct oil and gas leasing and development in the NPR-A (42 USC 6506a). An oil and gas lease grants certain exploration and development rights, subject to reasonable regulation; BLM may not preclude CPAI from developing its leases. The No Action Alternative would not meet the Project’s purpose and need but is included for detailed analysis to provide a baseline for the comparison of impacts of the action alternatives as required by 40 CFR 1502.14(d).	N
1299	1	Strailey	Kaarle	—	EIS Process and Timeline	Firstly, I point out that it is inappropriate for the Bureau of Land Management to pile this project proposal, its documents, and comment periods all at the same time as those for the Ambler road and the AKLNG gas line—making it difficult to impossible for non-corporate entities to weigh in on these multiple proposals that interrelate, and accumulate and compound impacts, with the potential to dramatically affect the entire Arctic region. This is clearly a strategic effort to overwhelm the capacity of arctic residents and arctic advocates and makes a mockery of the due public process required by law for such policy decisions. BLM has made it exceptionally hard for those individuals most affected, local subsistence users, to participate in the public process.	The public comment period for the Willow MDP Draft EIS was scheduled to minimize overlap with review periods for other Arctic projects. In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiagvik [Barrow]). The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Response</i> .	N
1300	4	Strasenburgh	John	—	EIS Process and Timeline	Under NEPA, the no action must be a viable alternative. The DEIS does at 6.1, states that the no action; is not a viable alternative. This is non-compliant with NEPA. Figure ES-3 of Appendix A shows the three action alternatives. They don’t look to be different from each other in any material way. There is no point in having alternatives if they are all essentially the same nature and scale of development. Because the DEIS offers only alternatives that are essentially the same, it is non-compliant with NEPA	Under the NPRPA, the BLM is required to conduct oil and gas leasing and development in the NPR-A (42 USC 6506a). An oil and gas lease grants certain exploration and development rights, subject to reasonable regulation; BLM may not preclude CPAI from developing its leases. The No Action Alternative would not meet the Project’s purpose and need but is included for detailed analysis to provide a baseline for the comparison of impacts of the action alternatives as required by 40 CFR 1502.14(d). At the development stage, the siting of oil and gas facilities is largely dependent on the location of the subsurface resources to be extracted. Under the NPR-A IAP and Section 404 of the CWA, lessees are required to minimize facility footprints and propose siting and alignment of facilities in such a manner as to minimize environmental impacts to various resources (e.g., caribou, wetlands). Alternatives to a proponent’s proposal are considered and analyzed in detail only if they offer potential environmental benefits to one or more resources or uses. The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. During alternatives development for the Willow MDP Project, the BLM considered issues identified during scoping, such as impacts to caribou and subsistence. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1, <i>Alternatives Development</i> , including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All action alternatives meet the Project’s purpose and need.	N
1300	5	Strasenburgh	John	—	EIS Process and Timeline	I am also concerned about the process BLM is employing that has the effect of limiting the ability of the public to participate meaningfully in the NEPA process. Process: BLM has conducted at least two NEPA analyses concurrently. Although I have commented on Ambler Road, given this confluence of major projects, it is not possible to do either of them justice. I have no time to comment on AKLNG FERC DEIS. In addition, I have visited Kaktovik in September and have seen how busy folks are with whaling and hunting. It is really not fair to local communities to schedule a hearings and comment periods during this critical food gathering time. The purpose of a public comment period is to allow meaningful participation by those interested in or affected by the proposed action. Local knowledge is essential to making informed decisions on the path the development takes or mitigation measures that might be employed, so I am surprised that BLM has chosen to limit such input.	The public comment period for the Willow MDP Draft EIS was scheduled to minimize overlap with review periods for other Arctic projects. In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiagvik [Barrow]). The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Responses</i> .	N
59	6	Thomas	Sara	—	EIS Process and Timeline	And, finally, I’d just like to comment that to hold a public meeting, when there is a blessing for whaling, is immoral, and it is not a due process.	In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiagvik [Barrow]). The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Response</i> .	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1301	1	Wood	Ruth	—	EIS Process and Timeline	Statement from BLM: Your review and comments are critical to the success of BLM decision making. If that is indeed the case, BLM should have allowed adequate time to read and review the Willow Draft EIS. Willow, Ambler, AKLNG (FERC), Katishna Road (NPS) all at the same time—really??? Like many Alaskans I care the remote places in our state. I care about fish and wildlife. Allowing me to participate means BLM must use reasonable comment periods. I cannot even find the time of day the comment period ends.	The public comment period for the Willow MDP Draft EIS was scheduled to minimize overlap with review periods for other Arctic projects. In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiag̃vik [Barrow]). The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Responses</i> .	N
1054	3	—	—	—	EIS Process and Timeline	It is completely illogical and dysfunctional to hurry the comment period for this DEIS before the BLM’s own new Integrated Activity Plan and EIS for the entire NPR-A is released to the public. Comments on the Willow DEIS would benefit from the knowledge and structure of the IAP.	The BLM is required to respond through a ROD on the Willow MDP Project regardless of potential revisions to the IAP. The Project is subject to LSs from prior IAPs, which do not change when a new IAP is issued. Applicable BMPs/ROPs considered in the revised IAP are included as <i>Applicable Lease Stipulations and Best Management Practices</i> sections in the Willow MDP Final EIS (typically, Section 3.X.2.1.1).	N

4.2.8 Environmental Justice

Table B.2.11. Substantive Comments Received on Environmental Justice

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1307	6	Pardue	Margaret	Native Village of Nuiqsut	Environmental Justice	BLM has not given sufficient consideration to environmental justice. BLM is obligated to “make environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs” (Executive Order 12898 [1994]). . . . BLM is not currently fulfilling this obligation. At the core of environmental justice is equal access to the decision-making process. As discussed, BLM has not adequately involved NVN in decision-making on the Willow MDP. Part of the problem is that the pace of development is simply too fast. Currently, NVN is inundated with development proposals and planning exercises. NVN strives to be an active and engaged entity in these review processes, but the amount of planning currently underway in the region presents serious capacity challenges in our ability to have constructive and meaningful involvement. BLM must slow down the pace at which it is considering approving projects, including by delaying approval of the Willow MOP, to ensure that NVN can meaningfully participate.	An oil and gas lease grants certain exploration and development rights, subject to reasonable regulation. Placement of a moratorium on such activities is not reasonable regulation and thus is in contradiction to the lease rights. Baseline studies are continually updated throughout Northeast NPR-A. BLM has had multiple consultation with NVN on the Willow MDP Project.	N
864	214	Psarianos	Bridget	Trustees for Alaska	Environmental Justice	BLM’s environmental justice analysis fails to sufficiently evaluate whether Willow will have “disproportionately high and adverse human health or environmental effects . . . on minority populations and low-income populations.” In the memorandum accompanying EO 12898, the President specifically recognized the importance of NEPA and stated that “each Federal agency shall analyze the environmental effects, including human health, economic and social effects, of Federal actions, including effects on minority communities and low-income communities.” The President recognized that “[m]itigation measures outlined or analyzed in an environmental assessment, environmental impact statement, or record of decision, whenever feasible, should address significant and adverse environmental effects of proposed Federal actions on minority communities and low income communities.” Another key element is that federal agencies are required to “provide opportunities for community input in the NEPA process, including identifying potential effects and mitigation measures in consultation with affected communities and improving the accessibility of meetings, crucial documents, and notices.” BLM has failed to meet these requirements on all fronts. It has not adequately identified the potential environmental justice impacts, considered impacts to all potentially affected populations, provided for adequate participation by impacted communities, or adequately addressed ways in which to reduce those impacts.	The BLM prepared the Draft EIS and SDEIS according to 40 CFR 1502 and the BLM’s NEPA Handbook (H-1790-1); the EIS includes a full and fair discussion of significant environmental impacts, including cumulative impacts. Effects of the Willow MDP Project on environmental justice are analyzed in Section 3.17, <i>Environmental Justice</i> . This section also provides a summary of meaningful engagement with the community of Nuiqsut. The Draft EIS concludes that Willow MDP Project would result in disproportionately high and adverse environmental effects to the minority community of Nuiqsut. Table 3.17.2 summarizes the applicable existing LSs and BMPs intended to mitigate impacts to environmental justice. The communities of Utqiag̃vik (Barrow), Anaktuvuk Pass, Atkasuk, Wainwright, and Point Lay were added to the analysis due to the overlap of Project effects with potential RFFAs in the cumulative effects analysis. These minority and low-income populations are described in detail in Section 3.4.5 and Appendix V of the NPR-A IAP Final EIS (BLM 2020). The Final EIS has been revised in response to comments on the Draft EIS, including its supplement, and new information, such as RFFAs.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	215	Psarianos	Bridget	Trustees for Alaska	Environmental Justice	<p>BLM’s timeframes for allowing communities to review the draft EIS have been insufficient to allow for meaningful public involvement. BLM has not been responsive to the multiple requests from communities and other entities asking for additional time to review and comment on the draft EIS. BLM instead provided only an additional two weeks—far short of what the Native Village of Nuiqsut and the North Slope Borough requested and needed for communities to weigh in on this massive project. This comment period occurred during a critical subsistence use time, when many individuals were unable to either attend meetings or participate in this process, and at a time when BLM was moving forward with multiple other relevant comment periods and projects that could impact Arctic communities. . . . BLM should not be moving forward with this rushed process without all the information about this project available to impacted communities. BLM is not moving forward in a transparent or inclusive manner with regard to the review of this project. . . .</p> <p>. . . In the GMT-1 decision, BLM found there would be a significant restriction to subsistence for the village of Nuiqsut based on the reduced access to subsistence use areas, reduced availability of subsistence resources, and hunter avoidance of industrial areas. Some of the specific concerns included hunter avoidance of infrastructure that would extend well beyond the direct GMT1 project area; noise, traffic, and infrastructure that could impact the availability of key resources such as caribou, wolves, and wolverine; the number of caribou use areas in the GMT1 project area; the diversion of caribou from the road and traffic; increased helicopter impacts on caribou hunting; increased risks to hunters and increased investments in time, money, fuel, equipment, and hunting success; and numerous sociocultural and socioeconomic impacts. These concerns are identical to and will be magnified by the Willow project. The GMT-1 project acknowledged that there would be significant environmental justice and other impacts, and that those impacts would only increase in light of other developments in the region:</p> <p>“The potential direct and indirect impacts of GMT2 would be very similar to that of GMT1 and these impacts would be additive. However, it is likely that development of GMT2 would make it feasible to develop other oil drill sites further west (i.e., most immediately in the Bear Tooth Unit). In that case, the impacts of GMT2 would be considered synergistic. Considered together with development east of the Colville Delta (Kuparuk and Prudhoe), in the Delta (CD1, CD2, CD3, and CD4), west of the Delta with CD5 and GMT1, and additional development further west, the cumulative impacts of GMT2 would include an extension of the corridor of industrial development between Nuiqsut and the coast. The westward expansion of industry could place Nuiqsut in an even more disadvantageous position regarding the Teshekpuk Herd. An access road to GMT2, like that to GMT1, would have some countervailing effects, but these would be outweighed by the adverse impacts of additional development within the area. If GMT1 is developed, it is likely that the pre-development GMT2 area will have an even higher value for subsistence because it will become one of the increasingly rare areas near town without industrial development.” [GMT-1 SEIS, Appendix B]</p>	<p>The Draft EIS was released on August 28, 2019, for a 45-day public review period, which ended on October 15, 2019, consistent with 40 CFR 6.203(c)(5); the BLM extended the comment period to a total of 60 days (ending on October 29, 2019), to provide additional time for North Slope communities to comments during fall whaling season.</p> <p>An oil and gas lease grants certain exploration and development rights, subject to reasonable regulation. Placement of a moratorium on such activities is not reasonable regulation and thus is in contradiction to the lease rights. Baseline studies are continually updated throughout Northeast NPR-A.</p> <p>A Section 404 permit application is not required to undertake the NEPA process. Section 404 requires a permit before dredged or fill material may be discharged into WOUS; the Section 404 program is administered by USACE, which will provide a public comment period on any Section 404 permit application prior to issuing a permit.</p> <p>BLM conducted an ANILCA Section 810 Subsistence Analysis, which was published with the Draft EIS. Under each alternative, BLM prepared a finding that discloses limitations on subsistence user access may significantly restrict subsistence uses for the community of Nuiqsut. A revised version of the ANILCA Section 810 Subsistence Analysis was published with the SDEIS, which also concluded that limitations on subsistence user access may significantly restrict subsistence uses for the community of Nuiqsut.</p>	N
864	217	Psarianos	Bridget	Trustees for Alaska	Environmental Justice	<p>Despite this, BLM is continuing to move forward without a solid understanding of how broad these impacts will be or how it will be able to adequately mitigate against those impacts. In the GMT-1 decision, BLM acknowledged that the existing measures in the IAP were insufficient to fully mitigate the serious impacts to subsistence and sociocultural systems. As a result, it prepared a Regional Mitigation Strategy aimed at coming up with broader mitigation measures to better address the impacts to Nuiqsut. The handful of mitigation measures BLM has included in Table 3.17.2 do not go far enough to address the potential impacts. They are so high level and generalized as to be essentially meaningless, and they only scratch the surface of what BLM should consider to address those impacts. Those measures in no way directly address the serious impacts to subsistence ad health, or acknowledge the failure of similar measures to adequately address those impacts to date. Merely stating that there might be mitigation measures related to air developed at a later point or that there might be consultation with the community on certain issues provides zero indication that these impacts will actually be minimized. It would be contrary to EO 12898 to move forward with authorizing Willow as proposed since the project is likely to have substantial impacts to subsistence that have not been adequately addressed by the proposed mitigation measures.</p> <p>BLM claims in its analysis that the NPRA Working Group, which is claims was revived this past spring, is one of the ways in which it has provided engagement opportunities for Nuiqsut. However, as groups have previously flagged to BLM, there are significant concerns with how the NPRA working group has been operating, given that it appears to be an advisory group formed and operated in violation of the Federal Advisory Committee Act. While groups appreciate BLM’s efforts to engage with communities on the North Slope, BLM has been less than transparent about the operations of this group and we have significant concerns about whether this entity has in fact been a meaningful platform for Nuiqsut to voice its concerns.</p>	<p>The BLM concluded in Section 3.17, <i>Environmental Justice</i>, that environmental justice impacts described in the EIS would be unavoidable and irretrievable during the life of the Project. Table 3.17.2 summarizes the applicable LSs and BMPs intended to mitigate impacts to environmental justice.</p> <p>The Final EIS has been revised in response to comments on the Draft EIS, including its supplement. The Final EIS includes additional suggested avoidance, minimization, and mitigation measures for related resources brought to the BLM through comment periods, consultations, and subject-matter-expert review.</p> <p>In addition to the NPR-A Working Group, throughout development of the EIS, the BLM has engaged with Nuiqsut through tribal consultation and consultation with ANCSA corporations, as well as through public meetings and a subsistence hearing.</p>	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	219	Psarianos	Bridget	Trustees for Alaska	Environmental Justice	<p>BLM has not adequately analyzed potential alternatives that could minimize or address some of the environmental justice impacts from this project. For example, BLM failed to consider an alternative that would prohibit ConocoPhillips from building the MTI in Harrison Bay or engaging in module transfer activities that will directly cross the Teshekpuk Lake Special Area and sensitive habitat. Conoco’s proposed MTI and the activities related to it are within an area heavily used by Nuiqsut residents for subsistence. Harrison Bay provides key habitat for multiple marine mammals that are important for subsistence use, such as bowhead whales and seals.</p> <p>BLM arbitrarily limited its analysis of potential environmental justice impacts to only Nuiqsut. However, there are broader impacts to minority and low income communities that should be considered and addressed as part of BLM’s analysis. ConocoPhillips is proposing to build infrastructure and engage in substantial amounts of industrial activities in areas that provide important habitat for the multiple subsistence resources for communities in the region, including the Porcupine Caribou Herd, bowhead whales, bearded seals, ringed seals, and eiders. BLM’s analysis fails to acknowledge or address the broader impacts to subsistence resources and other communities in addition to Nuiqsut that could occur from this project. . . . Despite this, BLM’s analysis wholly omits any consideration of impacts to other communities who depend directly on these migratory resources. It also does not acknowledge other practices, such as community sharing, that could be harmed if there are negative impacts to subsistence resources.</p>	<p>At the development stage, the siting of oil and gas facilities is largely dependent on the location of the subsurface resources to be extracted. Under the NPR-A IAP and Section 404 of the CWA, lessees are required to minimize facility footprints and propose siting and alignment of facilities in such a manner as to minimize environmental impacts to various resources (e.g., caribou, wetlands). Alternatives to a proponent’s proposal are considered and analyzed in detail only if they offer potential environmental benefits to one or more resources or uses.</p> <p>The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. During alternatives development for the Willow MDP Project, the BLM considered issues identified during scoping, such as impacts to caribou and subsistence. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1 (<i>Alternatives Development</i>), including options considered but eliminated from detailed analysis and the screening criteria for those alternatives.</p> <p>The SDEIS added a third module delivery option (Option 3: Colville River Crossing), based on stakeholder feedback to include an alternative that would not construct an offshore gravel island.</p> <p>The environmental justice analysis was expanded in Section 3.19.13, <i>Cumulative Impacts to Environmental Justice</i>, to include communities that may experience cumulative effects of the Project in combination with RFFAs.</p>	Y

4.2.9 Fish

Table B.2.12. Substantive Comments Received on Fish

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
87	4	Balsiger	James	National Oceanic and Atmospheric Administration (NOAA)	Fish	<p>General Recommendations</p> <p>In accordance with Section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act, the BLM is required to consult with NMFS on activities that may adversely affect EFH. Although the BLM has conducted an analysis of the project, they have not conducted an EFH Assessment or made conclusions regarding the effects of the action on EFH or Federally managed species as required by 50 CFR Part 600.920(e). HCD offers the following information to BLM to facilitate the development of an EFH Assessment:</p> <p>-Any action that may adversely affect EFH requires a clearly referenced EFH Assessment in either a separate document or a support document (50 CFR Part 600.920(e)).</p> <p>-The mandatory contents of an EFH Assessment should be labelled accordingly and include: (i) a description of the action, (ii) an analysis of the potential adverse effects of the action on EFH and the managed species, (iii) the Federal agency’s conclusions regarding the effects of the action on EFH, and (iv) proposed mitigation, if applicable.</p> <p>-Please note an EFH Assessment is to be completed by the action agency, if needed. Once an EFH Assessment is received by NMFS, HCD will then review and offer EFH Conservation Recommendations, if applicable. We recommend referencing the recent publication <i>Impacts to EFH from Non-fishing Activities in Alaska</i> when developing an EFH Assessment.</p> <p>-NMFS encourages the BLM to require permit holders to consider stream simulation design for culverts and bridges, at https://www.fws.gov/northeast/fisheries/pdf/fishpassage/NLF-Passage-Design-Guidelines.pdf. These designs allow for construction of a channel in new culverts at anadromous streams. This would further mitigate any adverse impacts to EFH in the project area.</p>	<p>BLM will provide NMFS with an EFH Assessment after the Draft EIS.</p> <p>Revisions to IAP BMPs (i.e., E-6) include adhering to a list of fish passage design guidelines (as described in Section 3.10.2.1.1, <i>Applicable Lease Stipulations and Best Management Practices</i>).</p>	N
989	23	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Fish	<p>Page 58-61, 3.8 - Water Resources</p> <p>This section should discuss the fish mold problem.</p>	<p>Edit made as suggested.</p>	Y
989	26	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Fish	<p>Page 79, 3.10 - Fish</p> <p>“After abandonment of the MTI, the island is expected to be reshaped by waves and ice and resemble a natural barrier island within 10 to 20 years (more details in 3.8.2.5.1, Option 1: Proponent’s Module Transfer Island, in Section 3.8 Water Resources).”</p> <p>This citation should read 3.8.2.6.1. The EIS does not have a section 3.8.2.5.1.</p>	<p>Section reference was updated for the Final EIS.</p>	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
989	27	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Fish	<p>Page 79, Section 3.10.1 - Affected Environment</p> <p>“Many of these species . . . migrate both locally and extensively. . . . Abundant stream-lake networks . . . seasonal waterbody connectivity and flow regimes influence habitat accessibility . . .”</p> <p>Please add the following phrase to the above paragraph so that it is clear that small drainages are also important: “are dependent on small tundra drainages.”</p> <p>This phrase comes from the following statement: “As with other Arctic populations of broad whitefish on Alaska’s North Slope, the population using the Teshekpuk Lake region appears dependent [<i>sic</i>] on small tundra drainages and lake systems both for feeding and to some extent for overwintering” (p. 36) in Technical Report No. 06-04, Seasonal Movements and Habitat Use of Broad Whitefish (<i>Coregonus Nasus</i>) in the Teshekpuk Lake Region of the National Petroleum Reserve-Alaska,2003-2005, by William Morris.</p> <p>In addition, due to the acknowledged extensive movement of fish “both locally and extensively,” there should be acknowledgment of the recent (2013 to present) recurring freshwater mold infection on broad whitefish in the Nuiqsut area. In addition to noting this in the text, there are two citations to add:</p> <p>-Sformo, Todd L., Billy Adams, John C. Seigle, Jayde A. Ferguson, Maureen K. Purcell, Raphaela Stimmelmayer, Joseph H. Welch, Leah M. Ellis, Jason C. Leppi, John C. George. Observations and first reports of saprolegniosis in Aanaakliq, broad whitefish (<i>Coregonus nasus</i>), from the Colville River near Nuiqsut, Alaska. 2017. Polar Science 14: 78-82.</p> <p>-Fuzzy Fish: Moldy fish in an Alaskan river threaten a community’s food supply Hakai Magazine. Hannah Hoag 7 August 2019. https://www.hakaimagazine.com/news/fuzzy-fish</p>	<p>This concept is addressed using local data (numerous references) throughout the EIS; in addition, the suggested source and wording were added.</p> <p>The information regarding fish mold and reference were added.</p>	Y
1302	126	Dunn	Connor	ConocoPhillips	Fish	<p>The text implies impacts to fish occur over the full length of the ice roads. For Alternative B, which has 372 miles of ice roads, less than 1 mile of the ice roads go over fish-bearing streams. Reporting the total number of ice road miles in this section overstates the impact. The text should be revised to reflect the mileage of ice roads that would traverse fish habitat.</p>	<p>All alternatives and options must be assessed in the same manner. Because fish habitat is not mapped for all options (e.g., ice road to Point Lonely), the suggested method could not be used. In addition, effects could extend downstream from an ice road crossing; thus, the suggested method would not accurately describe effects.</p>	N
1302	127	Dunn	Connor	ConocoPhillips	Fish	<p>“Fill in streams or lakes associated with culverts or pads placed during the open water season could impact fish. . . . The open-water season is the only time when steel plate culverts used for fish passage can be placed, due to the need to achieve adequate gravel compaction around them for structural support. If these are needed, ADFG open-water work windows would be followed.”</p> <p>This is not a proposed construction technique for any component of the Willow project and therefore we request BLM remove all text and impact analysis that examined open-water construction techniques. This is misleading to public readers and improperly inflates the appearance of impacts.</p>	<p>Text was amended based on new design provided in RFI 5c response.</p>	Y
1302	128	Dunn	Connor	ConocoPhillips	Fish	<p>If the reference to 120 dB is not a typo, please provide a citation to support the statement that the ambient noise level in Harrison Bay is 120 dB.</p>	<p>Citation provided.</p>	Y
1307	22	Pardue	Margaret	Native Village of Nuiqsut	Fish	<p>BLM’s effects analysis barely addresses impacts to fish and fishing. . . . Willow threatens serious and unavoidable harm to twenty-four fish species and fish habitat throughout the Teshekpuk Lake Special Area and beyond. . . .</p> <p>Given this reality, BLM’s analysis of how Willow will affect fish and fishing is wholly inadequate. In the two instances where BLM touches on impacts to fish, it makes sweeping, unsupported conclusions that impacts will not be significant. For example, BLM states that “[h]abitat loss and degradation could displace or cause individual mortalities of [waterfowl and fish], but the Project is not expected to cause population-level effects.” (DEIS, Appendix G) There is no citation for this assertion. BLM later states that “[w]hile construction activities and infrastructure (e.g., ice roads) may temporarily displace fish upstream and downstream, these impacts would be relatively localized and would not be likely to affect harvesting activities farther downstream along Fish (Uvlutuuq) Creek.” (DEIS, Appendix G) Further, “[w]ater withdrawals to support ice infrastructure construction could alter fish habitat, but these alterations would be temporary and are not expected to affect fish populations in Fish (Uvlutuuq) Creek.” (DEIS, Appendix G) For these two latter assertions, BLM points to the DEIS. . . . BLM has no scientific or technical analysis to back up these assertions. There is nothing in the DEIS to suggest that BLM relied on estimates of how many individuals will be affected or the thresholds for loss that each fish population/species can sustain. Without such information, the agency cannot rationally conclude that impacts to individuals will not affect populations or a species as a whole.</p>	<p>Physical loss of fish habitat is limited to fill at culverted stream crossings, piles in streams at bridge crossings and boat ramps. In terms of total habitat available within the Project area, these losses represent nearly zero loss of fish habitat and would not affect fish habitat quantities in the Project area and therefore would not affect fish populations. Fish habitat degradation from stream crossing structure construction would affect habitat for less than one full open-water season as construction would occur in winter when no fish are present at the majority of all sites. Only construction of the Ublutuooh (Tiŋmiaqsiuġvik) River boat ramp would occur in- water during winter and those specific impacts are evaluated in Section 3.10.2.3.1, <i>Habitat Loss or Alteration</i>. Given the numbers of fish in the analysis area streams during summer, their life histories, and their migratory patterns, the total number of fish that could be impacted by any Project component is minimal, such that conducting any numerical evaluation of population number impacts is not practical. Similarly, because water withdrawal would be spread throughout numerous lakes in the analysis area, and because use is limited from any given water source based on maintaining fish wintering habitat for fish residing in each lake, the potential for impacts to fish on a single lake level is low. Thus, the conclusion that effects at the population level would be even less likely than effects to individuals is accurate.</p>	N
864	171	Psarianos	Bridget	Trustees for Alaska	Fish	<p>The Willow Project threatens serious and unavoidable harm to the twenty-four fish species and fish habitat throughout the Teshekpuk Lake Special Area and beyond . . . The Project is likely to destroy and fragment fish habitat in dozens of areas; withdraw hundreds of millions of gallons of water from fragile waterbodies; degrade water quality due to water withdrawals, waste disposal, and chemical or oil spills; and extract substantial quantities of gravel next to high-use fish habitat. These impacts will adversely affect individual fish and threaten populations or species as a whole, particularly in conjunction with climate change and resulting changes to marine and freshwater habitat. The DEIS downplayed or ignored many of these impacts, and provided only a cursory and unsupported analysis of others.</p>	<p>Water withdrawal from lakes would be conducted consistent with state permit and BLM BMP conditions that limit winter water withdrawal based on fish species assemblages within each water body to ensure that fish wintering habitat quantity and quality are adequate for fish. Gravel removal would not be conducted from within fish habitat. All permanent gravel road stream crossings will be designed to maintain habitat quality in streams and to provide fish passage. Road design uses bridges to the extent practicable. Three years of site-specific fish sampling data have been used throughout the EIS to evaluate impacts based on fish species using the drainages.</p>	N

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864	172	Psarianos	Bridget	Trustees for Alaska	Fish	First, the DEIS failed to include adequate information and key details about each species and its habitat in the affected area. The DEIS included only three pages of background information for all twenty-four fish species, and relied on crude information about fish and habitat in the area identifying only what broad habitat types are used by each species. But these species are diverse and have varying distribution patterns, habitat needs, and life history characteristics, all of which are necessary to understand before evaluating the effects of the project. Appendix E.10 acknowledged crude variations in the types of overwintering habitat for each species but failed to identify other seasonal or temporal differences in habitat for spawning, rearing, migration, and other life cycle needs for each species. . . . BLM should have considered the additional information that was available, such as that included in this groups scoping comments, or should have conducted additional surveys and information about fish and fish habitat. Without adequate baseline information, BLM failed to take a “hard look” at the impacts of the project on fish and fish habitat.	The numerous studies used to support the EIS are cited throughout Section 3.10, <i>Fish</i> , and Appendix E.10, <i>Fish Technical Appendix</i> . As stated in CEQ guidelines, an EIS need not be encyclopedic. The data included in the EIS are sufficient to evaluate and disclose potential effects of the Project.	N
864	173	Psarianos	Bridget	Trustees for Alaska	Fish	Second, the DEIS failed to comply with NEPA’s requirement to discuss mitigation measures in sufficient detail, analyze their effectiveness, and disclose likely impacts. The DEIS devoted only two of the eight pages in its fish analysis to cataloging BMPs and lease stipulations and provided little detail and no information about the effectiveness or likely impacts for each measure. For example, the DEIS relied on mitigation measures to avoid considering and disclosing how water withdrawals will impact fish and fish habitat. The DEIS explained that water withdrawals can alter water quantity and quality in fish habitat, and that 1,874 million gallons of water will be withdrawn from “an unknown number of lakes” over the lifetime of the project. But the agency claimed, without any support or further discussion, that BMPs and permit stipulations will prevent population-level effects from such withdrawals. It was irrational for the agency to reach that conclusion without discussing how much water would be withdrawn each season and year and where, and how BMPs and stipulations would reduce the massive impacts of withdrawals. Moreover, the agency ignored this groups scoping comments that explained BMPs are inadequate to protect dissolved oxygen levels in tundra ponds, and that the agency needed to include physical and biological for each lake to determine suitability for water withdrawals. These examples illustrate how BLM’s blind reliance on mitigation measures prevented the agency from taking a “hard look” at impacts of the project.	The NPR-A IAP considered the effectiveness of BMPs and is the reason that specific BMPs were selected in the ROD and are now required. Various BMPs require lessees to monitor specific resources; if monitoring indicates that BMPs are not effective, then BLM adaptively manages to reduce impacts. BMP B-2 addresses maintaining populations of fish. BMP B-2 restricts the withdrawal to a specific percentage of calculated volume with respect to fish presence. The BLM may require additional modeling or monitoring to assess lake water level, outlet flow, and/or water quality conditions before, during, and after water use from any lake of special concern. After review of Draft EIS comments and the Final IAP/EIS, ROP B-2 was added to the FEIS Section 3.10.2.1.1, <i>Applicable Lease Stipulations and Best Management Practices</i> . ROP B-2 would require that BLM must be notified within 48 hours of any observation of dead or injured fish on water source intake screens, in the hole being used for pumping, or within any portion of ice roads or pads. If observed at a particular lake, pumping must cease temporarily from that hole until additional preventive measures are taken to avoid further impacts on fish.	Y
864	174	Psarianos	Bridget	Trustees for Alaska	Fish	Finally, the DEIS lacks support for numerous conclusions it reached, ignored several important issues, and largely failed to connect the dots between likely impacts and what that means for a fish species as a whole. . . . The DEIS failed to fully or accurately describe how various impacts of the project will affect each fish species and its habitat. Instead, the DEIS largely lumped all species or habitat together when evaluating impacts, which masks impacts to individual species or populations . . . The DEIS repeatedly claimed that individual fish may be affected by the project but that such impacts will not rise to population level effects; these sweeping conclusions are unsupported and speculative. Neither the DEIS nor the Appendix E.10 suggest that BLM relied on estimates of how many individuals will be affected or the thresholds for loss that each fish population/species can sustain. Without such information, the agency cannot rationally conclude that impacts to individuals will not affect populations or a species as a whole.	BMPs and other state permitting requirements are designed to minimize impacts to fish and fish habitat regardless of species. Impacts were assessed based on life-history characteristics important for species propagation such as migration, spawning, and overwintering. Effects on those important life-history stages would be greater. Because potential effects would be primarily limited to short durations and would avoid substantial overwintering areas and spawning areas, key life-history phases would be avoided and impacts would be limited to low numbers of individuals. Low numbers of individuals would not affect populations within streams and rivers of the Project area, either in individual waterbodies or as a whole, given the highly migratory nature of most fish species in the analysis area and the specific habitats potentially affected. Population-level effects would be a reduction in numbers of fish using any given stream, or the Project area as a whole. We do not anticipate either level of population effect.	N
864	175	Psarianos	Bridget	Trustees for Alaska	Fish	The DEIS failed to analyze what differences between alternatives mean for fish and fish habitat. Most notably, the DEIS never explained how module delivery option 2—which requires twice as much freshwater to be withdrawn as option 1—will impact fish in the short- or long-term, claiming only that such a massive withdrawal “might” alter habitat in the future if lakes do not recover. Given the substantial quantities of water to be withdrawn under this alternative and the importance of water quantity to fish in the area, the agency needed to include a more thorough analysis of these impacts. The DEIS included a meager section on potential “injury or mortality” to fish that identifies only a single mechanism through which such harm would occur: burying of fish where waterbodies are filled. This improperly ignored the numerous other direct and indirect mechanisms through which the project threatens to injure or kill fish, including low water or dissolved oxygen levels, oil spills, destruction of habitat, and more. The DEIS also failed to estimate the number or scope of injuries or mortality expected and to which species, which made it impossible for the agency to accurately assess impacts on each species and population. As a result, the section on injury or morality is misleading and inaccurate.	Water withdrawal guidelines stipulate that not more than a specified percent of a lake’s volume can be withdrawn. Thus, not all water withdrawal would occur from a single lake. The effects of withdrawing more water would cover a larger area (i.e., more lakes) but would not differ in the type, magnitude, or duration. This explanation was added to Section 3.10.2.7, <i>Module Delivery Option 2: Point Lonely Module Transfer Island</i> . Injury or mortality from habitat loss (i.e., bridge piers or culverts) is not expected and therefore not included in the EIS. Injury or mortality from potential spills is covered in Section 3.10.2.9, <i>Oil Spills and Other Accidental Releases</i> . Spills are not proposed and thus are described separately.	Y
864	176	Psarianos	Bridget	Trustees for Alaska	Fish	The DEIS downplayed the possibility oil spills, never discussed what spills would mean for fish, and failed to acknowledge the serious risks that spills of other chemicals like fracking fluids pose to fish. The DEIS should have discussed the impacts that potential oil spills or other accidental releases—particularly a worst-case scenario spill—may have on fish and fish habitat, rather ignoring impacts based on specious claims that such spills are unlikely to occur and/or negatively affect fish habitat. In several places, the DEIS failed to address how the timing of specific actions would coincide with any temporal or seasonal life cycle needs for fish. For example, the DEIS admitted that increased marine vessel traffic could disturb or displace marine fish and affect individuals but does not address whether such impacts will occur during seasons or times that certain species are particularly vulnerable to noise or disturbance. DEIS 3.10 at 86. The DEIS should have considered whether open-water seasons for vessels will overlap with key migration or spawning periods and thereby cause disproportionate impacts on certain populations or species. This and other deficiencies in the discussion of the temporal or seasonal nature of alternatives and fish needs is a serious flaw.	An EIS does not need to assess the worst-case scenario (according to CEQ guidelines); in this case, the BLM included analysis of a low-probability, high-risk event and discussed the extent of those potential impacts in Section 3.10.2.9, <i>Oil Spills and Other Accidental Releases</i> . The EIS considers timing of all Project activities, including vessel traffic, in assessing potential impacts to fish. Vessel traffic would overlap with spawning periods for some species of fish discussed in Section 3.10, <i>Fish</i> . However, the vessel route would cover a small area in relation to the amount of available marine habitat and would not traverse any known unique marine spawning grounds. Spawning habitat for freshwater species is only documented inland from the coast; therefore, these species would not be affected by marine vessel traffic. Nearshore vessel traffic could be avoided by fish migrating toward spawning grounds.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	177	Psarianos	Bridget	Trustees for Alaska	Fish	<p>The DEIS claimed that unavoidable and irretrievable impacts to fish and fish habitat would not affect the long-term sustainability of fish resources. But neither the DEIS nor Appendix E.10 provided any support or rational explanation for such sweeping conclusions, which is a serious flaw.</p> <p>The DEIS disclosed that dozens of bridge piles would permanently remove freshwater fish habitat within their footprint, but never discussed how that will affect fish that use or rely on that habitat.</p> <p>The DEIS claimed, without explanation, that increased suspended sediment and turbidity levels in nearshore marine habitat during the summer construction season would not affect fish at the population level, explaining that such effects would be temporary and localized. However, the DEIS never identified the size of each population or the number and importance of the fish affected, which the agency needed to reach such conclusions about the populations as a whole.</p> <p>. . . [T]he analysis included an incomplete discussion of specific aspects of the alternatives, ignored cumulative impacts that are likely to occur, failed to fully and appropriately consider the impacts of climate change, and did not address scientific information and concerns about Arctic fish populations and habitat that were raised in the scoping comments. These universal flaws in the DEIS also render its analysis of fish inadequate.</p>	<p>Text was added to clarify that the amount of habitat loss (in both freshwater and marine areas) and screeding would be small in comparison to the amount of available habitat of similar types and qualities.</p> <p>For all effects described in the EIS, effects are stated to occur at the individual level. Because population-level effects are not expected, the long-term sustainability of fish would also not be affected.</p> <p>Table E.10.2 in Appendix E.10 (<i>Fish Technical Appendix</i>) shows the acres of fill that would be comprised of bridge piles, which would be small in comparison to the amount of habitat available to fish. The main functions of the habitats that would be filled by piles are migration and rearing. As stated in Section 3.10.2.3.1, <i>Habitat Loss or Alteration</i>, structures would be designed to ensure long-term fish passage, and they would be installed during winter when no fish habitat is present. The effects to fish from direct loss of habitat from pile placement are negligible and would be minor relative to total habitat available in each stream.</p> <p>The open-water season off the ACP in the Beaufort Sea is characterized by strong and nearly continuous wind. Nearshore habitats are highly turbid and characterized by high sediment transport. An increase in turbidity and suspended sediments would be immeasurable to ambient conditions. The nearshore ecosystem, especially near Oliktok Point, is one of high disturbance and turbidity. More text about these existing conditions were added to Section 3.10.2.3.1.</p> <p>Population abundance estimates are not available for the Project area. However, given the regularity of subsistence fishing, populations are likely more than a few individuals. Given that the sum of potential effects would only affect low numbers of individual fish and given the highly mobile nature of fish species in the Project area, population-level effects are not reasonably expected to occur.</p>	Y
864	188	Psarianos	Bridget	Trustees for Alaska	Fish	<p>The EIS fails to accurately analyze the effects of the Modular Transport Island (MTI), which would include the use of screeding. In many instances, the EIS describes process of screeding as having a substantial impact on the sea floor, benthic and epibenthic species, and the species that rely on them for food. . . . But the EIS does not provide any quantification or reference for the claim that the impact would be relatively small. The EIS should quantify the impacts of terraforming and provide evidence that the impact is small.</p> <p>The EIS is also contradictory as to whether the MTI would erode away over time. The EIS states, “The alteration of nearshore habitat would also be irreversible because even if the MTI is abandoned and reshaped, it would still exist. However, this statement contradicts Lease Stipulation G-1 (Table 3.4.1). The EIS should more clearly explain what will happen to the MTI after it is abandoned, and provide references or modeling that supports those claims.</p>	<p>The EIS does not state that screeding would have substantial impacts; to the contrary, all sections in which screeding is listed as a potential impact describe it as minor, temporary, and limited to the screeding footprint, which is quantified and varies by action alternative and module delivery option. The minor, temporary, and limited effects to fish that would be entrained in the screeding footprint would be irreversible because mortality is irreversible. The density and diversity of the screeding area was further described in Section 3.10.2.3.3, <i>Injury or Mortality</i>, to demonstrate that few individuals would be irreversibly killed.</p> <p>As described in Section 3.8.2.6, <i>Module Delivery Option 1: Atigaru Point Module Transfer Island</i>, the MTI is expected to be reshaped by waves and ice within 10 to 20 years, including potentially dropping below the water line as other abandoned human-made islands have done in the Beaufort Sea. Examples of these islands are provided. The MTI is not expected to erode away as the commenter suggests. As stated, habitat loss from the MTI would be irreversible because even if the MTI is abandoned and reshaped, it would still exist.</p> <p>The MTI would be located offshore in Harrison Bay, which is outside BLM jurisdiction. If the BLM approves the Willow MDP Project with module delivery Option 1 (Atigaru Point MTI), CPAI would need to obtain authorization from the State of Alaska. BLM LS G-1 does not apply to the MTI.</p>	N
864	296	Psarianos	Bridget	Trustees for Alaska	Fish	<p>There is no discussion in the DEIS concerning fish use in the wetlands that are proposed to be impacted. This is a glaring omission in the DEIS. BLM must articulate how highly migratory Arctic fishes, such as broad whitefish, use the project area to complete various life stages.</p>	<p>Fish studies conducted and referenced in the Draft EIS did investigate wetlands with potential to provide fish habitat, and those data are incorporated in the Draft EIS. The Draft EIS and referenced reports specifically considers the migratory nature of fish in the Project area and assess impacts based on that information. Wetlands with no connections to fish-bearing waterbodies do not support fish. Marginally connected wetlands were sampled, and data were used for evaluation.</p>	N
864	297	Psarianos	Bridget	Trustees for Alaska	Fish	<p>The proposal for the MTI includes screeding of the substrate and almost 13 acres of gravel fill that would certainly impact the nearshore marine environment, and cause irreversible direct mortality to fish and benthic organisms, and interrupt near shore processes. The DEIS states that the alteration of nearshore habitat would be irreversible because even if the MTI is abandoned and reshaped, it would still exist. But this paragraph also contends these impacts would not be irreversible and would not affect the long-term sustainability of fish resources. BLM and the Corps cannot rely on this rationale for any future determination that no compensatory mitigation would be required for marine/fresh water/wetland impacts to fish and fish habitat. The DEIS should have discussed removal of the MTI gravel pad, and should consider an alternative where the MTI is removed rather than left to erode. In addition, the rejection of certain alternatives which would eliminate the need for the MTI altogether, are not given enough consideration and analysis in the DEIS. The DEIS does not adequately demonstrate the MTI Option 1 proposal is the least environmentally damaging practicable alternative (LEDPA) under the 404(b)(1) Guidelines.</p>	<p>The Final EIS includes Option 3 (Colville River Crossing), which does not require an MTI.</p>	Y
864	298	Psarianos	Bridget	Trustees for Alaska	Fish	<p>The main focus of the mitigation proposal is application of BLM’s Lease Stipulations (LSs) and Best Management Practices (BMPs). The Willow project as proposed will require deviations from these measures. The deviations are very relevant here since some deviations will occur to LSs and BMPs that are specifically designed to protect fish. The DEIS acknowledges that individual fish will be impacted and affected by multiple actions under the preferred alternatives, but impacts would not result in population level effects. This is NOT the threshold for compensatory mitigation for impacts to fish and fish habitat.</p>	<p>Compensatory mitigation is not required for NEPA and will be determined in the Section 404 permitting process.</p>	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	299	Psarianos	Bridget	Trustees for Alaska	Fish	BLM’s assertion that the LSs and BMPs (listed in Table 3.10.1) are intended to mitigate impacts to fish from development activity and these measures would reduce impacts to fish habitat, subsistence hunting and fishing areas, and the environment, associated with construction, drilling and operation of oil and gas facilities is simply unfounded, unsubstantiated and not analyzed in terms of project footprint and destruction and/or impairment of EFH. Although the DEIS (Chapter 3, Section 3.10.2.3.1) discusses potential fish habitat loss, alteration, or creation, they assert the impacts will be temporary, even though they do expect fish impacts/mortality from project construction . . . BLM also acknowledges (although they state it would be in extreme and unlikely cases) longer lasting impacts on a local spawning population could occur if blockages caused substantial delays to migrating Arctic grayling during the spring spawning period and reduced fry production from that specific creek. Blocked passages could also affect whitefish species attempting to move upstream in spring and delay or prohibit them from reaching preferred feeding areas. These potential impacts to fish and EFH in the project area could be substantial, if not significant, and BLM does not explain or analyze how the listed LSs and BMPs would fully or partially compensate for impacts. BLM must describe how application of the LSs and BMPs is adequate compensation for degradation and/or destruction of habitat (including EFH), and injury and/or mortality to fish. The DEIS does not do so. It is unclear the required Essential Fish Habitat (EFH) consultation with National Marine Fisheries Service will address the need for compensatory mitigation for impacts to both anadromous and resident fish and their habitats because it is clear that permanent, direct, indirect, and temporary impacts will occur to fish from project implementation, construction and operation. The consultation information is lacking in the DEIS and needs to be included.	Except as required by law, BLM policy precludes imposition of compensatory mitigation on public land users (IM 2019-018, Compensatory Mitigation). A Compensatory Mitigation Plan is not required for NEPA or for the Section 404 permit application; only a compensatory mitigation statement is required. USACE determines compensatory mitigation requirements associated with Section 404 permits and provides a public comment opportunity upon issuance of the Public Notice for permit applications under Section 404. If mitigation is needed for potential effects to EFH, that will be determined in the EFH consultation with NMFS. EFH is identified in Section 3.10.1.3, <i>Essential Fish Habitat</i> , and in Figure 3.10.1. Effects to EFH are described throughout Section 3.10, <i>Fish</i> , and identified in Section 3.10.2.10, <i>Effects to Essential Fish Habitat</i> . The BLM initiated consultation with NMFS on EFH in May 2020. It is not required under NEPA to include consultation documents in the EIS.	N

4.2.10 General Economics

Table B.2.13. Substantive Comments Received on General Economics

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
991	34	Bruno	Jeff	Alaska State, Department of Natural Resources	General Economics	Throughout the document there seems to be a misunderstanding of NPR-A grant funds. NPR-A Mitigation Grant funds are federal royalties and are not a State Royalty. This nuance has the potential to misinform the public, underestimate the federal government’s efforts to mitigate the project, and overestimate the States royalty estimates from this project. The State does not consider this a State royalty. Please correct throughout the document.	Text updated in Final EIS Section 3.15, <i>Economics</i> , and in Section 5.3.1, <i>State of Alaska National Petroleum Reserve in Alaska Impact Grant Program</i> , to reflect that this is not a state royalty.	Y
991	35	Bruno	Jeff	Alaska State, Department of Natural Resources	General Economics	Please change heading to “NPR-A Impact Grant Program.” That is the actual name of the program. (Page 177) It states in the first paragraph that “The federal government has no ability to influence the management of the fund or State-run grant program.” There is federal oversight of the State run grant program and any changes in the program would need concurrence and coordination by federal agencies. (Page 177) It might be helpful to attach a link to the 2019 legislative report for this program: https://www.commerce.alaska.gov/web/Portals/4/pub/2019%20Report%20to%20the%20Legislature.pdf (Page 178) Royalties associated to this grant are federal royalties not State royalties. Please make it clear that these are federal royalties used to mitigate impacts that the State of Alaska administers in the form of grant program. (Page 177) Please make sure to address the impacts from this grant fund throughout the document where appropriate and not just in this section. These funds will play huge role in helping the communities mitigate the impacts from surrounding development and help assist local communities/residents with developing their communities as they see appropriate, both in the short term and long term.	Text updated to change “NPR-A Impact Grant Funds” and “NPR-A Impact Mitigation Fund” to “NPR-A Impact Grant Program.” Text updated in Final EIS Section 3.15, <i>Economics</i> , and elsewhere mentioned in the Final EIS, to clarify that the NPR-A Impact Grant Program funds are federal royalties used to administer mitigation for Project impacts through a state-run grant program, with federal oversight.	Y
991	29b	Bruno	Jeff	Alaska State, Department of Natural Resources	General Economics	Page 124, Table 3.15.3. Federal royalties administered by the State of Alaska grant program does not equal State Royalties. Please correct throughout the document.	Table 3.15.4 was updated to clarify that the NPR-A Impact Grant Program funds are federal royalties.	Y
1302	107	Dunn	Connor	ConocoPhillips	General Economics	DEIS states the population for Nuiqsut is 347, which is likely based on U.S. Census Bureau’s American Community Survey. The NSB has expressed concerns that the U.S. Census numbers are too low. According to the 2019 NSB Comprehensive Plan, the population of Nuiqsut in 2015 was 449. We recommend acknowledging the NSB estimate for consistency with discussion in the Economics section.	While NSB believes that U.S. census data underestimate population and unemployment in the borough, the U.S Census data provide consistent data for conducting analysis. The preface to the NSB socioeconomic survey notes that there were challenges to collecting 2015 NSB socioeconomic survey data and that 75% of respondents in Nuiqsut refused to provide some of the income data requested (NSB 2016). Use of the U.S. Census versus NSB population data would not result in significant changes to impacts. No change to text. NSB. 2016. 2015 economic profile and census, North Slope Borough. North Slope Borough, Barrow, AK.	N
1302	121	Dunn	Connor	ConocoPhillips	General Economics	While project economic impacts are described further in the appendices, information in the table is a key part of the project impact and merits more discussion within the main text of the document.	Given the large amount of data, the information was retained in the appendix.	N
1302	123	Dunn	Connor	ConocoPhillips	General Economics	If escalation is applied to dollar values, it should be stated. Price and costs could all be escalated at a nominal rate.	A note was added to Table 3.15.4 in Final EIS Section 3.15, <i>Economics</i> , to state that “the values shown reflect the estimated total cumulative revenues through the end of the production life of the field.”	Y
1302	124	Dunn	Connor	ConocoPhillips	General Economics	The profile of jobs during the construction phase is inconsistent with ConocoPhillips estimates provided to BLM.	Final EIS Section 3.15, <i>Economics</i> , Table 3.15.2 (Direct Construction Employment Estimates) was updated based on Table 5 (Estimated Number of Direct Construction Jobs: Proponent’s Project Alternative) in Appendix E.15 (<i>Economics Technical Appendix</i>).	Y
1294	39	Nukapigak	Joe	Kuukpik Corporation	General Economics	Vol. I, p. 123, Section 3.15, Economics, 3.15.2.3.1, Construction and Drilling. The 4th passage states: “In addition to construction employment, drilling activities are estimated to generate 140 jobs per year.” This figure is believed to actually refer to jobs per year per rig.	Text updated in Final EIS Section 3.15.2.3.1, <i>Construction and Drilling</i> .	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1294	40	Nukapigak	Joe	Kuukpik Corporation	General Economics	Vol. I, p. 124, Section 3.15.2.3.2, Operations. This section states, “Once the operations phase begins, the Project would add an estimated 350 jobs through the life of the Project.” Since the bulk of these jobs would be on a rotational schedule, this information implies that around 175 people would be on site at any given time. Is this accurate? This information also calls into question the flight data and vehicle trips previously referenced.	The number of flights presented in the EIS include more than crew rotation.	N

4.2.11 Land Ownership and Use

Table B.2.14. Substantive Comments Received on Land Ownership and Use

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
55	1	Nungasak	Nelda	—	Land Ownership and Use	Do you know if you’re going to impact any allotments on the road or if you know how close you are from any native allotments?	No Native allotments would be directly impacted by Project construction. The closest Project activity/feature that would be constructed would be the ice road required under Option 3 to cross the Colville River near Ocean Point; this ice road would be located within approximately 0.25 mile of a Native allotment. The following list provides some of the closest distances to Native allotments from different Project features (e.g., gravel roads, gravel pads, ice roads): -HDD gravel pad (west side of Colville), all alternatives: 1.4 miles -Gravel access road, Alternative B (Proponent’s Project) and Alternative C (Disconnected Infield Roads): 10.4 miles -BT3 gravel pad, all alternatives: 18.5 miles -Mine site, all alternatives: 8.5 miles -Ice road, Option 2 (Point Lonely Module Transfer Island): 1.8 miles -Ice road, Option 1 (Atigaru Point Module Transfer Island): 9.4 miles -Ice road, all alternatives: 9.4 miles -Ice pad (HDD west pad), all alternatives: 1.4 miles	Y

4.2.12 Marine Mammals

Table B.2.15. Substantive Comments Received on Marine Mammals

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
11	9	Baraff	Lisa	—	Marine mammals	And also Footnote B states that the barges will travel from Southern Alaska, yet there are no analyses regarding that route, and which will likely take barges through critical habitat area for North Pacific right whales, and if I am still up to date, that last population estimate was 31. So that’s of great concern. And also excluding potential impacts by barges and support vessels to species present between Point Lonely and Oliktok Point during the ice-free months, such as bowhead whales, and along the barge route and Southern Alaska is an oversight I encourage you to correct. Currently only sea—ice seals and polar bears are considered, and the table states that the route is outside—the migratory route of bowheads is outside of the route of these, and I would ask you to please look more closely at data, because bowhead whales, when transiting from the Eastern Beaufort west, don’t just go way offshore and pass by these areas. They are known to stop and feed. And if you look at data which is available on daily as well as yearly reports for the National Marine Mammal Labs, the aerial surveys of Arctic marine mammals, you will see that over the years Harrison Bay has been pretty heavily used by bowhead whales.	Effects analysis of the barge transit route was added to Section 3.13, <i>Marine Mammals</i> .	Y
989	30	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Marine mammals	Page 109, Table 3.13.1 Marine Mammals Known to Occur in the Analysis Area It is very plausible that bowheads and belugas could also be present in the corridor. Certainly, the sound, if generated within the corridor, would travel much farther. See previous comment about underwater noise. Analysis area may be too narrow. This might be allowable for polar bears (maybe), but more aquatic species live in an acoustic sound-scape that is important to their ecology.	The distance to the 120-dB NMFS underwater threshold for behavioral disturbance was calculated using a source level for vessel noise of 170 dB rms at 3.28 feet and transmission loss of 15 log resulting in a distance of 7,067 feet (or 1.3 miles). This was conservatively rounded up to 1.5 miles for the offshore analysis area. These distances are consistent with other NEPA, ESA, and MMPA consultations in Alaska. Vessel noise is the loudest sound associated with in-water work, so this distance was used to calculate action area. Pile driving is all terrestrial, so these distances were not included in the offshore analysis area. Traditional knowledge and data from Aerial Surveys of Arctic Marine Mammals indicate that bowheads and belugas do not migrate in the shallow waters near Oliktok Dock but typically stay outside the barrier islands.	N
989	31	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Marine mammals	Page 110, 3.13.1.1 Special Status Species “[Bearded seals] are listed as threatened and have no designated critical habitat.” —Please specify that Bearded seals have no designated critical habitat at this time. We understand NOAA is currently working on designating critical habitat for Bearded seals and Ringed seals.	Critical habitat designations were added to Table 3.13.1.	Y
989	32	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Marine mammals	Page 110, 3.13.1.2, Spotted Seals Tag data indicate that spotted seals migrate south of the Bering Straits in the late fall, and winter in the Bering Sea. They are not as ice associated as ringed seals. Perhaps in the winter and early spring this association is “strong.” As the season progresses, they become pelagic and more associated with terrestrial haulouts. Timing is important when characterizing their association with ice.	Table 3.13.1 was added to the Final EIS to summarize species occurrence in the analysis area and overlap with Project components. Spotted seals are identified as occurring in the Bering, Chukchi, and Beaufort seas, as well as the Oliktok Dock area, MTIs, and the CRD.	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
989	33	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Marine mammals	Page 110, 3.13.2.1, Environmental Consequences I do think that there may be some overlap between Level A and Level B harassment. If Level B disturbances accumulate and cause a decline in body condition, or interfere with reproduction, has the seal been “injured?” The answer may be yes.	The Final EIS and Appendix E.13 (<i>Marine Mammals Technical Appendix</i>) use the NMFS 2018 Technical Guidance for assessing Levels A and B harassment. Distances to the thresholds described in the NMFS 2018 guidance using methods described for transmission loss and recommended source levels for different Project components are also provided in Appendix E.13. The EIS is consistent with NMFS policy. NMFS. 2018. Revisions to: Technical Guidance for Assessing the Effects of Anthropogenic Sound on Mammal Hearing (Version 2.0): Underwater Thresholds for Onset of Permanent and Temporary Threshold Shifts. Seattle, WA: NOAA, NMFS.	N
989	35	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Marine mammals	Page 113, 3.13.2.3.2, Disturbance or Displacement “Exposure of marine mammals to aircraft presence would occur throughout the life of the Project, but each occurrence would be temporary and of short duration and would result in brief behavioral responses.” —Many “brief” responses may have a cumulative effect.	Disturbance of polar bears and seals from air traffic is described in Section 3.13.2.3.2.2, <i>Coastal and Marine Disturbance or Displacement</i> . Cumulative effects are not expected because flights over the CRD would occur only during construction and in limited quantity.	N
1303	3	Christopherson	Jen	Defenders of Wildlife	Marine Mammals	These species are already experiencing significant effects from climate change and other oil and gas activities in the Alaskan Arctic. The DEIS understates impacts to polar bears and seals, and completely omits impacts to cetaceans including listed bowhead and beluga whales.	Cetaceans, including listed bowhead and beluga whales, are addressed in Final EIS Section 3.13, <i>Marine Mammals</i> .	Y
1302	134	Dunn	Connor	ConocoPhillips	Marine mammals	The DEIS states that bowhead whales and beluga whales were not analyzed because their migration corridor is outside of the analysis area. For comprehensiveness, we recommend that BLM explain more fully why additional analysis is unnecessary.	The Final EIS marine mammals analysis area was expanded to include the vessel route.	Y
1302	135	Dunn	Connor	ConocoPhillips	Marine mammals	“Ice infrastructure would cover 2,872.3 acres, which could alter foraging habitat during winter construction.” Onshore habitat is rarely used in the winter for foraging by polar bears, and BLM notes on page 110 that polar bears may use terrestrial habitat for denning, scavenging, resting and travel between marine habitats. Therefore, it’s unlikely that the acreage of ice infrastructure on land would impact foraging habitat. ConocoPhillips requests BLM update this metric to include only sea ice acreage. BLM also notes that approximately 442.7 acres of foraging habitat for polar bears would be permanently lost as a result of gravel infrastructure. ConocoPhillips finds it unlikely that the Willow roads and pads would have provided polar bear foraging habitat, particularly that far inland.	Edit made as suggested.	Y
1302	136	Dunn	Connor	ConocoPhillips	Marine mammals	There is an apparent typo in 3rd paragraph under 3.13.2.3.2: “Using the disturbance buffer of 1 mile for polar bear dens during operations, 85.3.5 acres would potentially be disturbed.”	Sentence was updated for the Final EIS.	Y
1302	137	Dunn	Connor	ConocoPhillips	Marine mammals	This section discusses the potential for Level A harassment of marine mammals. For comprehensiveness, it may be prudent to include some discussion of the potential for Level B harassment.	Both Levels A and B harassment are discussed in the Final EIS in Section 3.13.2.3.2, <i>Disturbance or Displacement</i> , and in Appendix E.13 (<i>Marine Mammals Technical Appendix</i>), Section 1.3.2, <i>Applicable Noise Criteria</i> .	N
1294	14	Nukapigak	Joe	Kuukpik Corporation	Marine mammals	The Draft EIS also downplays or under-estimates the likely effects of introducing an unnatural island on bowhead whales and other aquatic species. As BLM knows, bowhead whales are a vital subsistence and cultural resource for Nuiqsut. Each spring, they migrate east to the north of the proposed MTI and pass it again during the westward migration in August or September. It’s therefore nearly incomprehensible that BLM has summarily concluded that the MTI will not have any meaningful impacts on whales and whaling. In fact, it gets this whole analysis wrong by concluding that there wouldn’t be any meaningful impacts because (i) the island would be outside Nuiqsut’s hunting grounds, and (ii) BLM believes whales do not pass close enough to shore to be impacted by either the island or vessel traffic. Although it’s true that the MTI location is not squarely within Nuiqsut’s hunting grounds, the vessel traffic and noise associated with construction of the island, activities on the island, and delivering the modules could impact or deflect migrating whales, seal populations, and fish and other species. And even though the island itself would not be located in subsistence whaling areas, bowhead whales do pass through Harrison Bay in meaningful numbers, usually to rest or escape stormy seas. If the island and shipping activities associated with it impact the overall health of the bowhead whale, seals, and other populations, there would be real repercussions in Nuiqsut and Utqiagvik (since the island is “upstream” from that community’s whaling grounds) and across the North Slope. In other words, activities that harm bowhead whales outside of Nuiqsut’s whaling grounds are nevertheless very, very relevant and important to Nuiqsut. The question is not just whether the MTI would actively displace hunting (it likely wouldn’t); it’s whether the impacts from the island, both short term and over time, could alter whale behavior or populations in ways that would impact subsistence users long-term . . . The Draft also doesn’t pay enough attention to non-whaling impacts. Nuiqsut hunters, for example, target multiple species of seals in Harrison Bay, not that far from the proposed location of the island. The Draft EIS eases right past this potential conflict, downplaying the risk of “periodic displacement.” 57	The Final EIS includes a third module delivery option (Option 3: Colville River Crossing) that does not include the construction of an MTI. Effects of all module delivery options are summarized in Table 3.13.4. The MTI at Atigaru Point or Point Lonely would increase noise in an area that currently does not have industrial noise sources, but it would be for only four seasons (thus, would not be a permanent noise source). Further, the MTI would be located in very shallow water, where bowheads are not expected. The type of activity that would occur at the MTI during those four seasons would be similar to existing activities at Oliktok Dock and West Dock, which are both closer to Cross Island, which has continued to be a successful whaling location.	Y
1294	37	Nukapigak	Joe	Kuukpik Corporation	Marine mammals	Vol. I, p. 109, Table 3.13.1, Marine Mammals Known to Occur in the Analysis Area. The indication that the Willow Project Area is completely outside the bowhead whale migration corridor is not entirely accurate, as explained in Kuukpik’s comments. Nuiqsut whalers confirm the bowhead whales use Harrison Bay and pass near Atigaru Point.	Though bowhead whales may occur offshore from the MTI, they are not expected near the MTI. Their migration corridor is generally in depths greater than 60 feet, and the MTI would be in an approximately 8- to 10-foot water depth.	N
58	1	Olemaun	Chastity	—	Marine mammals	I’m wondering when the open water season is for the sealift barges, and what is the mitigation process for -- to not disturb the bowhead migration?	As described in Section 3.13.2.6.2, <i>Disturbance or Displacement</i> , bowhead whales are not expected to be affected by the Project, and thus, no mitigation is needed. Bowhead and beluga whales harvested near Utqiagvik (Barrow) and Nuiqsut in fall and spring would not be disturbed by the increased vessel traffic between Atigaru Point and Oliktok Point because their migration corridor is generally in depths greater than 60 feet and all vessel traffic would occur in shallower water. Marine habitat would recover from noise almost immediately after construction and in-water work cease. Vessel traffic is not expected to result in injury or mortality of marine mammals because vessels would travel at speeds slower than 14 knots.	N

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864	197	Psarianos	Bridget	Trustees for Alaska	Marine mammals	<p>BLM Must Expand the Marine Mammal Analysis Area.</p> <p>The DEIS states that:</p> <p>The analysis area for onshore activities for marine mammals is the area within 1 mile of onshore construction and operation activities and within 1.5 miles of construction activities and support vessel route for offshore construction (Figure 3.13.1). This area represents the maximum distance that underwater or airborne noise or vibration could affect marine mammals and their habitats (based on the USFWS polar bear den disturbance zone), and also represents the maximum distance from which polar bears may be attracted to Project facilities. BLM must expand this analysis area for several reasons. First, the one-mile buffer zone for onshore construction and operation activities should be increased substantially, to better reflect available science regarding disturbances to non-denning polar bears. Routine snow machine noise, for example, has been shown to prompt significant avoidance responses in polar bears at distances up to 3,272 meters over two miles.</p> <p>Second, the 1.5-mile offshore buffer similarly should be increased to reflect actual distances at which construction and vessel noise are known to impact other marine mammals. For example, BLM has elsewhere acknowledged that industrial noise can impact seals at a distance of 2.5-3.7 miles, depending on the nature of the source and other factors.</p> <p>Third, the referenced Figure 3.13.1 shows no support vessel route or associated analysis area. BLM must provide a description and map of support vessels that will be needed and the areas those vessels will traverse. It must include all marine mammals potentially impacted by those vessels and establish an analysis area based on distances from vessel noise at which marine mammals may be impacted. It must include the full vessel transit route, not just the areas in the immediate vicinity of the proposed construction, and examine potential impacts including vessel strikes. A non-exhaustive list of marine mammals which would need to be included in BLM’s analysis include: right whale, orca, walrus, Steller sea lion, ribbon seal, humpback whale, gray whale, and harbor porpoise.</p> <p>Finally, the DEIS excludes bowhead and beluga whales from any analysis, claiming that the migration corridor for each species is outside of the analysis area. But both species occur in the project area. BLM must add bowhead and beluga whales to the list of impacted species and the DEIS must assess the projects impacts to both.</p>	<p>Regarding the onshore analysis area, the distance to the 100-dB NMFS airborne threshold for phocids (other than harbor seals) for behavioral disturbance was calculated using a source level of 101 dBA at 50 feet for pile driving and transmission loss of 20 log, resulting in a distance of 55 feet. There is no threshold for polar bear disturbance, other than for denning bears, for which a 1-mile buffer has been used. Therefore, this distance was used as the analysis area. Bears and hauled-out seals are likely able to detect industrial sounds at distances greater than this 1-mile buffer, but data are lacking regarding if distances greater than 1 mile cause disturbance. One mile was used to be consistent with current USFWS mitigation practices.</p> <p>Regarding the offshore analysis area, the distance to the 120-dB NMFS underwater threshold for behavioral disturbance was calculated using a source level for vessel noise of 170-dB rms at 3.28 feet and transmission loss of 15 log, resulting in a distance of 7,067 feet (or 1.3 miles). This was conservatively rounded up to 1.5 miles. These distances are consistent with other NEPA, ESA, and MMPA consultations in Alaska. Vessel noise is the loudest sound associated with in-water work, so this distance was used to calculate the analysis area. Pile driving is all terrestrial, so these distances were not included in the offshore analysis area.</p> <p>The estimated marine vessel route was added to the Final EIS as Figure 3.13.2. Effects analysis of the vessel route and affected species was added to Section 3.13, <i>Marine Mammals</i>. Table 3.13.1 added the list of known species to occur along barge route and marine construction area. We acknowledge that bowhead and beluga whales occur in the Beaufort Sea, but they do not occur in the shallow area of the planned marine construction area.</p>	Y
864	199	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	<p>The DEIS Fails to Examine Critical Marine Ecosystem Effects of an Oil Spill</p> <p>Oil spills can harm marine mammals by reducing their prey. BLM fails to examine the negative impacts of oil at an ecosystem level as well as short- and long-term impacts to marine mammals such as polar bears, whales, and seals. Studies have concluded even a small spill can have both short and long-term substantial negative impacts. At the ecosystem level, for example, plankton, such as the fat-rich Arctic copepod <i>C. hyperboreus</i>, are part of the base of the marine ecosystem and a critical component for the food supply of marine mammals. When <i>C. hyperboreus</i> are exposed to small amounts of oil, their ability to graze, reproduce, and metabolize is significantly reduced.</p> <p>The effect on plankton further exacerbates other negative impacts of oil spills on marine mammals.</p> <p>Oil spills can also adversely affect fish and invertebrates of all developmental stages. Oil contamination of mollusks has been found to impair growth, fertilization, and development of embryos, kill gill tissue, and encourage cancerous growths. Hydrocarbons can cause larval deformation and death. Adult fish exposed to oil can suffer from reduced growth, enlarged liver, changes in heart and respiration rates, fin erosion, and reproductive impairment.</p> <p>The DEIS must properly acknowledge the risk of oil spills and needs to fully examine the ecosystem effects of oil spills—large and small—to marine mammals.</p>	<p>Text was added to Section 3.13.2.10, <i>Oil Spills and Accidental Releases</i>, to address the effects of spills on prey for marine mammals.</p>	Y
864	200	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	<p>The DEIS Neglects to Examine Impacts of Oil Spills on Polar Bears</p> <p>Polar bears spend time both in the water and on land. This dual use of the environment makes polar bears particularly vulnerable to oil spills. Polar bears could come in to contact with oil in a variety of ways. Polar bears could directly come in to contact with spilled oil or by means of grooming themselves. An oiled bear could ingest significant amounts of oil through natural grooming. Polar bears could also experience consequences from oil spills indirectly, such as through contaminated prey. The imperiled SBS population of polar bears could suffer major impacts from an oil spill.</p> <p>The DEIS needs to specifically examine the adverse consequences of oil spills to polar bears, especially given their use of both terrestrial and marine habitats within the Project area.</p>	<p>Text was added to Section 3.13.2.10, <i>Oil Spills and Accidental Releases</i>, to address the effects of spills on polar bears.</p>	Y

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864	201	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	<p>The DEIS Neglects to Examine Impacts of Oil Spills on Whales and Ice Seals</p> <p>Individual whales and seals can be affected by oil spills in numerous ways, many of which are not fully documented. However, documented stress on whales and seals includes decreased survival and reproductive rates, health effects, and disrupted normal behaviors such as foraging. These individual effects can result in population-level consequences.</p> <p>Long term post-exposure studies have demonstrated some of the population-level impacts that cannot always be readily observed immediately post oil-spill. In a long-term study following the Exxon Valdez Oil Spill, two different orca pods, a transient pod and a resident pod, suffered significant losses which contributed towards these distinct orca populations trajectory toward extinction. Likewise, the population of harbor seals in Prince William Sound declined 4.6% annually following the Exxon Valdez Oil Spill.</p> <p>Exposure to toxic fumes from hydrocarbons during oil spills has even been linked to mortality in cetaceans, years after the accidents; a 2015 report linked adrenal and lung lesions in bottlenose dolphins to the Deepwater Horizon oil spill, which led to an unusual mortality event from 2010 to 2014. Seal pups depend on scent to establish a mother-pup bond, and mothers often do not recognize their oil-coated pups. Oiled pups may be prematurely abandoned, reducing the pups chances of survival. During the nursing period, ringed, bearded, and spotted seals return to the water several times a day between nursing bouts, increasing the chances of repeated contact with oil.</p> <p>BLM must examine the long-term harm oil spills can have on whale and ice seal populations both near the Willow development and along the vessel and barge supply route.</p>	Text was added to Section 3.13.2.10, <i>Oil Spills and Accidental Releases</i> , to address the effects of spills on marine mammals.	Y
864	202	Psarianos	Bridget	Trustees for Alaska	Marine mammals	<p>The DEIS Fails to Adequately Consider Impacts from Disturbance and Displacement.</p> <p>Given polar bears declining population and increasing stressors, disturbance and displacement of bears from preferred habitats is becoming an increasingly significant consideration. Yet the DEIS scarcely considers it. BLM must better quantify the impacts of the Willow project, together with existing and other foreseeable developments, on polar bears.</p> <p>First, the DEIS estimates the area where the project could disturb polar bears at 853 acres. The analysis area shown in Figure 3.13.1, however, appears to encompass a significantly greater area, since it includes a one-mile buffer on either side of dozens of miles of roads and other project facilities. BLM must better explain its conclusion that the project would potentially disturb polar bears in a total of just 853.5, acres or must revise its calculation.</p> <p>The DEIS also understates the effect of the disturbance and displacement that will occur:</p> <p>The duration and frequency of impacts from construction would be continuous during construction and operation. Because activities would have a short duration and occur over a small area of denning and critical habitat relative to the entire North Slope, polar bears and seals are expected to find alternate similar habitat. There is no support for the conclusion that disturbed or displaced bears will simply find alternate habitat. It cannot be assumed that animals which move from their preferred site would not be subject to any impacts, especially if the animals are moving away from dens, mates, or other biologically important areas. Indeed, BLM has elsewhere acknowledged that possible impacts on polar bears exposed to noise potentially include disruption of normal activities, displacement from foraging and denning habitats, and displacement of maternal females and young cubs from dens.</p> <p>The bears denning in the NPRA are from the same population of SBS bears whose Arctic Refuge coastal plain denning habitat BLM soon plans to sell to the highest bidder. The impacts are significant and the alternate habitat is diminishing along Alaska’s north slope.</p> <p>Other studies reinforce the impacts of industrial activity and noise on bears. As noted above, routine snow machine noise has been shown to prompt significant avoidance responses in polar bears at distances up to 3,272 meters over two miles. Bears in this study typically had a pronounced response and frequently fled snowmobiles and continued to flee the area at lengthy distances. Also, industrial activities produced measured noise higher than background levels at a distance of up to 1.24 miles from artificial dens, depending on the source.</p> <p>Displacement of a mother bear from her den will adversely affect the mother and result in death for any cubs. Displacement from preferred foraging areas near the project will increase the bears metabolic costs and nutritional stress. Together with displacement occurring due to other existing and proposed development in polar bear critical habitat, the impacts from Willow could be significant. BLM must take a hard look at the direct, indirect and cumulative impacts of the Willow project on polar bears.</p>	Section 3.13.2.3.2, <i>Disturbance or Displacement</i> , was updated for the Final EIS. Calculations were updated and described by both critical habitat units and proximity to shore (i.e., onshore and offshore effects). As noted in the USFWS 2016–2021 ITRs for polar bears, polar bears have continued to use habitat near industrial activities for many years, including many instances of successful denning. Polar bears exhibit tolerance to oil and gas activity in this area.	Y

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864	203	Psarianos	Bridget	Trustees for Alaska	Marine mammals	<p>BLM Fails to Adequately Assess Increased Human-Bear Interactions.</p> <p>With increased oil and gas development activity occurring in Alaska’s Arctic concurrent with bears spending more time on land, human-polar bear interactions have been increasing. These interactions can lead to displacement from preferred habitat, energetic loss, stress, and even mortality.</p> <p>The DEIS recognizes the increased likelihood of human encounters with nutritionally bears stressed but it does not detail the impact of these increased encounters on the polar bear population. The percentage of bears coming ashore and staying for at least 21 days has more than sextupled as those bears are arriving earlier, staying later, and staying longer than ever before. As bears spend more time onshore, the more likely bears are to be affected by industry expansion and more likely to encounter humans. Inland areas in the NPRA will become increasingly critical to the SBS population These factors combined could further elevate the significance of human-bear interactions.</p> <p>This higher rate of encounters will increase harassment of polar bears, adding stress to the bears and exacerbating the aforementioned consequences. Higher encounter rates conflict with BMPs A-8 (minimize conflicts between humans and bears) and M-1 (minimize disturbance and hinderance of wildlife, or alteration of wildlife movements through the NPR-A). Polar bears have extremely high energy demands and for this currently stressed population, conserving energy is vital to their survival. Increased human-bear interactions, even non-lethal encounters, could contribute to the hinderance of polar bear survival and reproduction. BLM must analyze the population-level risk of increased human-bear interactions in light of industry expansion in the NPRA and increasing polar bear use of terrestrial habitats.</p>	<p>The effects of the Project in combination with effects of climate change (such as bears spending more time onshore) is described in the Final EIS in Section 3.19.10.5, <i>Marine Mammals</i>.</p>	Y
864	204	Psarianos	Bridget	Trustees for Alaska	Marine mammals	<p>The DEIS Underestimates Impacts to Denning Bears.</p> <p>Polar bears build dens by excavating snow on land or sea ice. As sea ice dwindles, polar bears are increasingly denning on land. As previously mentioned, it is likely that inland areas of the NPR-A will become more critical to the SBS population.</p> <p>BLM appears to rely on the relatively few known polar bear den locations in and around the project area to determine likely impacts to denning bears. But den detection is very difficult, and the known dens almost certainly do not reflect all the dens that have occurred in the area. The DEIS does not indicate how the dens were located or cite any research designed to estimate the number of denning bears in the area. Given the increasing importance of terrestrial denning to SBS bears, BLM should anticipate greater use of denning habitat in the NPRA and estimate the number of dens and extent of impacts accordingly.</p> <p>The DEIS states, The nearest known polar bear maternal dens are approximately 3 miles from the proposed gravel infrastructure (in this case, the HDD pads) for all action alternatives, and less than 0.1 miles from the proposed ice road for the module delivery options (Durner et al. 2010; USGS unpublished data). It is notable that project infrastructure is fully expected to come extremely close to known polar bear dens, with ice roads and the proposed MTI virtually connecting the dots representing the known dens in the area. At a glance, even the impacts to known dens would require work to stop were those dens again occupied.</p> <p>But the larger problem is that the information presented about known dens is not sufficient to assess impacts of the Willow Project on denning polar bears. BLM must clarify how the known dens were identified and estimate, based on polar bear distribution and behavioral trends, an approximate number of denning bears anticipated in the project area over the life of the project. This estimate should also consider potential increased use of denning habitat in the NPRA outside of designated critical habitat. Estimated numbers of denning bears, and the limitations on the efficacy of den detection even in known denning areas, could serve as a basis to estimate the potential project impacts on denning bears. As discussed above, that analysis needs to take a much harder look at the sources of disturbance and displacement, and apply that to denning bears as well.</p>	<p>Potential terrestrial denning habitat displayed in the EIS was mapped using topographic features (Durner, Simac et al. 2013). The total amount of potential terrestrial denning habitat in the analysis area was estimated to be 3,126.6 acres. The acres of potential terrestrial denning habitat lost from Project gravel infrastructure for each action alternative are summarized in Final EIS Table 3.13.3. The Final EIS also identified the closest known historical den site to Project components but noted that this is not necessarily indicative of future den sites, as dens are not reused by bears. The oil and gas industry conducts aerial infrared surveys each year prior to the winter season to identify den sites, as well as trains all personnel to identify signs of dens. When a den is identified, strict measures are taken to avoid disturbance of the den. As summarized in the recent ITRs for polar bears, there are several examples of successful dens near industry. Therefore, the EIS analysis is appropriate and consistent with USFWS consultations.</p>	Y
864	205	Psarianos	Bridget	Trustees for Alaska	Marine mammals	<p>The DEIS wrongfully concludes that whales are outside of the analysis area. As a result, the DEIS not only fails to fully consider the range of cetacean species affected by the proposed development, but it also fails to consider multiple impacts on whales including ship strikes and noise impacts.</p> <p>i. The DEIS Fails to Consider the Possibility and Impacts of a Vessel Collision with Whales.</p> <p>The DEIS states that: “Impacts to marine mammals as a result of injury or mortality from vessel collision is not expected; therefore, the extent and duration that injury or mortality would occur is not included in this analysis.”</p> <p>The risk of a collision with a marine mammal is always a possibility and a reasonably foreseeable impact that BLM must thoroughly consider within Harrison Bay, the Beaufort Sea, and along all vessel routes related to the project.</p>	<p>The Final EIS considers the potential impact of vessel strike on marine mammals in Section 3.13.2.3.3, <i>Injury or Mortality</i>.</p>	Y

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864	206	Psarianos	Bridget	Trustees for Alaska	Marine mammals	<p>The DEIS Fails to Consider the Noise Impacts on Whales.</p> <p>The DEIS briefly acknowledges the Project will generate noise through various activities and discusses acoustic thresholds but fails to assess the impacts of the Projects noise on whales and other marine mammals. Instead, BLM states that “detailed information will later be analyzed further in a MMPA authorization request and associated ESA Section 7 consultation.” Deferring this analysis to later processes is inadequate because MMPA authorizations are not necessarily required and section 7 consultations only apply to species listed as threatened or endangered under the ESA. BLM’s EIS for the Willow project must take its own hard look at the impacts to marine mammals, including noise impacts.</p> <p>The injury and disturbance thresholds identified in Appendix E, moreover, no longer appear to represent the best available science:</p> <p>Level B takes . . . often occur well outside of our ability to directly observe the disruption, and typically outside the 1,000 m observation zones around such disruptive activities. The best available science clearly shows that behavioral disruptions occur at vastly lower noise exposure levels than the current regulatory thresholds for Level B disturbances, and at much larger distances than on-board Marine Mammal Observers or passive acoustic monitoring can document.</p> <p>Recent research has elucidated disturbance thresholds with respect to bowhead whales, beluga whales, and harbor porpoise. Bowhead whales increase call rates at initial detection of air guns at 94 dB, then decrease after 127 dB, and stop calling above 160 dB. Beluga whales isopleth are displaced from foraging areas beyond the 130 dB. Harbor porpoise buzz rates, a proxy for foraging success, decrease 15 percent with exposure to seismic air guns at 130 dB and above. BLM must present the likely project noise levels and incorporate the best available science to assess the impacts of project noise together with existing and reasonably foreseeable noise sources. That science includes recent research determining that whales such as bowhead and beluga are disturbed at lower levels than previously thought.</p> <p>Research has also revealed that noise pollution can be exacerbated through ocean acidification, which is a result of climate change. When carbon dioxide reacts in the ocean, it lowers pH, creating more acidic waters. The more acidic the water, fewer sound waves are absorbed. Noise impacts to marine mammals are predicted to increase with climate change, wherein the absorption of carbon dioxide by the ocean could create noisier oceans. Researchers predict that ocean acidification will reduce the intrinsic ability of surface seawater to absorb sound at frequencies important to marine mammals as much as 40 percent by 2050 due to ocean acidification. Such changes will only exacerbate the harms from noise pollution from the Willow Project, other oil and gas drilling operations in the Arctic, and other anthropogenic noise sources. BLM must take into account the effect of ocean acidification on the likely impacts of noise from Willow and existing and foreseeable projects on marine mammals.</p>	<p>The Final EIS and Appendix E.13 (<i>Marine Mammals Technical Appendix</i>) use the NMFS 2018 Technical Guidance for assessing Levels A and B harassment. Distances to the thresholds described in the NMFS 2018 guidance using methods described for transmission loss and recommended source levels for different Project components are also provided in Appendix E.13. The EIS is consistent with NMFS policy.</p> <p>The marine transit route overlaps with cetacean habitat but is limited to a few barges transiting slowly. Once sealift modules have been delivered via barge, the Project is terrestrial; therefore, impacts to cetaceans are not expected.</p> <p>NMFS. 2018. Revisions to: Technical Guidance for Assessing the Effects of Anthropogenic Sound on Mammal Hearing (Version 2.0): Underwater Thresholds for Onset of Permanent and Temporary Threshold Shifts. Seattle, WA: NOAA, NMFS.</p>	N
864	207	Psarianos	Bridget	Trustees for Alaska	Marine mammals	<p>The DEIS Fails to Thoroughly Examine the Noise Impacts to Ice Seals and Other Pinniped Populations.</p> <p>As noted above, the DEIS relies on threshold levels for marine mammal disturbance that may no longer reflect the best available science as new research is supporting findings that seals are disturbed at much lower exposure levels than previously thought.</p> <p>The DEIS states simply that [d]isturbance and displacement would occur from on-ice work in winter and in-water work in summer, and from vessel traffic. Underwater and airborne noise would be created from equipment and marine vessels. Seals may temporarily be displaced from marine waters during construction, but ringed seals exhibit tolerance to construction.</p> <p>While seals may habituate to some sources of noise, this is a mischaracterization of this study, which found that the density of overwintering ringed seals near an artificial island was not significantly reduced by a variety of industrial activities over two seasons. This was an extremely localized study only concerned with one species of seal. This study is not sufficient for BLM to draw broad conclusions on effects to ice seals.</p> <p>Numerous other studies document the fact that noise does impact seals, regardless of how one might characterize their tolerance to construction. Small motorboats and helicopters have been shown to disturb hauled out seals. Ringed seals have also been found to be sensitive to aircraft noise</p> <p>Vessel and aircraft noise disturb hauled-out seals, causing the animals to quickly flee into the water from their resting states, and overall disrupting the animals normal behavior.</p> <p>Additionally, radio-tagged seals departed their lairs in response to snow machines within 2.8 km, human footfalls as far away as 600 m, a skier as far away as 400 m, and in response to a helicopter flying 5 km from the lair at an altitude of 152 m, and during helicopter landings or takeoffs as far away as 3 km. Seals also departed lairs by diving into the water in greater than 50% of instances when helicopters flew over at or below an altitude of 305 m.</p> <p>BLM must take a hard look at the likely noise impacts from the project on seals and use the best available science regarding acoustic thresholds and behavioral responses to noise in assessing those impacts.</p>	<p>The Final EIS and Appendix E.13 (<i>Marine Mammals Technical Appendix</i>) use the NMFS (2018) Technical Guidance for assessing Levels A and B harassment. Distances to the thresholds described in the NMFS 2018 guidance using methods described for transmission loss and recommended source levels for different Project components are also provided in Appendix E.13. The EIS is consistent with NMFS policy.</p> <p>The studies around Northstar were specific to ringed seals, but spotted seals were often observed, all exhibiting tolerance to the industrial activities at Northstar. Although this is one localized area, similar tolerances have been observed for the species of seals in the Beaufort Sea around West Dock, Oliktok Point, Northstar, and other industrial coastal areas.</p> <p>Lairs for iced seals are created after March 1, which is why NMFS mitigation measures require that all work in this habitat start prior to March 1 so that the disturbance has already occurred before seals create their lairs.</p> <p>Construction of the MTIs would start prior to March 1, in accordance with NMFS policy. Once the Project is constructed, all operations are in terrestrial habitat. This information was added to Section 3.13.2.6.2, <i>Disturbance or Displacement</i>.</p>	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	208	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	<p>The DEIS Fails to Take A Hard Look at the Impacts of GHG Pollution from the Project on Polar Bear Recovery.</p> <p>The DEIS fails to properly analyze the effects of the greenhouse gas pollution resulting from the Willow Project in isolation, or in combination with other oil and gas activities in the Arctic, on the survival and recovery of polar bears. . . .</p> <p>While the DEIS acknowledges that polar bears are threatened by sea ice loss, it does not acknowledge how the direct, indirect, and cumulative impacts of how the Project will affect the likelihood of sea ice loss stabilizing at the established recovery thresholds. The DEIS otherwise fails to adequately consider the high probability of the extirpation of the SBS polar bear population without significant reductions in GHG pollution to stem sea ice loss . . . increased oil and gas development will increase GHG pollution, thereby increasing the primary threat to polar bears and frustrating recovery. BLM’s DEIS fails to acknowledge this reality or otherwise address how the Willow project, in addition to other existing and proposed development also located in polar bear critical habitat, can be consistent with the recovery of polar bears.</p>	<p>Impacts on climate change are assessed by quantifying the potential direct GHG emissions for all Project components for the life of the Project; indirect GHG emissions from the transportation, refining, and combustion of the produced oil; and cumulative GHG emissions associated with the Willow MDP Project in combination with other existing GHG emissions on the North Slope of Alaska and potential future development. GHG emissions are used as a proxy for the analysis of impacts on climate change and resources affected by climate change, given that the current state of climate science is incapable of attributing specific climate change impacts on resources like polar bears to any particular project or combination of projects that result in GHG emissions. The BLM prepared the Draft EIS and SDEIS according to 40 CFR 1502 and the BLM’s NEPA Handbook (H-1790-1); the EIS includes a full and fair discussion of significant environmental impacts, including cumulative impacts, that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement. The Project’s effects on polar bears are analyzed in Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>) of the Final EIS; specifically, marine mammals are analyzed in Section 3.13 (<i>Marine Mammals</i>), climate change is analyzed in Section 3.2 (<i>Climate and Climate Change</i>), and cumulative effects are analyzed in Section 3.19 (<i>Cumulative Effects</i>). Polar bear recovery is addressed in the Project’s Biological Assessment.</p>	Y
864	209	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	<p>The DEIS Fails to Consider How Climate Change Will Exacerbate Threats to Whales and Ice Seals.</p> <p>. . . The DEIS acknowledges ice seals’ dependence on sea ice, but fails to consider impacts of the loss of sea ice on seals. . . . Studies have documented a nearly 100 percent mortality rate when snow cover was insufficient to build snow caves. Recent studies also show that loss of sea ice is also leading to poor body condition in ringed seals. . . . MacIntyre et al. (2015) found that losses in ice cover may negatively impact bearded seals, not just by loss of habitat but also by altering the behavioral ecology of the population in the Beaufort Sea region. . . . But the DEIS fails to present this baseline information about the affected environment and address how the Willow project will exacerbate these effects.</p> <p>Cetaceans, including beluga and bowhead whales are long-lived, K-species, . . . are ill equipped to quickly adapt to a rapidly changing arctic climate. The DEIS has not analyzed how the Willow projects impacts will exacerbate climate related threats to cetaceans, notably threatened bowhead whales and belugas.</p>	<p>Section 3.19.10.5, <i>Marine Mammals</i>, was expanded for the Final EIS and describes the effects of the Project on marine mammals in combination with climate change. The Project would not exacerbate the effects of climate change on ice seals and whales because the Project would have minimal effects (limited to the marine vessel route) on those species.</p>	Y

4.2.13 National Petroleum Reserve in Alaska Integrated Activity Plan

Table B.2.16. Substantive Comments Received on the NPR-A Integrated Activity Plan

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
11	5	Baraff	Lisa	—	IAP	<p>The DEIS states . . . <i>Revisions to the BLM’s NPRA IAP that are currently underway may change boundaries and stipulations associated with existing special areas such as the TSL . . . If areas are removed from special area designation, they will no longer have special protections for biological resources such as birds and caribou.</i> . . . because this is being done while the IAP is in revision, the stipulations and the BMPs would follow the current IAP, but I’m curious as to what will really happen to the surrounding areas when those BMPs and stipulations may not apply. . . . I wonder how BLM can move forward with this given what is known and what is likely to occur.</p>	<p>The BLM is required to respond through a ROD on the Willow MDP Project regardless of potential revisions to the IAP. The Project is subject to LSs from prior IAPs, which do not change when a new IAP is issued. Applicable BMPs/ROPs considered in the revised IAP are included as <i>Applicable Lease Stipulations and Best Management Practices</i> sections in the Willow MDP Final EIS (typically, Section 3.X.2.1.1).</p>	N
990	5	Grijalva; Huffman; Lowenthal	Alan; Jared; Raul	U.S. House of Representatives, Committee on Natural Resources; U.S. House of Representatives, Subcommittee on Energy and Mineral Resources; U.S. House of Representatives, Subcommittee on Water, Oceans, and Wildlife	IAP	<p>BLM must consider the impacts of the Willow Plan in the context of the NPR-A’s Integrated Activity Plan (IAP). The IAP closed the majority of the Teshekpuk Lake Special Area . . . to leasing and other development activities. Unfortunately, the Willow Plan proposes construction of roads, pads, and pipelines within the Teshekpuk Lake Special Area, threatening the valuable resources the Special Area was established to protect.</p>	<p>Parts of the infield road system, as well as BT2 and BT4, would be within the TLSA in an area that is available to oil and gas leasing. Like most or all previous NPR-A projects, much of the Project area overlaps previously undisturbed area. All else being equal, the TLSA is only an administrative boundary, and Project impacts would not necessarily be greater within the TLSA than they would outside the TLSA.</p>	N

4.2.14 Noise

Table B.2.17. Substantive Comments Received on Noise

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	156	Psarianos	Bridget	Trustees for Alaska	Noise	[Noise] Mitigation is Inadequate. The draft EIS lists the following as additional suggested mitigation measures that “could” be implemented: . . . There is absolutely no discussion of how these measures may reduce noise impacts from this project. The draft EIS contains this list, and nothing further. This falls far short of BLM’s obligation to consider meaningful mitigation measures. For instance, how would flight paths be altered—would there be a certain distance buffering the community of Nuiqsut? There is also no mechanism for enforcement of such a provision. The suggestion of using snow berms like likewise vague and does not explain where such snow berms would be constructed, whether there are any studies showing snow berms dampen noise in an Arctic environment, or consideration of countervailing adverse impacts from such berms to vegetation, hydrology, and subsistence access. Finally, monitoring is NOT mitigation, and BLM should not conflate these two independent and important requirements in considering ConocoPhillips’ proposal.	More detail was added to Section 3.6.2.1.3, <i>Additional Suggested Avoidance, Minimization, or Mitigation</i> , to clarify measures and enforcement mechanisms. Text was also edited to clarify that measures listed may be for avoidance, minimization, or mitigation.	Y

4.2.15 Nuiqsut Economics

Table B.2.18. Substantive Comments Received on Nuiqsut Economics

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1294	34	Nukapigak	Joe	Kuukpik Corporation	Nuiqsut Economics	Vol. 1, p. 22 and 127, Table 3.16.1. These sections state that the Nuiqsut population is approximately 347 people. Per the NSB’s 2015 Economic Profile and Census Report, the population of Nuiqsut is 449 people (in 2014). (see http://www.north-slope.org/assets/images/uploads/NSB Economic Profile and Census Report 2015 FINAL.pdf). The DEIS should also reference that Nuiqsut is the only North Slope community that is connected to the state’s gravel road system by ice road for about 4 months out of the year.	While NSB believes that U.S. census data underestimates population and unemployment in the borough, the U.S Census data provide consistent data for conducting analysis. The preface to the NSB socioeconomic survey notes that there were challenges to collecting 2015 NSB socioeconomic survey data and that 75% of respondents in Nuiqsut refused to provide some of the income data requested (NSB 2016). Use of the U.S. census versus NSB population data would not result in significant changes to impacts. No change to text. Added to text in Final EIS <i>Section 3.15.1.1, Local Economy (Nuiqsut)</i> : “It is the only North Slope community that is connected to the state’s gravel road system by ice road for about 4 months out of the year.”	Y
864	218	Psarianos	Bridget	Trustees for Alaska	Nuiqsut Economics	BLM’s analysis of the economic impacts is flawed. It focuses exclusively on BLM’s assertion that Nuiqsut residents are likely to receive income from development, either through jobs or Kuukpik dividends, and concludes the “effects on Nuiqsut’s economics would not be highly adverse.” This analysis ignores the fact that there are many residents in Nuiqsut who are not shareholders and will not receive dividends, and there are likely to be few jobs for Nuiqsut residents. It also ignores the fact that there are likely to be even greater adverse impacts to households from a reduction in access and abundance of subsistence resources—e.g., from hunters having a harder time harvesting subsistence resources in traditional areas or from them needing to travel further to obtain those resources.	Added text to Final EIS Section 3.15 (<i>Economics</i>) and Section 3.17 (<i>Environmental Justice</i>), stating that not all Nuiqsut residents are shareholders.	Y

4.2.16 Permitting

Table B.2.19. Substantive Comments Received on Permitting

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1307	30	Pardue	Margaret	Native Village of Nuiqsut	Permitting	NVN has significant concerns about the impacts that the Willow MDP will have on our community and the environment and resources we rely on. We request that BLM not permit this project until the effects of the project together with other current and future oil development activities are fully understood and until the future management of the NPR-A and details of ConocoPhillips’ plans are known.	An oil and gas lease grants certain exploration and development rights, subject to reasonable regulation. Placement of a moratorium on such activities is not reasonable regulation and thus is in contradiction to the lease rights.	N
5	1	Psarianos	Bridget	Trustees for Alaska	Permitting	I write to raise concerns about the absence of any Clean Water Act section 404 application during the timeframe for the public to provide comments on the draft Environmental Impact Statement (EIS) for ConocoPhillips Alaska, Inc.’s (CPAI) proposed Willow Master Development Plan (Willow Plan).	A Section 404 permit application is not required in order to undertake the NEPA process. Section 404 requires a permit before dredged or fill material may be discharged into WOUS; the Section 404 program is administered by USACE, which will provide a public comment period on any Section 404 permit application prior to issuing a permit. USACE issued its Public Notice on March 26, 2020.	N
5	4	Psarianos	Bridget	Trustees for Alaska	Permitting	It is inappropriate for BLM and the Corps to be moving forward with the NEPA review for this project without a valid 404 permit application before the agencies . . . We understand that the Corps is a cooperating agency on BLM’s National Environmental Policy Act (NEPA) process for the Willow Plan. . . . Separating out the EIS and 404 processes limits the agencies and the publics opportunity to review the full scope of impacts from CPAIs proposed Willow Plan. It also raises serious questions about the Corps abilities to fulfill its statutory mandates under both the Clean Water Act and NEPA. . . . As currently written, the EIS is missing the information and analysis necessary for the Corps to conduct its evaluation, to make the necessary findings under its Clean Water Act mandate, or to meet its own obligations under NEPA.	A Section 404 permit application is not required in order to undertake the NEPA process. Section 404 requires a permit before dredged or fill material may be discharged into WOUS; the Section 404 program is administered by USACE, which will provide a public comment period on any Section 404 permit application prior to issuing a permit. USACE issued its Public Notice on March 26, 2020.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
5	6	Psarianos	Bridget	Trustees for Alaska	Permitting	BLM and the Corps should not proceed with reviewing and authorizing this project without a complete 404 permit application. . . . BLM and the Corps decision to move ahead with the NEPA process prior to CPAI submitting its application to the Corps for the 404 process is contrary to both NEPA and the Clean Water Act. The above-listed groups request that the Corps and BLM suspend the NEPA process for the Willow Plan until CPAI submits its application for a 404 permit. If the Corps receives CPAIs application, the agencies will need to revise and reissue the EIS to fully incorporate the information and findings necessary to support the 404 decision-making process.	A Section 404 permit application is not required in order to undertake the NEPA process. Section 404 requires a permit before dredged or fill material may be discharged into WOUS; the Section 404 program is administered by USACE, which will provide a public comment period on any Section 404 permit application prior to issuing a permit. USACE issued its Public Notice on March 26, 2020.	N
5	7	Psarianos	Bridget	Trustees for Alaska	Permitting	During the Bureau of Land Managements (BLM) public meeting on the Willow Plan in Anchorage on September 12, 2019, I inquired about the status of the Clean Water Act 404 permit required for this project . . . Mr. Moore responded that the Corps had not yet received an application for the 404 permit from CPAI. . . . I understand based on this conversation that CPAI may wait until after BLM signs its Record of Decision before applying for its 404 permit with the Corps. . . . Mr. Wrobel confirmed that CPAI will apply for the entire Master Development Plan in a single 404 application, and will not be applying for multiple 404 permits for portions of the project in order of construction.	A Section 404 permit application is not required in order to undertake the NEPA process. Section 404 requires a permit before dredged or fill material may be discharged into WOUS; the Section 404 program is administered by USACE, which will provide a public comment period on any Section 404 permit application prior to issuing a permit. USACE issued its Public Notice on March 26, 2020.	N
864	4	Psarianos	Bridget	Trustees for Alaska	Permitting	We also question the ability of BLM to move forward with its review now given the status of the Clean Water Act 404 permit required for this project by the U.S. Army Corps of Engineers (Corps) . . . As currently written, the EIS is missing the information and analysis necessary for the Corps to conduct its evaluation, to make the necessary findings under its Clean Water Act mandate, or to meet its own obligations under NEPA. BLM and the Corps decision to move ahead with the NEPA process prior to ConocoPhillips submitting its application to the Corps for the 404 process is contrary to both NEPA and the Clean Water Act. The Corps and BLM should suspend this NEPA process for the Willow Plan until CPAI submits its application for a 404 permit.	A Section 404 permit application is not required in order to undertake the NEPA process. Section 404 requires a permit before dredged or fill material may be discharged into WOUS; the Section 404 program is administered by USACE, which will provide a public comment period on any Section 404 permit application prior to issuing a permit. USACE issued its Public Notice on March 26, 2020.	N
864	8	Psarianos	Bridget	Trustees for Alaska	Permitting	BLM has not made it clear what the agency is actually approving through this Master Development Plan process. The draft EIS states: The ROD(s) associated with this EIS will not constitute the final approval for all actions, such as approval for subsequent individual applications for permits to drill and rights-of way associated with the Proposed Action. The EIS analysis does, however, provide the BLM and other federal agencies that have regulatory oversight and permitting authorities with information and NEPA analysis that could be used to inform final approvals for individual project components, such as permits to drill and rights-of-way. It is very confusing what BLM is actually considering and potentially approving, especially since key pieces of this project like the 404 permit application have yet to even be submitted to the agencies. This language does not provide a clear picture of what is going to be approved as a result of the EIS, and what exactly has to be approved subject to future permitting and analysis. BLM must be clear and transparent about what future authorizations and associated analyses it believes will be necessary so that the public can comment on the sufficiency of the agency’s approach.	After approval of the Willow MDP Project, CPAI could submit an APD. An APD is required for each proposed well to develop a proponent’s onshore lease. Prior to authorizing an APD, the BLM reviews the information in the APD package to ensure that it is accurate and addresses all requirements; during this time, the BLM also ensures that there is appropriate NEPA documentation. APDs submitted for proposed wells and associated infrastructure as part of the Willow MDP Project are analyzed in the Willow MDP EIS. Each APD would be checked against the existing NEPA documentation, using a DNA. If the BLM cannot document in a DNA that the existing NEPA documentation fully covers activities and the effects of those activities in an APD package, the BLM would require that additional analysis (either in an EA or an EIS) be completed to comply with the NEPA.	N
864	9	Psarianos	Bridget	Trustees for Alaska	Permitting	CPAI is already proposing significant changes to the project design which could greatly increase the amount of gravel fill needed. Agency employees indicated the significance of these changes could rise to the level of requiring a supplemental EIS; despite this, BLM is continuing to charge forward with permitting this project. The changes to the project design which BLM requested from CPAI by September 30, 2019 have not been made publicly available, which further underscores the lack of meaningful public participation described below. This also makes it entirely unclear what information is being considered in the current EIS and permitting process. BLM should not proceed further with the current permitting and NEPA process when it knows there will be significant changes to the proposal and where it is unclear precisely what is being proposed. All of that information should be considered in this NEPA analysis and available to the public for review prior to the agencies making any decisions.	In response to stakeholder concerns and public comments on the Draft EIS, CPAI submitted an updated Project proposal that includes new Project components. The updated Project proposal was received by BLM in November 2019, shortly after the comment period closed on the Draft EIS. The new proposal includes a third module delivery option, construction of a freshwater reservoir, and up to three boat ramps for subsistence use. While there are minor design optimizations across the Project area, the three new Project components had not been previously analyzed or shared with the public. Therefore, the BLM released the SDEIS to present the new information and subsequent analysis for a 45-day public comment period, which started March 20, 2020. The Final EIS includes a description and full analysis of all Project changes and design optimizations.	N
864	24	Psarianos	Bridget	Trustees for Alaska	Permitting	BLM is currently engaging in a NEPA process to revise the IAP for the Reserve. BLM has stated its intent to revise the IAP to make more areas available for oil and gas leasing and activities. That is, the agency has stated its intent to weaken and remove existing protections in the Reserve, including shrinking Special Areas. This is not acknowledged or analyzed in the Willow draft EIS but must be. As an initial matter, BLM’s timing of IAP revision while concurrently considering the Willow MDP is confusing and poorly explained to the public. BLM must be clear about what set of standards Willow is being permitting under. While BLM purports to say that its analyzing the proposed development under the existing IAPs stipulations and best management practices, which is appropriate, because BLM is not clear about what it is actually permitting at this time and/or in the future, it is not clear how BLM will evaluate future components of the Willow MDP that are considered in this EIS but not permitted until the future. It is also unclear what the Corps is reviewing at this stage since it has yet to receive a permit application. The agencies must be clear not only about what activities it is authorizing in this process, but also how they will consider future permit applications in light of a potentially revised IAP.	The BLM is required to respond through a ROD on the Willow MDP Project regardless of potential revisions to the IAP. The Project is subject to LSs from prior IAPs, which do not change when a new IAP is issued. Applicable BMPs/ROPs considered in the revised IAP are included as <i>Applicable Lease Stipulations and Best Management Practices</i> sections in the Willow MDP Final EIS (typically, Section 3.X.2.1.1). A Section 404 permit application is not required to undertake the NEPA process. Section 404 requires a permit before dredged or fill material may be discharged into WOUS; the Section 404 program is administered by USACE, which will provide a public comment period on any Section 404 permit application prior to issuing a permit. USACE issued its Public Notice on March 26, 2020.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	50	Psarianos	Bridget	Trustees for Alaska	Permitting	. . . BLM should have considered delaying permitting of this project until important baseline data could be established, and weighed the environmental benefits as an alternative. BLM must conduct new studies and modeling in the northeastern region of the Reserve to determine how a project of this scale is likely to change nearby air quality, hydrology, and habitat. Data are needed on the aquatic resources in the region and the potential impacts of a central processing facility, pads, roads, and proposed gravel mine. BLM needs to do further studies to understand the negative impacts this project will have on caribou migration, fish, and other wildlife. BLM should conduct a comprehensive study in Nuiqsut to fully assess the subsistence, socioeconomic, cultural, recreational, health and other negative impacts of this project combined with other ongoing and future projects. The BLM must evaluate the benefits that could arise from delaying approval of Willow in terms of improvements in technology, additional gathering of information on risks to resources in the northeastern NPR-A and ways to avoid those risks, and additional information on the impacts of climate change and ways to avoid or mitigate resulting changes to the affected environment. BLM cannot meaningfully evaluate the potential impacts and necessary mitigation measures without all of this information and considering delayed permitting as a project alternative.	An oil and gas lease grants certain exploration and development rights, subject to reasonable regulation. Placement of a moratorium on such activities is not reasonable regulation and thus is in contradiction to the lease rights. Baseline studies are continually updated throughout Northeast NPR-A. Section 3.2.1, <i>Affected Environment</i> , of the Final EIS addresses ongoing impacts of climate change on the environment, including in the Project area. Section 3.2.2, <i>Environmental Consequences: Effects of the Project on Climate Change</i> , and Section 3.19.4, <i>Cumulative Impacts to Climate Change</i> , analyze impacts that the Project and cumulative actions may have on climate.	N
864	64	Psarianos	Bridget	Trustees for Alaska	Permitting	BLM must adhere to the requirements of its Organic Act, the Federal Lands Policy Management Act (FLPMA) governing issuance of right-of-way permits. In a significant oversight, the draft EIS makes no mention of FLPMA whatsoever, or its procedural and substantive requirements. The draft EIS discusses rights-of-way generally, but . . . makes vague statements about when such rights-of-way may be permitted . . . Given that no information is contained in the draft EIS addressing BLM’s obligations under FLPMA to grant rights-of-way, this draft EIS is wholly insufficient to inform final approvals for any rights-of-way. The DEIS fails to meet the strict public interest and environmental protection of FLPMA. Under FLPMA Title V, Section 504, BLM may grant a Right-of-Way (ROW) only if it (4) will do no unnecessary damage to the environment. BLM must adhere to the requirements of FLPMA governing issuance of ROW permits in addition to being the lead federal agency for the NEPA process. . . . BLM must require ConocoPhillips to submit ROW or other special use permit authorizations and require that all mandates of FLPMA Title V and its implementing regulations are adhered to.	As described in Section 1.3, <i>Purpose and Need</i> , FLPMA would apply to any authorization BLM issues for the Project. Table C.1.1 in Appendix C (<i>Regulatory Authorities and Framework</i>) has been updated to reflect this. Pursuant to Section 302(b) and Title V of FLPMA, proposed actions may not cause unnecessary or undue degradation. When an application is submitted for a ROW and/or APD for the Willow MDP Project, the BLM will review the application for completeness and determine whether the scope of the Project falls within what was analyzed in the EIS, and if any further NEPA analysis is required.	N
864	65	Psarianos	Bridget	Trustees for Alaska	Permitting	Any Future Right-of-Way Grant Would Not Comply with FLPMA’s Substantive Requirements. At least three important potential substantive requirements flow from the FLPMA’s ROW provisions. First, BLM has a mandatory duty to impose conditions that will minimize damage to scenic and esthetic values and fish and wildlife habitat and otherwise protect the environment . . . In addition, the obligation to impose terms and conditions that protect Federal property and economic interests requires that the BLM must impose conditions that protect not only the land crossed by the right-of-way, but all federal lands affected by the approval of the ROW. For the Willow plain, as noted herein, BLM failed to evaluate all aspects and ramifications of issuing the ROW for the Willow MDP by unreasonably limiting the scope of its analysis. In particular, the DEIS failed to consider the important missing baseline information, future oil and gas activity and infrastructure made possible by the ROW, and the extensive significant impacts to aquatic resources along the road corridors and at the gravel island site.	Conditions will be imposed to minimize damage to scenic and esthetic values and fish and wildlife habitat and otherwise protect the environment. These measures are outlined in Chapter 5.0 (<i>Mitigation</i>) of the EIS. These measures are also described throughout Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>). This includes applicable BMPs/ROPs considered in the revised IAP, which are included as <i>Applicable Lease Stipulations and Best Management Practices</i> sections in the Final EIS (typically, Section 3.X.2.1.1). When an application is submitted for a ROW and/or APD for the Willow MDP Project, the BLM will review the application for completeness and determine whether the scope of the Project falls within what was analyzed in the EIS, and if any further NEPA analysis is required. As described in Section 1.3, <i>Purpose and Need</i> , FLPMA would apply to any authorization BLM issues for the Project. Table C.1.1 in Appendix C (<i>Regulatory Authorities and Framework</i>) has been updated to reflect this.	N
864	66	Psarianos	Bridget	Trustees for Alaska	Permitting	Second, FLPMA mandates a BLM determination as to what conditions are “necessary” to protect federal property and economic interests, as well as “otherwise protect[ing] the public interest in the lands traversed by the right-of-way or adjacent thereto.” This means that the agency can only approve the ROW if it “protects the public interest in lands” not only upon which the road would traverse, but also lands and resources adjacent to and associated with the ROW. The ROW contemplated here would have significant impacts on subsistence, air quality, and water quality in the community of Nuiqsut. It would also significantly impact resources in Harrison Bay. Thus, it is not clear that BLM would be able to make a finding that use of the lands surrounding by and served by the ROW would “protect the public interest”.	The requirement for a finding that use of the lands surrounding and served by the ROW would protect the public interest would be applicable during the ROW permit review process. As noted in Section 1.3.1 (<i>Decision to be Made</i>) of the EIS, the ROD(s) associated with the EIS will not constitute the final approval for all actions, such as approval for subsequent individual applications for permits to drill and ROWs associated with the Proposed Action. The EIS analysis does, however, provide the BLM and other agencies that have regulatory oversight and permitting authorities with information and NEPA analysis that could be used to inform final approvals for individual Project components, such as permits to drill and ROWs. When an application is submitted for a ROW and/or APD for the Willow MDP Project, BLM will review the application for completeness and determine whether the scope of the Project falls within what was analyzed in the EIS, and if any further NEPA analysis is required. As described in Section 1.3, <i>Purpose and Need</i> , FLPMA would apply to any authorization BLM issues for the Project. Table C.1.1 in Appendix C (<i>Regulatory Authorities and Framework</i>) has been updated to reflect this. Pursuant to Section 302(b) and Title V of FLPMA, proposed actions may not cause unnecessary or undue degradation.	N
864	67	Psarianos	Bridget	Trustees for Alaska	Permitting	Third, FLPMA requires that the right-of-way grant do no unnecessary damage to the environment and be consistent with any other applicable laws. This means that a grant of a ROW leading to the exploration and mining must satisfy all applicable laws, regulations and policies, including the Clean Air Act, Endangered Species Act, Clean Water Act, all state and local laws and regulations. As described below, it is not clear that this ROW authorization can comply with these important environmental laws. The BLM thus cannot issue a ROW that fails to protect the environment as required by FLPMA, including the environmental resource values in and not within the ROW corridor. FLPMA does not authorize BLM to consider of the interests of private interests as weighed against environmental interests such as protection of fish and wildlife habitat. [A]s BLM has held, it is not private interests but the public interest that must be served by the issuance of a right-of-way. Here, BLM does not acknowledge the failure of this ROW to provide for the public interest. The intent of this process and any future ROW grant is to aid ConocoPhillips in its westward expansion into the Reserve as quickly as possible; this is inappropriate and inconsistent with BLM’s obligations under FLPMA.	BLM agrees that the Project cannot be permitted unless it can be demonstrated that it will satisfy all applicable laws, regulations and policies, including the CAA, ESA, CWA, and all state and local laws and regulations. The public benefits of the Project are primarily related to economic benefits, such as jobs for Alaskans, additional revenues for state and regional economies, additional property tax revenues for the NSB, and additional funding for the NPR-A Impact Grant Program, which provides funding opportunities to all North Slope communities (see Final EIS Section 3.15, <i>Economics</i>). When an application is submitted for a ROW and/or APD for the Willow MDP Project, the BLM will review the application for completeness and determine whether the scope of the Project falls within what was analyzed in the EIS, and if any further NEPA analysis is required. As described in Section 1.3, <i>Purpose and Need</i> , FLPMA would apply to any authorization BLM issues for the Project. Table C.1.1 in Appendix C (<i>Regulatory Authorities and Framework</i>) has been updated to reflect this. Pursuant to Section 302(b) and Title V of FLPMA, proposed actions may not cause unnecessary or undue degradation.	N

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864	68	Psarianos	Bridget	Trustees for Alaska	Permitting	Additionally, FLPMA expressly requires that all land-use authorizations contain terms and conditions to protect resources and the environment. As described above, the draft EIS fails to consider an adequate range of enforceable and meaningful mitigation measures, in violation of NEPA and FLPMA.	Avoidance, minimization, and mitigation measures were further developed in the Final EIS and will be included in the ROD. Details are included in the <i>Applicable Lease Stipulations and Best Management Practices</i> sections throughout Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>), in Chapter 5.0 (<i>Mitigation</i>), and in Appendix I.1 (<i>Avoidance, Minimization, and Mitigation</i>). When an application is submitted for a ROW and/or APD for the Willow MDP Project, the BLM will review the application for completeness and determine whether the scope of the Project falls within what was analyzed in the EIS, and if any further NEPA analysis is required. As described in Section 1.3, <i>Purpose and Need</i> , FLPMA would apply to any authorization BLM issues for the Project. Table C.1.1 in Appendix C (<i>Regulatory Authorities and Framework</i>) has been updated to reflect this.	Y
864	69	Psarianos	Bridget	Trustees for Alaska	Permitting	The Interior Department, interpreting FLPMA V and its right-of-way regulations, has held that: “A <i>right-of-way application may be denied, however, if the authorized officer determines that the grant of the proposed right-of-way would be inconsistent with the purpose for which the public lands are managed or if the grant of the proposed right-of-way would not be in the public interest or would be inconsistent with applicable laws.</i> ” Here, to prevent the degradation of the important lands and resources of the western Arctic, BLM should refuse to issue any ROW applications submitted by ConocoPhillips for the Willow Project. At a minimum, BLM must at least consider such requirements in a revised or supplemental EIS.	As noted in Section 1.3.1 (<i>Decision to be Made</i>) of the EIS, the ROD(s) associated with the EIS will not constitute the final approval for all actions, such as approval for subsequent individual applications for permits to drill and ROWs associated with the Proposed Action. The EIS analysis does, however, provide the BLM and other agencies that have regulatory oversight and permitting authorities with information and NEPA analysis that could be used to inform final approvals for individual Project components, such as permits to drill and ROWs. When an application is submitted for a ROW and/or APD for the Willow MDP Project, the BLM will review the application for completeness and determine whether the scope of the Project falls within what was analyzed in the EIS, and if any further NEPA analysis is required. As described in Section 1.3, <i>Purpose and Need</i> , FLPMA would apply to any authorization BLM issues for the Project. Table C.1.1 in Appendix C (<i>Regulatory Authorities and Framework</i>) has been updated to reflect this. Pursuant to Section 302(b) and Title V of FLPMA, proposed actions may not cause unnecessary or undue degradation.	N
864	70	Psarianos	Bridget	Trustees for Alaska	Permitting	BLM Cannot Proceed with Permitting this Project Until ConocoPhillips Submits a Complete Right-of-Way Application. Similar to the necessary Clean Water Act 404 permit described below, it appears that ConocoPhillips has not applied for necessary rights-of-way for the Willow MDP. The draft EIS is totally insufficient for meeting FLPMA’s procedural requirements. The draft EIS falls short of rectifying these omissions, rendering BLM’s analysis insufficient under NEPA and making issuance of a right-of-way by BLM inappropriate. A right-of-way that “may have significant impact on the environment” requires submission of a plan of construction, operation, and rehabilitation of the right-of-way. There is no question that this ROW will have significant impacts, thus BLM must require ConocoPhillips provide a complete plan of construction, operation, and rehabilitation, which it has yet to do.	As noted in Section 1.3.1 (<i>Decision to be Made</i>) of the EIS, the ROD(s) associated with the EIS will not constitute the final approval for all actions, such as approval for subsequent individual applications for permits to drill and ROWs associated with the Proposed Action. The EIS analysis does, however, provide the BLM and other agencies that have regulatory oversight and permitting authorities with information and NEPA analysis that could be used to inform final approvals for individual Project components, such as permits to drill and ROWs. When an application is submitted for a ROW and/or APD for the Willow MDP Project, the BLM will review the application for completeness and determine whether the scope of the Project falls within what was analyzed in the EIS, and if any further NEPA analysis is required. As described in Section 1.3, <i>Purpose and Need</i> , FLPMA would apply to any authorization BLM issues for the Project. Table C.1.1 in Appendix C (<i>Regulatory Authorities and Framework</i>) has been updated to reflect this.	N
864	71	Psarianos	Bridget	Trustees for Alaska	Permitting	BLM’s regulation at 43 C.F.R. 2804.12(a) provides that a completed application must include a myriad of information. . . . [T]here is a vast amount of information missing in ConocoPhillips application to BLM that was posted on BLM’s website. As a result, the draft EIS itself is deficient in its description of the project facilities, ConocoPhillips schedule moving forward, and reclamation plans. Thus far the only application provided publicly has been ConocoPhillips Summary and Request Letter, which do not fulfill the company’s obligations to submit a complete ROW application. There is a substantial amount of information missing that must be gathered before BLM can meaningfully evaluate and the public can fully understand the potential impacts from the project.	As noted in Section 1.3.1 (<i>Decision to be Made</i>) of the EIS, the ROD(s) associated with the EIS will not constitute the final approval for all actions, such as approval for subsequent individual applications for permits to drill and ROWs associated with the Proposed Action. The EIS analysis does, however, provide the BLM and other agencies that have regulatory oversight and permitting authorities with information and NEPA analysis that could be used to inform final approvals for individual Project components, such as permits to drill and ROWs. When an application is submitted for a ROW and/or APD for the Willow MDP Project, the BLM will review the application for completeness and determine whether the scope of the Project falls within what was analyzed in the EIS, and if any further NEPA analysis is required.	N
864	77	Psarianos	Bridget	Trustees for Alaska	Permitting	The draft EIS fails to explain how BLM will comply with its substantive and procedural obligations under the Endangered Species Act (ESA). NEPAs implementing regulations require an EIS to state how alternatives considered in it and decisions based on it will or will not achieve the requirements [of NEPA] and other environmental laws and policies. Several species protected under the ESA inhabit the Willow project area, including polar bears, bowhead whales, ringed seals, bearded seals, spectacled eiders, and Steller’s eiders. . . . Here, BLM’s draft EIS fails to acknowledge these important mandates or explain how BLM will comply with the ESAs substantive and procedural requirements when authorizing Willow. Procedurally, BLM broadly asserts that [c]onsultation under Section 7 of the Endangered Species Act (ESA) will occur between federal authorizing agencies and the U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration National Marine Fisheries Service (NMFS) as appropriate, for species listed under the ESA. This statement does not satisfy BLM’s duty to show how it will comply with the ESA.	As stated in Section 1.9.1 of the Draft EIS and 1.10.1 of the Final EIS (<i>Endangered Species Act Consultation</i>), consultation under Section 7 of the ESA occurs between federal authorizing agencies and USFWS and NMFS, as appropriate, for species listed under the ESA. Consultation between BLM and USFWS and NMFS has occurred parallel to the NEPA process. Additional avoidance, minimization, or mitigation measures agreed upon during that consultation process will be included in the ROD.	N
864	78	Psarianos	Bridget	Trustees for Alaska	Permitting	. . . BLM does not divulge on which species it will consult. This is especially concerning given the EISs artificial and unlawful narrowing of the analysis area to exclude some marine mammals, including ESA-listed bowhead whales, as well as its unwarranted exclusion of Steller’s eiders, which historically nested in the Willow area. BLM is obligated to satisfy its consultation obligations on any action that may affect any listed species or its critical habitat. The threshold for triggering formal consultation is very low, and the burden is on the Federal agency to show that the action is not likely to affect adversely species or critical habitat and [a]ny possible effect triggers formal consultation requirements. Only if and when BLM obtains a written NLAA determination from a Service that the leasing program may affect, but is not likely to adversely affect, a particular listed species may BLM forego formal consultation on the effects of its action on such species. Otherwise, BLM must formally consult on all species that may be adversely affected by the agency’s authorization of an oil and gas leasing program.	BLM consulted with the USFWS and NMFS under Section 7 of the ESA, as described in Draft EIS and Final EIS Section 3.13 (<i>Marine Mammals</i>) and Section 3.11 (<i>Birds</i>). Additional avoidance, minimization, or mitigation measures agreed upon during that consultation process will be included in the ROD.	N

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864	79	Psarianos	Bridget	Trustees for Alaska	Permitting	It is also not clear how BLM’s preferred alternative will meet the ESAs substantive mandate to avoid jeopardizing the continued existence of certain listed species and destroying or adversely modifying their habitat. For example, as described below, BLM’s assessment of impacts to polar bears greatly underestimates potential impacts to denning bears and does not address or attempt to avoid these potential significant impacts through less harmful alternatives. Given the precarious status of the Southern Beaufort Sea (SBS) population of polar bears and the foreseeable significant cumulative effects from Arctic Refuge oil exploration and development, forcing even one mother/cub pair to abandon the den early could constitute jeopardy under the ESA. BLM must factor the ESAs mandates into its NEPA analysis and formulate alternatives that attempt to comply with the ESA.	BLM consulted with the USFWS and NMFS under Section 7 of the ESA, as described in Draft EIS and Final EIS Section 3.13 (<i>Marine Mammals</i>) and Section 3.11 (<i>Birds</i>). Additional avoidance, minimization, or mitigation measures agreed upon during that consultation process will be included in the ROD.	N
864	80	Psarianos	Bridget	Trustees for Alaska	Permitting	. . . [T]he ESA requires federal agencies to give first priority to the declared national policy of conserving endangered and threatened species. . . . BLM cannot lawfully authorize an oil and gas development project that is likely to jeopardize endangered or threatened species or destroy or adversely modify designated critical habitat. Nor can it engage or permit others to engage in activities that will result in unauthorized incidental take of listed species. These requirements are put into practice through the Section 7 consultation process. The draft EIS fails to explain how BLM will comply with these important substantive and procedural legal requirements, in violation of NEPAs implementing regulations. Before the agency can make its final decision as memorialized in the Record of Decision, it must complete consultations under Section 7 and obtain biological opinions (or written NLAA concurrences) from NMFS and FWS. It must also fully explain in the Final EIS how it has ensured that its alternatives and its ultimate choice of alternatives, as reflected in the ROD, will or will not achieve the requirements of the ESA.	BLM consulted with the USFWS and NMFS under Section 7 of the ESA, as described in Draft EIS and Final EIS Section 3.13 (<i>Marine Mammals</i>) and Section 3.11 (<i>Birds</i>). Additional avoidance, minimization, or mitigation measures agreed upon during that consultation process will be included in the ROD.	N
864	81	Psarianos	Bridget	Trustees for Alaska	Permitting	The draft EIS also fails to discuss how BLM will ensure compliance with the Marine Mammal Protection Act of 1972 (MMPA). . . . Here, BLM has not even explicitly acknowledged that the program will have to comply with the MMPA. Aside from a couple of passing references to a future MMPA authorization request, and reference to MMPA hearing thresholds BLM does seem to recognize the requirements of the MMPA. Just as the impacts to polar bears discussed below may jeopardize the continued existence of the polar bear in violation of the ESA, they may also constitute unlawful take under the MMPA. BLM has not shown how it will ensure compliance with the MMPA.	Additional text was added to Section 3.13.1, <i>Affected Environment</i> , regarding ESA and MMPA.	Y
864	82	Psarianos	Bridget	Trustees for Alaska	Permitting	BLM and the Corps Cannot Proceed with Permitting This Project or Preparing this NEPA Analysis in the Absence of a Valid Section 404 Permit Application. The Corps of Engineers Section 404 permit is a core component of this project and review of the 404 permit should not be segmented out from BLM’s NEPA analysis in the draft EIS. . . . BLM and the Corps should suspend further activities on the draft EIS until ConocoPhillips submits its 404 application and the agencies revise this draft EIS to account for the full range of findings and other information necessary for the Corps to comply with the 404 Guidelines.	A Section 404 permit application is not required to undertake the NEPA process. Section 404 requires a permit before dredged or fill material may be discharged into WOUS; the Section 404 program is administered by USACE, which will provide a public comment period on any Section 404 permit application prior to issuing a permit. USACE issued its Public Notice on March 26, 2020.	N
864	83	Psarianos	Bridget	Trustees for Alaska	Permitting	A number of the undersigned groups submitted a letter to the Corps and BLM on October 4, 2019, expressing substantial concerns about the agencies moving forward with the environmental review process for the Willow project in the absence of a CWA Section 404 permit application. . . . ConocoPhillips has not yet applied for a 404 permit from the Corps, and stated that the company had no timeline for doing so. We understand based on this conversation that ConocoPhillips may wait until after BLM signs its Record of Decision before applying for its 404 permit with the Corps. . . . Mr. Wrobel confirmed that ConocoPhillips will apply for the entire Master Development Plan in a single 404 application, and will not be applying for multiple 404 permits for portions of the project in order of construction.	A Section 404 permit application is not required to undertake the NEPA process. Section 404 requires a permit before dredged or fill material may be discharged into WOUS; the Section 404 program is administered by USACE, which will provide a public comment period on any Section 404 permit application prior to issuing a permit. USACE issued its Public Notice on March 26, 2020.	N
864	84	Psarianos	Bridget	Trustees for Alaska	Permitting	It is inappropriate for BLM and the Corps to be moving forward with the NEPA review for this project without a valid 404 permit application before the agencies. . . . Separating out the EIS and 404 processes limits the agencies and the publics opportunity to review the full scope of impacts from ConocoPhillips proposed Willow Plan. It also raises serious questions about the Corps abilities to fulfill its statutory mandates under both the Clean Water Act and NEPA.	A Section 404 permit application is not required to undertake the NEPA process. Section 404 requires a permit before dredged or fill material may be discharged into WOUS; the Section 404 program is administered by USACE, which will provide a public comment period on any Section 404 permit application prior to issuing a permit. USACE issued its Public Notice on March 26, 2020.	N
864	85	Psarianos	Bridget	Trustees for Alaska	Permitting	. . . in a communications record dated September 11, 2019. . . . Mr. Moore documents a communication with Mr. Wrobel, wherein they discussed concerns raised by Kuukpik Corporation and other issues which could impact both 404 application submittal timing and the EIS process itself. CPAI is referring to these changes as project optimizations. These include changes that increase wetlands impacts from ConocoPhillips preferred alternative by 124 acres, with additional acres of fill under all action alternatives. . . . All of this reflects that there will potentially be substantial changes to the project that have not been considered as part of this NEPA process and have not been shared with the public. The conversation record also indicates there are likely to be other significant changes to the project, including the addition of a new pipeline with VSMs between Willow and GMT2 and changes to the MTI. . . . In other words, CPAI is still changing its project design in unknown ways which would significantly increase potential impacts to jurisdictional wetlands from increased gravel fill, additional pipelines, and changes to the offshore gravel island. All of these changes underscore the need the agencies to issue a revised EIS for this project after the Corps files a completed 404 permit. The NEPA process and the 404 permitting process should not be bifurcated. That is particularly important here, where the project proponent is continuing to make substantial changes to the project that have not been considered by the agencies as part of this process.	BLM carefully considered the Project optimizations and design changes submitted by CPAI in November 2019, and determined that three new Project components had not been previously analyzed in the Draft EIS. These new Project components (the third module deliver option, construction of a freshwater reservoir, and up to three boat ramps for subsistence use) were determined to require additional analysis, and thus, the SDEIS was prepared and distributed for public review on March 20, 2020. Potential effects from the other design optimizations were previously analyzed in the Draft EIS. Further rationale for which Project components were analyzed in the SDEIS is contained in Section 1.2 (<i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i>) of the SDEIS.	N

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864	86	Psarianos	Bridget	Trustees for Alaska	Permitting	“It is inappropriate for BLM to move forward with the draft EIS when the agency understands there will be significant design changes to the project and where the agencies have recognized there are substantial problems related to the delayed submission of the 404 permit. None of the proposed changes to the project that the agencies are already aware of have been made public, and as shown by the FOIA records, the agencies have yet to know the full scope of changes that CPAI is likely to propose. BLM should halt this entire process until CPAI provides its final project design and a complete 404 application has been submitted to the Corps. There is no requirement for BLM to move forward in the absence of complete information about this project and, in fact, the opposite is true. BLM should not continue moving forward with the current NEPA process when there are such significant gaps in the agencies and the publics ability to meaningfully evaluate this project. Doing so would be contrary to NEPA and the Clean Water Act.	The SDEIS released for public review on March 20, 2020, describes the Project changes and provides additional analysis of new effects from the three main changes to Project components (the third module delivery option, construction of a freshwater reservoir, and up to three boat ramps for subsistence use).	N
864	87	Psarianos	Bridget	Trustees for Alaska	Permitting	The Corps has distinct, substantive obligations under the Clean Water Act, which in turn extend out into its obligations under NEPA. When a project is not water dependent, as in the case of the Willow project, and the project would fill special aquatic sites, including wetlands, the Corps regulations create a rebuttable presumption that there are practicable and environmentally preferable alternatives, and such alternatives are presumed to have less adverse impact unless clearly demonstrated otherwise. This substantive requirement mandates the Corps to select the least environmentally damaging practicable alternative (LEDPA). . . . The regulations presume that less environmentally damaging alternatives are available to the applicant and practicable, unless the applicant clearly demonstrates otherwise. In the absence of such a clear showing, the Corps is required to deny the permit application.	The BLM Section 404 of the CWA requires a permit before dredged or fill material may be discharged into WOUS. The Section 404 program is administered by USACE, which has provided a public comment period on the Section 404 permit application. USACE issued its Public Notice on March 26, 2020.	N
864	88	Psarianos	Bridget	Trustees for Alaska	Permitting	BLM and the Corps cannot move forward with this EIS at this time and without a valid 404 permit application since this process could constrict the Corps ability to select the LEDPA and meet its 404 obligations. As currently written, the EIS is missing the information and analysis necessary for the Corps to conduct its evaluation, to make the necessary findings under its Clean Water Act mandate, or to meet its own obligations under NEPA. One area of particular concern is the lack of appropriate consideration of mitigation measures in the EIS. Another concern is that this process denies the public or other federal, state, local and tribal agencies the opportunity to comment on ConocoPhillips mitigation proposal and its adequacy to compensate for unavoidable impacts resulting from project implementation, construction and operation. BLM and the Corps should not proceed with reviewing and authorizing this project without a complete 404 permit application. . . . BLM and the Corps decision to move ahead with the NEPA process prior to ConocoPhillips submitting its application to the Corps for the 404 process is contrary to both NEPA and the Clean Water Act. The Corps and BLM should suspend the NEPA process for the Willow Plan until ConocoPhillips submits its application for a 404 permit. If and when the Corps receives ConocoPhillips completed application, the agencies will need to revise and reissue the EIS to fully incorporate the information and findings necessary to support the 404 decision making process.	The Section 404 permit application was submitted by CPAI. USACE issued its Public Notice on March 26, 2020.	N
864	89	Psarianos	Bridget	Trustees for Alaska	Permitting	The Draft EIS is Insufficient to Support the Corps Obligations Under NEPA and the CWA. The Corps is lacking this key information necessary to inform its analysis under the 404 Guidelines.	The Section 404 permit application was submitted by CPAI, and USACE issued its Public Notice on March 26, 2020.	N
864	90	Psarianos	Bridget	Trustees for Alaska	Permitting	There are numerous gaps in the analysis in the draft EIS with regard to the analysis of impacts to wetlands, hydrology, permafrost, waterway, and other impacts. . . . filling and degrading sensitive tundra wetlands is likely to have a wide range of negative impacts on a range of resources and functions over the short and long term. . . . There is no information on the wetlands general habitat suitability. . . . [T]he DEIS specifically lacks information about impacts to fish habitat that the wetlands may provide. Even to the limited extent the draft EIS addresses fish impacts in Appendix E.10, it does nothing to correlate that back to the wetland impacts. -Native plant richness and diversity of wetland types - there is nothing that discusses this factor in Appendix E.9 other than to say it is a very complex system. The draft EIS fails to do a sufficient analysis of these impacts, both for purposes of NEPA and the Corps CWA obligations. The Corps does not have sufficient information to make the necessary findings under the 404 Guidelines.	Because wetlands are abundant on the North Slope and the wetlands that would be impacted by the Project are not unique, the indirect effects to fish would likely not be measurable. USACE administers permits under Section 404 of the CWA. The Section 404 permit application was submitted by CPAI, and USACE issued its Public Notice on March 26, 2020.	N
864	94	Psarianos	Bridget	Trustees for Alaska	Permitting	Additionally, it is unclear what ConocoPhillips is planning regarding completion of a full aquatic site assessment or what ConocoPhillips is planning for purposes of wetland mitigation. ConocoPhillips requested the Corps concurrence with the company’s proposal to use Arctic Slope Regional Corporation ANSRAM methodology in a potential / future Section 10/404 evaluation process, and specifically in regard to potential mitigation needs for the Willow project. However, the Corps states unequivocally that use of the ANSRAM methodology as provided by ConocoPhillips for Willow is not appropriate and we are unable to concur with its use in this way. It does not appear that ConocoPhillips has completed an appropriate aquatic site assessment since that time. This is all crucial information that is necessary to the agencies consideration of this project and necessary mitigation measures. EPA pointed out a number of these gaps during scoping that have yet to be filled. These include information about the expected change in the function and condition of the resources; identification and description of all wetlands and surface waters, including ephemeral and intermittent streams, that could be affected by oil and gas activities; acreages, channel lengths, habitat types, values and functions of the waters; and information on the types of activities that would require mitigation measures during construction, operation, and closure phases of the project. The Corps is also missing a wide range of data about the timing and magnitude of peak flows in multiple waterbodies that will be essential to not only the Corps 404 permit, but also the Rivers and Harbors Act authorizations, which requires agencies to maintain navigation on navigable waterways.	An aquatic site assessment is not required for NEPA.	N

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864	95	Psarianos	Bridget	Trustees for Alaska	Permitting	The draft EIS does not contain any provisions addressing compensatory mitigation for this project, despite the fact that there will be substantial direct, indirect, and cumulative impacts. Instead, the draft EIS states in Section 5.3.2 that mitigation measures required by the Corps will be described in the Corps record of decision for this project. . . . If the Corps waits until the ROD to require, discuss and incorporate a compensatory mitigation plan into their ROD and Section 404/10 permit required for this project, then there would be no opportunity for comments from the public, agencies, and tribal entities.	Except as required by law, BLM policy precludes imposition of compensatory mitigation on public land users (IM 2019-018, Compensatory Mitigation). A Compensatory Mitigation Plan is not required for NEPA or for the Section 404 permit application; only a compensatory mitigation statement is required. USACE determines compensatory mitigation requirements associated with Section 404 permits and provides a public comment opportunity upon issuance of the Public Notice for permit applications under Section 404. USACE issued its Public Notice on March 26, 2020.	N
864	96	Psarianos	Bridget	Trustees for Alaska	Permitting	The Corps cannot wait until the point of issuing a record of decision to analyze the mitigation measures for this project and present that analysis to the public. That is contrary to NEPA. The Corps is required to analyze those measures and their effectiveness in a NEPA analysis. . . . the draft EIS does not demonstrate that the proposed best management practices, lease stipulations, or reclamation are adequate to mitigate the impacts of this project or that compensatory mitigation should not be required. Because of the lack of mitigation presented or analyzed in the draft EIS, there is a serious risk of significant degradation from the proposed project that the Corps has failed to adequately address. All of this information is critical to the Corps ability to properly analyze this project and develop appropriate mitigation measures. Despite that, this information is wholly missing from this process because Conoco has yet to submit a complete 404 application. The Corps and BLM cannot move forward with analyzing this project in the draft EIS without having all of this information, which is necessary for the Corps to meet its obligations under the 404 Guidelines and NEPA.	Avoidance, minimization, and mitigation measures are described in Chapter 5.0 (<i>Mitigation</i>) of the EIS. Except as required by law, BLM policy precludes imposition of compensatory mitigation on public land users (IM 2019-018, Compensatory Mitigation). A Compensatory Mitigation Plan is not required for NEPA or for the Section 404 permit application; only a compensatory mitigation statement is required. USACE determines compensatory mitigation requirements associated with Section 404 permits and provides a public comment opportunity upon issuance of the Public Notice for permit applications under Section 404. USACE issued its Public Notice on March 26, 2020.	N
864	97	Psarianos	Bridget	Trustees for Alaska	Permitting	BLM Should Not Approve Sales of Mineral Materials to Support Willow . . . These gravel mines and material sales contracts are governed by 43 CFR Part 3600. Under these Mineral Material Disposal regulations: No disposal is authorized by the statute where it would be detrimental to the public interest. 30 U.S.C. 601 (2000); 43 CFR 3601.6(a). In addition, the regulations preclude BLM from disposing of mineral materials if it determines that the aggregate damage to public lands and resources would exceed the public benefits that BLM expects from the proposed disposition. BLM did not consider any potential alternative sites for gravel mines for this project, nor did BLM consider an alternative which would reduce the gravel footprint for the Willow project. Yet, the potentially significant impact to water quality within the Ublutuoch (Tiŋmiaqsiuġvik) River 0.5-mile setback (up to 184.1 acres) is essential to BLM’s alternatives review, as impacting water quality in a high-use subsistence area is a highly relevant factor BLM must consider in exercising its discretion to choose the no-action alternative in order to meet the FLPMA and Part 3600 public interest mandates . . . [T]hese gravel mines are detrimental to the public interest due to their short-and-long-term damage to the environment. . . . BLM must undertake a full review of the impacts from these mines under FLPMA and NEPA, and include such an analysis in a revised or supplemental EIS.	As described in Appendix D.1 (<i>Alternatives Development</i>), Section 3.1.5.1, <i>Use of the Clover Mine Site</i> , the use of the Clover Mine Site was considered and dismissed from detailed analysis.	N
864	116	Psarianos	Bridget	Trustees for Alaska	Permitting	. . . [A]ny BLM approval of gravel mines must be conducted under BLM mineral material sales regulations, which contain strict limits to protect the public interest. . . . These gravel mines and material sales contracts are governed by 43 CFR Part 3600. Under these Mineral Material Disposal regulations, no disposal is authorized by the statute where it would be detrimental to the public interest. In addition, the regulations preclude BLM from disposing of mineral materials if it determines that the aggregate damage to public lands and resources would exceed the public benefits that BLM expects from the proposed disposition . . . At a minimum, the likelihood of significant impacts to subsistence resulting from gravel mining within an important setback area precludes their approval.	As described in Table D.3.2 in Appendix D.1 (<i>Alternatives Development</i>), the use of the ASRC Mine Site as a Project component was considered (No. 26) and eliminated from detailed analysis.	
864	271	Psarianos	Bridget	Trustees for Alaska	Permitting	The most glaring inadequacy in this technical appendix [E.9, Vegetations and Wetlands Technical Appendix] is the lack of a functional assessment or impact analysis for wetlands in the DEIS or supporting information. The ITU wetland mapping methods document does not contain a functional assessment or impact analysis for wetlands. This is completely inconsistent with Corps regulations.	An aquatic site assessment is not required for NEPA.	N
987	1	Seris	David	United States Coast Guard, Waterways Management Branch	Permitting	In order for the Coast Guard, as a cooperating agency, to adopt the bridge related portions of this DEIS, the document must include an analysis of the impacts and associated mitigation related to the construction and operation of those bridges that will require Coast Guard bridge permits. Alternative B, which is noted as the preferred alternative, anticipates the construction of seven bridges spanning Judy (Iqalliqpik and Kayyaaq) Creek, Fish (Uvlutuuq) Creek, Willow Creek 2, Willow Creek 4, Willow Creek 4A and Willow Creek 8. Alternatives C and D (Disconnected Infield Roads and Disconnected Access respectively) would require the construction of six (rather than seven) bridges. Anticipated impacts to the human environment specific to bridge construction/operation include hydrologic changes/erosion; potential contamination of fish thereby decreasing subsistence resource availability as well as associated habitat loss; increased noise during construction; and changes to the previously undisturbed characteristics of the visual landscape. Pile driving associated with bridge construction will result in substantial levels of impulsive noise, but for relatively short periods limited to a series of days or weeks at the noted locations. Moreover, the installation of bridge piles (56 in total for Alternative B) would effectively remove EFH in 52 locations within each individual pile footprint (as well as commensurate scouring).	The U.S. Coast Guard decided not to act as a cooperating agency and will be conducting a separate permit review process outside of the EIS process.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
987	3	Seris	David	United States Coast Guard, Waterways Management Branch	Permitting	The DEIS does not address potential impacts relevant to the following laws: the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-4604 et seq.); the Bald and Golden Eagle Protection Act (16 U.S.C. 668); the Resource Conservation and Recovery Act (42 U.S.C. 9601); and the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. 103). In order for the Coast Guard, as a cooperating agency, to adopt the bridge related portions of this DEIS, the document must include an analysis of the impacts and mitigation associated with these laws.	The U.S. Coast Guard decided not to act as a cooperating agency and will be conducting a separate permit review process outside of the EIS process. More detail was added to Table C.2.1 of Appendix C (<i>Regulatory Authorities and Framework</i>) regarding the laws mentioned in the comment.	Y

4.2.17 Project Description

Table B.2.20. Substantive Comments Received on Project Description

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
11	7	Baraff	Lisa	—	Project Description	And this has to do with the delivery islands in Atigaru Point and Point Lonely sites will see six sealift barge trips and 224 support vessel trips with more miles of barge travel for the former and far more miles to support vessel travel for the latter. Although the table in the appendix shows the differences between those; I have not been able to find anything that shows what the total miles will be for each of those alternatives, and nor have I seen a map that actually shows what the routes will be from Oliktok Point or from Point Lonely, and I think it would be helpful in doing analyses to see those.	Exact barge and support vessel routes details are not known. Routes would be determined based on consultation with USFWS to minimize impacts to marine mammals. A new figure has been added to the Final EIS, Figure 3.13.2, Estimated Barge Transit Route, that displays an approximation of the likely barge transit route between Dutch Harbor and Oliktok Dock. The approximate distance from Oliktok Dock to the Atigaru Point MTI would be 45.0 miles, and the distance from Oliktok Dock to the Point Lonely MTI would be 84.4 miles. <i>Note:</i> All traffic values have been updated for the Final EIS.	Y
989	14	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Project Description	Page ES-4, 6.5 Sealift Module Delivery Options How was the design life of 5-10 years for the MTI calculated?	The design life is based on CPAI’s engineering. This time period covers the intended time the MTI would be needed before decommissioning would be completed.	N
989	15	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Project Description	Page ES-4, 6.5.1 Proponent’s Module Transfer Island “It is anticipated the top of the island would drop below the water surface in 10 to 20 years following abandonment as it is reshaped by ice and waves.” This may not be correct. BLM should reanalyze the bathymetry in this area. Some areas have not changed since the 1950s.	The 10- to 20-year period was identified based on previously abandoned-in-place offshore constructed islands (Resolution and Goose islands). The erosion of the island would be generated by waves and ice.	N
989	18	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Project Description	Page 12, 2.5.4.7 Solid Waste Can solid waste be landfilled within the NPR-A?	BLM NPR-A BMP A-2 prohibits the burial of garbage in the NPR-A.	N
989	19	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Project Description	Page 15, 2.5.9 Abandonment and Reclamation This section should include discussion of CPAI’s abandonment and reclamation plans for the Modular Transfer Island and the BLM’s analysis of these plans. What is the predicted life of the project? This seems like something that should be included.	The EIS separates the Project’s onshore components (i.e., action alternatives) from the module delivery components (i.e., module delivery options.) As noted in Section 2.6.1, <i>Option 1: Atigaru Point Module Transfer Island</i> , details regarding MTI decommissioning are described in Final EIS Appendix D.1 (<i>Alternatives Development</i>), Sections 4.7.1.3 and 4.7.2.3, both titled <i>Module Transfer Island Maintenance and Decommissioning</i> . The life of the Project is estimated to be 30 years (Alternatives B and C) and 31 years (Alternative D). The design life of the MTI is 5 to 10 years; it is anticipated that within 10 to 20 years following decommissioning, the top of the island would disappear below the water surface.	N
989	20	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Project Description	Page 17, 2.7 Sealift Module Delivery Options Why is the design life of the MTI 5-10 years?	The design life is based on CPAI’s engineering. This time period covers the intended time the MTI would be needed before decommissioning would be completed.	N
991	1	Bruno	Jeff	Alaska State, Department of Natural Resources	Project Description	Chapter 2, page 12, Section 2.5.4.8 This page discusses drilling waste. The draft EIS does not specify areas or plans for storage of drilling waste prior to disposal. This section notes that reserve pits would not be used. It is unclear to us how they plan to address wastes after they are produced and before they are disposed of.	Temporary storage cells (typically lined, wooden structures) would be constructed for staging drilling muds and cuttings prior to disposal. Text added to Final EIS Section 2.5.4.8, <i>Drilling Waste</i> ; text expanded for clarity in Final EIS Appendix D.1, <i>Alternatives Development</i> , Section 4.2.4.8, <i>Drilling Waste</i> .	Y
1302	12	Dunn	Connor	ConocoPhillips	Project Description	ConocoPhillips is proposing that a Colville River ice road crossing in the vicinity of Ocean Point be considered as an Option 3 for module delivery. Under this approach, modules would be delivered to the existing Oliktok Dock at Kuparuk and staged on existing gravel pads within the Kuparuk oil field until ice roads can be constructed. During winter, the modules would be transported first on existing gravel roads through the Kuparuk oil field to drill site 2P, and then onto a specially made ice road that includes a crossing of the Colville River in the vicinity of Ocean Point. Once across the river, the ice road would continue until it connects with the gravel road roughly around the GMT2/MT7 pad. This approach would avoid the need for an MTI and the need for an ice road across the Teshekpuk Lake Caribou Habitat Area.	Comment noted. Option 3 (Colville River Crossing) is included in the SDEIS and Final EIS.	N
1302	108	Dunn	Connor	ConocoPhillips	Project Description	No discussion of incinerator except for Alt. D. The discussion of project facilities should note that under all alternatives, an incinerator would be used for waste disposal. This avoids attracting animals with food waste.	The use of an incinerator is noted in the Draft and Final EIS Appendix D.1, <i>Alternatives Development</i> , Section 4.2, <i>Project Components Common to All Action Alternatives</i> : Section 4.2.1.3, <i>Willow Operations Center</i> ; and Section 4.2.4.7, <i>Solid Waste</i> . Text was expanded in the Final EIS Section 4.2.4.7, <i>Solid Waste</i> , to note that incinerator use is intended to prevent attracting animals.	Y
1302	109	Dunn	Connor	ConocoPhillips	Project Description	Page 10 states the HDD pipelines will be installed 70 feet below the river channel and page 66 states 85 feet below ground. Change wording on page 66 to “70 feet below the river channel.”	Edited as suggested.	Y

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1302	110	Dunn	Connor	ConocoPhillips	Project Description	Missing values for flights to/from Point Lonely provided on April 15, 2019 and on July 15, 2019 in RFI 62a. Same comment also applies to Table D.4.37. However, these flights appear to have been included in Table E.11.09 and E.11.11 in Appendix E 11. Note that Point Lonely Flights are included in Table ES-11 (page ES.1) but the total provided does not include the Point Lonely Flights. A similar comment also applies to Table 2.8.2 on page 21.	All traffic values and tables have been updated for the Final EIS; this includes additional traffic comparison tables in Appendix D.1, <i>Alternatives Development</i> , Chapter 5.0, <i>Summary Comparison Tables for Analysis</i> . Flight locations specific to the module delivery options (e.g., Atigaru, Point Lonely, Kuparuk) have been added to appropriate tables throughout the Final EIS.	Y
1302	125	Dunn	Connor	ConocoPhillips	Project Description	(Table ES.1) It’s unclear what the point is of listing the various resources affected if those specific resources aren’t then analyzed in the next columns by Alternative. For instance, “disturbance and displacement of birds, caribou, and polar bears” is cited for several project components, but the Alternative analysis columns then only recites project footprints, etc. This is not the correct metric for something like “polar bear habitat.” Having 267.0 miles of pipeline doesn’t mean that’s 267 miles of displacement of polar bears.	The intention is to briefly tie the Project component (e.g., ice infrastructure, pipelines, gravel roads) to the environmental resource that would be impacted using available quantified data to assist reviewers in comparing alternatives. While 267.0 miles of pipeline would not displace 267.0 miles of polar bears, the associated construction activity (winter) has the potential to disturb polar bears. Consequently, alternatives with more miles of pipelines would impact polar bears differently from the construction of pipeline (e.g., setting VSMs, welding pipeline).	N
1302	129	Dunn	Connor	ConocoPhillips	Project Description	(Page 2, Section 1.3, Purpose and Need) We recommend that BLM clarify the phrase transportation to market as used in the DEIS statement of purpose and need. The phrase refers to transportation to a common carrier pipeline, not the final point of sale to a consumer.	The purpose and need adequately covers the intent of CPAI to produce and sell the oil in the marketplace.	N
1302	156	Dunn	Connor	ConocoPhillips	Project Description	(Page 11, Section 2.5.4.1, Ice Pads) Revise paragraph two to read: “Multi-season ice pads would be used on a limited basis to stage construction materials between winter construction seasons; this avoids the need to place gravel fill to support temporary activities. Multi-season ice pad (MSIP) construction utilizes a base of ice with structural insulated panels (SIPs) above and rig mats on the surface. Once the MSIP is no longer needed, the rig mats, SIPs and associated materials will be removed and the ice will be excavated to within 12 inches of the tundra surface. "	Edited as suggested.	Y
1302	157	Dunn	Connor	ConocoPhillips	Project Description	(Page 11, Section 2.5.4.1, Ice Pads) Revise paragraph three to read: “Three 10.0-acre multi-season ice pads would be used during Project construction: near GMT-2, near the WOC (South WOC under Alternative C), and at the Tiġmiasġuġvik Mine Site. These pads would allow for equipment staging in support of ice road construction, gravel mining, and other tasks which would support early access at the beginning of each winter season, while minimizing gravel fill.”	Commenter’s suggested text edit is editorial and does not change the information conveyed in the existing text. No changes to text.	N
1302	158	Dunn	Connor	ConocoPhillips	Project Description	(Page 13, Section 2.5.5, Water Use) Add sentence in italics: “Approximately 0.25 MG of water is used to construct 1 acre of ice pad. (Note: 0.25 MG of water per acre is a high-level estimate for multi-season ice pads.) <i>MSIPs use base thicknesses of ice of 3 feet and beyond. IE, the MSIP near Kuukpik pad is ~6 feet thick. The water required can be simply calculated by cubic feet of ice. It is Much greater than 0.25 MG.</i> ”	The multi-season ice pad description water requirements in Chapter 2.0, <i>Alternatives</i> , and Appendix D.1, <i>Alternatives Development</i> , has been updated to reflect that multi-season ice pads require 0.25 million gallons of freshwater per acre, per foot of thickness.	Y
1302	162	Dunn	Connor	ConocoPhillips	Project Description	(Pages 66-67, Section 3.8.2.3.6, Water Withdrawal) Water withdrawal volume does not appear to account for water used for drilling	All quantitative values have been updated for the Final EIS based on CPAI’s Project revisions.	Y
1302	170	Dunn	Connor	ConocoPhillips	Project Description	(Page 77, Section 3.9.2.6.1, Alternative C: Disconnected Infield Roads) The second sentence states that a second airstrip and camp would be located near BT1 or BT2. To clarify, the north WOC and north airstrip would be located near BT2.	Edited as suggested for clarity.	Y
47	1	Leavitt	Joe		Project Description	What’s the height on the pipeline going to be?	Pipeline heights would vary throughout the Project area due to terrain and topography, but the lowest point for new pipelines would be a minimum of 7 feet above the surrounding tundra. <i>Note:</i> In select areas where new pipelines would be installed on and share existing vertical and horizontal pipeline support members, new pipelines would match the existing heights.	N
1294	21	Nukapigak	Joe	Kuukpik Corporation	Project Description	Vol. I, p. ES-4, Section 6.5, Sealift Module DeliveLy Options. The Draft EIS claims it would take 10-20 years for the top of the MTI to drop below the water surface. This time frame is more realistic than earlier claims of 5 years, but it’s still optimistic. The information arguably supporting that estimate is questionable at best because even the examples provided, Goose and Resolution Islands, may only be at or just below the water surface after 30 and 16 years, respectively. See Vol. I, p. 69. Resolution Island was in the Sag River delta, so it experienced more water movement than would be expected near Atigaru Point. Kuukpik continues to believe the proposed MTI will not dissolve as quickly as BLM thinks it will, if ever.	The Draft EIS does not state that the MTI would dissolve but does state that “the island is expected to be reshaped by waves and ice within 10 to 20 years similar to Resolution and Goose islands, two Beaufort Sea exploratory islands constructed in water depths similar to the [Options 1 and 2] MTP” (Draft EIS Section 3.8.2.6.1, <i>Option 1: Proponent's Module Transfer Island</i>). And Draft EIS Section 3.13.4, <i>Unavoidable, Irretrievable, and Irreplaceable Effects</i> , notes that “the alteration of nearshore habitat would be irreversible because even if the MTI is abandoned and reshaped, it would still exist.” Comparable sections in the FEIS are Section 3.13.2.6.1, <i>Habitat Loss or Alteration</i> , and Section 3.13.3, <i>Unavoidable, Irretrievable, and Irreplaceable Effects</i> .	N
1294	24	Nukapigak	Joe	Kuukpik Corporation	Project Description	Also, on page ES-11, the DEIS states that there would be 200 fixed wing flights in winter for the Atigaru Point alternative and 320 flights (with 96 in summer) for the Point Lonely alternative. Why are no summer flights indicated for the Atigaru Point option? Why are there more fixed wing flights overall for the Point Lonely option? Both options have the same number of helicopter flights.	Traffic values have been clarified for the Final EIS, and the level of detail has been expanded. Module delivery Options 1 and 2 (Atigaru Point and Point Lonely) reflect the same number of helicopter, fixed-wing aircraft, and marine vessel trips. Although there would be no year-round runway at Atigaru Point (Option 1), fixed-wing aircraft would be used for site security and monitoring during summers; helicopters would be used to deliver personnel or equipment to the island during summer, as needed. <i>Note:</i> All traffic values have been updated for the Final EIS. See Final EIS Appendix D.1, <i>Alternatives Development</i> , Chapter 5.0, <i>Summary Comparison Tables for Analysis</i> , for traffic values by year and season for each action alternative and module delivery option.	N
1294	25	Nukapigak	Joe	Kuukpik Corporation	Project Description	Vol. I, p. 9, Section 2.5.2.3, Other Import/Export Pipelines. This section indicates that the new seawater pipeline will run from Kuparuk CPF2 all the way to the WPF (under the Colville River via HDD). Why is the diesel pipeline not expected to connect all the way to the WPF? trucking this (and potentially others) substance (and potentially others) seems inefficient and will unnecessarily increase vehicle traffic.	Under Alternatives C and D, the diesel pipeline would extend to the WPF. Under Alternative B, the diesel pipeline would extend to the Alpine development. Because the BLM considered extending the diesel pipeline to the WPF in the EIS, the BLM has the discretion to require this in the ROD.	N

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1294	26	Nukapigak	Joe	Kuukpik Corporation	Project Description	Vol. 1, p. 10, Section 2.5.3.1, Ice Roads. This section states that ice roads would generally be 8 inches thick. Kuukpik believes this is different from the usual 6 inches. Why the change? This section also states that a 70 foot wide ice road just for transferring the modules would be build alongside a 35 foot wide ice road for general traffic. Why is a separate road necessary? It seems like the 70 foot wide ice road could either be expanded an additional 15-20 feet or include pullouts to allow general traffic to use the same road as the modules instead of building a separate 35 feet wide ice road.	Ice road design has been updated for the Final EIS and is now noted as being “at least 6 inches thick.” Additionally, ice road widths have been further refined (Final EIS, Appendix D.1, <i>Alternatives Development</i> , Section 3.1.6.4.5, <i>Ice Road Widths and Water Use Updates</i>); module haul ice roads have been narrowed to a single 60-foot-wide ice road for all module delivery options.	N
1294	29	Nukapigak	Joe	Kuukpik Corporation	Project Description	Vol. I, p. 11, Section 2.5.4.2, Camps. The existing Arctic Wolf (or Arctic Fox) camp north of the Kuukpik Hotel should also be cited here.	The Project proponent (CPAI) determines what commercial camps it may contract with to support the Project.	N
1294	30	Nukapigak	Joe	Kuukpik Corporation	Project Description	Vol. 1, p. 12, Section 2.5.4.6, Domestic Wastewater. CPAI is leaving the option open to discharge treated wastewater to the ground until the UIC disposal well is available. Kuukpik opposes surface discharge of such wastewater.	Comment noted. Treated wastewater would be hauled to another disposal site (e.g., Alpine) until the Project’s UIC well is operational; though in an emergency, there may be permitted surface discharge.	N
1294	31	Nukapigak	Joe	Kuukpik Corporation	Project Description	Vol. 1, p. 13, Section 2.5.5, Water Use. This section states that 1.5 million gallons of water per mile will be used for construction of a 35 foot wide ice road. The “standard” figure is 1 million gallons per mile. We believe this figure needs to be corrected and calculations based on it must be updated to present an accurate picture of water use related to ice roads.	Ice road design has been updated for the Final EIS (Appendix D.1, <i>Alternatives Development</i> , Section 3.1.6.4.5, <i>Ice Road Widths and Water Use Updates</i>). As noted in Section 4.2.5.3, <i>Water Use</i> , of Appendix D.1, “ice road widths would be 35 feet, 50 feet, or 70 feet; the volume of freshwater required to construct these ice roads is approximately 1.0 MG [million gallons], 1.4 MG, and 2.0 MG, respectively.”	Y
1294	32	Nukapigak	Joe	Kuukpik Corporation	Project Description	Vol. 1, p. 15-16, Sections 2.5.10, Schedule and Logistics. The dates shown are now off by at least 1 year in light of CPAI’s public announcement that the Willow project would be delayed by at least 1 year.	Project schedules have been updated to reflect CPAI’s refinements to engineering design and planning; schedules reflect CPAI’s current development plans.	Y
1294	38	Nukapigak	Joe	Kuukpik Corporation	Project Description	Vol. I, p. 119, Section 3.14.2.2, Action Alternatives and Module Delivery Options. Where does Alternative B cross through a mile of the Colville River Special Area? BT4 is no longer located within the Teshekpuk Lake Caribou Habitat Area.	Roads and pipelines extending southwest from GMT-2 would cross a corner of the CRSA; BT4 is not located in the K-5 Teshekpuk Lake Caribou Habitat Area, but it is located in the TLSA. Both areas have been added to alternatives figures for the Final EIS (Chapter 2.0, <i>Alternatives</i> , and Appendix D.1, <i>Alternatives Development</i>).	N
1294	43	Nukapigak	Joe	Kuukpik Corporation	Project Description	Vol. I, p. 145, Section 3.1.6.2.6.1, Proponent’s MTI. This section states, “During construction, peak ground traffic levels associated with the MTI would reach up to 8,900 trips daily, averaging 370 trips per hour in winter (Table E.11.10 in Appendix E.11, Birds Technical Appendix).” This data seems incorrect. Even if CPAI staged gravel somewhere between the Ublutuooh Mine Site and the island location (which hasn’t been proposed as far as we know), this would equate to 6.6 trips per minute. Gravel trucks can’t offload gravel in less than 10 seconds per load and get out of the way for the next truck.	Traffic trips are estimates provided by CPAI and are based on its logistics and construction planning effort. The EIS further breaks down total trips to daily and hourly distributions (using noted assumptions) to further aid reviewers in understanding the potential impacts for alternatives and module delivery options. No gravel staging areas are proposed as part of the Project. The Final EIS provides updated trip values based on further engineering and planning by CPAI.	N
41	3	Pardue	Marie	—	Project Description	Diesel equipment - You put structures up for employees. Why not go as far as building garages for day/night shifts so they don’t run unused equipment 24/7 during the coldest months.	Construction of garages or other buildings to house vehicles and equipment would expand most gravel pads to accommodate the additional structures, which would result in its own impacts. The BLM is currently revising the NPR-A IAP, including potential changes to required BMPs (described as ROPs in BLM [2020]). Applicable BMPs/ROPs considered in the revised IAP are included as <i>Applicable Lease Stipulations and Best Management Practices</i> in the Willow MDP Final EIS (typically Section 3.X.2.1.1 in most resource chapters). This includes 2020 NPR-A IAP ROP A-14 (Vehicle Idling Standards), which includes the following requirement: “All permanent camps are required to use vehicle plug-ins for engine block heaters. When vehicles are not in use, they shall be powered off and plugged in where plugs are available.” The Willow MDP ROD will detail which of the measures will be implemented for the Project.	N
864	72	Psarianos	Bridget	Trustees for Alaska	Project Description	As noted during scoping, the size and gravel footprint of the five drill sites, the Willow Central Processing Facility, and the infrastructure pad is not indicated. ConocoPhillips’ Summary and the draft EIS only provide estimates that there will 50 or more wells per pad and does not indicate if that number includes only producing wells or injection wells. Further, ConocoPhillips makes the improbable assumption that each drill site will be identical in gravel footprint and infrastructure, when in reality each drill site pad will vary depending on its equipment needs. BLM must require more information to determine the scope of the project and its facilities, as required by FLPMA. Further, ConocoPhillips must provide site-specific specific information for the proposed Willow Central Processing Facility including, but not limited to, its exact location, equipment needs, power generation, processing activities, and infrastructure needs. BLM requires this information not only to adequately evaluate ConocoPhillips’ ROW request, but also to evaluate potential alternatives to that proposal and environmental impacts as required by NEPA.	The Draft EIS and Final EIS identify the sizes of individual pads under each action alternative and in the summary comparison table (see Appendix D.1, <i>Alternatives Development</i>). The Final EIS includes additional Project refinements based on ongoing CPAI engineering; all gravel pad sizes have been adjusted accordingly. As noted in the Final EIS, the Project would have 251 total wells (including injection and production), with 40 to 70 wells at each drill site. Final EIS Appendix D.1, Section 4.2.1.1., <i>Willow Processing Facility</i> , includes a description of some of the activity that would occur at this facility as well as a description of the types of equipment that would be found at the facility. As described in Section 1.3, <i>Purpose and Need</i> , FLPMA would apply to any authorization BLM issues for the Project. When an application is submitted for a ROW and/or APD for the Willow MDP Project, the BLM will review the application for completeness and determine whether the scope of the Project falls within what was analyzed in the EIS, and if any further NEPA analysis is required.	N
864	73	Psarianos	Bridget	Trustees for Alaska	Project Description	Additionally, there is very little information on the length or location of the roads, or the amount of gravel needed. As described in more detail below, gravel infrastructure has major impacts on hydrology, vegetation, and permafrost conditions. Any new roads will increase habitat fragmentation in this sensitive area, and further encircle the community of Nuiqsut. The length of the roads will dictate the amount of gravel needed for construction, and the locations of roads and drill sites will affect the necessary maintenance of roads. ConocoPhillips must provide specific information in order for BLM to properly evaluate the environmental and social impacts of this gravel infrastructure and to grant any ROW for this project.	The Draft EIS and Final EIS include road lengths (miles) and footprint (acres), as well as the acres for each drill site pad; see Appendix D.1, <i>Alternatives Development</i> . All proposed gravel roads are also depicted on accompanying EIS figures. The required gravel volume for each alternative and module delivery option is also provided in Appendix D.1. When an application is submitted for a ROW and/or APD for the Willow MDP Project, the BLM will review the application for completeness and determine whether the scope of the Project falls within what was analyzed in the EIS, and if any further NEPA analysis is required.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	74	Psarianos	Bridget	Trustees for Alaska	Project Description	We are also concerned about the lack of detail on the proposed bridges and water crossings. Judy Creek, Fish Creek, Willow Creek 4, and Kalikpik River would appear to all require massive bridges with piers located in the riverbeds. ConocoPhillips Summary and the draft EIS does not adequately describe how these will be constructed and the draft EIS is equally vague. For instance, the draft EIS merely states that “[b]ridges would range from 40 to 500 feet in length,” but doesn’t clarify the various lengths at different crossings. The draft EIS is also inconsistent in describing whether there will be span bridges across other streams or whether culvert batteries will be used, and the draft EIS states, in a table summary, that 18 crossings would be needed: 7 bridges and 11 culvert batteries. The specific crossings are not identified in the EIS, however, simply the number. This is unacceptably vague, and it is not clear how BLM can issue a ROW under FLPMA without sufficient information regarding which waterbodies will be crossed.	All bridged crossings and culvert batteries are described in the Draft and Final EIS, as well as depicted on EIS figures; see Appendix D.1, <i>Alternatives Development</i> , for details on the bridge crossings. Each action alternative description includes a table noting the crossing location, bridge length, number of piles below ordinary high water, and the crossing location coordinates. Culvert batteries are depicted on alternatives figures. <i>Note:</i> The number of piles required below ordinary high water has been updated in the Final EIS based on ongoing engineering refinements by CPAI. As described in Section 1.3, <i>Purpose and Need</i> , FLPMA would apply to any authorization BLM issues for the Project. When an application is submitted for a ROW and/or APD for the Willow MDP Project, the BLM will review the application for completeness and determine whether the scope of the Project falls within what was analyzed in the EIS, and if any further NEPA analysis is required.	N
864	75	Psarianos	Bridget	Trustees for Alaska	Project Description	Information is also sparse regarding ConocoPhillips’ timing for this massive development, as required by 43 C.F.R. § 2804.12(a)(2) (“estimated schedule for constructing, operating, maintaining, and terminating the project”). ConocoPhillips’ Request Letter simply states that there will be “an inter-related series of infrastructure components that would be constructed over an approximately 10-year period for the purpose of oil and gas development in the NPR-A.” The draft EIS is likewise vague in its description of timing of construction and operation, as described herein. ConocoPhillips’ Summary indicates that BT1, BT2, BT3, the Willow Central Processing Facility, Infrastructure Pad, MTI, air strip and associated roads (and we assume bridges) would be constructed first based on its projections of gravel use, with BT4 and BT5 constructed sometime after 2028. The draft EIS states that “ConocoPhillips proposes to construct the Project over approximately 7 to 9 years (depending on the alternative) beginning in the first quarter (Q1) of 2021. The WPF is anticipated to come online the fourth quarter (Q4) of 2024 (first oil) for Alternatives B and C [note this timeline is unclear given ConocoPhillips’ recent media statements], and in Q1 of 2026 for Alternative D. Operations would run to the end of the Project’s field life, which is estimated to be 2050 (Alternatives B and C) or 2052 (Alternative D).” The draft EIS does not clarify the “phased” approach contemplated in ConocoPhillips’ Summary document submitting to BLM, and appears inconsistent. This is insufficient under FLPMA and is not clarified in the draft EIS. ConocoPhillips must clearly define its development plans as the pace of development will influence impacts. For instance, ConocoPhillips’ Summary provides only an estimate for the number of winter seasons which will be needed for construction, but significantly more information is needed for purpose of any ROW grant by BLM.	Draft EIS Appendix D.1, <i>Alternatives Development</i> , notes that the alternatives contain “phased development,” with construction of drill sites and other infrastructure being completed over an extended period of time; this text has been updated for clarity. The EIS primarily uses “phase” to describe the three primary activity phases of the Project: construction, drilling, and operations. Each action alternative and module delivery option includes a narrative description of planned activity and a graphic of the associated schedule. As described in Section 1.3, <i>Purpose and Need</i> , FLPMA would apply to any authorization BLM issues for the Project. When an application is submitted for a ROW and/or APD for the Willow MDP Project, the BLM will review the application for completeness and determine whether the scope of the Project falls within what was analyzed in the EIS, and if any further NEPA analysis is required.	Y
864	76	Psarianos	Bridget	Trustees for Alaska	Project Description	Additionally, reclamation, including infrastructure and road removal, are barely discussed, despite being critical to both BLM’s NEPA analysis and ROW permit obligations at 43 C.F.R. § 2804.12(a) (3) (“The estimated life of the project and the proposed construction and reclamation techniques”). ConocoPhillips’ Summary and the draft EIS essentially state that infrastructure may or may not be simply left in place or removed. Reclamation is necessary for the Willow Plan, and BLM should ensure that all steps are taken to reclaim the area to its natural state. These activities necessitate more equipment and disturbance, but simply abandoning infrastructure in place will cause additional permanent damage to the landscape. While some of this massive new infrastructure may be considered “temporary” (e.g., the ice roads and the gravel island) that does not mean the temporary infrastructure will not have significant impacts to wildlife and subsistence from their construction and use. BLM must analyze the impacts of this ongoing disturbance if facilities and roads are left in place, and the impacts from eventual road removal and reclamation efforts. In sum, the lack of substantive information in ConocoPhillips’ Summary and lack of a FLPMA application raises serious questions about ConocoPhillips’ ability to move forward with this massive project in an environmentally responsible manner and severely limits the public’s ability to analyze the potential impacts of this proposal. BLM needs all of this information in order to fully assess the site-specific impacts of this project and to issue a ROW consistent with the agency’s legal obligations under FLPMA.	Reclamation requirements are included under the NPR-A IAP ROD as LS G-1, which requires the following: “Prior to final abandonment, land used for oil and gas infrastructure—including but not limited to well pads, production facilities, access roads, and airstrips—shall be reclaimed to ensure eventual restoration of ecosystem function. The leaseholder shall develop and implement an abandonment and reclamation plan approved by the BLM. The plan shall describe short-term stability, visual, hydrological, and productivity objectives and steps to be taken to ensure eventual ecosystem restoration to the land’s previous hydrological, vegetative, and habitat condition. The BLM may grant exceptions to satisfy stated environmental or public purposes.” Additionally, BLM requires a bond from companies conducting activities in the NPR-A to ensure that the company will cover the full cost of reclamation efforts; reclamation standards are determined by the BLM authorized officer at the time of reclamation. As described in Section 1.3, <i>Purpose and Need</i> , FLPMA would apply to any authorization BLM issues for the Project. When an application is submitted for a ROW and/or APD for the Willow MDP Project, the BLM will review the application for completeness and determine whether the scope of the Project falls within what was analyzed in the EIS, and if any further NEPA analysis is required.	N
864	98	Psarianos	Bridget	Trustees for Alaska	Project Description	The Draft EISs Description of Pipeline Inspections are Not Compliant with Federal Pipeline Safety Regulations. The draft EIS states that “ConocoPhillips is required to conduct visual examinations of pipelines and facility piping at least monthly during operations. ConocoPhillips would provide aerial overflights as necessary to allow inspection both visually and with the aid of FLIR technology, when required.” For federally regulated pipelines including pipelines downstream of the Willow Processing Facility and any project-related diesel pipelines, this schedule does not meet the 49 CFR Section 195.412(a) requirement for more frequent pipeline inspections. That section reads: “Each operator shall, at intervals not exceeding 3 weeks, but at least 26 times each calendar year, inspect the surface conditions on or adjacent to each pipeline right-of-way. Methods of inspection include walking, driving, flying or other appropriate means of traversing the right-of-way.”	CPAI North Slope operations currently follow, and would follow for the Willow MDP Project, all federal and state regulations regarding pipeline inspection and aerial overflights, including 49 CFR 195.412(a), Subpart F; 18 AAC 75.055(a)(3); and 18 AAC 75.425(e)(2)[E], by conducting aerial overflights at least every 7 days. Text updated for clarity (Final EIS, Appendix H, <i>Spill Summary, Prevention, and Response Planning</i> , Section 2.3, <i>Spill Response Training and Inspections</i>): “CPAI is required to conduct visual examinations of pipelines and facility piping with a frequency defined under 49 CFR 195.412 and 18 AAC 75.055 during operations at a minimum interval not exceeding three weeks.”	Y
864	115	Psarianos	Bridget	Trustees for Alaska	Project Description	BLM Failed to Adequately Consider the Impacts of Gravel Mining. The draft EIS provides that two 114.8-acre gravel mines sites within the Tiŋmiaqsiuġvik area are being evaluated by ConocoPhillips for the potential to supply some or all of the gravel required to construct the Project. As an initial matter, the draft EIS is suspiciously vague in its description of these mines, referring to them as “cells” in order to characterize two mines, on either side of an important waterway, as though they are a single mine. It is only by studying Figure 2.5.4 that the presence of two mines is apparent. The result is a complete disregard for the significant impacts to this important subsistence area that would result from having two massive gravel mines on either side of a river. Further, the mine sites appear to be located on BLM-managed lands, although this is not expressly stated in the draft EIS. BLM must clarify the location of these mines, because their location on BLM-managed lands triggers a suite of regulatory requirements.	The Draft EIS and Final EIS do describe a single mine site with two distinct cells; the mine site is clearly portrayed as being within the NPR-A (i.e., on BLM-managed lands) and as containing two distinct cells in EIS figures. BLM has coordinated with CPAI on development of its mine site plan to ensure that it meets the requirements of its separate permitting process. The mine site plan covers both the development of the mine and the intended reclamation activities. The mine site plan is used in the analyses of resource impacts. <i>Note:</i> For the Final EIS, the mine site plan has been updated based on ongoing engineering efforts, and the mine site cells footprints have been reduced to 109.3 acres and 40.4 acres (149.7 total acres between the two adjacent mine site cells).	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	117	Psarianos	Bridget	Trustees for Alaska	Project Description	Gravel mining will directly cause additional ground disturbance and habitat destruction above and beyond what will be associated with the Willow Plan footprint and needs to be considered as a connected action in this EIS, not downplayed across resources. Gravel extraction is generally done in large, open pit mines. Open pit mines require extensive overburden removal—for example, over 50 feet of vegetation and soil needed to be excavated to reach suitable gravel in the mines created for Kuparuk. The resulting overburden stockpile disturbs tundra, and the gravel pit itself causes permanent changes to the areas thermal regime due to thaw bulbs forming in the permafrost around the unfrozen water during flooding. Indirect effects such as these have led some researchers to approximate that a one acre gravel pit may affect as much as 25 acres surrounding the site. As explained in the attached Terzi report, these gravel mines would irreversibly alter permafrost and it is clear the impacts will likely exceed the 230 acres of direct impact depicted in the DEIS. The impacts will likely exceed the 230 acres of direct impact depicted in the DEIS, which only focuses on surface disturbance and fails to consider long-term impacts from changes to the thermal regime and the potential indirect and secondary impacts from the gravel mines BLM failed to fully consider all of these impacts in the context of the mines sizes, which will are substantial.	Gravel mine site engineering on the North Slope has advance since Kuparuk development began. The Tiġmiaqsiuġvik Mine Site footprint has been reduced based on additional engineering (from “up to 230 acres” to 149.7 acres across two distinct mine site cells). The mine site would use ice pads to store overburden during the first season of gravel mining operations; subsequent seasons would stockpile overburden within the mine site cell. A perimeter berm would be constructed at the top of the mine site cells to promote thermal stability. A detailed Mine Site Rehabilitation Plan is provided in Appendix D.2, <i>Willow Mine Site Mining and Reclamation Plan</i> . The potential for effects from the mine site, such as permafrost thaw, are discussed in EIS Section 3.4.2.3.1, <i>Thawing and Thermokarsting</i> . A quantitative estimate of permafrost thaw would be inaccurate and speculative.	N
864	118	Psarianos	Bridget	Trustees for Alaska	Project Description	Moreover, the proposed site of the gravel mine based on ConocoPhillips’ map raises a host of concerns. The draft EIS shows the proposed mine directly southwest of the Clover mine site and approximately five miles from the community of Nuiqsut, even closer to the community than the existing CD-5 pad or the nearly completed GMT-1 pad. The existing Arctic Slope Regional Corporation gravel mine is approximately 4.5 miles northeast of Nuiqsut and the noise impacts from blasting reverberate throughout the community regularly. This proposed gravel mine site will further exacerbate the air quality and noise impacts to the community of Nuiqsut. As described further below, BLM also failed to fully consider impacts from siting large gravel pits close to rivers and streams and within their floodplains.	The ASRC Mine Site is approximately 3.9 miles east of Nuiqsut; the Tiġmiaqsiuġvik Mine Site would be approximately 7.0 miles west of Nuiqsut. Use of the Tiġmiaqsiuġvik Mine Site would reduce impacts to Nuiqsut; for example, noise impacts would be less due to the greater distance (versus the ASRC Mine Site), and air quality and noise impacts would be less because gravel-hauling vehicles would not travel near Nuiqsut.	N
864	165	Psarianos	Bridget	Trustees for Alaska	Project Description	As described in the Terzi report, it is not possible to disturb one site in isolation from the rest of the ecosystem, or confine the disturbance to a single detached location and then subsequently reclaim or reverse the impacts. BLM claims ConocoPhillips will reclaim the mine sites in the future, however, there is no detailed analysis or reclamation plans. Thus, there is no way to determine the extent of permanent environmental impacts from these gravel mines. The draft EIS must be revised to add such analysis.	A detailed Mine Site Rehabilitation Plan is included in Appendix D.2, <i>Willow Mine Site Mining and Reclamation Plan</i> , of the Final EIS. This development and rehabilitation plan was developed by CPAI and revised based on BLM review of and comments on the drafts.	N
864	252	Psarianos	Bridget	Trustees for Alaska	Project Description	The DEIS mentions, but does not quantify, potential impacts from the following activities and/or secondary impacts to aquatic resources resulting from construction, implementation, and construction of the proposed project: Seawater Pipeline: It is not clear from the DEIS (nor the schematic figure depicting this pipeline) where the intake for the 67.1 mile seawater pipeline would be located and whether there would be marine (and other) impacts associated with the construction and operation of this pipeline. The DEIS states (Chapter 2, Section 2.5.2.3) the seawater pipeline would transport seawater from the Kuparuk River Unit Central Processing Facility to the Willow Processing Facility. The DEIS also mentions that the seawater pipeline would be placed by Horizontal Directional Drilling (HDD) under the Colville River, but provides little else to describe the potential impacts of this proposed feature. BLM must include this information and analysis in the EIS.	The seawater pipeline would be constructed between the existing Kuparuk CPF2 and the WPF. Seawater would be sourced from the existing seawater treatment plant in Kuparuk and transported to Kuparuk CPF2 using existing pipelines. Appendix D.1 (<i>Alternatives Development</i>), Section 4.2.2.3, <i>Other Pipelines</i> , describes the HDD crossing of the Colville River in additional detail. The HDD activity is analyzed throughout relevant EIS resource sections in Chapter 3.0, <i>Affected Environment and Environmental Consequences</i> (e.g., Section 3.8.2.3.5, <i>Pipelines</i>).	N
864	266	Psarianos	Bridget	Trustees for Alaska	Project Description	The gravel mines would be located within the floodplains of Bill’s Creek, and on either side of the Ublutuoch (Tiġmiaqsiuġvik) River. There is no discussion in the DEIS analyzing the potential impacts from constructing these gravel pits and placing overburden piles and ice pads within the floodplain. Mine Site Area 1 is within 266 feet of Bills Creek and within 310 feet of Ublutuoch (Tiġmiaqsiuġvik) River. The DEIS states the mine site design is ongoing. BLM must finalize the design and allow public and agency comment. There are no detailed plans, but rather one schematic figure depicting this potentially significant impact. Impacts from large gravel pits close to rivers and streams and within their floodplains are well documented in the literature (NMFS, 2005).	The gravel mine site cells would be located adjacent to the floodplains of Bill’s Creek and the Ublutuoch (Tiġmiaqsiuġvik) River; floodplain data have been added to the Final EIS Chapter 2.0, <i>Alternatives</i> , Figure 2.5.2. Single-season ice pads would ring the mine site cells to support mining activity; due to topography, these ice pads would be located mostly above the floodplain. Final EIS Section 3.8.2.3.1, <i>Gravel Mining</i> , describes potential mine site impacts to water resources.	Y
864	268	Psarianos	Bridget	Trustees for Alaska	Project Description	NMFS (2005) states that without restoration, stream recovery from gravel mining can take decades. However, NMFS recommends that reliance on restoration be put into proper perspective. It is important to acknowledge that there are significant gaps in our understanding of the methodology and effectiveness of restoration of streams and anadromous fish habitat affected by gravel extraction activities. As an example, gravel extraction in California is regulated under the concept of “reclamation,” which is derived from open-pit surface mining, such as large coal mines. Although the definition and implementation of reclamation may vary among states, Kondolf (1993, 1994b) states the concept of reclamation, as applied to open-pit mines, often assumes that the environmental impacts are confined to the site; therefore, site treatment is considered in isolation from changes in the surrounding terrain. Kondolf (1993, 1994b) suggests that this definition treats the site as an essentially static feature of the landscape. He argues that, while these assumptions may work for extraction operations located in inactive stream or river terraces, active channels and floodplains are dynamic environments, where disturbances can spread rapidly upstream and downstream from the site during and after the operation. Thus, it is not possible to disturb one site in isolation from the rest of the ecosystem, or confine the disturbance to a single detached location and then subsequently reclaim or reverse the impacts. BLM claims they will reclaim the pits in the future there is no detailed analysis or reclamation plans. Thus, there is no way to determine the extent of environmental impacts and whether reclamation can be a surrogate for compensation as proposed by BLM.	The Tiġmiaqsiuġvik Mine Site cells would not be located in active stream channels or floodplains. Please see Final EIS Appendix D.2, <i>Willow Mine Site Mining and Reclamation Plan</i> , for additional details on mine site development and reclamation plans. The mine site plan was used in the analyses of mine site impacts to resources in the Final EIS.	N
67	2	Smith	Al	—	Project Description	And your gravel source, do you know what the size of the pit is going to be? Is it going to be a 20-acre pit, 100-acre pit?	Gravel mine site engineering for the Tiġmiaqsiuġvik Mine Site has advanced since the Draft EIS, and the footprint has been reduced from “up to 230 acres” to 149.7 acres across two distinct mine site cells. See Final EIS Appendix D.2, <i>Willow Mine Site Mining and Reclamation Plan</i> , for additional mine site development details, including planned dimensions.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
63	1	—	—	—	Project Description	I had noticed you guys just found gravel around lower Alaska, not in the North Slope. Is there any preferences to any gravel closer?	Comment not clear. The Project would develop a Project-specific mine site near the Ublutuooh (Tiŋmiaqsiuġvik) River. See Final EIS Appendix D.1 (<i>Alternatives Development</i>), Section 4.2.6, <i>Gravel Mine Site</i> , for additional details.	N

4.2.18 Public Health

Table B.2.21. Substantive Comments Received on Public Health

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1307	16	Pardue	Margaret	Native Village of Nuiqsut	Public Health	Toxic contamination in our water, air, and food is a critical concern to NVN and the broader Nuiqsut community. Nuiqsut is now surrounded by oil and gas infrastructure, and construction is nearly constant. Neither BLM nor our state or local governments have provided adequate information to the community about the levels of toxic pollution in the environment from all of this activity. Among other issues, community members have been seeing signs of sick and contaminated fish in rivers and lakes. Contamination from petroleum hydrocarbons (PH), including polycyclic aromatic hydrocarbons (PAH) has been identified in sediment and fish in the NPR-A. These compounds can harm fish and can have serious health effects for people who eat contaminated fish. The DEIS fails to adequately consider the cumulative effects of PH and PAH contamination in the environment. BLM should not permit additional development in the NPRA until existing levels of contamination and the extent of additional contamination that could occur from Willow are understood.	Text regarding PAHs was added to Chapter 4.0, <i>Spill Risk Assessment</i> .	Y
1307	27	Pardue	Margaret	Native Village of Nuiqsut	Public Health	A comprehensive Health Impact Assessment (HIA) should be completed for our community. Our community has repeatedly asked for this analysis to occur, and we expect a thorough analysis to be completed as part of this process. The HIA must comprehensively study the risks of oil development and its impacts on important environmental, social, and cultural drivers of health. If our community is going to have faith in this assessment, the HIA must be completed by an independent third party with no conflicts of interest.	Baseline health data for Nuiqsut are provided in Section 3.18.1, <i>Affected Environment</i> . A full HIA conducted by the State of Alaska would not further inform BLM of the differences between the alternatives presented for the Willow MDP Project. Health impacts are analyzed in Final EIS Section 3.18, <i>Public Health</i> ; BLM determined, in consultation with the State of Alaska, that an HIA was unnecessary.	N
1307	31	Pardue	Margaret	Native Village of Nuiqsut	Public Health	Toxic contamination in our water, air, and food is a critical concern to NVN and the broader Nuiqsut community. Nuiqsut is now surrounded by oil and gas infrastructure, and construction is nearly constant. Neither BLM nor our state or local governments have provided adequate information to the community about the levels of toxic pollution in the environment from all of this activity. Among other issues, community members have been seeing signs of sick and contaminated fish in rivers and lakes. Contamination from petroleum hydrocarbons (PH), including polycyclic aromatic hydrocarbons (PAH) has been identified in sediment and fish in the NPR-A. These compounds can harm fish and can have serious health effects for people who eat contaminated fish. BLM should consider baseline data collected by the Arctic Monitoring and Assessment Program in 1998. The DEIS fails to adequately consider the cumulative effects of PH and PAH contamination in the environment. In the years since the last study of these contaminants, construction, development, and ice roads have increased dramatically. BLM should not permit additional development in the NPRA until existing levels of contamination and the extent of additional contamination that could occur from Willow are understood.	Text regarding PAHs was added to Chapter 4.0, <i>Spill Risk Assessment</i> .	Y
864	221	Psarianos	Bridget	Trustees for Alaska	Public Health	How deviations from LSs and BMPs will impact public health should be discussed in greater detail. Simply listing LSs and BMPs and briefly articulating why some cannot be achieved does not explain why they are relevant to particular public health outcomes. A column should be added alongside the LSs and BMPs to describe the connection to communities public health and wellbeing. For example, BMP E-9s objective is to minimize disruption of caribou movement and subsistence use. How altered herd movement and harvest success within the project area may impact residents health should be described in detail.	Because deviations from LSs and BMPs must meet the objectives of the respective protective measures, environmental impacts would not be expected to appreciably change. The environmental consequences analysis in Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>) accounts for proposed deviations. Table D.4.4 in Appendix D.1 (<i>Alternatives Development</i>) provides additional information regarding the proposed deviations, including a description of the objectives of the protective measures and the need for deviations. A deviation is not proposed for BMP E-9.	N
864	232	Psarianos	Bridget	Trustees for Alaska	Public Health	The Draft EIS also fails to take a hard look at the direct, indirect, and cumulative impacts of induced seismicity from drilling and fracking under the Willow project. There are some studies that link seismicity directly to fracking. For instance, fracking has been inferred to trigger the majority of injection-induced earthquakes in western Canada. However, in the United States, wastewater disposal associated with oil and gas extraction is considered the primary triggering mechanism, although fracking is sometimes implicated as well. Atypical seismic activity has been documented extensively in the central and eastern United States. There, earthquake count has increased dramatically over the last decade, with more than 300 earthquakes with M = 3 between 2010 and 2012, or an average of 100 events/year, compared with an average rate of 21 events/year for the period spanning 1967 to 2000. . . . Weingarten et al. (2015), in a study evaluating seismicity in multiple states, found a relationship between Class II wells and seismicity. The mechanisms linking wastewater injection and earthquakes are understood: injection induced increases in fluid pressure within aquifers and fault lubrication by injected fluids have the potential to destabilize well bores and cause preexisting faults to slip. Injection-induced earthquakes pose a threat to public health both through the inherent destructiveness of earthquakes and the potential for earthquakes to jeopardize the integrity of oil and gas wells and create new pathways for fluid flow. New pathways for fluid flow could bring wastewater fluids or oil and gas into contact with the ground or surface water on which so many rely. Yet the Draft EIS fails to examine such risks. Such failure is particularly glaring in light of new information indicating the North Slope is seismically active, including a 6.4 earthquake that occurred in 2018, followed by a 6.0 aftershock.	Hydraulic fracturing of conventional oil formations on the North Slope is not the same as fracturing operations for unconventional (shale) oil, which is the common fracturing operation used in the Lower 48. North Slope operations typically use less water, less proppant, less pumping horsepower, have shorter durations, and lesser potential for contamination. <ul style="list-style-type: none">• The volumes of water typically used (30,000 barrels versus 300,000 barrels)• The volumes of proppant (e.g., sand, ceramics) used (less than 2,000 tons versus 2,000 to 8,000 tons)• The required pumping horsepower (3,000 versus 16,700)• The length of the operation (1 day versus 2 to 7 days)• The potential for freshwater contamination is greatly reduced due to the thick layer of permafrost which extends beyond 1,000 feet in depth throughout the Project area. The AOGCC regulates well construction in Alaska and has implemented regulations governing hydraulic fracturing (20 AAC 25.283). AOGCC regulations specifically require disclosure of the chemicals used in the hydraulic fracturing fluids; operators are required to post well information and chemical disclosure to a publicly searchable database (www.fracfocus.org).	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1032	10	–	–	–	Public Health	I would also like to note the increase of respiratory illness in children and adults in the Arctic communities near the “oil fields” (also known as our traditional homelands) have gone up at a very alarming rate. Which brings me to my next concern: ConocoPhillips—the organization that stands to benefit most from this project—is in charge of collecting data on air quality. I request that an unbiased 3rd party agency be involved in the process of collecting data on air quality.	It is common for federal agencies to reference data and studies conducted by the project proponent when developing an EIS. NEPA does not require federal agencies to conduct new studies and data collection; rather, NEPA requires the use of best-available data. The current NPR-A BMPs require project proponents to collect baseline data for certain resources and to provide that data to BLM. BLM’s subject-matter experts conducted a thorough and independent review of all existing data and studies and referenced them, as appropriate, for the various EIS analyses.	N

4.2.19 Purpose and Need

Table B.2.22. Substantive Comments Received on Purpose and Need

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1302	6	Dunn	Connor	ConocoPhillips	Purpose & Need	Section 1.3, Purpose and Need, should be revised to read as follows: The purpose of the proposed action is to enable safe production and transportation to market of NPR-A oil and gas resources from existing leaseholds, consistent with the Proponent’s federal oil and gas lease and unit obligations. Production and transportation will require new infrastructure such as wells, pipelines, and related facilities. The need for federal action (i.e., issuance of permits and authorizations for the infrastructure) arises from federal agency responsibilities under various federal statutes, including the NPRPA (as amended), which requires an expeditious program of oil and gas leasing in the NPR-A, and the Clean Water Act.	Although safe production and transportation is assumed to be part of the purpose and need of any alternative considered, in accordance with NEPA regulations, BLM has strived to avoid describing the purpose and need in unnecessarily narrow terms, so as to ensure that a full reasonable range of alternatives is considered and evaluated.	N
1302	7	Dunn	Connor	ConocoPhillips	Purpose & Need	Section 1.3.1, addressing the decision to be made should be revised to clarify that the decision is whether to approve the Willow MDP and the associated issuance of permits for the construction of the development plan, in whole or in part, based on the analysis contained within this EIS. If the Proposed Action is clarified as recommended above, then few edits to Section 1.3.1 (which references the Proposed Action) would be required.	Section 1.3.1, <i>Decision to be Made</i> , has been revised consistent with the comment.	N
864	30	Psarianos	Bridget	Trustees for Alaska	Purpose & Need	While the BLM is permitted to take the applicant’s purposes into consideration, it cannot adopt private interest to draft a narrow purpose statement that restricts the consideration of alternatives. Federal courts have routinely found that NEPA prevents federal agencies from effectively reducing the discussion of environmentally sound alternatives to a binary choice between granting and denying an application. . . . Thus, BLM should not conflate its purpose and need to be ConocoPhillips’ purpose and need. Here, BLM improperly conflates its federal purpose and need with the project applicant’s purpose and need. The draft EIS states that: <i>The purpose of the Proposed Action is to construct the infrastructure necessary to allow the production and transportation to market of federal oil and gas resources under leaseholds in the northeast area of the NPR-A, consistent with the proponent’s federal oil and gas lease and unit obligations. The need for federal action (i.e., issuance of authorizations) is established by BLM’s responsibilities under various federal statutes, including the NPRPA (as amended); Mineral Leasing Act, and the Federal Land Policy and Management Act, as well as various federal responsibilities of cooperating agencies under other statutes, including the Clean Water Act (CWA). Under NPRPA, the BLM is required to conduct oil and gas leasing and development in the NPR-A (42 USC 6506a). The BLM is required to respond to the Proponent’s requests for an MDP and related authorizations to develop and produce petroleum in the NPR-A.</i>	The purpose and need for action is tiered to and was developed under the 2012 NPR-A IAP, which states the following: “The Naval Petroleum Reserves Production Act of 1976, as amended, and its implementing regulations require oil and gas leasing in the NPR-A and the protection of surface values consistent with exploration, development, and transportation of oil and gas.” The stated purpose and need for action for the Willow MDP EIS is appropriate for a project-specific oil and gas development proposal consistent with the IAP. The purpose and need of a BLM action that responds to a development proposal from an oil and gas lessee necessarily must take into account the nature of the lessee’s proposed action; however, the stated purpose and need is that of BLM. The stated purpose and need allows for a reasonable range of alternatives. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1 (<i>Alternatives Development</i>), including options considered but eliminated from detailed analysis and the screening criteria for those alternatives.	N
864	31	Psarianos	Bridget	Trustees for Alaska	Purpose & Need	BLM’s failure to acknowledge its protective mandates under the NPRPA is unacceptable. As properly expressed, BLM’s purpose and need for this is project is for BLM to consider whether to approve the Willow Plan and if so, under what circumstances to ensure compliance with federal statutes, including NPRPA’s mandates to allow for oil and gas leasing while ensuring maximum protection of surface resources and BLM’s FLPMA mandate to avoid unnecessary and undue degradation to the public lands. Even more galling is the statement in the following paragraph that the Corps’ purpose is “to construct infrastructure to safely produce, process, and transport commercial quantities of liquid hydrocarbons to market via pipeline from the Willow reservoir.” This is no way reflective of the Corps’ legal mandate under the Clean Water Act, which imposes substantive mandates to protect against the destruction of wetlands and select the least environmentally damaging practicable alternative, which is discussed in more detail below. This unreasonably narrow purpose and need has resulted in a draft EIS that fails to analyze multiple reasonable alternatives to ConocoPhillips’ proposed action, as discussed in detail in the next section.	The Willow MDP Project was designed in accordance with requirements in the NPR-A IAP, which is consistent with both the NPRPA and FLPMA. The NPRPA, as amended, requires oil and gas leasing in the NPR-A and the protection of surface values to the extent consistent with exploration and development of oil and gas. NPR-A IAPs meet that mandate by designating numerous special areas within the NPR-A and closing certain sensitive areas to leasing, while allowing for oil and gas leasing elsewhere. As described in Section 1.3, <i>Purpose and Need</i> , FLPMA would apply to any authorization BLM issues for the Project. Pursuant to Section 302(b) and Title V of FLPMA, proposed actions may not cause unnecessary or undue degradation. The BLM avoids unnecessary and undue degradation to these public lands through applicable LSs and BMPs. See Appendix D.1 (<i>Alternatives Development</i>), Section 2.1 (<i>Lease Stipulations and Best Management Practices in the National Petroleum Reserve in Alaska</i>) for applicable LSs and BMPs. A reasonable range of alternatives was evaluated. The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. Issues identified during scoping, such as impacts to caribou and subsistence, were considered while developing alternatives to the proponent’s Project. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1 (<i>Alternatives Development</i>), including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All alternatives meet the Project’s purpose and need.	N

4.2.20 Request for Extended Comment Period

Table B.2.23. Substantive Comments Received on Request for Extended Comment Period

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
31	1	Culliney	Susan	Audubon Alaska	Request for Extended Comment Period	Audubon is concerned with the pace and timing of this environmental review. There are multiple Arctic projects happening at once now and into the fall. There are so many meetings, all happening at an already busy time of year for Alaskans. . . . The Willow DEIS comment period is happening concurrently with the wetlands permit, although I suppose that has not been issued yet. The Ambler Road DEIS, Alaska LNG, the final decision for the Arctic Refuge and the DEIS for the NPR-A IAP revision is likely coming soon. Thank you to BLM for the two-week extension on the Willow comment period, but a project of this scale at a time of so many quickly developing and related projects requires much more time, closer to 90 days total.	The public comment period for the Willow MDP Draft EIS was scheduled to minimize overlap with review periods for other Arctic projects. In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiag̃vik [Barrow]). The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Engagement and Comment Responses</i> .	N
990	7	Grijalva; Huffman; Lowenthal	Alan; Jared; Raul	U.S. House of Representatives, Committee on Natural Resources; U.S. House of Representatives, Subcommittee on Energy and Mineral Resources; U.S. House of Representatives, Subcommittee on Water, Oceans, and Wildlife	Request for Extended Comment Period	Finally, we object to the limited timeframe provided to the public to comment on the DEIS. The BLM posted the DEIS to its planning website in the afternoon of Friday, August 23, without any announcement in the Federal Register, and with a comment period only extending through mid-October. The Native Village of Nuiqsut, the North Slope Borough, and environmental organizations all requested a two-month comment extension period to ensure meaningful participation, but only two weeks were granted. Given the complexity of the issues and thousands of pages contained within the DEIS, and the overlap with several other comment periods for Arctic infrastructure projects, it is questionable whether the BLM has met its National Environmental Policy Act obligations to provide robust participation by the interested public.	The Draft EIS was posted to the ePlanning website prior to the NOI being published, in order to allow people who were checking the ePlanning site an additional week for review (above and beyond the standard EIS review period). The process of publishing the NOI in the <i>Federal Register</i> takes about a week. Cooperating agencies, including the NVN and NSB, were notified that it would be posted on the ePlanning website a week early, if they wanted to take advantage of that extra review time. The public comment period for the Willow MDP Draft EIS was scheduled to minimize overlap with review periods for other Arctic projects. In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiag̃vik [Barrow]). The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Responses</i> .	N
33	2	Krause	David	The Wilderness Society	Request for Extended Comment Period	In conclusion, we encourage BLM to slow down and at a minimum to extend the comment period for an additional 60 days. As we have heard tonight, there are many, many major Arctic projects currently underway, and the project needs time to meaningfully engage in these processes.	The public comment period for the Willow MDP Draft EIS was scheduled to minimize overlap with review periods for other Arctic projects. In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiag̃vik [Barrow]). The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Responses</i> .	N
9	2	Miller	Pamela	—	Request for Extended Comment Period	I request 30 more days at the end of the comment period in order to have time to review a hard copy of the document.	The public comment period for the Willow MDP Draft EIS was scheduled to minimize overlap with review periods for other Arctic projects. In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiag̃vik [Barrow]). The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Responses</i> .	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
39	1	Miller	Pamela	—	Request for Extended Comment Period	I request 30 more days in the public comment period (after Oct. 29) in order to adequately review this major action.	<p>The public comment period for the Willow MDP Draft EIS was scheduled to minimize overlap with review periods for other Arctic projects. In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiag̃vik [Barrow]).</p> <p>The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Responses</i>.</p>	N
864	19	Psarianos	Bridget	Trustees for Alaska	Request for Extended Comment Period	BLM posted the draft EIS to its planning website in the afternoon of Friday, August 23, without any announcement in the Federal Register. Environmental groups, the Native Village of Nuiqsut, and the North Slope Borough requested a minimum 62-day and 45-day extension, respectively, to submit comments. This extension was meant to ensure meaningful participation by local communities and the interested public in this process, given that the comment period falls during important whaling and other subsistence harvest seasons. Instead, BLM provided only two additional weeks.	<p>The Draft EIS was posted to the ePlanning website prior to the NOI being published, in order to allow people who were checking the ePlanning site an additional week for review (above and beyond the standard EIS review period). The process of publishing the NOI in the <i>Federal Register</i> takes about a week. Cooperating agencies, including NVN and NSB, were notified that it would be posted on the ePlanning website a week early, if they wanted to take advantage of that extra review time.</p> <p>The public comment period for the Willow MDP Draft EIS was scheduled to minimize overlap with review periods for other Arctic projects. In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiag̃vik [Barrow]).</p> <p>The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Responses</i>.</p>	N
864	20	Psarianos	Bridget	Trustees for Alaska	Request for Extended Comment Period	BLM is also referring to or incorporating by reference numerous documents that collectively amount to thousands of pages. BLM has refused to provide GIS files online, despite being requested to do, frustrating our ability to review and analyze the various alternatives and impacts. Further, BLM posted updates to important appendices as late as October 16, 2019, less than two weeks before the end of the comment period. . . . Allowing the public ample time to gather information and provide analysis is essential. Additional time is also necessary to account for the multiple public comment periods for development activities in the Arctic that overlapped with this comment period.	<p>The data used for the Project are proprietary confidential material of CPAI. Digital data will not be made available to the public. Please refer to the maps in Appendix A (<i>Figures</i>) (Volume 2).</p> <p>The public comment period for the Willow MDP Draft EIS was scheduled to minimize overlap with review periods for other Arctic projects. In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiag̃vik [Barrow]).</p> <p>The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Responses</i>. The comment regarding the posting of updated appendices after the posting of the rest of the Draft EIS is referring to an unintended omission of supporting documents for the air quality analysis. This unintentional omission was rectified as soon as it was brought to BLM's attention.</p>	N
864	22	Psarianos	Bridget	Trustees for Alaska	Request for Extended Comment Period	Given the complexity of the issues involved, the issuance of this document during the summer and fall when many key staff are unavailable for much of the comment period and when many local communities are engaged in subsistence activities, and the overlap of other comment periods for development projects on public lands in Arctic Alaska, a much longer public comment period was justified.	<p>The public comment period for the Willow MDP Draft EIS was scheduled to minimize overlap with review periods for other Arctic projects. In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiag̃vik [Barrow]).</p> <p>The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Responses</i>.</p>	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
992	6	Perry	Sharla	—	Request for Extended Comment Period	<p>I find it very inconsiderate that the BLM held their draft Master Willow Project hearings during whaling season. To not consider the conflict of holding a hearing on a massive project on Iñupiat land during the busiest time of the year is unethical and kind of seems like it’s done deliberately to ensure the least amount of participants and public testimony.</p> <p>Respectively, I demand a more appropriate and functional time to hold these hearings so folks do not have to choose between having a seat at the table in decisions made on their homeland or important cultural celebrations and ceremony.</p>	<p>In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiagvik [Barrow]).</p> <p>The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Responses</i>.</p>	N

4.2.21 Request for New Alternative

Table B.2.24. Substantive Comments Received on Request for New Alternative

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
31	3	Culliney	Susan	Audubon Alaska	Request for New Alternative	The range of alternatives should include an alternative without a modular transport island. In the appendix, the agency does not provide a good explanation of why it excluded such an alternative. The reason for a range of alternatives is to analyze those varying environmental impacts, so we would encourage a reanalysis, including an option without an MTI.	The SDEIS added a third module delivery option (Option 3: Colville River Crossing), based on stakeholder feedback to include an alternative that would not construct an offshore gravel island.	N
1296	7	Imm	Teresa	Arctic Slope Regional Corporation	Request for New Alternative	ASRC shares similar concerns raised by its stakeholders regarding the applicants preferred option for the Module Delivery Options as proposed in DEIS. The proposed 13 acre gravel island, using 396,000 cubic yards of gravel fill will be constructed in Harrison Bay near Atigaru Point. There is a firm local opposition to this proposed Module Transfer Island (MTI) option and valid concerns the gravel island would cause sedimentation of subsistence use areas and pollution from the sandbags used to secure the island in place. ASRC encourages ConocoPhillips to work with the community on viable options that will address their concerns meet the community needs and use existing infrastructure whenever possible.	The SDEIS added a third module delivery option (Option 3: Colville River Crossing), based on stakeholder feedback to include an alternative that would not construct an offshore gravel island.	N
1296	10	Imm	Teresa	Arctic Slope Regional Corporation	Request for New Alternative	<p>Project Footprint</p> <p>The biggest drivers of negative impacts from the Willow MDP are twofold: the sheer size of the project as compared to more recent project like GMT1 and GMT2, its potential to disrupt subsistence practices and the pace of development and local concerns of development surrounding the community. The Willow MDP will have a gravel footprint of over 400 acres without considering the MTI gravel island. The size of this project is comparable to the Alpine development and the resulting impression on our native lands is profound. ASRC strongly recommends Conoco to look at Alternatives that will use minimal gravel for construction and potentially offer lesser levels of impacts to the environment.</p>	Alternatives C and D were developed in part to reduce the overall gravel footprint, in addition to impacts to other resources. The Final EIS includes further Project design and engineering refinements aimed specifically at reducing the overall gravel footprint, such as infield roads to drill sites BT3, BT4, and BT5 being narrowed from 32 feet wide at the surface to 24 feet wide.	N
69	1	Mekiana	Effie	—	Request for New Alternative	<p>And we talked to the village and they are seeing little changes about that herd diverting other way, because all of these are coming out, your drill pads and your operation and all these heavy equipment disturbing their route to come this way.</p> <p>So, it is changing the route of the caribou from all of these drilling things you guys want to drill. It shouldn’t be drilled every year; it should be drilled every other year so the caribou can pass by. So that it’s changing our caribou route like he said. There’s got to be al — another alternative to do this so we can survive [unclear] years.</p>	Halting drilling and operations every other year would affect the economic feasibility of the Project, as the drill rig would have to be mobilized, rigged up, drill, and demobilized frequently. Drilled wells pumping and processing oil would need to be stopped and restarted, which increases the risk of spills. This would also extend the impacts many decades. This would substantially increase drilling costs, increase spill and safety risks, and spread impacts of drilling over a longer period of time. In addition, limiting drilling to every other year would not be reasonable regulation under the lease rights granted to CPAI; leases are subject to a limited term of years, for which BLM cannot unreasonably delay project proposals.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1294	1	Nukapigak	Joe	Kuukpik Corporation	Request for New Alternative	<p>Based on the current design and Draft EIS analysis. Kuukpik does not believe the proposed Willow Project is balanced and environmentally responsible, or that it adequately protects the land and the wildlife resources on which Nuiqsut depends for subsistence. More specifically, the Draft EIS’s analysis of Alternatives C and D confirms that the proposed alternatives for a roadless BT4 and/or BT5 should have been carried forward</p> <p>Eliminating the road connections to BT4 and BT5 looks increasingly like one of the better alternatives available, but the Draft EIS inexplicably doesn’t analyze either option despite repeatedly confirming that the proposed 25 mile north-south road system would disrupt and deter migrating caribou, particularly those moving east from Teshekpuk Lake towards Nuiqsut. . . .</p> <p>Despite all these potential benefits, the Draft EIS doesn’t analyze the impacts of eliminating roads to BT4 and BT5 or either one individually. Instead, that alternative is summarily dismissed without enough explanation to even really know why . . .</p> <p>Although Kuukpik acknowledges that a roadless BT4 and/or BT5 would require a slightly larger drill pad and an airstrip, it’s unlikely that the net increase in the gravel footprint of two roadless satellites would be 30 acres <i>larger</i> than about 12 total miles of gravel road. If BLM believes otherwise, it should “show its work” so to speak because we suspect this calculation could only be reached by vastly over-stating how large the roadless satellites would need to be under this alternative.</p> <p>. . . Particularly in the instances of BT4 and BT5, a little more air traffic may well have substantially less impacts than the same or lesser acreage of an active infield road.</p> <p>. . . Kuukpik also believes the roadless BT4 and/or BT5 option could be better overall than either Alternative C or D because it would offer the maximum amount of road access to both substance users and CPAI, while nevertheless eliminating very significant portions of road that are not as useful to either CPAI or subsistence resources. For all these reasons and more, Kuukpik strongly urges BLM to analyze the alternative of constructing BT4 and BTS as roadless satellites.</p>	<p>Though the elimination of a road would aid caribou movements in the area, the increase in air traffic to the roadless development would increase overall disturbance of caribou. In the case of BT4, the airstrip would be close to the high-density calving area, with most air traffic landing from the west due to dominant wind directions. This is likely to cause disturbance and/or displacement of calving caribou and have some impacts on caribou movements during other times of the year.</p> <p>Making BT4 and BT5 roadless would mean two additional airstrips, one at each drill site. The impacts of additional fill (and the multitude of associated impacts of the fill) and additional air traffic (and the additional indirect effects of that traffic) would be greater than the impacts of building an infield road to these sites; therefore, it would not be included in detailed analysis.</p> <p>The increase in air traffic for a roadless alternative is substantial. The addition of one more airstrip under Alternative C would add 7,473 more fixed-wing trips and 489 helicopter trips over the life of the Project (62% more fixed-wing traffic and 20% more helicopter traffic than having a road).</p>	N
1294	3	Nukapigak	Joe	Kuukpik Corporation	Request for New Alternative	<p>Kuukpik has also long advocated for an alternative that would eliminate the proposed Module Transfer Island (“MTI”). But the Draft EIS doesn’t analyze a single alternative to that plan. That is truly astonishing. No other project in the history of the North Slope has required constructing a relatively permanent offshore gravel island just to deliver the production modules, but this project can’t be built any other way? That’s just not credible.</p> <p>Kuukpik is absolutely confident that CPAI can devise a way to safely transport its modules to the Willow area without building an island that will create long term safety and navigational issues for subsistence users trying to access Fish Creek. . . . The Final EIS needs to delve into those alternatives if BLM wants to find an alternative that is balanced and responsible and meets legal requirements for NEPA and for the various permitting standards at the federal, State, and local levels. None of the options in the Draft EIS look like they meet those standards, perhaps least of all the preferred alternative.</p>	<p>The SDEIS added a third module delivery option (Option 3: Colville River Crossing), based on stakeholder feedback to include an alternative that would not construct an offshore gravel island.</p>	N
1294	5	Nukapigak	Joe	Kuukpik Corporation	Request for New Alternative	<p>For BT4 especially, there would also be a heightened impact on calving. All caribou are known to be affected by traffic rates exceeding 15 vehicles per hour. And most maternal caribou in particular do not habituate to road traffic, which would affect caribou in the project area for at least three weeks every spring/summer. The fact that BT4 in particular and its proposed access road is now located just outside the Teshekpuk Lake Caribou Habitat Area is a helpful change but does not eliminate the impact on calving. Figure 3.12.5 shows BT4 and about a mile or more of its access road lying within the medium calving density area. The rest of that access road is still shown to be within a lower density calving area.</p> <p>. . . . A moderately larger BT4 with no permanent gravel road connection would almost certainly cause less impacts on the ground than a slightly smaller drill site with a 7 mile access road. The Final EIS needs to look at this option in detail so stakeholders can compare the site specific impacts of expanding BT4 against the potential benefits of eliminating the access road to that site.</p> <p>. . . The Draft EIS estimates that BLM’s preferred Alternative B would generate about 1,190 <i>new</i> flights per year, which comes out to about 3-4 flights per day (though that’s not a precise number since flights would fluctuate during construction and production). What’s particularly interesting, though, is that Alternative C is only estimated to require about 400 more flights than Alternative B over the entire the life of the project. Based on the assumed 30 year lifespan, that’s only about one extra flight per month in exchange for eliminating the road between the Willow Processing Facility and BT1. That could be the kind of tradeoff Nuiqsut residents are willing to make.</p>	<p>Though the elimination of a road would aid caribou movements in the area, the increase in air traffic to the roadless development would increase overall disturbance of caribou. In the case of BT4, the airstrip would be close to the high-density calving area, with most air traffic landing from the west due to dominant wind directions. This is likely to cause disturbance and/or displacement of calving caribou and have some impacts on caribou movements during other times of the year.</p> <p>Making BT4 and BT5 roadless would mean two additional airstrips, one at each drill site. The impacts of additional fill (and the multitude of associated impacts of the fill) and additional air traffic (and the additional indirect effects of that traffic) would be greater than the impacts of building an infield road to these sites; therefore, it would not be included in detailed analysis.</p> <p>The increase in air traffic for a roadless alternative is substantial. The addition of one more airstrip under Alternative C, would add 7,473 more fixed-wing trips and 489 helicopter trips over the life of the Project (62% more fixed-wing traffic and 20% more helicopter traffic than having a road). Traffic values have been updated for the Final EIS based on refined Project engineering and logistics planning; over 26 new tables detailing traffic have been added to Appendix D.1, <i>Alternatives Development</i>.</p>	N

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1294	12	Nukapigak	Joe	Kuukpik Corporation	Request for New Alternative	<p>The Draft EIS does nothing to dispel the concerns Kuukpik has always had about building the MTI in the already-shallow waters of Harrison Bay. First, the offshore area in and near the island’s proposed location is very shallow and already difficult to navigate for boaters trying to access Fish Creek. Constructing and then abandoning a gravel island in this area will only make that worse, especially as (or “if”) the gravel disperses to the east and south towards (and across) the mouth of Harrison Bay and towards the Fish Creek Delta. This is a real navigational concern considering the gravel island alone would introduce close to half a million cubic yards of gravel into an area where navigation is already challenging because of unpredictable sand and gravel bars and ice flows and generally shallow water.</p> <p>The point of that information was to emphasize that already-existing navigational problems at the mouth of Fish Creek will only get worse if the MTI is constructed, especially if the island is just abandoned and allowed to fester as a navigational obstruction and then as a source of additional silt to clog the mouth of Fish Creek and other areas used by Nuiqsut subsistence boaters.</p> <p>The Draft EIS mentions this concern in passing, but concludes there’s nothing to worry about. But the Draft doesn’t cite any scientific study or information to dispel Nuiqsut’s concerns. It just notes the issue and then blithely concludes that no problems are expected to occur without any evidence to support that “expectation.” But that “expectation” isn’t even consistent with impacts other offshore operators have acknowledged, which is that artificial nearshore islands <i>do</i> affect currents and sedimentation by producing artificial shoaling that affects navigation.</p> <p>. . . [S]edimentation around these nearshore islands is a problem, and the MTI would only exacerbate those problems in an area that is already shallow and difficult to navigate.</p>	<p>The SDEIS added a third module delivery option (Option 3: Colville River Crossing), based on stakeholder feedback to include an alternative that would not construct an offshore gravel island.</p> <p>Currents and potential accretion and shoaling for the Atigaru Point MTI are described in Section 3.8.2.6, <i>Module Delivery Option 1: Atigaru Point Module Transfer Island</i>. The MTI would be 2 miles offshore and is not expected to impact navigation near the mouth of Fish Creek, nor is that gravel expected to drift 2 miles toward the mouth of a river in an aggregated form.</p>	N
1294	17	Nukapigak	Joe	Kuukpik Corporation	Request for New Alternative	<p>Kuukpik previously described its concerns with the proposed mine site just 7 miles away from Nuiqsut. The Draft EIS mostly confirms those fears, and in fact increases some of them. For one thing, it appears CPAI now believes it will need to blast for 5 years instead of the 4 that Kuukpik and Nuiqsut previously understood were likely . . .</p> <p>One of Nuiqsut residents’ other chief concerns is that CPAI plans on blasting a total of at least 4 seasons (2020-2023 for BT1 through BT3 and main infrastructure, then again in 2027-28 for BT4 and BT5). The proposed site is just 2-3 miles farther from the village than the ASRC Mine Site, where blasting rattles the windows in Nuiqsut and effectively drives some residents to travel out of town during periods of mining activity. Though the impacts in town from blasting at the proposed new mine should be somewhat less than that, they may still be considerable. And based on the reaction to this past year’s gravel mining, there is likely to be considerable resistance in Nuiqsut to the idea of three consecutive years of blasting. CPAI and BLM need to look at alternatives to reduce these impacts to both subsistence users and the village itself.</p> <p>The Draft EIS does not seem to include any discussion of alternatives that would speed up the mining process or require it to be accomplished in fewer seasons. The Final EIS should explore such options.</p>	<p>The Tiġmiasiqsiuġvik Mine Site would be 7 miles from Nuiqsut, which is 4 miles farther from Nuiqsut than the ASRC Mine Site. As described in Section 3.6.2.3, <i>Alternative B: Proponent’s Project</i>, sound from blasting at the mine site would attenuate to 59 dBA in Nuiqsut, which is roughly the volume of conversational speech (as described in Table 3.6.1).</p> <p>In order to complete mining operations in fewer years, gravel would need to be stockpiled in large volumes for placement over the following season(s), resulting in additional impacts, or an all-season gravel road would need to be constructed to the mine site, which would also result in additional impacts.</p> <p>As described in Table D.3.1. and Table D.3.2., BLM considered use of the ASRC Mine Site and use of alternative methods to blasting. These options were eliminated for a variety of reasons described in those tables.</p>	N

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1307	21	Pardue	Margaret	Native Village of Nuiqsut	Request for New Alternative	<p>BLM considered a no-action alternative and three alternatives that do not differ in any meaningful way in terms of impacts to subsistence. All of the alternatives BLM considered result in a finding of significant restrictions to subsistence. (DEIS, Appendix G) According to BLM, “[t]he long-term differences in direct impacts between Alternatives B and C are considered minimal because both alternatives would involve similar overall amounts of air and ground traffic, and both would include a year-round access road to the west of the Nuiqsut’s core caribou hunting grounds” (DEIS, Appendix G). For Alternative D, BLM states that “Alternative D may result in fewer impacts on caribou availability than Alternative B due to the lack of a year-round gravel access road connecting the Project to existing development (e.g., GMT-2, Alpine), however, the BLM still anticipates a major redistribution of resources would occur under this alternative” (DEIS, Appendix G). Further, “[m]any benefits of reduced deflection from the lack of an access road would be offset by the aircraft traffic (including take offs and landings of large fixed-wing aircraft) in addition to the combined effects of a linear pipeline along the route between GMT-2 and the Project, parallel pipeline racks between GMT-2 and Alpine facilities, Project infield roads, drill sites, and the WPF, the location of and activity at the gravel mine site, and other disturbances described above for Alternative B” (DEIS, Appendix G).</p> <p>There is therefore no alternative other than the no action alternative—which BLM asserts it cannot choose—that reduces impacts to subsistence. Section 810 requires an agency to consider <i>all</i> feasible alternatives, not just those that satisfy all of the project proponent’s wishes. (City of Tenakee Springs, 915 F.2d at 1311) . . . BLM should consider the following alternatives:</p> <ul style="list-style-type: none">-An alternative where no gravel island is constructed and existing roads and infrastructure, as well as ice roads, are used for construction of the Willow project;-An alternative considering seasonal (i.e., winter-only) drilling;-An alternative eliminating infrastructure from within the Teshekpuk Lake Special Area;-An alternative considering a different gravel mine location;-Any alternative configurations for the layout, size or location of project’s drilling pads or the Willow Central Processing Facility;-Any alternative using an existing airstrip rather than construction of at least one new airstrip for the Willow project;-Use natural gas and renewable energy for Project purposes with minimal backup diesel, rather than relying on diesel for facility operations, eliminating the need for diesel pipelines; and-Delayed project permitting.	<p>At the development stage, the siting of oil and gas facilities is largely dependent on the location of the subsurface resources to be extracted. Under the NPR-A IAP and Section 404 of the CWA, lessees are required to minimize facility footprints and propose siting and alignment of facilities in such a manner as to minimize environmental impacts to various resources (e.g., caribou, wetlands). Alternatives to a proponent’s proposal are considered and analyzed in detail only if they offer potential environmental benefits to one or more resources or uses.</p> <p>The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. During alternatives development for the Willow MDP Project, the BLM considered issues identified during scoping, such as impacts to caribou and subsistence. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1, <i>Alternatives Development</i>, including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All action alternatives meet the Project’s purpose and need.</p> <p>Specific to an alternative where no gravel island is constructed:</p> <p>The SDEIS added a third module delivery option (Option 3: Colville River Crossing), based on stakeholder feedback to include an alternative that would not construct an offshore gravel island.</p> <p>Specific to an alternative considering seasonal (i.e., winter-only) drilling: Drilling only during the winter season would reduce drilling to approximately 2 months per year; the ice road season is only about 4 months, and the drill rig would have to be mobilized, rigged up, drilled, and demobilized in that time period. This would affect the economic feasibility of the Project. This would also effectively extend the impacts many decades. (<i>Note</i>: CD3 includes its own airstrip and its own river access.) See Appendix D.1 (<i>Alternatives Development</i>), Section 3.1.5.2, <i>Ice Road or Tundra Access Only</i>. In addition, limiting drilling to every other year would not be a reasonable regulation under the lease rights granted to CPAI; leases are subject to a limited term of years, for which BLM cannot unreasonably delay project proposals. This would substantially increase drilling costs and spread impacts of drilling over a longer period of time. The BLM has also evaluated this scenario before. The BLM considered a roadless alternative with seasonal drilling in detail in the GMT-1 Supplemental EIS, but eliminated use of that alternative in the GMT-2 Supplemental EIS. Part of the BLM’s criteria for reasonableness includes the economic viability of each project alternative; for the GMT-2 Supplemental EIS, a roadless alternative with seasonal drilling was ruled out based on economic viability. The BLM included the economic analyses used to screen out a roadless alternative with seasonal drilling in GMT-2 Supplemental EIS, Appendix O.</p> <p>Specific to an alternative eliminating infrastructure from within the TLSA: The purpose and need cannot be met without any infrastructure in the TLSA. Parts of the infield road system, as well as BT2 and BT4, would be within the TLSA in an area that is available to oil and gas leasing. Like most or all previous NPR-A projects, much of the Project area overlaps previously undisturbed area. All else being equal, the TLSA is only an administrative boundary, and Project impacts would not necessarily be greater within the TLSA than they would outside the TLSA.</p> <p>Specific to an alternative considering a different gravel mine location: Table D.3.1 and D.3.2 in Appendix D (<i>Alternatives Development</i>) addresses other gravel mine sites considered. In addition, Section 3.1.5.1, <i>Use of Clover Mine Site</i>, in Appendix D.1 describes why the Clover Mine Site was determined not preferable to the proposed site, primarily due to an insufficient quantity of material and closer proximity to Nuiqsut, as well as additional impacts.</p> <p>Specific to alternative configurations for the layout, size, or location of Project drilling pads or the WPF: This was discussed during the Alternatives Development Workshop with the cooperating agencies, and an alternative location for the processing facility (approximately 5 miles to the east of where the Project proponent proposed it) was included in BLM’s Alternative C . The Project proponent examined this alternative location, and agreed that it would minimize impacts; thus the proponent changed the central processing facility location for its Project (Alternative B) in the Final EIS. The layout and size of the drilling pads was also discussed, and it was determined that the Project proponent had already optimized these Project components to minimize impacts to wetlands and other environmental resources, while still being able to access the target resources. Also, moving the location of drill pads would not allow CPAI to exercise its rights under its leases to extract all the oil and gas possible within the leased areas.</p> <p>Specific to any alternative using an existing airstrip rather than construction of at least one new airstrip for the Willow MDP Project: Use of existing airstrips was considered and dismissed. The rationale for this is documented in Table D.3.1 and D.3.2 in Appendix D.1.</p> <p>Specific to alternatives to use natural gas and renewable energy for Project purposes rather than diesel: natural gas–powered vehicles have not proven reliable at the cold temperatures faced on the North Slope. Renewable energy would be out of scope of CPAI’s Project. There is not a renewable energy market on the North Slope.</p> <p>Specific to delayed Project permitting: Under the NPRPA, the BLM is required to conduct oil and gas leasing and development in the NPR-A (42 USC 6506a). An oil and gas lease grants certain exploration and development rights, subject to reasonable regulation; BLM may not preclude CPAI from developing its leases or delay the permitting process.</p>	N

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43	1	Person	Brian	—	Request for New Alternative	Regarding the Willow Development project, I guess, you know, I tend to be in favor of alternative B and the pad off of Atigaru Point, although, I do have some concerns about that pad where you’re going to do the barge lift transfer or module transfer. One at — in the EIS and in the discussions with ConocoPhillips, they suggest that that island will, eventually, erode away when, in fact, their data that ConocoPhillips collected, the symmetry of that area suggests that it hasn’t changed since the 1950s. So, I think wave action will take the top of that island off, eventually, and it’s just going to turn it into a navigational hazard for the hunters of Nuiqsut and Barrow, as well. And so, I think either the project — the operator should either maintain that island or remove it completely back to the beach. I understand that it can’t be put on the tundra, because it’s going to be contaminated, itself, and you don’t want to kill the tundra. But, I think, one, it’s a huge navigational hazard; and, two, it’s a complete waste of an enormous amount of gravel that could be used for beach erosion or for, you know, or beach protection or potentially other projects that may occur in this area in the future.	These concerns are discussed in the Final EIS Section 3.16.2.6 (<i>Module Delivery Option 1: Atigaru Point Module Transfer Island</i>) and in Section 3.8.2.6 (<i>Module Delivery Option 1: Atigaru Point Module Transfer Island</i>). It should also be noted that the SDEIS and FEIS describe a third module delivery option (Option 3: Colville River Crossing), based on stakeholder feedback to include an alternative that would not construct an offshore gravel island.	N
864	27	Psarianos	Bridget	Trustees for Alaska	Request for New Alternative	The draft EISs range of alternatives is inadequate for multiple reasons. The draft EIS fails to meaningfully consider the No Action alternative, as required by NEPA. Further, BLM failed to consider reasonable alternatives that would eliminate the proposed gravel island in Harrison Bay, avoid impacts in Special Areas, avoid additional airstrips, or utilize seasonal roadless drilling to decrease impacts to important surface resources. Importantly, the new and revised alternatives that will be necessary to remedy these significant gaps will not be minor variation[s] of the existing alternatives that are qualitatively within the spectrum of alternatives that were discussed in the draft. To remedy the inadequate range of alternatives, a revised draft EIS is necessary.	The BLM prepared the Draft EIS according to 40 CFR 1502 and the BLM’s NEPA Handbook (H-1790-1); the EIS includes a full and fair discussion of significant environmental impacts that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. Under the NPRPA, the BLM is required to conduct oil and gas leasing and development in the NPR-A (42 USC 6506a). An oil and gas lease grants certain exploration and development rights, subject to reasonable regulation; BLM may not preclude CPAI from developing its leases. The No Action Alternative would not meet the Project’s purpose and need but is included for detailed analysis to provide a baseline for the comparison of impacts of the action alternatives as required by 40 CFR 1502.14(d). Parts of the infield road system, as well as BT2 and BT4, would be within the TLSA in an area that is available to oil and gas leasing. Like most or all previous NPR-A projects, much of the Project area overlaps previously undisturbed area. All else being equal, the TLSA is only an administrative boundary, and Project impacts would not necessarily be greater within the TLSA than they would outside the TLSA. The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. During alternatives development for the Willow MDP Project, the BLM considered issues identified during scoping, such as impacts to caribou and subsistence. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1, <i>Alternatives Development</i> , including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All action alternatives meet the Project’s purpose and need. It should be noted that the SDEIS added a third module delivery option (Option 3: Colville River Crossing), based on stakeholder feedback to include an alternative that would not construct an offshore gravel island.	N
864	29	Psarianos	Bridget	Trustees for Alaska	Request for New Alternative	BLM has failed to include any alternative that is sufficiently protective of surface resources as a result of the agencies failure to accurately characterize the purpose of their federal action according to their own legal mandates. Instead, the agencies merely parrot the project applicants purpose. A draft EIS must give full and meaningful consideration to all reasonable alternatives to the action. The alternatives considered may not be entirely driven by a private applicants preferences. Here, by narrowing its purpose and need statement, BLM considered an unreasonably narrow range of alternatives.	The purpose and need statement and the range of alternatives follow NEPA regulations and the guidelines in BLM’s NEPA Handbook (H-1790-1) (DOI 2019). The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. During alternatives development for the Willow MDP Project, BLM considered issues identified during scoping, such as impacts to caribou and subsistence. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1, <i>Alternatives Development</i> , including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All action alternatives meet the Project’s purpose and need.	N
864	32	Psarianos	Bridget	Trustees for Alaska	Request for New Alternative	BLM has failed to consider a reasonable range of alternatives. BLM improperly limited its consideration of alternatives based on screening criteria which appear to be primarily preferences of the project proponent to reduce costs, not considerations to meet BLM’s legal mandates. All of the action alternatives involve the same pad size and placement, the same road and/or pipeline alignments (where no infield road exists), the same pad size and amount of infrastructure at the new Willow processing facility, a massive offshore gravel island to barge in modules, a new airport west of Nuiqsut, a gravel mine is inside the Ublutuocho (Tinmiaqsiugvik) River 0.5-mile setback; infrastructure within the Colville River Special Area; and infrastructure inside of the Teshekpuk Lake Special Area. BLM has unreasonably limited its range of alternatives such that all of the alternatives are nearly identical to ConocoPhillips proposed action.	The BLM prepared the Draft EIS according to 40 CFR 1502 and the BLM’s NEPA Handbook (H-1790-1) (DOI 2019); the EIS includes a full and fair discussion of significant environmental impacts that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The overall gravel footprint (pad and road size and location) were scrutinized to minimize development and impacts within the CRSA and TLSA. It should be emphasized that the development proposed in the TSLA is within an area that is specifically available to oil and gas leasing. At the development stage, the siting of oil and gas facilities is largely dependent on the location of the subsurface resources to be extracted. Under the NPR-A IAP and Section 404 of the CWA, lessees are required to minimize facility footprints and propose siting and alignment of facilities in such a manner as to minimize environmental impacts to various resources (e.g., caribou, wetlands). Alternatives to a proponent’s proposal are considered and analyzed in detail only if they offer potential environmental benefits to one or more resources or uses. The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. During alternatives development for the Willow MDP Project, the BLM considered issues identified during scoping, such as impacts to caribou and subsistence. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1, <i>Alternatives Development</i> , including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All action alternatives meet the Project’s purpose and need.	N

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864	33	Psarianos	Bridget	Trustees for Alaska	Request for New Alternative	BLM has improperly dismissed alternatives based on ConocoPhillips initial evaluation described in Appendix D, Section 3.1.5. In essence, this section describes ConocoPhillips success in limiting BLM’s consideration of alternatives before the BLM’s NEPA process had even begun. For instance, ConocoPhillips eliminated the Clover material site from BLM’s consideration of a potential alternative source for some the gravel required for the project. While the proposed mine site is closer to the project area and further from Nuiqsut, Clover is located outside of the Ublutuooh (Tiġmiasiuġvik) River 0.5-mile setback, meaning there may have been environmental tradeoffs that BLM did not even consider. Additionally, ConocoPhillips had previously eliminated any concept requiring only ice road or tundra access within the project area. Because development with access other than gravel road or air would not provide continuous access to the Project area, it would not satisfy the project purpose and need to support production and transportation of petroleum resources. BLM should not unreasonably interpret the projects purpose and need statement to eliminate alternatives before considering them in a NEPA analysis. As explained further below, it’s not clear why continuous access via road is necessary, or why activities could not be limited to the winter season to eliminate the need for additional gravel infrastructure and aircraft traffic.	Alternatives, including roadless alternatives, were fully vetted by the BLM, in coordination with the cooperating agencies. The reasons for dismissing the Clover Mine Site are discussed in Appendix D.1, <i>Alternatives Development</i> , Section 3.1.5.1, <i>Use of the Clover Mine Site</i> . These reasons included the site only being able to provide approximately 10% of the required gravel quantity, the closer proximity to Nuiqsut (resulting in increased noise impacts from mining activity), poorer quality material (resulting in a much larger disturbance footprint), impacts to several streams and drainages, and longer gravel haul trips. The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. During alternatives development for the Willow MDP Project, the BLM considered issues identified during scoping, such as impacts to caribou and subsistence. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1, <i>Alternatives Development</i> , including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All action alternatives meet the Project’s purpose and need.	N
864	35	Psarianos	Bridget	Trustees for Alaska	Request for New Alternative	BLM refused to consider eliminating the module transfer island and requiring ConocoPhillips to transport equipment via existing infrastructure over the Colville River ice bridge. The rationale in the draft EIS in Table D.3.2 includes statements that this approach would increase the overall Project footprint because of the need to construct on-site fabrication facilities, and would increase the overall amount of vehicle traffic near Nuiqsut during the already busy ice-road season when the annual Alpine resupply ice road is in operation. But meaningful details are not provided. How much would the project footprint really increase, given the massive amount of gravel needed to construct an offshore gravel island? How much would vehicle traffic increase at Alpine over and above the baseline? What would that increased vehicle traffic actually mean in terms of impacts to air quality, when it would offset significant amounts of gravel mining? Additionally, what about the benefits to Alaska in terms of jobs if smaller modules were used, potentially constructed at the Port of Anchorage as was the case for the Northstar project in the Beaufort Sea, and then the smaller modules could be connected onsite at Willow? What about the offsets to impacts to subsistence resources like marine mammals and caribou, which will be negatively impacted by the gravel island and transport of modules through the Teshekpuk Lake Special Area? Where are these numbers and how did BLM determine them? Statements such as these about resource impacts appear to be woven in as afterthoughts in this table, which largely addresses issues such as technical and economic feasibility with language that seems to have originated from ConocoPhillips, the project applicant. In sum, BLM cannot disregard alternatives in this manner, without taking a hard look at the environmental tradeoffs in a NEPA document.	At the beginning of the EIS process, CPAI asserted that it was not technically feasible to transport modules across the Colville River during the winter. However, through new hydrologic data collected for Ocean Point, CPAI has since determined the crossing location to be feasible. The SDEIS added a third module delivery option (Option 3: Colville River Crossing), based on stakeholder feedback to include an alternative that would not construct an offshore gravel island.	N
864	39	Psarianos	Bridget	Trustees for Alaska	Request for New Alternative	The draft EIS purports to include alternatives to the proposal, but these slight changes to the project description cannot be considered a meaningful range of alternatives. BLM is not limited to the project descriptions described by ConocoPhillips, and is legally obligated to explore and evaluate reasonable alternatives in its EIS beyond those identified by the project proponent. BLM has failed to do this. Table D.3.2 in the draft EIS summarizes BLM’s rationale for eliminating a host of alternatives without full consideration. In this table, BLM disposes of 26 alternative components with merely a few sentences each. An agency must [r]igorously explore and objectively evaluate all reasonable alternatives to a proposed action. Though an agency must briefly discuss the reasons for eliminating alternatives, here BLM dismisses many alternatives that should have been subject to a NEPA review to determine their potential environmental tradeoffs, and to allow for public comment and input on the potential benefit of these alternatives over ConocoPhillips proposed action.	At the development stage, the siting of oil and gas facilities is largely dependent on the location of the subsurface resources to be extracted. Under the NPR-A IAP and Section 404 of the CWA, lessees are required to minimize facility footprints and propose siting and alignment of facilities in such a manner as to minimize environmental impacts to various resources (e.g., caribou, wetlands). Alternatives to a proponent’s proposal are considered and analyzed in detail only if they offer potential environmental benefits to one or more resources or uses. The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. During alternatives development for the Willow MDP Project, the BLM considered issues identified during scoping, such as impacts to caribou and subsistence. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1, <i>Alternatives Development</i> , including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All action alternatives meet the Project’s purpose and need.	N
864	41	Psarianos	Bridget	Trustees for Alaska	Request for New Alternative	Seasonal Drilling: As groups pointed out during scoping, BLM should have considered a roadless alternative that provides for winter season-only drilling, similar to what takes place at Colville Delta 3 (CD-3). Development that avoids drilling during the snow-free months would mitigate industrial disturbance impacts on nesting birds, caribou fall migration, and summer/fall subsistence activities during these critical times. It also would reduce well blowout risks to open water in wetlands and floodplains. Automatic shut-off valve requirements for pipelines, as well as effective and redundant leak detection, would greatly reduce the need for a road to address potential pipeline spills. Year-round drilling activity is likely to involve additional infrastructure, increased impacts from flights, more noise and pollution, and other impacts that would not necessarily be present for a seasonal roadless alternative. Drill rigs for a seasonal drilling alternative potentially can be shared in the non-drilling months with ConocoPhillips at other pads, or with another operator (e.g., Oil Search on state lands) to greatly reduce operator costs (similar to what was done when constructing the roadless drill pad, CD-3). Seasonal drilling should have been considered as an alternative, particularly given the vast amount of gravel resources contemplated for this project. Such an operation would likely have the fewest impacts on aquatic ecosystems, which is relevant for the Corps permitting requirements to identify and select the LEDPA. Seasonal drilling is not even discussed among the alternatives considered but eliminated from further consideration in Appendix D of the draft EIS. While ConocoPhillips rejected ice road only operations out of hand, a seasonal drilling alternative involving air access at Willow is reasonable alternative raised by the public during scoping was disregarded by the agency entirely. BLM should supplement or revise its draft EIS and reissue it so that the public has a chance to weigh in on such a seasonal drilling alternative.	Drilling only during the winter season would reduce drilling to approximately 2 months per year; the ice road season is only about 4 months, and the drill rig would have to be mobilized, rigged up, drilled, and demobilized in that time period. This would eliminate the economic feasibility of the Project. This would also effectively extend the impacts many decades. (<i>Note:</i> CD3 includes not only its own airstrip but its own river access.) This is described in Appendix D.1, <i>Alternatives Development</i> , Section 3.1.5.2, <i>Ice Road or Tundra Access Only</i> .	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	45	Psarianos	Bridget	Trustees for Alaska	Request for New Alternative	<p>The agency failed to consider any alternatives that adjusted the placement of infrastructure onshore at all. All Project road and bridge alignments and pad locations are the same across all action alternatives, regardless of BLM BMPs and stipulations regarding setbacks for sensitive areas. The only indication that BLM considered this issue is found in the agency’s dismissal of a suggestion to reduce the size and/or number of drill pads. BLM’s rationale is as follows:</p> <p>Would not meet the purpose and need to recover the maximum extent of the targeted hydrocarbon resources. Drill pads have already been optimized to the minimum size needed for the proposed activity. Drill pad locations have already been optimized to provide maximum accessibility to the resources based on existing extended-reach drilling technology and reservoir location and characteristics.</p> <p>Besides improperly invoking the project proponents purpose and need, BLM’s justification also lacks any description of why extended reach drilling could not be used within this project area. What is the maximum length possible for extended reach drilling? Or even more basic, how far apart are the pads within the Willow field planned to be? That simple information on the project design, which is relevant to a host of impacts, is not readily apparent in the draft EIS. BLM’s conclusory statements that ConocoPhillips has optimized the drill pad size and locations do not meet the agency’s obligation under NEPA.</p>	<p>It should be noted that the Project proponent had already worked to optimize its road and bridge alignments and pad locations to minimize wetland impacts and to comply with BLM stipulations, setbacks, and BMPs. While other alignments and facility locations were considered and discussed briefly during the alternatives development workshop with cooperating agencies, those that clearly had greater environmental impacts were dismissed during the workshop, and no further documentation was warranted.</p>	N
864	62	Psarianos	Bridget	Trustees for Alaska	Request for New Alternative	<p>BLM indicates that the deviations would be applicable to all alternatives. BLM’s problematic purpose and need statement and its limited range of alternatives is reinforced by the fact that all of the alternatives would need the same deviations. BLM did not consider an alternative that would not require deviations or would require fewer or minimal deviations, but it should.</p>	<p>Many of the alternatives considered but dismissed had greater environmental impacts, and would have required more deviations.</p> <p>As described in Appendix D.1, <i>Alternatives Development</i>, Section 3.1.2, <i>Alternative Components Considered during Alternatives Screening Process</i>, additional alternative components evaluated and dismissed by CPAI were reviewed by the BLM during the alternatives development process and dismissed due to screening criteria; these are described in CPAI’s Environmental Evaluation Document (CPAI 2018). This included an alternative with fewer deviations, but that alternative would have provided fewer environmental or human impacts and thus was not carried forward for detailed analysis. This was erroneously left out of the Draft EIS and was added to Final EIS Table D.3.1 and Table D.3.2 in Appendix D.1 (<i>Alternatives Development</i>).</p>	N
864	128	Psarianos	Bridget	Trustees for Alaska	Request for New Alternative	<p>The Results of BLM’s Analysis Show Significant Air Quality Impacts from the Proposed Project.</p> <p>The air pollutant impacts across the various Alternatives considered in the DEIS (A, B, C, D) are generally similar in magnitude, with a couple notable exceptions: (1) significant PM_{2.5} impacts are predicted to result from routine operations activities under Alternative C; and (2) PM₁₀ impacts from construction activities vary widely, ranging from 56% of the NAAQS under Alternative C to as high as 96% of the NAAQS under Alternative D.</p> <p>The range of Alternatives considered in the DEIS fails to incorporate project design factors and mitigations that would meaningfully affect air quality impacts. The air quality impacts from drilling activities are virtually the same across Alternatives B, C, and D for all pollutants and the NOx impacts from all activities (i.e., construction, drilling, and operations) are virtually the same across Alternatives B, C, and D. BLM should consider an Alternative aimed at minimizing air quality impacts, e.g., one that would incorporate factors aimed at reducing short term NOx emissions from drilling.</p>	<p>Air quality analysis (i.e., modeling) has been updated for the Final EIS to address Project refinements and updates as proposed by the Project proponent; see Final EIS Section 3.3 (<i>Air Quality</i>) and Appendix E.3 (<i>Air Quality Technical Appendix</i>), for detailed results and impacts discussion. All action alternatives meet NAAQS and AAAQS as designed and analyzed for the Final EIS. NEPA requires the disclosure of impacts; the State of Alaska is the permitting authority for air quality.</p> <p>Air quality impacts are similar across action alternatives because the action alternatives reflect similar activity: construction and operation of an oil and gas development, reflecting the same number of wells and oil processing volumes.</p>	N
85	2	Svoboda	Nathan	The Wildlife Society Alaska Chapter	Request for New Alternative	<p>A number of issues raised in public seeping comments could have been addressed, or evaluated, by including one or more conservation-oriented alternatives. Features of those alternatives could include strengthened BMPs for caribou and other wildlife, fewer drill sites (accessing same oil using directional drilling), and a significantly smaller gravel footprint and infrastructure.</p>	<p>Additional BMPs in the Final EIS were added in response to public comments and input from subject-matter experts. Information regarding other alternatives mentioned in this comment (e.g., fewer drill sites and smaller gravel footprint), as well as the rationale for dismissing those alternatives, is included in Appendix D.1, <i>Alternatives Development</i>. <i>Note:</i> The Project would employ extended reach drilling.</p>	N
85	5	Svoboda	Nathan	The Wildlife Society Alaska Chapter	Request for New Alternative	<p>Commenters requested that at least one alternative be developed and evaluated in the EIS that is specifically aimed at minimizing impacts to caribou, such as modifying some of the infield road alignments to run parallel, instead of perpendicular, to caribou migration patterns, or an elevated loop system to reduce caribou deflection. It appears two of the alternatives (C and D) were developed with some forethought to minimizing impacts on caribou. The main difference among alternatives appears to be how different elements of the development are linked together (ice road versus gravel road, and road transport versus air transport). Unfortunately, the DEIS sends mixed signals about whether these “caribou-friendly” alternatives really benefit caribou. For example, the DEIS offers the following conclusion about Alternative D:</p> <p>“Effects to subsistence, sociocultural systems, and public health under Alternative D would be similar to those described under Alternative B. This alternative would have the least impact to caribou availability. This would eliminate the potential for subsistence harvesters to access new areas via road and would increase the level of air traffic, adding to the adverse effects. The effects on subsistence, sociocultural systems, and public health may be highly adverse (emphasis added) and would be disproportionately borne by the Nuiqsut population” (3.17.3.5).</p> <p>If alternative D (fewest roads, smallest footprint) and alternative B (the Conoco Phillips alternative) will have similar effects on subsistence, and those effects are painted as potentially “highly adverse,” what possible alternative should a concerned caribou hunter in Nuiqsut be drawn to? Is there any meaningful difference among any of the three action alternatives? If not, as this conclusion suggests, the requirements of a meaningful NEPA analysis has not been satisfied.</p>	<p>Caribou data do not show a clear east-west migration. However, east-west migration might be a common behavior at the times and places where subsistence hunting occurs.</p> <p>Because the majority of the TCH winters on the coastal plain, the herd does not display the same annual migratory patterns typical of other barren-ground caribou herds. The portion of the herd that winters in the Brooks Range typically moves northwest to southeast in the fall and southeast to northwest in the spring, but there is considerable variation depending on where the animals are located prior to migration. Thus, an alternative with roads that were east-west and not north-south would not necessarily have lesser impacts to caribou.</p> <p>Ramps and elevated loops in pipelines can aid caribou movements if placed in strategic locations, but elevating pipelines to a minimum height of 7 feet and separating roads and pipelines have been shown to allow caribou movements, although the possibility of delays or deflections is larger in caribou without previous exposure to pipelines. Pipelines that are elevated to a minimum of 7 feet aboveground, typically have sections that are much higher than 7 feet near creeks or other areas of topographic relief.</p> <p>Text in Section 3.16.2.4, <i>Alternative C: Disconnected Infield Roads</i>, and Section 3.16.2.5, <i>Alternative D: Disconnected Access</i>, was revised to clarify that Alternative D would have similar types of effects as Alternative B but that the magnitude of effects would be different. Text in Section 3.17.3.4, <i>Alternative C: Disconnected Infield Roads</i>, and Section 3.17.3.5, <i>Alternative D: Disconnected Access</i>, was revised similarly.</p>	Y

4.2.22 Request for New Analysis

Table B.2.25. Substantive Comments Received on Request for New Analysis

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
989	17	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Request for New Analysis	Page 10, 2.5.3.2.1 Bridges We would like more analysis on bridge crossings. A clearance of four feet may be insufficient due to ice jams.	Information on bridges is provided in Final EIS Appendix D.1 (<i>Alternatives Development</i>), Section 4.2.3.2.1 (<i>Bridges</i>). Available information on ice conditions in the streams where bridges are proposed is provided in Appendix E.8 (<i>Water Resources Technical Appendix</i>), Section 1.2, <i>Hydrology of Rivers and Streams in the Willow Area</i> . Effects analysis of bridge crossings is provided in Final EIS Section 3.8.2.3.4, <i>In-Water Structures (bridges, culverts, water intakes, boat ramps)</i> , and Appendix E.8, Section 1.3.1.1, <i>Bridge Crossings</i> . All action alternatives would include bridges that would be designed to maintain bottom chord clearance of at least 4 feet above the 100-year design-flood elevation or at least 3 feet above the highest documented flood elevation, whichever is higher. Bridges crossing Judy (Iqalliqpik) and Fish (Uvlutuuq) creeks would be designed to maintain a bottom chord clearance of at least 13 feet above the 2-year design-flood elevation (open water) to provide vessel clearance. Water surface elevations would be analyzed with regard to snow and ice impacts, as well as open-water conditions. Design analysis would be based on observations and measurements and modeled conditions (e.g., ice and snow effects) and would vary from crossing to crossing based on site-specific conditions. Analysis regarding how the Colville River ice bridge in module delivery Option 3 might contribute to ice jams downstream in the Colville River was added to the SDEIS and the Final EIS (Section 3.8.2.8, <i>Module Delivery Option 3: Colville River Crossing</i>).	N

4.2.23 Soils and Permafrost

Table B.2.26. Substantive Comments Received on Soils and Permafrost

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	256	Psarianos	Bridget	Trustees for Alaska	Soils and Permafrost	Damage to permafrost from gravel mining would be permanent (229.6 acres). . . . The application of BMPs and LSs are the main focus of curtailing potential impacts to permafrost, but do not adequately address the permanent and irreversible impacts for this impact. The only mitigation measure for impacts to permafrost would be total avoidance because once impacts occur, there is no way to rectify the impact through rehabilitation or restoration. And the BMPs and LSs are not specific enough (and how they would be monitored and enforced is a big gap that BLM must address) to ascertain whether any of the measures would be effective at minimizing direct and indirect impacts to permafrost wetlands.	Additional avoidance, minimization, and mitigation measures were added to Section 3.4.2.1.1, <i>Applicable Lease Stipulations and Best Management Practices</i> .	Y

4.2.24 Spills

Table B.2.27. Substantive Comments Received on Spills

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
11	4	Baraff	Lisa	—	Spills	According to the DEIS, approximately 80,000 to 150,000 barrels of seawater would be needed per day during drilling, and this would come from the seawater treatment plant Oliktok Point and would be transported to the project via a new seawater pipeline, which would go under the Colville River. And that is, I find, concerning for a lot of reasons. And there’s also permafrost impacts and other impacts to tundra, and I imagine that the grounds and groundwaters there are being affected. And by putting a pipe under the river, I think, opens up a great potential for spills of diesel and seawater and encroaching into the Colville, and that’s too great a risk to take. And I don’t think there are any safety measures that can guarantee that this will never occur.	Text was added to Section 4.3, <i>Potential Spills during Drilling and Operations</i> , to clarify the risk of spills from the HDD crossing. The proposed HDD crossing would be similar in design and size to the existing Alpine HDD crossing. There have been no reported spills from pipelines that cross rivers via HDD technology (ADEC 2020). Because the HDD crossing would include built-in secondary containment (i.e., outer casing) and extensive leak detection technology, the potential for a spill or release from the Project HDD crossing of the Colville River is very low.	Y
989	37	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Spills	Page 115, 3.13.2.7 Oil Spills and Accidental Releases There does not appear to be any mention of drilling mud (i.e., drilling fluid). Depending on the type of drilling mud, this may be an issue. Managing drilling mud is an issue BLM should address.	Additional details on the drilling mud composition (including the Colville River HDD crossing and production and injection wells) have been added to Section 4.2 (<i>Potential Spills during Construction</i>) and Section 4.4 (<i>Hazardous Materials</i>).	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1302	54	Dunn	Connor	ConocoPhillips	Spills	Within the DEIS discussion on spills from aboveground storage tanks (ASTs), the BLM identifies an expected very low to low frequency of occurrence of spills for the Project and states that analysis of Alaska Department of Environmental Conservation spill data provides no indication that any of the reported loss of integrity spills associated with petroleum development infrastructure escaped secondary containment. The discussion continues, however, to include information from the Alpine Oil Discharge Prevention and Contingency Plan (ODPCP) spill response scenario for an AST rupture, which is a hypothetical, worst-case incident where the spill escapes secondary containment. Within the Alpine ODPCP scenario, the volume of discharge that escapes secondary containment is an arbitrary value only for planning purposes to demonstrate ConocoPhillips robust spill response capabilities and is in by no means modelled (as stated by the BLM) under any actual conditions or operational parameters. BLM then states similar results would be expected from the Project. BLM’s statement about similar results refers to a hypothetical planning scenario and implies spills could escape secondary containment at Willow. That statement has no factual basis and contradicts BLM’s previous conclusion that spill risk from ASTs would be very low to low. These statements about similar results to a hypothetical planning scenario should be removed or revised. ConocoPhillips provides secondary containment with sufficient capacity to retain the total volume of an AST, as required by state and federal regulations; and, as the data shows, a spill is unlikely to escape secondary containment.	Text was clarified in Section 4.3, <i>Potential Spills during Drilling and Operations</i> .	Y
1302	55	Dunn	Connor	ConocoPhillips	Spills	The DEIS addresses risk of spills from pipelines and states expected rate of occurrence of spills to be very low. Estimated spill volume at select waterway crossings is provided for the infield produced fluids and produced water injection pipelines (i.e., Tables 4.3.2 and 4.3.3). However, no such spill volume estimation is provided for the Willow Pipeline. The potential for spills from the Willow Pipeline (export) is discussed in text on page 172 and within Appendix H Table H.1.1, but no spill volume is estimated and the Willow Pipeline is not included in a table similar to Tables 4.3.2 or 4.3.3. For completeness, we recommend adding such information into the Spill Risk Assessment section, along with discussion on the potential effects of a larger spill volume on streams or channels and shoreline habitat downstream from the leak source, and the potential to reach Harrison Bay. The Willow Pipeline would be similar to existing sales-quality crude oil transmission pipelines on the North Slope and would have similar or lower likelihood of spills and, as BLM states in section 4.5, would not present a uniquely or an unusually high likelihood of a large or very large spill.	The estimated spill volumes for the Willow MDP Project export pipeline have been added to Section 4.3, <i>Potential Spills during Drilling and Operations</i> , as suggested.	Y
1302	56	Dunn	Connor	ConocoPhillips	Spills	Additionally, the DEIS addresses risk of spills from reservoir blowouts and states the expected relative rate of occurrence of a blowout event to be very low. Reservoir blowout modeling is presented in the DEIS and includes approximate distance and width of oil fallout for a blowout of 225,000 barrels in Table 4.3.1. Figures 4.3.1 through 4.3.5 illustrate the blowout modeling at the proposed Willow drill sites. However, the figures incorrectly depict the width of the oil fallout plume. Considering the scale on the figure, the plume appears to be over a mile wide, which is about two times the width described in Table 4.3.1. This gives the impression the area of impact is greater than that determined by the blowout modeling. A common mistake when mapping a geographic extent of the blowout oil fallout plume is to measure out the linear distance from the well down a center line of the hypothetical plume and then extend the toe out on each side by the full width. Instead, the toe of the plume should extend out from the center line by only half the width on each side to ensure the full width equals the width determined by the blowout model. A graphic depiction of this mistake is included in Attachment B to this letter. This mistake should be corrected.	The figures (Figure 4.3.1 through 4.3.5) have been updated, as suggested.	Y
1295	19	Nogi	Jill	U.S. Environmental Protection Agency Region 10	Spills	Spill Prevention and Response We recommend that the Final EIS analyze how the proposed spill prevention and response measures, including inspection and leak detection, would help to mitigate potential leaks and spills through prompt detection and repair. We appreciate that the Draft EIS includes a Spill Risk Assessment in Section 4.0 and discloses potential spill risk as well as plans for spill prevention and response. Information related to spill and leak detection and prevention and the environmental consequences of potential spills can also be found in the Alternatives and Environmental Consequences Sections of the EIS and in associated appendices. Due to number of separate places in the document where information on spills can be found, it is challenging to understand the likely environmental impacts from these potential spills and leaks. For example, Section 4.0 states that “Leaks from produced fluids pipelines could result in spills sizes ranging from very small spills to medium-large spills. The expected duration of these types of spills could be very short (less than 4 hours) or continue for a period of days to weeks depending on the type and location of the leak.” It is not clear from this statement how the spill prevention and response measures proposed for the project would be able to reduce the likely size or duration of a spill.	For the Final EIS, spill prevention strategies and techniques that would help minimize the potential for spills to occur, as well as specific response techniques that would mitigate the effects of potential spills if they occur, were consolidated in Appendix H, <i>Spill Summary, Prevention, and Response Planning</i> . These strategies and techniques, coupled with training of spill response personnel and regular inspections of pipelines and other key infrastructure, would be used and/or implemented throughout the life of the Project.	Y
1295	20	Nogi	Jill	U.S. Environmental Protection Agency Region 10	Spills	We additionally recommend that information regarding spill prevention, including spill and leak detection, and spill response be consolidated in Section 4.0, and cross-referenced elsewhere in the document, to improve understanding for decision makers and the public and to simplify the EIS analysis. Information on leak detection can be found in multiple places in the EIS: Section 2.5.8 discloses that CPAI would “maintain a corrosion control and inspection program that includes ultrasonic inspection, radiographic inspection, coupon monitoring, metal loss detection and geometry pigs, and forward-looking-infrared technology”; leak detection for pipelines crossing under the Colville River is briefly described in Appendix D Section 4.2.8.1; and a discussion of anticipated forward-looking infrared leak detection requirements can be found in Appendix H Section 2.3. Information on spill response can also be found in multiple places in the document.	For the Final EIS, spill prevention strategies and techniques that would help minimize the potential for spills to occur and specific response techniques that would mitigate the effects of potential spills if they occur were consolidated in Chapter 2.0 (<i>Spill Prevention and Response Planning</i>) of Appendix H, <i>Spill Summary, Prevention, and Response Planning</i> .	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1295	21	Nogi	Jill	U.S. Environmental Protection Agency Region 10	Spills	Underground Injection Control When discussing pipeline construction under the Colville River, the Draft EIS states that “Drill cuttings and drilling fluids (also called mud) from the [horizontal directional drilling] process would not be discharged to surface water or the tundra but would be transported to an existing permitted UIC well for disposal or would be temporarily stored until an on-site Class I UIC disposal well is operational.” We support the goal of avoiding surface discharge of drilling wastes as it reduces environmental impacts; however, we note that the operator may only inject drill cuttings into a UIC Class I non-hazardous well if the fluid containing the cuttings is either RCRA non-hazardous or RCRA-exempt exploration and production associated waste. Drill cuttings resulting from pipeline construction would not be RCRA exempt exploration and production associated waste. We therefore recommend that the Final EIS describe the make-up of the drilling fluid and clarify whether it would be RCRA non-hazardous waste. The EPA UIC Program would be available to assist if more information regarding allowable Class I injection under the Safe Drinking Water Act is needed.	Additional details on the drilling mud composition (including the Colville River HDD crossing and production and injection wells) have been added to Section 4.2 (<i>Potential Spills during Construction</i>) and Section 4.4 (<i>Hazardous Materials</i>). CPAI would use RCRA nonhazardous materials for drilling mud during the Colville River HDD operations.	Y
988	2	Peter	Enei Begaye	Native Movement	Spills	Of particular concern to us is an area that has been protected in the Integrated Activity Plan (IAP) of the National Petroleum Reserve in Alaska (NPR-A). This area has been designated a sensitive wetland area for key species of molting birds and it is the birthing and migration haven for the Teshekpuk Caribou herd. The BLM’s Draft EIS findings articulate a high probability of oil spills throughout this project and in every alternative other than No Action. Oil spills on or near this biodiverse area would cause irreversible damage. Three communities surrounding this area would be directly rely on the subsistence use of the eider duck and caribou for their food security which would also be threatened by this project. The NPR-A IAP currently protects the specific areas that the proposed Willow Master Development project would irreversibly impact.	The EIS finds that the likelihood of very small to small spills occurring is very high to high; the likelihood of medium to large spills is medium to high. The high-likelihood spills are expected from vehicles, equipment, and facility piping. These spills would likely occur on gravel infrastructure, making them quick to detect and easy to clean up. Appendix H (<i>Spill Summary, Prevention, and Response Planning</i>) also addresses the measures that CPAI would undertake to comply with BLM LSs and BMPs related to fuels and hazardous materials handling and storage, spill prevention, and spill response activities.	N
864	121	Psarianos	Bridget	Trustees for Alaska	Spills	BLM’s Spill Risk Assessment is Inadequate. BLM’s Spill Risk Assessment is inadequate because it fails to use the most updated spill data from the Alaska Department of Environmental Conservation (ADEC), it does not include a quantified analysis, and it does not provide specifics on North Slope blowout incidents so it is impossible for the public to know if BLM’s analysis is complete. ADECs Prevention Preparedness and Response office has an Oil and Hazardous Substance Spills Database that is queryable. In order to develop an adequate Spill Risk Assessment, it is possible to obtain and analyze ADEC spill reports until the present date to obtain the most up-to-date spill rates, and BLM did not do that and should have for all types of infrastructure including aboveground tanks and hazardous substance spills.	A quantitative oil spill risk analysis is beyond the scope of the EIS. The qualitative oil spill risk assessment as presented is sufficient for agencies that are responsible for approving the Willow MDP Project to have a clear understanding of the relative risks associated with accidental oil spills that may occur from construction, drilling, and operations activities, and to allow them to make informed decisions as to how spills may affect the environment. This same approach has been used on a number of North Slope EISs for similar types and sizes of projects (e.g., Nanushuk project). Information and data used for the qualitative assessment include oil spill data associated with North Slope petroleum development activities from July 1995 through 2011 (15.5 years) as compiled and presented by ADEC (2010, 2013), as well as other recent technical studies and EISs relative to North Slope oil and gas activities (see Chapter 4.0, <i>Spill Risk Assessment</i>), and ADEC’s SPILLS database. Information presented in these reports, studies, and databases is sufficient to assess the potential risks for oil spills and the potential effects they may pose to the environment associated with the Project.	N
864	122	Psarianos	Bridget	Trustees for Alaska	Spills	Additionally, BLM provided only qualitative information in its Spill Risk Assessment of the likelihood of spills, e.g., Very Low, Low, Medium, etc. Instead, BLM should have utilized ADEC spill data and combined it with oil production information to develop a quantified spill rate (e.g., number of spills of a particular size range per million barrels produced). Those rates then could be multiplied by the likely production at Willow to obtain the probable number of spills for each spill size range for crude oil, produced water and hazardous substances.	The qualitative oil spill risk assessment as presented in the Final EIS is sufficient for the public and decision-makers to understand the relative risks associated with accidental oil spills that may occur from construction, drilling, and operations. The same approach has been used on a number of North Slope EISs for similar types and sizes of projects (e.g., Nanushuk project).	N
864	123	Psarianos	Bridget	Trustees for Alaska	Spills	Additionally, because well blowouts are serious events, it is important for the EIS analysis of blowouts to be both transparent and complete. The draft EIS states that “Only seven shallow-gas blowouts have occurred on the North Slope since 1974. Although it is conceivable that a shallow-gas blowout could occur during drilling, the expected relative rate of occurrence of such an event would be very low. In the event one did occur, it would likely have a duration of 1 to 2 days and affect approximately 20 to 25 acres of tundra adjacent to the well pad (USACE 2018). Spilled material would include drilling fluids (i.e., mud), but not crude oil.” Nowhere does the draft EIS list which blowouts were included in this statement, nor does the draft EIS discuss the worker safety aspects of such occurrences. Notably, in recent years there have been several incidents where thawing permafrost on the North Slope has resulted in uncontrolled releases from BP wells, posing both safety and environmental hazards. While not everyone calls these uncontrolled releases blowouts, they meet the Schlumberger Oilfield Glossary definition of a blowout: 1. n. [Drilling] Uncontrolled flow of formation fluids from a well. An uncontrolled flow of formation fluids from the wellbore or into lower pressured subsurface zones (underground blowout). Uncontrolled flows cannot be contained using previously installed barriers and require specialized services intervention. A blowout may consist of water, oil, gas or a mixture of these. Blowouts may occur during all types of well activities and are not limited to drilling operations. In some circumstances, it is possible that the well will bridge over, or seal itself with rock fragments from collapsing formations downhole. Because of their serious nature, these BP incidents should be included in BLM’s EIS analysis of blowouts, however the public has no way to know whether they were.	It is assumed that the comment is referring to two incidents (one in 2017 and the other in 2019) where two old production wells were “jacked” up out of the ground a few feet and leaked small quantities of oil and gas before they were contained. No oil escaped the drilling pad in either of these instances. Both of the wells in question were drilled and installed in the 1970s. Significant improvements to well and casing designs have been made since those wells were completed, as well as other measures (e.g., adequate well spacing) implemented to help maintain the integrity of the underlying permafrost layer beneath well pads. Therefore, the two incidents described above are not relevant to the Willow MDP Project as potential oil spill events and, therefore, have not been addressed in the EIS.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	198	Psarianos	Bridget	Trustees for Alaska	Spills	<p>The DEIS Fails to Consider Impacts of an Oil Spill on Marine Mammals</p> <p>Chapter 4 and section 3.13 of the DEIS report that an oil spill could occur in the marine environment and along existing marine waterways, but fail to assess the likely impacts to the marine environment and to marine mammals if a spill were to actually happen. Any spill that contacts marine mammals directly or indirectly through the marine environment can be expected to have an adverse impact. BLM must disclose the likely impacts to marine mammals in the event of reasonably foreseeable oil spills, large or small.</p> <p>The DEIS also does not explore the efficacy of oil spill cleanup methods, and does not distinguish between spills in the terrestrial and marine environments in terms of cleanup operations or likelihood of success. There are no proven methods to clean up oil on ice. Efforts to rehabilitate animals after exposure to oil are largely ineffective. BLM must take a hard look at all the foreseeable impacts from oil spills, which are certain to accompany the Willow project.</p>	<p>Potential spills in the marine environment are described in Section 4.2, <i>Potential Spills during Construction</i>. Effects of spills on marine mammals are described in Section 3.13.2.10, <i>Oil Spills and Accidental Releases</i>. The primary route by which oil could enter the marine environment is through barging of materials or during construction of the MTI. Barging of materials would occur over four summer seasons, and spills would only occur if the vessel ran aground or sinks or if its containment compartment(s) were breached and the contents released. Construction of the MTI could create very small to small spills from support vessels; spills would be limited to refined products (e.g., diesel, lubricating oil), localized to the immediate area of the MTI, and short in duration (less than 4 hours).</p> <p>If an onshore spill were to occur, oil would be unlikely to reach Harrison Bay due to the distance to the drill sites and the sinuous nature of the streams in the area.</p>	N

4.2.25 Stakeholder Engagement

Table B.2.28. Substantive Comments Received on Stakeholder Engagement

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1296	1	Imm	Teresa	Arctic Slope Regional Corporation	Stakeholder Engagement	ASRC has not yet committed to an alternative due to local concerns and wishes to discuss BLM’s analysis and community concerns further in the ANCSA Consultation. ASRC shares similar concerns as the local stakeholders regarding the proposed Alternatives and Modular Transfer options and requests BLM to work with the operator on creative solutions to address them.	The SDEIS added a third module delivery option (Option 3: Colville River Crossing), based on stakeholder feedback to include an alternative that would not construct an offshore gravel island. CPAI has changed its Project to include this module delivery option rather than the two previously considered offshore MTIs. BLM has reached out to ASRC to offer ANCSA consultation.	N
1296	2	Imm	Teresa	Arctic Slope Regional Corporation	Stakeholder Engagement	As stated in BLM’s Notice of Intent (NOI) the Willow EIS will be prepared in accordance with recently issued guidance on streamlining and improving the NEPA process, ASRC urges BLM to closely examine and devote adequate time to the concerns brought up by the local stakeholders. Specifically regarding the overall gravel footprint of the project, location and proximity of the BT2 and BT4 drill sites to the Teshekpuk Lake Special Area (TLSA) and the Teshekpuk Lake Caribou Habitat Area (TLCHA), the orientation of the infield road connecting BT1, BT2 and BT4 drill sites and its potential to disrupt caribou movement, the construction of the offshore island in shallow waters of Harrison Bay, the implementation of high-powered lines as technically fast as possible and the location of the proposed gravel mine site.	<p>The BLM prepared the Draft EIS according to 40 CFR 1502 and the BLM’s NEPA Handbook (H-1790-1); the EIS includes a full and fair discussion of significant environmental impacts, including those described by the commenter, that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments from local stakeholders and the general public on the Draft EIS, including its supplement. The issues raised by this commenter were all carefully considered by BLM and the cooperating agencies during the alternatives workshop. Alternatives to the Project included in the Draft EIS address many of these concerns, including reduction of the overall gravel footprint (Alternatives C and D), and the orientation of the infield road connecting BT1, BT2, and BT4 and its potential to disrupt caribou movement (Alternative C includes disconnected gravel infield roads to offset this potential impact). However, there are trade-offs in the potential impacts. Though the elimination of a gravel road connection would aid caribou movements in that area, the increase in air traffic to the roadless development would increase overall disturbance of caribou. Elimination of the gravel road connection between BT2 and BT4 was dismissed from further consideration because the airstrip would be close to the high density calving area with most air traffic landing from the west due to dominant wind directions. This is likely to cause disturbance and/or displacement of calving caribou and have some impacts on caribou movements during other times of the year.</p> <p>Regarding the TLSA, while it is true that parts of the infield road system, as well as BT2 and BT4, would be within the TLSA in an area that is available to oil and gas leasing, all else being equal, the TLSA is only an administrative boundary, and Project impacts would not necessarily be greater within the TLSA than they would outside the TLSA.</p> <p>The SDEIS added a third module delivery option (Option 3: Colville River Crossing), based on stakeholder feedback to include an alternative that would not construct an offshore gravel island. CPAI has changed its Project to include this module delivery option rather than the two previously considered offshore MTIs. Regarding the gravel mine site, BLM and cooperating agencies did request that CPAI provide detailed information as to the availability of alternative gravel mine site options. There were no other practicable and feasible sites that could provide the amount and quality of gravel necessary, without causing greater environmental impacts. This information was provided in Appendix D.1, <i>Alternatives Development</i>.</p>	N
1296	4	Imm	Teresa	Arctic Slope Regional Corporation	Stakeholder Engagement	ASRC expects that BLM consider the history of Traditional Knowledge (TK) throughout the EIS and their review of the Willow project. In addition to the environmental data that has been collected over the decades supporting this project, traditional knowledge should be a key source of information in assessing impacts and also supporting appropriate mitigation to minimize potential impacts to the environment and animals, especially those terrestrial animals and birds harvested for subsistence. ASRC recommends that BLM work closely with the local Kuukpik Corporation, Native Village of Nuiqsut, City of Nuiqsut, and ASRC and the NPR-A Working Group in order to incorporate Traditional Knowledge more fully into their decision-making and management of the NPRA.	<p>Text regarding how traditional knowledge was used in the EIS was added to Final EIS Section 3.1, <i>Introduction and Analysis Methods</i>.</p> <p>Proposed BMP H-1 would require that a Subsistence Plan be developed and that CPAI describe how it would communicate and coordinate with the community.</p>	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1296	9	Imm	Teresa	Arctic Slope Regional Corporation	Stakeholder Engagement	ASRC supports several of the Potential Mitigation Measures listed by BLM, but ASRC encourages ConocoPhillips to continue to work with the community on ways impacts can be further reduced, especially with regards to boat ramps at Fish Creek and Judy Creek. As noted above, ASRC encourages ConocoPhillips to continue evaluating the slope of subsistence ramps, height of the Access Road, and work with local subsistence hunters on continually evaluating impacts to subsistence users and subsistence resources from the Alpine, GMT1, and GMT2 development. Through this collaboration, local subsistence hunters can express their concerns directly to the operator and the operator can directly address concerns whenever appropriate.	Comment noted. CPAI is working with the community with regard to the boat ramp(s) design and location. The Project changes in the Final EIS include changes to subsistence ramps due to collaboration with the community.	N
1296	13	Imm	Teresa	Arctic Slope Regional Corporation	Stakeholder Engagement	BLM correctly notes the burdensome permitting process creates sociocultural impacts on the community of Nuiqsut. ASRC has raised this impact to BLM several times. To alleviate this impact on the community, ASRC urges BLM to host the required, mandatory meetings in the community of Nuiqsut or when requested by the Native Village of Nuiqsut or Kuukpik Corporation. ASRC encourages BLM to maintain alignment with ANILCA with respect to public meetings and adhere to the input from Kuukpik and the Native Village of Nuiqsut on ways to minimize BLM’s permitting footprint in the community which has caused unnecessary anxiety and exhaustion.	Pursuant to ANILCA Section 810(a)(1) and (2), BLM conducted hearings in North Slope communities to gather comments regarding potential impacts to subsistence use resulting from the alternatives considered in the Draft EIS. A list of the meetings and meeting dates are provided in Appendix B (<i>Public Engagement and Comment Response</i>). In order to capture all relevant comments, the entirety of the public meetings in North Slope communities were captured by a court reporter and reviewed for substantive comments. BLM has met requirements under NEPA for meaningful public engagement. Proposed BMP H-1 would require that a Subsistence Plan be developed and that CPAI describe how they would communicate and coordinate with the community.	N
1294	45	Nukapigak	Joe	Kuukpik Corporation	Stakeholder Engagement	Volume 1, page 152, Section 3.17.5, Additional Suggested Best Management Practices or Mitigation. These three suggestions sound like just more public meetings that may or may not provide any value for Nuiqsut at all. Nuiqsut is already “over-met,” and Kuukpik doesn’t believe these types of meetings are likely to serve the beneficial purposes BLM seems to suggest by including them here.	BLM will coordinate with NVN on final BMPs for the ROD.	N
1307	4	Pardue	Margaret	Native Village of Nuiqsut	Stakeholder Engagement	BLM has not adequately considered NVN’s input and feedback in the DEIS. In scoping comments, NVN made clear that it would like to play an active role in the decision-making process and in the management of the region’s natural resources. We feel that our feedback and concerns were not effectively heard in this DEIS process. BLM and other federal agencies involved in the management of the NPR-A must take steps to more meaningfully involve NVN and consider our feedback. Steps the agency should take to improve the government-to-government relationship in the EIS process include: -Setting out specifically how the government-to-government consultation and cooperating agency process will occur for the Willow MDP EIS; -Explaining how BLM will address and respond to NVN’s comments and suggestions; -Requiring incorporation of traditional knowledge in decision making; -Sharing information and studies with NVN in a meaningful and accessible way; and -Explaining what happens if NVN and BLM disagree on a proposal, finding, or decision.	BLM considers consultation with tribal entities and other federal agencies to be a critical part of the EIS process. BLM has conducted multiple consultation meetings during the development of the EIS with NVN and the Naqragmiut Tribal Council (see Final EIS Section 1.10.4, <i>Tribal Consultation</i>) Comments and input received during those meetings have been carefully considered as part of the overall analysis of alternatives, as well as development of potential mitigation measures. In particular, the new overland module delivery option was developed specifically to address concerns raised by NVN regarding potential impacts from the offshore module delivery options. BLM will continue to consult with NVN and provide updates on studies and analyses through regular correspondence with all the cooperating agencies, as well as through specific government-to-government consultation with NVN. NVN and BLM have a cooperating agency MOU related to the NEPA process for the Willow MDP Project, which sets out the cooperating agency process.	N
864	3	Psarianos	Bridget	Trustees for Alaska	Stakeholder Engagement	Public participation is a core purpose of NEPA but has not been achieved to date. Instead, the manner in which BLM and the Department of Interior are operating appears to be specifically targeted at suppressing the public’s ability to review and engage in the evaluation of these substantial projects, contrary to NEPA. The BLM must ensure adequate time and opportunity to engage the public in each step of this process. A 9-week comment period during the summer and fall on the draft EIS is insufficient to meet BLM’s NEPA obligations to provide robust participation by the interested public, given the sensitive resources, the complexity of the issues and analysis required, and the timing of the proposal review. Multiple public comment periods for development activities in the Arctic overlapped with this comment period. Three massive EIS documents were released by BLM during a time period which is critical to meet the subsistence needs of the communities in Arctic Alaska. BLM’s decision to release all of these analyses in nearly overlapping timeframes reflects a complete failure by the agency to involve the public meaningfully in these NEPA processes.	The public comment period for the Willow MDP Draft EIS was scheduled to minimize overlap with review periods for other Arctic projects. In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiaġvik [Barrow]). The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Responses</i> .	N
65	4	Riley	Stanley	—	Stakeholder Engagement	There’s a lot of families that have been using these areas for time immemorial, you know. And so, I was wondering, is there anybody on staff that has traditional knowledge?	Text regarding how traditional knowledge was used in the EIS was added to Final EIS Section 3.1, <i>Introduction and Analysis Methods</i> .	Y
1054	4	—	—	—	Stakeholder Engagement	The obvious rush to approve development all over the Arctic and the State of Alaska by the Trump Administration and its BLM has stacked many major developmental EIS and planning documents together within a similar time period, rendering it impossible for commenters to comment thoroughly on so many projects. This virtual disallowance of full public availability to read, research, and comment on the documents in the established overlapping comment periods flies counter to the spirit of the legal requirements to provide for public comment. Please offer us a more complete, more comprehensive, effective, conservation-minded, and far-sighted plan and EIS instead of what we have before us.	The public comment period for the Willow MDP Draft EIS was scheduled to minimize overlap with review periods for other Arctic projects. In accordance with NEPA regulation 40 CFR 1506.10(c), the BLM published the Willow MDP Draft EIS for a 45-day public comment period. The BLM extended the comment period by 15 additional days (60 total days) to accommodate the needs of the public and North Slope residents (who noted it was whaling season in Nuiqsut and Utqiaġvik [Barrow]). The Willow MDP EIS was prepared under Secretarial Order 3355, which directs the BLM to strive to complete each EIS within 1 year from the issuance of an NOI. The secretarial order implements NEPA regulation 40 CFR 1500.5(e), which requires agencies to reduce delays by establishing appropriate time limits for the EIS process. Notwithstanding the secretarial order, the Final EIS was published approximately 2 years after the NOI was published, during which time BLM provided three public comment periods, with public meetings. Public participation was very robust; the BLM received numerous public comments during EIS development, and public meeting attendance was high. See Final EIS Appendix B, <i>Public Engagement and Comment Responses</i> . The BLM prepared the Draft EIS according to 40 CFR 1502 and the BLM’s NEPA Handbook (H-1790-1); the EIS includes a full and fair discussion of significant environmental impacts that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement.	N

4.2.26 Subsistence and Alaska National Interest Lands Conservation Act Section 810 Analysis

Table B.2.29. Substantive Comments Received on Subsistence and Alaska National Interest Lands Conservation Act Section 810 Analysis

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
986	7	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Subsistence, ANILCA 810	The chief complaint amongst resident hunters has been air traffic and this development will increase air traffic. BLM and CPAI should identify measures to consolidate and reduce air traffic and minimize noise. Furthermore, caribou may have difficulty crossing the elevated industry roads to the Willow production facility and drill sites, especially in the winter when snow builds up alongside the road. Our residents have also noted the difficulty of crossing these elevated industry roads in winter. Industry maintains that these roads must be steep to support industrial traffic. We ask that the BLM require CPAI to work with local residents to modify standard road designs or identify other means to mitigate road-related impacts to tundra travel.	The BLM reviewed all scoping comments and considered them when drafting the EIS. The impact of air traffic and infrastructure on subsistence resources and activities, including physical obstructions posed by roads, is described in Section 3.16.2.3.2 (<i>Resource Availability</i>) and Section 3.16.2.3.3 (<i>Harvester Access</i>). The BLM has conducted several Native consultations with Kuukpik and NVN in which the BLM collected input on how to mitigate impacts to subsistence and considered that input in the EIS (see Section 1.10.4, <i>Tribal Consultation</i> , and Section 3.17.2, <i>Meaningful Engagement</i>). The BLM also extracted suggested mitigation from public comments and considered it in the EIS. BMP/ROP H-11 of the IAP requires the lessee/permittee to coordinate directly with affected communities in the NPR-A to prevent unreasonable conflicts between subsistence uses and other activities.	N
989	11	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Subsistence, ANILCA 810	Nuiqsut’s hunters use the Willow prospect area to hunt caribou, as well as wolves and wolverines. Construction, additional infrastructure and increased aerial and ground traffic could deflect these species from the area, resulting in decreased availability, requiring hunters to travel further to access these resources. The chief complaint amongst resident hunters has been air traffic and this development will increase air traffic. BLM and CPAI should identify measures to consolidate and reduce air traffic and minimize noise.	Measures to avoid, minimize, and mitigate effects to wildlife from air and ground traffic are described in Section 3.12.2.1, <i>Avoidance, Minimization, and Mitigation</i> . Proposed BMPs F-2 through F-4 address air traffic. Ground traffic is addressed in proposed BMP M-1. Consolidating and reducing air and ground traffic should be part of the Aircraft Use Plan or Vehicle Use Plan required in these BMPs.	N
989	39	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Subsistence, ANILCA 810	Page 166, Section 3.19.11 - Cumulative Impacts to Subsistence and Sociocultural Systems Please address the following: While the Kuukpik Spur Road has provided access to residents and the road system has seen increased use in every year since its construction, there is an acknowledged decrease in use of roads the further away the roads are from the community. In addition, there is a substantial decrease in accessing roads east of Nigliq Channel: “only 10% reported using roads crossing east of the Nigliq Channel toward the CD1 and CD4 developments” (Willow MDP EIS Section 3.16. See also Appendix G ANILCA 810 Analysis Page 21). The reasons for the “[d]ecreased use of roads to the east of Nigliq Channel could be due to a relatively lower abundance of resources in that area, or due to heightened concerns about safety due to the greater concentration of infrastructure and human activity.” A cumulative effects analysis should be based on the concentration of development east of Nigliq Channel (using actual quantitative measurements) and the quantitative association of effect (i.e., only 10% reported . . .) in order to predict consequences of past, present, and RFFA development on the community west of the Nigliq Channel.	Discussion has been added to Section 3.19.12, <i>Cumulative Impacts to Subsistence and Sociocultural Systems</i> , to further explain the cumulative impacts of road access on subsistence. Because data on road use are limited, it is not possible to draw quantitative conclusions regarding road use and association with concentration of development.	Y
1302	13	Dunn	Connor	ConocoPhillips	Subsistence, ANILCA 810	BLM’s analysis of impacts to caribou, especially in DEIS Sections 3.16.2.3 does not match the analysis of terrestrial mammals in DEIS Section 3.12.2.3. This is an inconsistency that detracts from one of the most important subjects of the DEIS subsistence and therefore this is an important matter for BLM to address and improve in the final EIS. While the problem is most apparent and significant in the analysis of caribou, it persists in the analysis of other subsistence resources throughout Section 3.16. A key issue with Section 3.16 is that in multiple instances it purports to identify potential negative impacts on subsistence without a basis in available science or experience. One illustrative example is that in subsistence section 3.16.2.3.1 (page 136), BLM identifies blasting at the mine site as one of the Project activities that may cause direct mortality to individual animals. But potential mortality to fish, birds, or caribou from mine site blasting is discussed only in the subsistence section, not in the sections analyzing project impacts on fish (DEIS Section 3.10.2.3.3; Fish, Injury or Mortality), birds (DEIS Section 3.11.2.3.3; Birds, Injury or Mortality), or caribou (DEIS Section 3.12.2.3.3; Terrestrial Mammals, Injury or Mortality). Blasting (which will occur only in the winter) will not occur in fish-bearing waters, or during the summer season when waterfowl are present, or in the event caribou are present at the mine site, so it is sensible that blasting is not identified in those other sections of the DEIS as a potential source of mortality. To our knowledge, no mortality of any fish or wildlife species has ever occurred from gravel mine site blasting on the North Slope. Since blasting is not a significant source of mortality on the animals, it cannot be a significant source of animal mortality negatively impacting subsistence. Accordingly, BLM should remove references to blasting from Section 3.16.	While many of the conclusions of the subsistence section regarding caribou availability (Section 3.16.2.3.2.1, <i>Caribou</i>) are based on the analysis provided in the terrestrial mammals section (Section 3.12.2, <i>Environmental Consequences</i>), additional impacts may occur that are not addressed in the biological resources section. Impacts that may seem minimal from a biological perspective, and are therefore not addressed in the biological resources sections, can have greater impacts on resource availability for subsistence users. Thus, the biological resources section and subsistence section sometimes address impacts at different scales. Impacts regarding resource abundance should be consistent with the biological resources sections. The study team reviewed the subsistence analysis regarding potential resource mortality and resource availability to ensure consistency with biological sections. Specifically, removed reference to blasting as it pertains to resource injury or mortality in Section 3.16.2.3.1, <i>Resource Abundance</i> , and Section 3.16.2.3.2, <i>Resource Availability</i> . Sections 3.16.2.3.2.1 (<i>Caribou</i>), 3.16.2.3.2.2 (<i>Furbearers</i>), and 3.16.2.3.2.3 (<i>Waterfowl</i>) do address blasting, but only as it pertains to disturbance or displacement. For the EIS, winter is defined as November through April; waterfowl hunting begins in April, and therefore, it is possible that there could be some impacts from mining.	Y
1302	33	Dunn	Connor	ConocoPhillips	Subsistence, ANILCA 810	After revising analysis of subsistence issues in Section 3.16 and Appendix G, BLM should propagate changes in the analysis and conclusions into the other sections that rely on the subsistence analysis, including Environmental Justice (3.17.3.3, 3.17.7), Public Health (3.18.23) and Cumulative Effects (3.19.11 and Table 3.19.4). BLM should also propagate changes to Appendix E.16, and especially Tables E.16.18 and E.16.19.	Section 3.17 (<i>Environmental Justice</i>), Section 3.18 (<i>Public Health</i>), and Section 3.19 (<i>Cumulative Effects</i>), as well as Appendix E.16 (<i>Subsistence and Sociocultural Systems Technical Appendix</i>), were updated to reflect updates to the subsistence analysis.	Y
1302	118	Dunn	Connor	ConocoPhillips	Subsistence, ANILCA 810	This table asserts a high likelihood of reduced resource availability in the cumulative case. This statement is not supported by the analyses conducted in the Terrestrial Mammals section (either for the project alone, or cumulatively). The potential impacts described in preceding sections, particularly the biological sections, do not mention any reduction in abundance of subsistence resources. Furthermore, published literature supports a history of coexistence of subsistence lifestyle and industrial development on the North Slope.	Conclusions regarding impacts on resource availability are not based on the biological sections alone; impacts that may seem minimal from a biological perspective can have larger impacts on subsistence users. The conclusions regarding subsistence resource abundance in Appendix G (<i>ANILCA Section 810 Analysis</i>), Section 8 (<i>Evaluation and Finding for the Cumulative Case</i>), have been revised to be consistent with the biological resources sections which concluded that there will be a reduction in the overall abundance of resources in the NPR-A IAP/EIS Alternative D or E scenario. Published literature supports a history of impacts on subsistence and adaptation by subsistence users. While harvests have continued to be stable in many cases, development has also been shown to reduce harvests in certain regions of the state. The ability of residents to adapt to the presence of development does not mean that impacts are not occurring.	
1302	155	Dunn	Connor	ConocoPhillips	Subsistence, ANILCA 810	(Page 139, Section 3.16.2.3.2.4, Subsistence and Sociocultural Systems) Culvert installation would occur during winter ice road season when any fish are located in deeper overwintering locations.	Section 3.16.2.3.2.4, <i>Fish</i> , was edited to reflect that the effect would be relatively infrequent, based on the Project description text (Final EIS Appendix D.1, <i>Alternatives Development</i> , Section 4.2.3.2.2, <i>Culverts</i>).	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1302	175	Dunn	Connor	ConocoPhillips	Subsistence, ANILCA 810	In a number of places in Chapter 3, the analysis of impacts does not acknowledge that construction would primarily occur during winter. For example, subsistence activity peaks during June through August; therefore, impacts from construction activities would not overlap with peak subsistence activity, lessening impact. Bird behavioral impacts would also be reduced with much of construction occurring in winter. Noise associated with gravel mining, which would take place only in winter, would not affect waterfowl or waterfowl harvest.	While it is true that subsistence activities as a whole peak in June through August, certain activities (e.g., furbearer and upland bird hunting) occur or peak in the winter, and subsistence uses within the Project area primarily occur in winter; thus, winter construction and development activities are a primary source of direct impacts. For the EIS, winter is defined as November through April; waterfowl hunting begins in April, and therefore, it is possible that there could be some impacts from mining. Reviewed subsistence discussion to ensure that the timing of construction and development activities are adequately addressed and revised for clarity in Section 3.16.2.3.2 (<i>Resource Availability</i>).	Y
1296	8	Imm	Teresa	Arctic Slope Regional Corporation	Subsistence, ANILCA 810	Additional concerns raised at the public meeting in Nuiqsut was the timing of the Willow MDP decision-making prior to understanding the impacts from the recent GMT1 and GMT2 development. Specifically, ASRC notes that local hunters are wary of impacts to subsistence from GMT1 and GMT2 that may not be fully realized prior to the Willow MDP Record of Decision. With respect to this concern, ASRC recommends that ConocoPhillips to work directly with Nuiqsut Trilateral Group, local hunters, and the NPRA Working Group to closely examine any impacts from GMT1 and GMT2 and proactively address these with respect to Willow MDP. . . . The working relationship between hunters and industry does not end with BLM’s NEPAs permitting process but should be maintained throughout life of Willow MDP. To this end, ASRC recommends that ConocoPhillips engage hunters directly and jointly examine how lessons learned from GMT1 and GMT2 can inform the development of Willow MDP outside and beyond the permitting process.	Proposed revisions to BMP H-1 (Subsistence Plan) would require that the Proponent provide BLM with a plan of how it would communicate and coordinate with the community. BLM agrees that there could be a benefit from incorporating lessons learned from prior projects.	N
47	2	Leavitt	Joe	—	Subsistence, ANILCA 810	And if you build the pipeline, how are the hunters going to get across the pipeline? Do they have to drive all the way around to get around the pipeline? And, you know, is there going to be caribou crossings?	Reviewed EIS discussion in Section 3.16.2.3.3, <i>Harvester Access</i> , and added references to pipeline height and passability.	Y
1294	2	Nukapigak	Joe	Kuukpik Corporation	Subsistence, ANILCA 810	Throughout the Draft EIS and ANILCA 810 analysis, there is information showing that Alternatives C and D would likely reduce impacts to caribou migration by removing roads and road connections in certain high value areas. BLM even concludes . . . that reducing those on-the-ground impacts would probably be worth accepting some marginal additional air traffic. Whether the community of Nuiqsut ultimately agrees with that conclusion or not (and the community’s evaluation of those competing interests should certainly be given far more weight than anyone else’s), that conclusion conflicts with and deeply undercuts BLM’s decision to prefer Alternative B. The bulk of the Draft’s analysis shows that other alternatives would have less impacts on subsistence and Nuiqsut generally. How then can BLM continue to prefer Alternative B? Furthermore, how can it summarily reject other semiroadless options (like a roadless BT4 and/or BT5) that Kuukpik has asked BLM to analyze? . . . Alternatives C and D would reduce the impacts that Kuukpik and Nuiqsut are most concerned about, compared to the preferred alternative. Minimizing caribou deflection should be at the top of BLM’s list when it comes to selecting a preferred alternative. . . . But if BLM intends to select an alternative that appears the most likely to negatively impact subsistence, it must explain that decision in detail.	Reviewed discussion of magnitude of impacts between alternatives for consistency with other relevant resource sections, including Section 3.10 (<i>Fish</i>), Section 3.11 (<i>Birds</i>), Section 3.12 (<i>Terrestrial Mammals</i>), and Section 3.15 (<i>Economics</i>). Revised subsistence discussion in Sections 3.16.2.3 through 3.16.2.8 (Alternatives B through D and module delivery Options 1 through 3) accordingly. Though the elimination of a road would aid caribou movements in the area, the increase in air traffic to the roadless development would increase overall disturbance of caribou. In the case of BT4, the airstrip would be close to the high-density calving area, with most air traffic landing from the west due to dominant wind directions. This is likely to cause disturbance and/or displacement of calving caribou and have some impacts on caribou movements during other times of the year. Making BT4 and BT5 roadless would mean two additional airstrips, one at each drill site. The impacts of additional fill (and the multitude of associated impacts of the fill) and additional air traffic (and the additional indirect effects of that traffic) would be greater than the impacts of building an infield road to these sites; therefore, it would not be included in detailed analysis. The increase in air traffic for a roadless alternative is substantial. The addition of one more airstrip under Alternative C would add 7,473 more fixed-wing trips and 489 helicopter trips over the life of the Project (62% more fixed-wing traffic and 20% more helicopter traffic than having a road).	Y
1294	9	Nukapigak	Joe	Kuukpik Corporation	Subsistence, ANILCA 810	The Draft EIS-and the ANILCA 810 analysis . . . predicts that proceeding with the preferred alternative could have dire consequences. First, there’s the direct impacts from building a series of drill sites and production facilities in an area that the Draft EIS acknowledges is “heavily used by Nuiqsut residents for subsistence, particularly for harvesting of caribou and furbearers (wolf and wolverine)” In fact, it’s suggested that between 5-19% of annual caribou harvests by Nuiqsut hunters occur directly in the project area. . . . Historical data showed that very few caribou have traditionally been harvested within 5 miles of an oil development, and only slightly more at a distance of 6-17 miles. Three of the proposed Willow drill sites (BT1, BT2, and BT3) are about 5-6 miles apart from each other, meaning they are each within the general distance that is historically effectively unused for subsistence. In short, avoidance will eliminate most of the Willow project area from being used much for subsistence. If BLM’s information is correct, that could mean an immediate loss of up to 19% of Nuiqsut’s caribou harvests in a given year. But in fact, the number is probably higher because the Draft EIS only calculates avoidance on a 2.5 mile radius rather than the 5 miles BLM has previously cited and which Kuukpik has long believed to be more appropriate.	The Draft EIS subsistence section does not calculate avoidance on a 2.5-mile radius, or any radius. The 2.5-mile buffer is for documenting direct (i.e., same time and place) effects. While the commenter cites historic data showing few caribou being harvested within 5 miles of oil development, these data are from a time period prior to oil and gas development in the CRD and when infrastructure was outside the community of Nuiqsut's core subsistence harvesting area for caribou. More recent data indicate that the avoidance effect is not as strong, in terms of distance from development, as development moves closer to the community, and harvests continue to occur at similar levels within 2.5 miles of infrastructure. The data show that complete avoidance of industry of up to five miles is unlikely when development is close to a community and connected by road to that community. In addition, avoidance behavior varies by the individual. While some avoid development altogether, others may avoid development at times of high activity, or they may use industry roads to hunt. Thus, it is unlikely there will be total avoidance of the area and total loss of subsistence harvests in that area.	N
1307	23	Pardue	Margaret	Native Village of Nuiqsut	Subsistence, ANILCA 810	While BLM finds that the cumulative case will alter the distribution of subsistence resources and limit access by subsistence harvesters, it asserts that “the cumulative case is not expected to result in a large reduction in the abundance (population level) of caribou or any other subsistence resource” (DEIS, Appendix G). It is hard to see how BLM could come to any conclusions about the cumulative case, given that it devotes fewer than three pages to the question and does not specifically look at the impacts of Willow in conjunction with specific ongoing and foreseeable projects. Moreover, BLM’s meager analysis suggests that there actually will be population-level effects to caribou: “[i]f development continues westward into the core calving area for the TCH, or if it reduces access to key insect relief habitats, then the herd could experience an overall decline in productivity and abundance” (DEIS, Appendix G). BLM must find that the cumulative case may result in a large reduction in the abundance of caribou, or support its conflicting conclusion.	The BLM did not analyze potential westward development into the NPR-A because development has not been proposed and therefore is speculative; westward expansion in this context does not meet the criteria of an RFFA. For this reason, the BLM did not have the rationale required to reach a “may significantly restrict” finding for subsistence uses due to a reduction in the abundance of caribou in the August 2019 ANILCA Section 810 Analysis published with the Draft EIS. The evaluation of cumulative impacts on subsistence in terms of resource abundance has been revised in Appendix G (<i>ANILCA Section 810 Analysis</i>), Chapter 8.0 (<i>Evaluation and Finding for the Cumulative Case</i>), to address the potential for development within the TCH calving area under the NPR-A IAP/EIS Alternative D scenario.	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1307	26	Pardue	Margaret	Native Village of Nuiqsut	Subsistence, ANILCA 810	BLM’s Tier 1 analysis under section 810 of ANILCA is inadequate because it does not consider alternatives that would reduce impacts to subsistence and because its effects analysis is deficient in several key respects. We therefore request that BLM cure these defects and hold a new ANILCA section 810 public hearing so that we may have the full suite of information when we comment.	The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. During alternatives development for the Willow MDP Project, the BLM considered issues identified during scoping, such as impacts to caribou and subsistence. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1 (<i>Alternatives Development</i>), including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All alternatives meet the Project’s purpose and need. Consistent with the policy and guidance set forth in BLM IM-AK-2011-008, only those alternatives or options that are reasonable, physically and technically possible, economically feasible, and capable of reducing or eliminating the proposed action from lands needed for subsistence purposes were considered for evaluation under ANILCA Section 810(a).	N
1307	25	Pardue	Margaret	Native Village of Nuiqsut	Subsistence, ANILCA 810	BLM’s analysis of Module Delivery Option 2 is also flawed. Option 2, which places the module near Point Lonely, is intended to reduce impacts to Nuiqsut’s high subsistence use area. However, as explained in the conservation group comments, it is likely to have more significant impacts on caribou, harming our subsistence opportunities. As the DEIS recognizes, caribou pass repeatedly through narrow corridors on either side of Teshekpuk Lake to access critical insect relief and foraging habitat during the summer (DEIS, Volume 1, page 99). While the ice road proposed to support Option 2 likely would be gone by this time, other activity would still take place, such as helicopter landings to support stick picking. These would occur at a crucial time for caribou, right in a narrow movement corridor. BLM must consider these potential impacts and whether they would cause significant restriction, beyond just the recognition that “air traffic for Option 2 would cause markedly more disturbance of caribou than Option 1”(DEIS, Volume 1, page 108).	Reviewed analysis of Option 2 and revised discussion in Section 3.16.2.7, <i>Module Delivery Option 2: Point Lonely Module Transfer Island</i> , to clarify the greater potential for displacement and indirect impacts to caribou subsistence harvesting activities.	Y
864	233	Psarianos	Bridget	Trustees for Alaska	Subsistence, ANILCA 810	BLM’s Alaska National Interest Lands Conservation Act (ANILCA) section 810 analysis is inadequate because it does not consider alternatives that would reduce impacts to subsistence and because its analysis of effects to subsistence is flawed in several key respects. . . . BLM’s Tier 1 ANILCA section 810 analysis is flawed in several respects. First, the alternatives analysis is flawed because it does not evaluate alternatives that would reduce the project’s impact on subsistence. Second, the effects analysis is flawed because: 1) it does not give appropriate attention to impacts to fish and fishing, resulting in an unsupported conclusion that there will be no population level effects to fish; 2) its conclusion that there will be no population-level effects to subsistence species from the cumulative case is inconsistent with its own analysis; 3) its conclusions that the module alternatives will not significantly restrict subsistence are unsupported and contrary to its own analysis; and 4) even for areas where BLM acknowledges significant effects to subsistence, it downplays the level of significant effects.	The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. During alternatives development for the Willow MDP Project, the BLM considered issues identified during scoping, such as impacts to caribou and subsistence. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1 (<i>Alternatives Development</i>), including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All alternatives meet the Project’s purpose and need. Potential impacts to fish and fishing are addressed in the Section 810 Analysis sections on <i>Subsistence Resource Abundance</i> and <i>Subsistence Resource Availability</i> . Based on the available subsistence data for the community of Nuiqsut, fishing occurs downstream from the Project, and therefore, most impacts would be indirect. The analysis provides the most detailed discussion of resource uses which could be directly affected, such as wolf/wolverine hunting and caribou hunting. Reviewed discussion of potential impacts to fish availability and revised text in Appendix G (<i>ANILCA Section 810 Analysis</i>), Section B.2.a, (<i>Displacement of Other Resources</i>), for additional context and clarity. Conclusions regarding abundance and displacement of fish are based on the biological analysis of impacts to fish resources (see EIS Section 3.10.2, <i>Environmental Consequences</i>). The conclusions in the subsistence section (Section 3.16.2.3.2.4, <i>Fish</i>) regarding potential impacts to fish abundance and availability, including the potential for population-level effects, are consistent with Section 3.10 (<i>Fish</i>). The evaluation of cumulative impacts on subsistence in terms of resource abundance has been revised in Appendix G (<i>ANILCA Section 810 Analysis</i>), Section B.8 (<i>Evaluation and Finding for the Cumulative Case</i>), to address the potential for development within the TCH calving area under the NPR-A IAP/EIS Alternative D or E scenario. In addition to the three action alternatives analyzed in the Draft EIS, two sealift module delivery options are analyzed. These module delivery options (Options 1 and 2) would not be constructed independently but rather would be paired with an action alternative, all of which the BLM concluded may significantly restrict subsistence uses. Although each of the module delivery options could potentially impact the abundance, availability, and access of subsistence uses and resources, the BLM finds that such impacts would not result in any additional significant restriction of subsistence uses, such that its positive Tier I findings for the three action alternatives would be altered. The BLM appropriately analyzed and prepared findings for each action alternative in the ANILCA Section 810 Analysis. The ANILCA Section 810 analysis documents a “may significantly restrict” conclusion for all action alternatives and the cumulative case, thereby triggering public notice and hearings pursuant to Section 810(a)(1)-(2). These conclusions are consistent with the policy and guidance set forth in BLM IM-AK-2011-008, which requires the BLM to make “a distinct Finding that the proposed action and alternatives may or will not significantly restrict subsistence uses for identified subsistence communities or groups.”	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	234	Psarianos	Bridget	Trustees for Alaska	Subsistence, ANILCA 810	BLM’s ANILCA Section 810 Analysis Failed to Consider Alternatives That Would Reduce Impacts to Subsistence. . . . An agency must consider all feasible alternatives that would “minimize the impact of a proposed project on resources which rural village residents of Alaska use for subsistence.” An agency cannot decline to consider alternatives or consider only a no action alternative where feasible alternatives exist. This requirement applies to all actions subject to ANILCA, regardless of whether the action would significantly restrict subsistence uses. Here, BLM considered a no-action alternative and three alternatives that do not differ in any meaningful way in terms of impacts to subsistence. All of the alternatives BLM considered result in a finding of significant restrictions to subsistence. . . . There is therefore no alternative other than the no action alternative—which BLM asserts it cannot choose—that reduces impacts to subsistence. Section 810 requires an agency to consider all feasible alternatives, not just those that satisfy all of the project proponent’s wishes. Many of the alternatives suggested above in the Alternatives section of this comment letter would reduce impacts to subsistence. BLM must consider these alternatives as part of its ANILCA evaluation, as well as its NEPA analysis.	The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. During alternatives development for the Willow MDP Project, the BLM considered issues identified during scoping, such as impacts to caribou and subsistence. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1 (<i>Alternatives Development</i>), including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. Consistent with the policy and guidance set forth in BLM IM-AK-2011-008, only those alternatives or options that are reasonable, physically and technically possible, economically feasible, and capable of reducing or eliminating the proposed action from lands needed for subsistence purposes were considered for evaluation under ANILCA Section 810(a).	N
864	235	Psarianos	Bridget	Trustees for Alaska	Subsistence, ANILCA 810	BLM’s ANILCA Section 810 Effects Analysis is Flawed. . . . BLM’s analysis of how Willow will affect fish and fishing is wholly inadequate. In the two instances where BLM touches on impacts to fish, it makes sweeping, unsupported conclusions that impacts will not be significant. For example, BLM states that “[h]abitat loss and degradation could displace or cause individual mortalities of [waterfowl and fish], but the Project is not expected to cause population-level effects.” There is no citation for this assertion. BLM later states that “[w]hile construction activities and infrastructure (e.g., ice roads) may temporarily displace fish upstream and downstream, these impacts would be relatively localized and would not be likely to affect harvesting activities farther downstream along Fish (Uvlutuq) Creek.” Further, “[w]ater withdrawals to support ice infrastructure construction could alter fish habitat, but these alterations would be temporary and are not expected to affect fish populations in Fish (Uvlutuq) Creek. For these two latter assertions, BLM points to the DEIS. However, . . . BLM has no scientific or technical analysis to back up these assertions. There is nothing in the DEIS to suggest that BLM relied on estimates of how many individuals will be affected or the thresholds for loss that each fish population/species can sustain. Without such information, the agency cannot rationally conclude that impacts to individuals will not affect populations or a species as a whole.	BMPs and other state permitting requirements are designed to minimize impacts to fish and fish habitat regardless of species. Impacts were assessed based on life-history characteristics important for species propagation, such as migration, spawning, and overwintering. Effects on those important life-history stages would be greater. Because potential effects would be primarily limited to short durations and would avoid substantial overwintering areas and spawning areas, key life-history phases would be avoided and impacts would be limited to low numbers of individuals. Low numbers of individuals would not affect populations within streams and rivers of the Project area, either in individual waterbodies or as a whole, given the highly migratory nature of most fish species in the analysis area and the specific habitats potentially affected. Population-level effects would be a reduction in numbers of fish using any given stream, or the Project area as a whole. We do not anticipate either level of population effect.	N
864	236	Psarianos	Bridget	Trustees for Alaska	Subsistence, ANILCA 810	BLM’s Conclusion that there Will be No Population-Level Effects to Subsistence Species from the Cumulative Case is Incorrect and is Contradicted by its Own Analysis. BLM’s cumulative analysis falls far short of adequately considering the impacts of other past, present, and reasonably foreseeable future actions in conjunction with Willow. Its conclusion that the cumulative case will not result in a large reduction in the abundance of subsistence resources is therefore unsupported and, in fact, contrary to its own meager analysis. . . . While BLM finds that the cumulative case will alter the distribution of subsistence resources and limit access by subsistence harvesters, it asserts that “the cumulative case is not expected to result in a large reduction in the abundance (population level) of caribou or any other subsistence resource.” It’s hard to see how BLM could come to any conclusions about the cumulative case, given that it devotes fewer than three pages to the question and does not specifically look at the impacts of Willow in conjunction with specific ongoing and foreseeable projects. Moreover, BLM’s meager analysis suggests that there actually will be population-level effects to caribou: “[i]f development continues westward into the core calving area for the TCH, or if it reduces access to key insect relief habitats, then the herd could experience an overall decline in productivity and abundance.” BLM must find that the cumulative case may result in a large reduction in the abundance of caribou, or support its conflicting conclusion.	The conclusions regarding subsistence resource abundance are based on and consistent with the cumulative analysis for biological resources. The evaluation of cumulative impacts on subsistence in terms of resource abundance (Appendix G [<i>ANILCA Section 810 Analysis</i>], Section B.8 [<i>Evaluation and Finding for the Cumulative Case</i>]) has been revised to address the potential for development within the TCH calving area under the NPR-A IAP/EIS Alternative D or E scenario. The BLM finds that reductions in the abundance of caribou for the cumulative case and selection of the 2020 Final NPR-A IAP/EIS Alternative D or E may significantly restrict subsistence uses for the communities of Nuiqsut, Utqiag̃vik (Barrow), Atqasuk, Wainwright, and Anaktuvuk Pass (BLM 2020).	Y
864	238	Psarianos	Bridget	Trustees for Alaska	Subsistence, ANILCA 810	Even Where BLM Acknowledges Significant Restrictions, its Analysis Omits Many Significant Effects. BLM concluded that all of the project alternatives except the no action alternative would significantly restrict Nuiqsut’s subsistence activities by reducing the availability of subsistence resources and limiting subsistence user access. However, it is not enough to come to the correct conclusions; BLM must also provide a full assessment of impacts, with supporting scientific literature. According to BLM’s own guidance, “adequate discussion must be contained within the Section 810 Evaluation to support the findings, so that the public can adequately review the findings and provide input during the DEIS meeting(s) or the ANILCA Hearing(s), if required.” As explained throughout this letter, BLM’s analysis of impacts to important subsistence species—including caribou, fish, birds, and marine mammals—is deficient. Without a thorough and honest accounting of Willow’s effects to these important subsistence resources, BLM cannot meet its obligations under ANILCA.	The comment does not specify what is missing from the analysis of impacts. The Section 810 conclusions are based on the analyses in the EIS; it is not necessary to repeat the analysis provided in the EIS at the same level of detail. For a more detailed analysis of biological impacts to subsistence species, see the relevant sections in the EIS. Appendix G (<i>ANILCA Section 810 Analysis</i>) has been revised for consistency with the biological analyses, as appropriate.	Y
49	6	Williams	Vera	—	Subsistence, ANILCA 810	And, also, are you guys going to be thinking about all the residents that do hunt for the impact from deterring, you know, our food sustain — sustainability if our hunting gets really distracted, either in Barrow or Nuiqsut or Anaktuvuk or Atqasuk, if the caribou, somehow, gets stuck somewhere, the impact. Are — is Conoco going to have some kind of plan to talk with all the tribal entities or the corporation to set up, to assist the hunters that are going to go way far to go hunt, if the caribou is not here? If we have to go further to go hunting — and we are in Barrow, we pay \$5.90 a gallon right now, and I think at Anaktuvuk it’s \$12 a gallon; every village is going to — that’s going to be affected. You guys need to think about compensating the residents that are going to hunt and go that far to try to get food on the table. So, I’d like Conoco to think about this, to put that on the table, to do a compensation for each community that’s going to be affected within the NPR-A.	Pursuant to IM 2019-018 (DOI 2019) the BLM must not require compensatory mitigation from public land users, except where the law specifically requires it. The BLM will only consider voluntary proposals for compensatory mitigation or state- and federally-mandated compensatory mitigation.	N

4.2.27 Terrestrial Wildlife

Table B.2.30. Substantive Comments Received on Terrestrial Wildlife

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
989	12	Brower, Jr.	Harry	North Slope Borough, Office of the Mayor	Terrestrial Wildlife	Furthermore, caribou may have difficulty crossing the elevated industry roads to the Willow production facility and drill sites, especially in the winter when snow builds up alongside the road. Our residents have also noted the difficulty of crossing these elevated industry roads in winter. Industry maintains that these roads must be steep to support industrial traffic. We ask that the BLM require CPAI to work with local residents to modify standard road designs or identify other means to mitigate road-related impacts to tundra travel, such as designing a pad or stopping area at the top of ramps before the road to allow our residents a better view of on-coming traffic before entering the road.	CPAI is working with local residents to improve design of subsistence access ramps. These changes were incorporated into the Project design in the Final EIS.	Y
1302	146	Dunn	Connor	ConocoPhillips	Terrestrial Wildlife	ConocoPhillips disagrees with BLM’s analysis area of 3.7 miles from construction or operation activities and structures for these reasons: 1) Recent EIS analyses in the NPRA have only used a 2.5 mile distance (e.g. Greater Mooses Tooth Two SEIS, 2018). BLM should be consistent with their other, recent NEPA documents. 2) The Cameron, Reed et al. 1992 paper did not observe a decreased density of caribou within the 5-6km distance from roads, and in fact found an increase in density within this distance from roads. It’s also important to note that this study only examined effects out to 6 km. 3) The Cronin, Ballard et al. 1994 paper only described a reduced density of calves up to three weeks after peak calving period for a distance of 0.6 to 1.2 miles, and not up to 3.7 miles as BLM suggests by including this citation in this statement in Section 3.12. Additionally, this paper described that the mean relative abundance of caribou nearly tripled in the zones of 2.5 to 3.7 miles from the road. 4) The Dau and Cameron 1986 paper involves the same study as the first cited paper, Cameron, Reed et al. 1992. It’s important for BLM to recognize that the study area was out to 6km, and not that caribou density decreased out that far and this distinction should be made clear in the EIS should BLM choose to still use this study area. Otherwise, this incorrectly assumes a larger impact zone, for the reader who won’t look these studies up and read themselves. 5) The Lawhead 1988 paper makes no mention of documented decreased density of maternal caribou out to 6km. 6) The Lawhead, Byrne et al. 1993 study makes no mention of examining maternal caribou near active roads and infrastructure during the weeks after calving. In fact, this study examined caribou movements in July and August, during insect harassment season and noted that stationary caribou occurred within 100 m of structures, and those results primarily reflect the attraction of caribou to pads and structures when flies are active. Additionally, this study noted that the majority of caribou groups observed in 1991-1992 did not display overt reactions to oilfield facilities or activities. 7) The Lawhead, Prichard et al. 2004 study noted reduced density of cows and calves as far away as 4 km, but by two weeks after estimated peak calving, maternal females with calves no longer avoided roads. Based upon our analysis of the reports cited, we do not believe that it’s a correct statement that there is a “documented decreased density of maternal caribou within 0.6 to 3.7 miles (1 to 6 km) of active roads and pads” and that in fact, BLM misinterpreted some studies and incorrectly cited others to bolster this statement.	Different studies have reported somewhat different distances of lower-density use by maternal caribou of the CAH during calving, but these distances have been consistently between 1 and 5 km. Lawhead (1988) reported that “few caribou were present within 3-5 km of the Oliktok Point and Milne Point Roads during and after peak calving in that year. This localized avoidance was especially marked for cows with calves.” More recently, Johnson, Golden et al. (2019) estimated that CAH caribou were at lower-than-expected density within 5 km of infrastructure. These distances may vary for different roads and by factors such as calving density or traffic levels (Lawhead, Prichard et al. 2004). Based on all the research conducted on the CAH, a 4-km displacement for maternal caribou during the 2 to 3 week calving period is a reasonable estimate of displacement for conditions similar to the Kuparuk oil fields. The addition of hunting along roads in the TCH range adds additional uncertainty. In addition, some impacts such as potential overgrazing could occur in areas 4 to 6 km from roads. For these reasons, the use of a 6-km analysis area, assuming some displacement occurs to 4 km, is justified. Additional references were added to Section 3.12, <i>Terrestrial Mammals</i> , to demonstrate the rationale for the analysis area.	Y
1302	147	Dunn	Connor	ConocoPhillips	Terrestrial Wildlife	Den surveys will not be conducted prior to construction for grizzly bears. This statement needs to be corrected.	Text in Appendix E.12, <i>Terrestrial Mammals Technical Appendix</i> , was updated as requested.	Y
1302	149	Dunn	Connor	ConocoPhillips	Terrestrial Wildlife	“Behavioral disturbance can cause immediate responses in caribou, including startle or flight responses” (Murphy, Russell et al. 2000; Reimers and Colman 2009). The Murphy, Russell et al. paper does not make reference to flight or startle responses; rather, it states that “under a realistic development exposure scenario, however, an individual animal probably does not spend >25% of their time in a high disturbance zone; at 25% the model predicts <2% loss of body mass.” This study also suggests that insects “significantly affect caribou behavior” as compared to oilfield disturbances. The Reimers and Colman paper states “In most cases, energetic implications appear moderate and small compared to other natural, biotic influences such as disturbance (and death) caused by insect and/or predator harassment.”	Disturbance of caribou near roads and pads results in changes in caribou activity budgets including startle or flight response (Curatolo and Murphy 1986; Lawhead, Prichard et al. 2004). Murphy and Curatolo (1987) found that 62% of caribou had a severe reaction (i.e., running) when crossing a road and pipeline in an area with heavy traffic. Lawhead, Prichard et al. (2004) found that about 50% of caribou groups within 100 m of the Meltwater Road had a moderate or strong reaction to traffic. Caribou have a low energetic cost of locomotion (Fancy and White 1987); therefore, low-frequency disturbance events alone are unlikely to have substantial energetic impacts unless they result in a decrease in foraging (Murphy, Russell et al. 2000), which did not appear to occur near roads in Kuparuk (Murphy and Curatolo 1987). Text was added to Section 3.12.2.3.2, <i>Disturbance or Displacement</i> , to clarify this.	Y
1302	150	Dunn	Connor	ConocoPhillips	Terrestrial Wildlife	While deflections and delays may occur, it is important to note that not all individuals would react to the presence of a road in the same way. In fact, Wilson et al. (2016) found that less than 30% of caribou (and 0% of TCH individuals) were delayed or altered their movements when encountering a road. This suggests that most individuals that encounter the road, which again would be less than 1% of all TCH individuals, would not be measurably affected. We recommend these important caveats be added to the text.	Text was added to Section 3.12.2.3.2, <i>Disturbance or Displacement</i> , to clarify that not all caribou would be deflected or delayed. The proportion of deflections or delays would likely vary with level or exposure to infrastructure, could increase for roads with hunting, and can be partially mitigated with proper road and pipeline design. It is incorrect that less than 1% of the TCH would encounter a road. This may be referring to the proportion of the TCH range in the area, but a much higher proportion of animals can move through that area over time.	Y
1296	11	Imm	Teresa	Arctic Slope Regional Corporation	Terrestrial Wildlife	Additionally, the proposed new 115 acre mine site would be in close proximity of Nuiqsut (around 7 miles west of the village). ASRC recognizes that a substantial amount of gravel will be required for the construction of roads and pads. It is our understanding that a significant risk arises from starting a new gravel mine for wildlife and subsistence users. ASRC requests BLM to include impacts of Avoidance caused by the proposed new mine in its analysis.	The impacts of the gravel mine on caribou are discussed in Section 3.12.2.3.1, <i>Habitat Loss or Alteration</i> , and Section 3.12.2.3.2, <i>Disturbance or Displacement</i> . These will include direct loss of habitat and displacement and disturbance for some distance during construction and operation. This area has low to moderate densities of caribou during different seasons. Potential avoidance of the mine site by subsistence hunters is discussed in Section 3.16.2.3.3, <i>Harvester Access</i> ; text was added noting that residents may avoid the mine site as a result of the noise associated with the mine and reduced availability of resources.	Y

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68	1	Jensen	Just	—	Terrestrial Wildlife	<p>There’s no guarantee that the calving area in Teshekpuk won’t be disturbed. Can you say that — guarantee that there won’t have any impact on the caribou?</p> <p>No, my main concern is that if, since — I mean, nobody really knows what kind of effect it’s going to have on these calving grounds, but you won’t really know until all this is said and done, and if it does have an impact, then it’s too late. And I know that — you know, every fall, that, you know, even in Anaktuvuk Pass, were waiting for the caribou to come in from the north and its — the main caribou herd that comes down is from Teshekpuk. And heaven forbid that this project is going to impact that caribou migration, pushing them further; they’ll be further west. Then the possibility that the caribou of not coming here is — I mean, could be very real. And the other thing is that, you know, I mean, Sollie and Tommy can speak more to it than I can, but, you know, they — there is evidence that the pipeline and the haul road has impacted some of the caribou; they used to come into this village. I’m just concerned that this is the unknown. We don’t know if what — what kind of impact this is going to have. And it can have a major impact on this village if, all of a sudden, the caribou migration decides to move further west. When they come north, they’re not going to hit this valley or Chandalar; they’re going to be further west to a point where we can’t go and get them. And that’s a major problem for us. . . . This is Just Jensen, again. I — and I was looking on the map that — you know, we get these (unclear) caribou and see, you know, from the map. A lot of times, they congregate right outside of Fish Creek, and Fish Creek is one of the main areas where they’re going to be doing the drilling. And then I’m looking on the map here, I see all these roads and platforms where they’re going to drill and I remember there was talk about Red Dog Mine where they had the road, and there was a study about the caribou, actually migrating south, and they were avoiding that road for a long, long time. And there was people in Ambler, down in (unclear) that were waiting for the caribou and they came really, really late and not really right at (unclear) that it changed the direction from that. And the study later showed that the caribou were really reluctant to pass this gravel road. And with all these roads up here, it’s bound to change the caribou migration pattern. They’re going to — they’re going to move somewhere else. And I’m looking at all the — the flights that are proposed to being in this area, I mean, in the fall, we have a no-fly zone area going up north from here, hoping that they won’t scare away the caribou. And with 43,000 flights that you have in this — I don’t know if that’s a year, or is that the life of the project, I mean, to me, it certainly will have an impact on caribou. So, I don’t know what the answer is going to be. I — just is kind of worried about that it’s going to have irreversible damage to that caribou migration that were always waiting for here.</p>	<p>Caribou of the CAH continue be partially displaced from areas within approximately 4 km of active oil field infrastructure during calving, with less avoidance of infrastructure during other seasons. Some migrating WAH caribou exhibited large changes in movements near the Red Dog road, but there are also many examples of caribou herds crossing roads successfully. The evidence on calving displacement and road crossing success is discussed in the EIS in Section 3.12.2, <i>Environmental Consequences</i>.</p>	N
2	9	Maupin	Siqiniq	—	Terrestrial Wildlife	<p>There has also been a decline in the Teshekpuk herd, 50 percent in the last ten years.</p>	<p>Text on the changes in herd size was added to Section 3.12.1, <i>Affected Environment</i>.</p>	Y
1294	6	Nukapigak	Joe	Kuukpik Corporation	Terrestrial Wildlife	<p>This is a high use area for caribou during multiple seasons, but especially during the spring migration and post-calving seasons. The animals moving north of the village (and GMT1 and GMT2) are also the most likely to be successfully targeted by subsistence hunters accessing the Alpine road system via the Spur Road north of Nuiqsut. So, eliminating the northern road segment (between BT2 and BT4) would be particularly beneficial because there would be less disturbance to the herd generally (during spring and calving season), and because animals would be more likely to continue using their traditional migration route closer to Nuiqsut. In fact, because Nuiqsut is almost directly east of BT2, ending the road there would eliminate the road barrier extending to the north of the village in this migration corridor. BT4 itself would still cause some disturbance, of course, but the linear migration barrier would be reduced significantly. Caribou would be much more likely to continue passing through Nuiqsut and the areas ten or so miles to the north.</p>	<p>Though the elimination of a road would aid caribou movements in that area, the increase in air traffic to the roadless development would increase overall disturbance of caribou. In this case, the airstrip would be close to the high density calving area with most air traffic landing from the west due to dominant wind directions. This is likely to cause disturbance and/or displacement of calving caribou and have some impacts on caribou movements during other times of the year.</p>	N
1294	8	Nukapigak	Joe	Kuukpik Corporation	Terrestrial Wildlife	<p>A road with regular traffic creates more impact than an infrequently (probably mostly seasonally) used airstrip. That is especially true in light of the information above about the impacts of roads on calving caribou. Of course, Nuiqsut residents very concerned about increased air traffic. The impact are of a low-flying airplane frightening caribou and disrupting a hunt is immediate and highly visible. The impact of a road blocking and diverting caribou migration and reducing calving is less visible to an individual hunter in an immediate sense, but when the caribou incrementally stop coming to a particular area because of migration diversions, the disruption is greater even if less immediately visible and less clearly attributable to a particular facility. Particularly in the instances of BT4 and BT5, a little more air traffic may well have substantially less impacts than the same or lesser acreage of an active infield road. But the Draft EIS doesn’t analyze whether a little more air traffic in the BT4 or BT5 areas would have less impacts than an access road. In light of the magnitude of the impacts these roads are expected to have on subsistence, that failure is not acceptable.</p>	<p>Though the elimination of a road would aid caribou movements in that area, the increase in air traffic to the roadless development would increase overall disturbance of caribou. In this case, the airstrip would be close to the high-density calving area, with most air traffic landing from the west due to dominant wind directions. This is likely to cause disturbance and/or displacement of calving caribou and to have some impacts on caribou movements during other times of the year.</p> <p>Making BT4 and BT5 roadless would mean two additional airstrips, one at each drill site. The impacts of additional fill (and the multitude of associated impacts of the fill) and additional air traffic (and the additional indirect effects of that traffic) would be greater than the impacts of building an infield road to these sites; therefore, it would not be included in detailed analysis.</p> <p>The increase in air traffic for a roadless alternative is substantial. The addition of one more airstrip under Alternative C would add 7,473 more fixed-wing trips and 489 helicopter trips over the life of the Project (62% more fixed-wing traffic and 20% more helicopter traffic than having a road).</p>	N
1294	15	Nukapigak	Joe	Kuukpik Corporation	Terrestrial Wildlife	<p>There would also be real impacts onshore [from construction of the MTI]. BLM estimates that up to 94% of Nuiqsut subsistence hunters could be “directly affected” by CPAI’s proposed island because caribou would be displaced and disturbed to the point where they would be less available to subsistence users. The alternative island location at Point Lonely fares no better. This is not surprising because the entire shoreline of Harrison Bay out to Pont Lonely is some of the most critical caribou habitat in this area, particularly for fly relief during the summer. Yet the Draft elsewhere downplays these impacts by treating the impacts as if they would only occur in winter. But there would be significant summer work at the island, including the module delivery itself, which by definition must occur during open water season when caribou are most likely to be active along the coastline. There is simply no way that either of these MTI options can avoid having significant impacts on caribou resources.</p>	<p>The area between Teshekpuk Lake and the Beaufort Sea coast is heavily used by caribou for mosquito-relief during mid-summer, and caribou are likely to be disturbed within some distance from any activity occurring at the MTI during that period. Caribou also move the most at this time and are highly motivated to get to mosquito-relief habitat. The CAH is reported to use areas within 1 km of roads less than expected during the mosquito season (Johnson, Golden et al. 2019), but they will cross roads frequently (approximately two times per day during periods of insect harassment) during that season (Prichard, Macander et al. 2019). Because the MTI is offshore, the area of disturbance will also be partially offshore, limiting the impacts.</p>	N

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1294	22	Nukapigak	Joe	Kuukpik Corporation	Terrestrial Wildlife	Vol. I, p. ES-8, Table ES.I, Summary of Key Impacts by Alternative. Note that Alternative C is expected to have the lowest number of vehicle trips (2,340,368) compared to Alternative B (3,009,993). The daily number of expected vehicle trips for Alternative B would be about 275 vehicle trips per day (3,009,993 trips divided by 30 year project life). That’s an [enormous] amount of vehicle traffic. Kuukpik will want to see much more information on where and when all these trips will occur and explore a multitude of options to reduce the overall number and the impacts they will have on the ground (such as requirements to caravan and to stop traffic when 25 or more caribou appear to be approaching the road).	All traffic data have been updated for the Final EIS based on further Project engineering and refinement by CPAI. The Executive Summary only provides a high-level overview of the Project; see Final EIS Appendix D.1, <i>Alternatives Development</i> , for additional details. Appendix D.1 includes a new chapter for the Final EIS, Chapter 5.0, <i>Summary Comparison Tables for Analysis</i> , which includes over 25 new tables that break down traffic by year and season and allow direct comparison of action alternatives. Road traffic greater than 15 vehicles per hour has been reported to lower crossing success of caribou, and even low levels of traffic result in displacement of maternal caribou from areas near roads during the calving period. Traffic convoying, stopping vehicles during crossing events, and driver education could be effective for increasing crossing success. CPAI has included the following design measure to help mitigate impacts to caribou and subsistence users (Final EIS Appendix I.1, <i>Avoidance, Minimization, and Mitigation</i> , Table I.1.2): “. . . Travel would be scheduled with flexibility and managed through the use of speed limits, rerouting, and traffic stoppages to avoid conflict with subsistence use and hunting areas during seasonal periods.”	N
988	2	Peter	Enei Begaye	Native Movement	Terrestrial Wildlife	Of particular concern to us is an area that has been protected in the Integrated Activity Plan (IAP) of the National Petroleum Reserve in Alaska (NPR-A). This area has been designated a sensitive wetland area for key species of molting birds and it is the birthing and migration haven for the Teshekpuk Caribou herd. The BLM’s Draft EIS findings articulate a high probability of oil spills throughout this project and in every alternative other than No Action. Oil spills on or near this biodiverse area would cause irreversible damage. Three communities surrounding this area would be directly rely on the subsistence use of the eider duck and caribou for their food security which would also be threatened by this project. The NPR-A IAP currently protects the specific areas that the proposed Willow Master Development project would irreversibly impact.	Chapter 4.0, <i>Spill Risk Assessment</i> , identifies a high to very high likelihood of very small to small spills and a medium to high likelihood of medium to large spills on-pad. On-pad spills of all sizes would be of short duration (less than 0.5 day) and would remain on the pad or within secondary containment; damage to areas adjacent to pads would not be anticipated.	N
864	111	Psarianos	Bridget	Trustees for Alaska	Terrestrial Wildlife	BLM Must Consider the Effects of Climate Change on the Terrestrial and Aquatic Environment. As BLM acknowledges in the DEIS, warming has been especially significant in the Arctic . . . Despite acknowledging these and other climate impacts, the DEIS includes almost no analysis of Willow’s impacts in the context of these and other ongoing climate impacts, and it fails to include discussion of the best available science. BLM’s analysis of these cumulative effects must be in-depth and must incorporate the best available science. The harmful effects of climate change will act cumulatively and synergistically with the direct and indirect effects of Willow, leading to an increase in threats to Arctic species and ecosystems. Moreover, BLM must grapple with the fact that these threats will grow over time, as the impacts from climate change become more severe, and the survival of many Arctic species becomes more and more precarious.	Section 3.2.1, <i>Affected Environment</i> , of the Final EIS addresses ongoing impacts of climate change on the environment, including in the Project area. Section 3.19.4, <i>Cumulative Impacts to Climate Change</i> , and Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> , analyze impacts the Project and cumulative actions may have on climate and biological resources.	N
864	153	Psarianos	Bridget	Trustees for Alaska	Terrestrial Wildlife	Noise affects caribou. Experiments testing the response of wild woodland caribou to simulated seismic exploration found that caribou responded to noise disturbance by increasing movement rates, displacement distances, and energy expenditure, though effects were relatively short-lived. A study of response to simulated drilling noise by white tailed deer found that deer avoided areas near loud noise sources but did not increase their home range sizes or movement rates relative to control animals. BLM must carefully evaluate the impacts of noise from fixed wing aircraft and helicopters on caribou. A variety of studies have also shown that caribou respond to aircraft overflights, with cows with young calves reacting most strongly, especially during calving and post-calving seasons. Alaska Native communities have long voiced concerns regarding the effects of aircraft noise and activity on caribou, given corresponding impacts to subsistence. The Willow Plan should account for the noise disturbances on caribou when considering the development and implantation of Willow, not limit its consideration to only impacts from gravel mining. Shortcomings of the draft EIS’s analysis of impacts to caribou, including noise impacts, are discussed further in section IX.I of these comments.	Additional text on aircraft and noise was added to Section 3.12.2.3.2, <i>Disturbance or Displacement</i> , although there are limited data available on aircraft effects on caribou behavior under similar circumstances and with similar aircraft.	Y
864	190	Psarianos	Bridget	Trustees for Alaska	Terrestrial Wildlife	The analysis area for terrestrial mammals is too small to adequately represent the full suite of potential impacts. The analysis area is defined as that “within 3.7 miles of construction or operation activities and structures. . .based on research that documented decreased density of maternal caribou within 0.6 to 3.7 miles (1 to 6 km) of active roads and pads during a 2- to 3- week calving period when cows are giving birth or have young calves with lower mobility” (V1, p.98). This distance is too small to reflect the full array of annual impacts on a highly mobile species. For example, the DEIS describes 3.7 miles as the distance in which there is decreased density of caribou, but there are also potential ecological effects of increased caribou density beyond this distance, such as forage depletion, that appear not to be considered in the DEIS. There may also be impacts at greater distances in other seasons. For example, studies of road responses by caribou have found winter effects at distances up to 15 km. The calving period is indeed a critical time for caribou but impacts in the DEIS need to be considered across the full annual cycle of the Teshekpuk Caribou Herd (TCH). The DEIS itself indicates the insufficiency of the analysis area when it states that development of the Willow project would also increase road traffic along existing Alpine and Greater Mooses Tooth roads, so that “impacts related to roads would extend beyond the alternatives analysis area” (V4, Appendix G, p.17). Similarly, it states that “[a]ir traffic could cause direct and indirect disturbance to caribou availability both within and outside of the Project area” (V4, Appendix G, p.23). Such statements raise questions as to why the analysis area was not defined to be larger. The analysis area should be expanded to encompass the full scope of potential impacts.	The Alpine and GMT roads are included in the analysis area, although the impacts from the Willow MDP Project will be greater from new construction than from changes in traffic on existing roads. Most literature on displacement from roads during calving has estimated a displacement distance of 2 to 5 km. Dau and Cameron (1986) and Cameron et al. (1992) found higher caribou densities at distances of 4 to 6 km. The presence of hunting from Project roads increases the uncertainty in caribou responses, but response distances as far as 15 km from roads have not been observed for the CAH or TCH and are unlikely to occur on similar oil field roads where most human activity is confined to roads or the immediate area around roads.	N

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864	191	Psarianos	Bridget	Trustees for Alaska	Terrestrial Wildlife	<p>Related to the above point, the DEIS aligns with current scientific understanding in acknowledging that hunter pressure could increase displacement from roads beyond what is seen in places without hunting (V1, p.105). However, it does not incorporate this recognition into calculation of acres and percentages of potential displacement (e.g., V3, Appendix E, Tables E.12.7 – E.12.8), relying instead on studies from the Central Arctic Herd (CAH) in Prudhoe Bay and Kuparuk where hunting is not allowed. At the least, the DEIS should explicitly acknowledge that stated acreages are minimums and should take this into account when assessing potential impacts on the TCH.</p> <p>As a further example of insufficient consideration of the zone of influence of development and human activity on caribou, the DEIS contains insufficient discussion of gravel mining effects. The DEIS states that blasting would disturb and displace caribou from around the gravel mine site (V1, p.105) but does not say anything about the distances at which such displacement is likely to occur. Multiple studies have been done related to mining impacts and displacement distances for caribou. These should be referenced and discussed. While some may question the applicability of such studies to gravel mines associated with oil and gas infrastructure, they nonetheless remain the best available studies of which we are aware of mining impacts on caribou and should be included in the EIS. It is important that such studies and their potential applicability be discussed in the document, rather than ignored.</p>	<p>The uncertainty of some impacts near roads associated with use by local hunters was added to Section 3.12.2, <i>Environmental Consequences</i>. Studies of large-scale open-pit mines with extensive dust deposition (Boulanger, Poole et al. 2012) are not applicable to gravel mining associated with oil fields. The Ekati diamond mine has a footprint of 29.9 square kilometers and extensive dust deposition extending several kilometers away.</p>	Y
864	192	Psarianos	Bridget	Trustees for Alaska	Terrestrial Wildlife	<p>There are also issues for caribou with the proposed options for the module transfer islands (MTIs). Option 2, which places the MTI near Point Lonely, is intended to reduce impacts to Nuiqsut’s high subsistence use area (V1, p.ES-4). However, it is likely to have stronger impacts on caribou, affecting subsistence opportunities for Nuiqsut. As the DEIS recognizes, TCH caribou pass repeatedly through narrow corridors on either side of Teshekpuk Lake to access critical insect relief and foraging habitat during the summer (V1, p.99). While the ice road proposed to support Option 2 likely would be gone by this time, other activity would still take place, such as helicopter landings to support stick picking. These would occur at a crucial time for caribou, right in a narrow movement corridor. More specific description is needed of these potential impacts and their expected effects, beyond just the recognition that “air traffic for Option 2 would cause markedly more disturbance of caribou than Option 1” (V1, p.108). In addition, greater emphasis is needed of the winter activity associated with the MTI and its potential impacts on caribou. The DEIS states that “[p]eak ground traffic levels associated with the MTI would reach up to 8,900 trips daily” (V4, Appendix G, p.47). The statement that this “could have a high potential for disturbance” vastly underestimates the true magnitude of such levels of traffic. Such a traffic volume equates to just over six trips per minute. This would result in a constant stream of vehicles. There is no way caribou or other species, let alone subsistence hunters, could cross ice roads with such traffic levels. Winter is a critical time for caribou. Foraging opportunities are limited during the winter and caribou rely on body stores of energy for survival and gestation. Studies in other ungulate species of displacement and altered habitat use due to energy development have noted that fitness costs are likely greater during winter, when individuals already exhibit a negative energy balance. Further energetic costs at such a time may lead to loss of body mass and depletion of vital energy reserves. There has been little study of winter responses by caribou to industrial development and activity in Alaska. Nonetheless, studies from Canada reveal that disturbances can lead to flight responses in caribou, causing them to expend additional energy, and that caribou may avoid human infrastructure and disturbance in the winter. Such factors can have greater effects in years of high snow depth, when energetic costs of movement increase and foraging opportunities are reduced. Any extra expenditure of energy that caribou undertake as a result of interaction with oil and gas activity or developments is of concern as reproductive success in caribou is strongly correlated with nutritional stress. Late winter body mass of female caribou has been strongly linked to calf production and survival, potentially influencing population growth rates. It is thus crucial that BLM fully analyze the potential consequences for caribou of winter disturbances as intense as those described associated with the MTI.</p>	<p>Additional text on aircraft and ice road impacts, as well as energetic impacts of winter disturbance for Option 2, was added to Section 3.12.2, <i>Environmental Consequences</i>. The analysis of Option 2 was also revised in Section 3.16.2.7, <i>Module Delivery Option 2: Point Lonely Module Transfer Island</i>, to clarify the greater potential for displacement and indirect impacts to caribou subsistence harvesting activities. The discussion of impacts under Option 1 acknowledges the peak traffic levels and the high potential for impacts to both caribou and caribou harvesters.</p>	Y
864	193	Psarianos	Bridget	Trustees for Alaska	Terrestrial Wildlife	<p>Treatment of the potential for habituation by caribou to infrastructure and human activity was mixed in the DEIS. We appreciate BLM’s recognition, in line with the best available science, that “except perhaps for a small proportion of the most tolerant females, maternal caribou with young calves do not habituate to road traffic” (V1, p.104). However, BLM goes on to insufficiently apply this recognition and to provide contradicting and/or unsupported statements at other points in the DEIS. For example, the DEIS states that “TCH animals have already been exposed to winter ice roads in this area and may have habituated to some degree” (V1, p.107). While it cannot be denied that TCH animals have been exposed to winter ice roads, there is currently no evidence of habituation. Notably, no citations are provided for this statement. This needs to be justified with references from the scientific literature or removed. The ANILCA 810 Analysis in Appendix G is especially egregious with respect to assuming habituation and should be updated. It says that “the TCH has shown more habituation than the WAH in the case of the [Delong Mountain Transportation System]” (V4, Appendix G, p.17). This is not an accurate statement. That was one possible hypothesis put forth by Wilson et al. to explain differences observed between the two herds, though the paper was clear that had not been demonstrated. The earlier language in Appendix G is more tentative on potential habituation, this instance needs to similarly be changed to be clear that this has not been demonstrated. The text goes on to state that “caribou can habituate to disturbance” (V4, Appendix G, p.25). No references nor support are given for this statement. It should be removed or altered to align with Chapter 3 of the DEIS. Similar statements occur in other places in Appendix G, which should also be revised or removed.</p>	<p>Maternal caribou of the CAH continue to avoid active infrastructure during calving after 4 decades of exposure to oil fields; however, avoidance decreases soon after calving (Haskell, Nielson et al. 2006; Johnson, Golden et al. 2019; Lawhead, Prichard et al. 2004; Smith, Byrne et al. 1994). CAH caribou cross roads and pads frequently when mosquitoes are active (Murphy and Lawhead 2000; Prichard, Lawhead et al. 2019) and will use gravel roads and pads for oestrid fly relief in late July and early August (Pollard, Ballard et al. 1996; Prichard, Lawhead et al. 2019). TCH caribou have been exposed to some development activity and therefore may have more tolerance to infrastructure (outside the calving season) than naïve animals. The text regarding the Red Dog road in Section 3.12, <i>Terrestrial Mammals</i>, was revised to clarify that this is not evidence of habituation. The reference to TCH habituation was deleted in Appendix G (<i>ANILCA Section 810 Analysis</i>), Section G.2.a (<i>Subsistence Resource Availability</i>) and Section G.2.d (<i>Findings</i>), and revised related text for consistency with Section 3.12, <i>Terrestrial Mammals</i>.</p>	Y

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864	194	Psarianos	Bridget	Trustees for Alaska	Terrestrial Wildlife	<p>There is need for additional discussion and analysis in the DEIS regarding caribou responses to aircraft activity associated with the Willow Project. One important addition would be further analysis of the tradeoffs between impacts of air traffic and road traffic on caribou. The ANILCA 810 Analysis in Appendix G states that “The increase in air traffic [under Alternative D] would not be enough to outweigh the benefits of reduced deflection of caribou as they migrate toward the [sic] Nuiqsut’s core hunting grounds to the west of the community” (V4, Appendix G, p.27). This, however, is stated not demonstrated. No citations or clear rationale for this statement are given. The tradeoff between aircraft and road activity seems to be a key tradeoff between alternatives B and D in terms of their impacts to caribou, and thus resulting impacts for subsistence hunters. Better support is needed for the statements that are given to align with the best-available science and to allow the public adequate opportunity to compare between alternatives.</p> <p>Questions also remain about the ability of proposed aircraft restrictions to protect caribou. BMP F-1 sets aircraft restrictions over caribou winter range from Dec 1 – May 1 and over the Teshekpuk Lake Caribou Habitat Area from May 20 – Aug 20 (V4, Appendix I, p.4). It is unclear whether any restrictions on aircraft altitude will exist from May 2 – 19 and Aug 21 – Nov 30 in these important caribou areas. Caribou can be present in the area throughout the entire year, making it important for protections from aircraft disturbance to likewise cover the whole year and all of the northeastern NPR-A. BLM should expand upon existing BMPs to better seek to protect caribou year-round. Furthermore, it is unclear in the DEIS whether proposed protections really will be effective for protecting caribou. While the DEIS claims that “aircraft would maintain minimum altitudes consistent with best management practice (BMP) F- 1” (V1, p.11), the project design features provided by ConocoPhillips Alaska Inc. (ConocoPhillips) say that they will comply with BMP F-1 “when feasible” (V4, Appendix I, p.11). Among the potential reasons for deviation they say “[s]ome air traffic would be required to support the Project,” as well as for regulatory compliance and post-ice road cleanup. They do not specify what “Project support” elements would be included here, but this could be interpreted broadly, questioning whether impacts really will be avoided.</p>	<p>Additional information on caribou response to aircraft was added to Section 3.12.2, <i>Environmental Consequences</i>, although there is limited information from similar circumstances (e.g., much of the literature is for military jets). In addition to minimum flight altitudes specified for certain locations and seasons, BMP F-1 requires the following: “Land user shall submit an aircraft use plan as part of an oil and gas development proposal. The plan shall address strategies to minimize impacts to subsistence hunting and associated activities, including but not limited to the number of flights, type of aircraft, and flight altitudes and routes, and shall also include a plan to monitor flights.”</p> <p>Added text to Appendix G (<i>ANILCA Section 810 Analysis</i>), Section B.4 (<i>Evaluation and Finding for Alternative D</i>), to provide additional rationale for the overall decrease in impacts under Alternative D, based on reports of road-related impacts and avoidance and changes in hunting patterns since construction of roads in the area. As noted in the sentence prior to the one referenced, air traffic generally causes localized disturbances, while roads can have larger impacts on caribou behavior and distribution.</p>	Y
864	195	Psarianos	Bridget	Trustees for Alaska	Terrestrial Wildlife	<p>Several factors in the DEIS raise concerns about the lack of meaningful analysis of mitigation effectiveness. For example, the Cumulative Effects section of the DEIS acknowledges that the NPR-A Integrated Activity Plan (IAP) is in the process of being revised and mentions that protections could be reduced, increasing impacts on caribou (V1, p.165). There is not, however, any analysis of altered impacts. Rather, descriptions in the DEIS assume that all existing stipulations and BMPs would be implemented to protect caribou and other resources (V1, p.109). The DEIS already acknowledges that the Willow Project will play a facilitative role on future projects (V4, Appendix G, p.43). Potential impacts of such projects under an IAP with reduced protections for caribou and key habitat would be logical to likewise include. A statement should also be included in the Willow EIS that stipulations and BMPs will be held to the stricter of the existing or revised IAP provisions, to avoid reduced protection for caribou.</p> <p>Another example of the lack of analysis of mitigation effectiveness is the failure of the DEIS to quantify impacts of anticipated deviations to stipulations and BMPs. For example, the DEIS lists that deviations to BMP E-7 about minimum distances between pipelines would be needed “where roads and pipelines converge on a drill site pad or at narrow land corridors between lakes where it is not possible to maintain 500 feet separation between pipelines and roads without increasing potential impacts to waterbodies” (V3, Appendix D, p.47). To better demonstrate the potential impacts of such deviations, the DEIS should quantify how often this will occur in terms of both number of expected deviations and miles of deviation out of total miles of pipeline. Similar quantification should be done for other expected deviations.</p>	<p>Language was added to Section 3.12.2.1.1, <i>Applicable Lease Stipulations and Best Management Practices</i>, to clarify the role of the IAP revisions.</p> <p>Deviations to BMPs and LSs are quantified in Table D.4.30 (Summary Comparison of Impacts by Action Alternative) in Section 4.3.10, <i>Compliance with Best Management Practices</i>, of Appendix D.1 (<i>Alternatives Development</i>).</p>	Y

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864	196	Psarianos	Bridget	Trustees for Alaska	Terrestrial Wildlife	There are several other instances where the DEIS is internally inconsistent, erroneous, or lacks important information needed by the public to determine impacts. First, additional information is needed for Figure 3.12.4, which depicts seasonal movements of the TCH (V2, p.44). The current figure does not give any description of what data or methods were used to produce the maps beyond reference to an industry report that does not appear to be publicly available online. This is insufficient to allow interpretation and public review of the DEIS. Second, Figure E.12.2. depicts seasonal distributions of the CAH (V3, Appendix E, p.6), however it appears that the same kernel is shown for each season. This was most likely a simple error but should be corrected to provide an accurate picture of seasonal variability for the CAH. Third, multiple citations are given for Reimers and Colman 2009, however the appropriate year for this citation, given the information in the References section, is 2006 not 2009. Fourth, the ANILCA 810 Analysis cites displacement distances of between 1.2 – 2.5 miles from roads for maternal caribou, referencing Chapter 3 (V4, Appendix G, p.17). In reality, the text of Chapter 3 acknowledges a bigger range of displacement, up to 3.7 miles (V1, p.98). Appendix G should be updated to conform to the range listed in Chapter 3. Fifth, shapefiles or other spatial data suitable for loading into a geographic information system that depict infrastructure locations under the various alternatives were not provided with the DEIS. When we requested these data from BLM, we were informed that they were proprietary information belonging to ConocoPhillips and would not be shared. This is unacceptable if the public is to be able to evaluate the proposed alternatives and their potential impacts on Federal public lands and resources. Simply referring to the maps published with the DEIS is insufficient to allow the public to consider other data or depictions of data and more meaningfully compare between proposed alternatives. Such a decision also does not align with prior practice by BLM with other EIS processes where shapefiles of proposed infrastructure, stipulation areas, etc. were provided along with the DEIS for public review (e.g., Arctic National Wildlife Refuge Coastal Plain Oil and Gas Leasing DEIS and FEIS, Ambler Mining District Industrial Access Project DEIS). It is crucial that spatial data be provided for this and other future NEPA processes that will allow the public adequate opportunity to evaluate the proposed alternatives and their potential consequences.	Additional information on the methods used to produce Figure 3.12.4 was added to the figure notes. Figure E.12.2 was corrected to show seasonal distribution (it was renumbered to Figure 3.12.5 in the Final EIS). Reimers and Colman (2009) and Reimers, Loe et al. (2009) references will be corrected. The potential displacement of calving caribou will be changed to 2 to 5 km based on the best-available references, including Johnson, Golden et al. (2019). Displacement distances in Section 3.16.2.3.2.1, <i>Caribou</i> , were revised for consistency with Section 3.12, <i>Terrestrial Mammals</i> . With regard to releasing CPAI shapefiles, the Trustees for Alaska has already requested these data from the BLM. The BLM’s response has not changed. After consulting with the DOI’s Regional Solicitor’s Office, CPAI’s GIS data constitute confidential commercial information under the Supreme Court’s recent decision in <i>Food Marketing Institute v. Argus Leader Media</i> , 139 S. Ct. 2356 (June 24, 2019), which overturned 40 years of FOIA case law on the subject. The court held that where commercial or financial information is both customarily and actually treated as private by its owner and provided to the government under an assurance of privacy, the information is “confidential” within FOIA Exemption 4’s meaning. CPAI’s GIS data meet this test. Further, under the Trade Secrets Act, it can be a criminal violation for agency employees to release commercial confidential records falling under Exemption 4. The BLM has welcomed questions from Trustees of Alaska and has taken every opportunity to clarify or talk through questions regarding infrastructure placement.	Y
65	5	Riley	Stanley	—	Terrestrial Wildlife	But, yeah, the thing that scares me about this whole thing is that something that’s never brought to attention on this — on this meeting that you guys held together is the fact that it’s a humongous calving ground. That wasn’t even spoken about, that it was, you know, the largest calving ground in the state of Alaska. And that’s what really scares me about the whole thing is my family, for, you know, thousands of years have been — depended on these animals. And so before, like, the haul road came in, for instance, my family lived in Oolah, which is Wiseman now. My family don’t live there anymore since the haul road came through. Ever since that haul road went through, too, that Porcupine herd used to come through Ungavik (ph) and it doesn’t come through there anymore. And that’s the biggest herd, so this is the next biggest herd, right. And so, like, that's — that’s like the worry — that worries me.	The WAH and Porcupine Herd are the two largest herds in the state. The TCH is substantially smaller than those two herds, but it is an important subsistence herd for North Slope communities. The primary calving area is near Teshekpuk Lake; the Willow MDP Project is outside the highest-density calving areas, but potential impacts on calving caribou and potential changes in caribou movements are discussed in the EIS in Section 3.12.2, <i>Environmental Consequences</i> .	N
20	1	Sell	Russell	PRL Logistics	Terrestrial Wildlife	And I just had a quick question regarding deflection. I have been going to the North Slope for 50 years. And I’ve had all-stop on the roads countless times for caribou crossing back and forth. The comment on deflection or the study on deflection, is that deflection intended to be an impact during construction or is it intended to be an impact post-construction during the operation of the life? Because I don’t see that on the North Slope. And I was just wondering if there is a difference between the two and what was stated.	Deflection could occur during any phase of the Project.	N
85	3	Svoboda	Nathan	The Wildlife Society Alaska Chapter	Terrestrial Wildlife	Quantifying Impacts on Caribou. Table ES.1 offers a summary comparison of key impacts by alternative. Although caribou are an important resource that drove alternative development (C and D), one cannot discern from this table how caribou are going to be affected in a quantitative sense. If the proposed development will have a significant impact on the ability of Nuiqsut residents to harvest caribou, will it simply take another few days to harvest what they need, or might they only harvest half of what they need? How are caribou populations and distribution likely to change in 10 years, 30 years, or 50 years given cumulative impacts of this and other developments, along with climate change? The DEIS is silent on such questions. BLM does identify features in each alternative that are arguably “better” for caribou in some qualitative sense. We can perhaps rank-order the alternatives with respect to caribou welfare (e.g., Dis better than C is better than B-although even that is not certain). But the DEIS falls far short of displaying how caribou numbers and distribution might change, and how that will affect harvest opportunity today and in the future. A quantitative analysis would better inform the public, and improve the subsistence analysis required by ANILCA. Such quantitative analyses involve a fair amount of work, but the development of scientifically defensible models has already been accomplished for caribou on the North Slope. Russell and Gunn (2019) recently quantified the impacts of proposed oil and gas development on caribou populations in the 1002 area of the Arctic National Wildlife refuge. The report concluded: 1. The potential impacts, under average climate, were 19% higher risk of a herd decline with 1002 development after 10 years when the starting herd size was the current size (218,000). The risk increased to 26% if the starting herd size was similar to population estimates in the early 1970s (100,000 caribou). 2. The risk to the Porcupine Caribou Herd from 1002 development affects the subsistence role of caribou in the lives of aboriginal people. With an initial herd size of 100,000 and average climate there was a 23% higher risk that herd size would fall below thresholds requiring severe harvest restrictions. The amount and quality of data on the Teshekpuk Caribou Herd (TCH) and the Central Arctic Caribou Herd is similar to that existing for the Porcupine Caribou Herd in the Arctic Refuge and Canada. The same model, or one similar, could be used to generate quantitative projections for how each of the three action alternatives is likely to affect caribou numbers, distribution, and harvest by residents of Nuiqsut and Utqiagvik. The FEIS should consider including a quantitative analysis along these lines.	Quantifying specific impacts is very difficult and requires specific knowledge or assumptions about how caribou will react to different infrastructure during different seasons. The models of Russell and Gunn (2019) assume that caribou will forage less whenever they are within the Coastal Plain project area. They further assume that this decline in foraging rates and how the change will vary under different alternatives are specifically known and that these impacts occur long distances from development over long periods. These specific values, times, and distances have little support in the literature. Murphy and Curatolo (1987) found that although movement rates increased, there was no decline in foraging rate for CAH caribou close to busy roads. In addition, some caribou are likely to be displaced from infrastructure during calving rather than changing their foraging rate, which will result in different impacts than those modeled. The relative impacts of development are discussed in the EIS, but specific predictions are speculative with the available data.	N

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85	4	Svoboda	Nathan	The Wildlife Society Alaska Chapter	Terrestrial Wildlife	<p>[The DEIS states:] <i>Commenters requested that the EIS evaluate potential adverse effects of air/ground traffic, blasting/mining activities, and project infrastructure (including roads, gravel island, haul routes, gravel mine, or pipelines) on caribou migration patterns and other species of wildlife, and the resulting impacts to subsistence hunting, fishing, or whaling, especially for the Nuiqsut community. Nuiqsut community members requested that mitigation should be provided for any adverse impacts to Nuiqsut subsistence hunting.</i></p> <p>We believe the DEIS does a good job of reviewing pertinent literature and describing the ecology of the species and how infrastructure and development activities may affect caribou. The effects of the alternatives on caribou populations, however, (future numbers, trends, and related subsistence harvest) is vague and somewhat muddled. Should Nuiqsut residents be worried, or not? How will it specifically impact their hunting? Will the BMPs be broadly applied, and how effective will those be as mitigation? These questions are poorly answered in the DEIS.</p>	<p>The specific impacts of development are difficult to quantify. We can make general inferences about how caribou will react to infrastructure based on the experience of other herds, but how behavioral changes will translate into population-level effects is generally not clear. There is still debate on what the population-level impacts of development have been on the CAH 40 years after development. The EIS provides the relevant information on how caribou may respond and attempts to provide information on the relative impacts of different alternatives and mitigation methods.</p> <p>The NPR-A IAP considered the effectiveness of BMPs and is the reason that specific BMPs were selected in the ROD and are now required. Various BMPs require lessees to monitor specific resources; if monitoring indicates that BMPs are not effective, then BLM adaptively manages to reduce impacts.</p>	N
85	6	Svoboda	Nathan	The Wildlife Society Alaska Chapter	Terrestrial Wildlife	<p>[The DEIS states:] <i>Commenters requested that the EIS evaluate potential impacts to wetlands and caribou and other wildlife species and habitats within the TLSA, and any resulting subsistence impacts to North Slope communities. Respondents stated that the EIS should also describe protections for the TLSA and how the project complies with applicable use or development restrictions.</i></p> <p>We find the DEIS provides a fairly comprehensive review of pertinent literature on caribou natural history and research related to effects of development. The treatment of other species is less complete, perhaps understandably given administrative dictates on document length.</p>	<p>Species other than caribou are described in Appendix E.12, <i>Terrestrial Mammals Technical Appendix</i>.</p>	N
85	8	Svoboda	Nathan	The Wildlife Society Alaska Chapter	Terrestrial Wildlife	<p>[The DEIS states:] <i>Commenters requested that the EIS consider long-term and cumulative effects of climate change, including potential changes in weather, vegetation, seismic activity, or sea-level rise/flooding. In addition, commenters requested that the EIS discuss the relationship between thermokarst and climate change and how this might have a cumulative effect on environmental resources when combined with project-related impacts.</i></p> <p>The DEIS Section 3.2 offers a good description of how climate change is affecting snow and ice-cover, precipitation, and air-temperature and the active layer. There is much less discussion about how climate change is likely to affect habitat (vegetation) and wildlife (nutritionally by changes in vegetation, and timing mismatch). These impacts are reasonably foreseeable, and should be covered in the FEIS, at least for caribou. We offer some citations that describe expected climate-related changes with regard to northern caribou populations.</p>	<p>More citations were added to Section 3.19.10.4, <i>Terrestrial Mammals</i>, regarding climate change effects on caribou.</p> <p>Climate change is anticipated to change vegetation communities through an increase in taller deciduous shrubs (Naito and Cairns 2014).</p> <p>Naito, A. T., and D. M. Cairns. 2014. Patterns of shrub expansion in Alaskan Arctic river corridors suggest phase transition. <i>Ecology and Evolution</i> 5(1):87–101.</p>	Y
85	12	Svoboda	Nathan	The Wildlife Society Alaska Chapter	Terrestrial Wildlife	<p>ANILCA section 810 Subsistence finding Section 810(a) of ANILCA, 16 USC 3120(a), requires that an evaluation of subsistence uses and needs must be completed for any federal determination to “withdraw, reserve, lease, or otherwise permit the use, occupancy or disposition of public lands.”</p> <p>The DEIS at page 136 concludes “Habitat loss and disturbance could reduce calving and nesting rates and survival for caribou and waterfowl in the vicinity of Project infrastructure and activity but would not have population-level effects on subsistence resources harvested within or downstream from the Project area . . .”</p> <p>This latter conclusion about no population-level effects seems baldly asserted, with no empirical or modelled basis in the DE IS (that we could find). The conclusion may be based on the small size of the development footprint, and the large size of the caribou populations in question . . . but that rationale should be explicitly stated. And we’d urge a bit of caution here. An analysis of likely impacts of oil-field development on caribou in the nearby Arctic National Wildlife Refuge (1002 area), in combination with climate change, did project a population level effect. A similar analysis in the Willow project area might show the same.</p> <p>The DEIS analysis concludes that:</p> <p>[2] “. . . [D]irect and indirect impacts on caribou availability within the area west of Nuiqsut could have substantial impacts to subsistence users.” We might quibble with use of the word “could” in this statement. Anything “could” happen. We assume the finding is that substantial impacts on subsistence users are “expected,” and that language might be substituted. This finding that the proposed action is expected to significantly restrict subsistence uses imposes requirements to (1) notify the State of Alaska and appropriate regional and local subsistence committees, (2) hold hearings in affected communities, and (3) make the following determinations before BLM can authorize the use of public lands: Such a significant restriction of subsistence uses is necessary and consistent with sound management principles for the use of the public lands. The proposed activity would involve the minimal amount of public lands necessary to accomplish the purposes of the use, occupancy, or other disposition. Reasonable steps would be taken to minimize adverse effects upon subsistence uses and resources resulting from such actions (16 USC 3120(a)).</p> <p>[3] Assuming this same conclusion is reached in the preferred alternative in the FEIS, the FEIS should make a special effort to quantify the effects on subsistence users in terms that are most relevant to the hunters (e.g., reduced bag, reduced season length, increased travel distance, more hunting days to be successful etc.), and whether they can expect to harvest “amounts of caribou reasonably necessary for subsistence” (per Braem 2017). It should also explain why the projects could not be scaled back (e.g., smaller footprint, directional drilling, more stringent BMPs) to improve the lot of subsistence users while still achieving the main purpose of the project.</p>	<p>The analysis of impacts of oil-field development on caribou in the Arctic National Wildlife Refuge (1002 area) that did project a population-level effect is from a summary for Alternative B of the Coastal Plain EIS, which would limit development in a larger area than under the current management plan. This analysis is not directly applicable to the Willow MDP Project. If the analysis mentioned is the report by Russell and Gunn (2019), that report assumes specific declines in foraging rates over an extended time period and over long distances. While some changes in foraging rate may occur, the degree of changes is not known with this level of specificity and some caribou may avoid roads rather than change their foraging rates resulting in other, unquantified, effects.</p> <p>The conclusions in the Section 810 Analysis regarding population-level effects are based on and consistent with the conclusions of the biological resources sections of the EIS. Potential impacts to subsistence uses are quantified where data are available, in terms of the percentage of harvesters affected; percentage of harvesters who may avoid the development area; and percentage of caribou harvests potentially affected. Data are not available to quantitatively predict the increased travel distance, changes in season length, or number of d+I81ays to be successful.</p> <p>Based on the significance determination of the Section 810 Analysis, BLM notified the State of Alaska and appropriate regional and local subsistence committees and held hearings for the affected communities.</p> <p>At the development stage, the siting of oil and gas facilities is largely dependent on the location of the subsurface resources to be extracted. Under the NPR-A IAP and Section 404 of the CWA, lessees are required to minimize facility footprints and propose siting and alignment of facilities in such a manner as to minimize environmental impacts to various resources (e.g., caribou, wetlands). Alternatives to a proponent’s proposal are considered and analyzed in detail only if they offer potential environmental benefits to one or more resources or uses. The BLM will select an alternative and provide rationale for the selection of that alternative in the ROD.</p>	N

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85	10	Svoboda	Nathan	The Wildlife Society Alaska Chapter	Terrestrial Wildlife	Climate Change Effects There has been a large body of scientific literature produced in the last 15 years on the effects of climate change. The DEIS does an adequate job of reviewing this literature with an eye to arctic systems especially. But there are some important papers about the likely effects of climate change on caribou that deserve consideration in the FEIS. 1. Joly et al. (2011) predicted that climate change would lead to loss of lichens from increased fire, and loss of upland dwarf birch tussock-shrub from thermokarst and shrub expansion. The combined effects would reduce foraging habitat to the detriment of caribou. 2. Fauchald et al. (2017) predicted evidence of a climate-driven shift in caribou-plant interactions from one previously driven by low plant biomass and cyclic populations, to one driven by low-quality forage (increasing shrubs) and diminishing herds of migratory caribou. 3. Mallory and Boyce (2018) examined the literature related to the many environmental factors that limit caribou and reindeer populations, and how these might be affected by a warming climate. They suggest observed declines in many caribou populations around the world are being driven in significant ways by climate change. 4. Gustine et al. (2017) examined climate-induced effects on forages growing in the summer and autumn ranges of caribou. They suggest the window of time to examine the match-mismatch framework in Arctic ungulates is not at parturition but in late summer-autumn, when the multiplier effects of small changes in forage quality are amplified by forage abundance, peak forage intake, and resultant mass gains in mother-offspring pairs. These are just a few examples of recent studies aimed at quantifying the effects of climate change on caribou. Others of note include Van Hemert et al. (2015) and Russell and Gunn (2019). When climate change effects are compounded by costs associated with development, the effect on caribou populations in the future may be even more significant. The FEIS should more fully explore and explain how climate change is likely to affect the two caribou herds using this planning area in both the near and more-distant future.	More citations were added to Section 3.19.10.4, <i>Terrestrial Mammals</i> , regarding climate change effects on caribou.	Y
81	3	Swearingen	Christin	—	Terrestrial Wildlife	The proposal is within and next to the Teshekpuk Lake Special Area, one of the most productive wetland complexes in the Arctic and an important calving ground for the Teshekpuk Lake Caribou Herd, an important food and cultural foundation for communities on the North Slope.	Parts of the infield road system, as well as BT2 and BT4, would be within the TLSA in an area that is available to oil and gas leasing. All else being equal, the TLSA is only an administrative boundary, and Project impacts would not necessarily be greater within the TLSA than they would outside the TLSA.	N

4.2.28 Visual Resources

Table B.2.31. Substantive Comments Received on Visual Resources

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	157	Psarianos	Bridget	Trustees for Alaska	Visual Resources	The Willow MDP will have very significant impacts on the visual resources of the northeast NPR-A. The Willow project will change the visual qualities of millions of acres of public lands. As described in Appendix E.7A, 214,277 acres of Class II inventory lands will be impacted in the analysis area and 184,689 acres will be impacted in the project viewshed. Moreover, 1,974,862 acres of Class III lands will be impacted in the analysis area and 1,432,126 will be impacted in the Project viewshed. The significance and scale of these impacts is another residual impact that must be offset through meaningful actions to ensure that areas of high visual resource value are protected. Like so many other elements of this DEIS, the lack of meaningful project alternatives presents limitations in effectively considering the impacts and trade-offs of various project designs. Less than a sentence is used to describe the differences between the preferred alternative and Alternative C and Alternative D. Here, more significant changes in project alternatives would have added rigor and potentially helped identify creative solutions to reduce impacts to these and surrounding public lands.	The Final EIS expanded Section 3.13.2.1, <i>Avoidance, Minimization, and Mitigation</i> , to describe numerous measures that would ensure that effects to visual resources are avoided, minimized, or mitigated. These measures include LSs and BMPs, CPAI’s design measures to avoid and minimize impacts, and additional suggested measures. The range of alternatives was developed by resource specialists from BLM and cooperating agencies, and from comments received during scoping. During alternatives development for Willow MDP Project, the BLM considered issues identified during scoping, such as impacts to caribou and subsistence. Alternatives development is described in Chapters 3.0 and 4.0 of Appendix D.1 (<i>Alternatives Development</i>), including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All alternatives meet the Project’s purpose and need.	Y

4.2.29 Water Resources

Table B.2.32. Substantive Comments Received on Water Resources

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
991	10	Bruno	Jeff	Alaska State, Department of Natural Resources	Water Resources	Chapter 3, page 149 BMP A-2 on this page references NPDES permits. Since the Alaska Department of Environmental Conservation assumed full authority to permit wastewater discharges in the State of Alaska, this should reference the Alaska Pollutant Discharge Elimination System (APDES).	Because the referenced text is directly summarizing an existing NPR-A BMP from the IAP, the text was not changed. The text does say “unless authorized by a National Pollutant Discharge Elimination System or state permit.”	N
984	2	Hartsig	Andrew	Ocean Conservancy	Water Resources	BLM’s NEPA analysis must carefully consider direct, indirect, and cumulative impacts to the biological resources of Harrison Bay. This analysis must include the potential impacts from all aspects of CPAI’s proposed activities, including increased vessel traffic and other impacts associated with construction and operation of an artificial island. Construction of an artificial island, either near Atigaru Point or Point Lonely, would be a significant undertaking. It would change the physical oceanography in the area, but the DEIS does not analyze how it could affect currents in the Harrison Bay area. BLM should remedy this deficiency and consider how such a change could affect ocean currents and biological processes. In so doing, BLM should consider whether existing western science and traditional knowledge are sufficient to answer these questions, or if more research is needed.	Potential effects of the MTI on the marine nearshore area are described in Final EIS Section 3.8.2.6, <i>Module Delivery Option 1: Atigaru Point Module Transfer Island</i> . Based on data for western Harrison Bay, current speeds are too low to cause significant, permanent scour of the sea bottom surrounding the MTI (Coastal Frontiers Corporation 2018). Average rates of shoaling in the area are low (CPAI 2019). Other human-made islands in the Beaufort Sea experience small amounts of shoaling on the leeward side. Similar amounts would be expected at the MTI and would not affect the stability of the MTI or the coastal processes around it. No accretion or further shallowing of the MTI area would be expected to occur. The SDEIS added a third module delivery option (Option 3: Colville River Crossing), based on stakeholder feedback to include an alternative that would not construct an offshore gravel island.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1295	7	Nogi	Jill	U.S. Environmental Protection Agency Region 10	Water Resources	Impacts of Accidental Wastewater Discharge In order to sufficiently analyze the potential environmental impacts of accidental wastewater releases, we recommend that the EIS include additional detail characterizing each of the potential waste streams, including describing pollutants of concern, and discuss the potential environmental impacts of an accidental release. Section 3.8.2.3.7, Wastewater Disposal, discloses each of the potential waste streams and how they will be disposed (i.e., underground injection with applicable permit, surface water discharge with applicable permit). While the analysis discloses the potential impacts of an accidental release of domestic wastewater, similar information is not provided for other potential waste streams.	Text was added to Section 3.8.2.3.7, <i>Wastewater Disposal</i> , to clarify that drilling fluids and wastes would be transported to the UIC via tanker truck. Accidental releases from these trucks could contain sediment and petroleum products and would be cleaned up in accordance with ADEC guidelines. Spills of this type are usually small (less than 20 gallons) and would typically occur on ice or gravel infrastructure during pumping or transferring or could result from frozen lines rupturing.	Y
1295	21	Nogi	Jill	U.S. Environmental Protection Agency Region 10	Water Resources	Underground Injection Control When discussing pipeline construction under the Colville River, the Draft EIS states that “Drill cuttings and drilling fluids (also called mud) from the [horizontal directional drilling] process would not be discharged to surface water or the tundra but would be transported to an existing permitted UIC well for disposal or would be temporarily stored until an on-site Class I UIC disposal well is operational.” We support the goal of avoiding surface discharge of drilling wastes as it reduces environmental impacts; however, we note that the operator may only inject drill cuttings into a UIC Class I non-hazardous well if the fluid containing the cuttings is either RCRA non-hazardous or RCRA-exempt exploration and production associated waste. Drill cuttings resulting from pipeline construction would not be RCRA exempt exploration and production associated waste. We therefore recommend that the Final EIS describe the make-up of the drilling fluid and clarify whether it would be RCRA non-hazardous waste. The EPA UIC Program would be available to assist if more information regarding allowable Class I injection under the Safe Drinking Water Act is needed.	Additional details on the drilling mud composition (including the Colville River HDD crossing and production and injection wells) have been added to Section 4.2 (<i>Potential Spills during Construction</i>) and Section 4.4 (<i>Hazardous Materials</i>). CPAI would use RCRA nonhazardous materials for drilling mud during the Colville River HDD operations.	Y
41	2	Pardue	Marie	—	Water Resources	“No effects on water quality are expected.” Explain to us how there will be no effects. They are removing water from different lakes, ponds, streams and placing them in a direct path/location creating new or more wetlands when the ice roads and ponds melt.	Because 94% of the field-verified portion of the wetlands and vegetation analysis area is wetlands, it is unlikely that meltwater from ice infrastructure would create new wetlands. Wetlands require a frequency and duration of water inundation or saturation that would not occur with a single occurrence of meltwater.	N
864	48	Psarianos	Bridget	Trustees for Alaska	Water Resources	Further, in its analysis of bridge and culvert designs, BLM utilized a 100-year design flood for its bridge specifications and a 50-year flood event for its culvert design specifications. BLM does not explain why it allowed ConocoPhillips to use different hydrologic standards for these design decisions. With a changing climate where increased precipitation is a strong possibility, it might be prudent for BLM to require bridges to meet 50-year design flood specifications. BLM should have considered alternatives with different flood design specifications.	A 100-year design flood is larger than a 50-year design flood. Additionally, it should be noted that in Section 3.8.2.1.3, <i>Additional Suggested Avoidance, Minimization, or Mitigation</i> , the following criteria are suggested for culverts and bridges: – “At a minimum, design culverts to perform satisfactorily for all flood events up to and including the 50-year event. The headwater-to-diameter ratio at the maximum design condition should be no greater than 1.0.” – “At a minimum, design road bridges to pass the 50-year flood-peak discharge with a minimum of a 3-foot freeboard (assuming snow and ice conditions have been considered in estimating the design water surface elevation). Design for bridge foundation scour equal to the maximum scour depth produced by floods up through a magnitude equal to the 100-year flood event and a geotechnical design practice safety factor of from 2 to 3. Check the bridge design using a superflood and a geotechnical design practice safety factor of 1. The superflood is defined as the 500-year event, 1.7 times the magnitude of the 100-year event, or the overtopping flood, whichever is the least. These are standard criteria used by Alaska Department of Transportation and Public Facilities for bridges on the North Slope in nondesignated flood hazard areas.”	N
864	159	Psarianos	Bridget	Trustees for Alaska	Water Resources	The proposed Willow project would have significant impacts to water resources in the northeastern Reserve that are underestimated in the draft EIS . . . Much of the information about these project components is vague and difficult for the public to understand, making it challenging to meaningfully consider impacts. For instance, it is not clear where the intake for the seawater pipeline would be located and whether there would be marine (and other) impacts associated with the construction and operation of this pipeline. The DEIS states that the seawater pipeline would transport seawater from the Kuparuk River Unit Central Processing Facility to the Willow Processing Facility, and this pipeline would be placed by Horizontal Directional Drilling (HDD) under the Colville River but provides little else to describe the potential impacts of this proposed feature. BLM must include this information and analysis in the EIS to properly explain these impacts.	As stated in Appendix D.1 (<i>Alternatives Development</i>), Section 4.2.2.3, <i>Other Pipelines</i> , the seawater pipeline would begin at Kuparuk CPF2, from which existing infrastructure connects to the Kuparuk Saltwater Treatment Plant at Oliktok Point. No new marine infrastructure or intake would be required.	N
864	161	Psarianos	Bridget	Trustees for Alaska	Water Resources	Further, it is alarming that gravel infrastructure would be permanently located in the 50- or 100-year floodplain of Fish (Uvlutuuq) Creek, Judy (Kayyaaq) Creek, Judy (Iqalliqpik) Creek, Willow Creek 2, Willow Creek 4, Willow Creek 4A, and Willow Creek 8. . . . Although the Draft EIS acknowledges gravel roads or pads may lead to water impoundment, changes in flow direction, channel instability or a change in alignment, thermokarsting, erosion, and sedimentation, it does not fully address the site-specific impacts of each of these crossings or attempt to mitigate the impacts in a meaningful way. The draft EIS acknowledges that such impacts “could” occur and that “rehabilitation” may be required at some future date, but this does not constitute the requisite hard look under NEPA. BLM should not permit ConocoPhillips to permanently locate infrastructure in the 50- or 100-year floodplains of any of these waterbodies. The draft EIS is estimates that there would be a 39% chance that the design flood would be exceeded – this is unacceptable. Other federal agencies have expressly recognized that critical infrastructure should be elevated to the 500-year flood elevation. These proposed crossings are located in an area that is vulnerable to climate change, and several crossings also involve pipelines crossing the road. The proposal to construct crossings in such a manner should be flatly rejected by BLM.	The EIS evaluated CPAI’s conceptual plan in the EIS. More specific design details are typically developed during the design phase of the Project, after the ROD; this would address site-specific details. With regard to the frequency of flood suggested for use in the design of culverts, bridges, and pipelines (described in Section 3.8.2.1.3, <i>Additional Suggested Avoidance, Minimization, or Mitigation</i>), the culvert and bridge criteria are similar to those used by the Alaska Department of Transportation and Public Facilities. The criterion for pipeline crossings is similar to what has generally been used on the North Slope of Alaska for common carrier pipelines. The EIS team is not familiar with any government requirement to design these structures for floods larger than have been suggested.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	265	Psarianos	Bridget	Trustees for Alaska	Water Resources	The DEIS, in Chapter 3, Section 3.8.2.3.3 acknowledges that the floodplains for Fish (Uvlutuuq) Creek and Judy (Iqallipik) Creek are wider and would encompass the gravel road on either side of the crossing. . . . The draft EIS further acknowledges that thermokarsting that resulted from water impoundments resulting from blockages would create a depression that would last indefinitely. If the blockage caused a change in flow direction, channel instability, erosion of the tundra or stream channel, or resulted in deposition of sediment on the tundra or in the stream channel, the resulting impact would be measurable and require rehabilitation. The impact could be visible for many years, even with rehabilitation. In sum, these impacts could be permanent. Although the DEIS acknowledges these potential impacts could occur and that “rehabilitation” may be required at some future date, they offer no compensation or mitigation plan to address this potential impact. Rehabilitation at a future date (and possibly ineffective) is not consistent with federal rules and regulations (see 33 CFR 332.4(c)). In addition, BLM has not provided enough information and baseline data to adequately design the infrastructure associated with this project, especially in terms of climate change and sustainability of the project into the future.	Because it is unknown if the effects would occur, or what the extent of the effects would be if they did occur, the effects must be managed with adaptive BMPs and permit stipulations, such as those described in Section 3.8.2.1, <i>Avoidance, Minimization, and Mitigation</i> . Except as required by law, BLM policy precludes imposition of compensatory mitigation on public land users (IM 2019-018, Compensatory Mitigation, DOI 2019). A Compensatory Mitigation Plan is not required for NEPA or for the Section 404 permit application; only a compensatory mitigation statement is required. USACE determines compensatory mitigation requirements associated with Section 404 permits and provides a public comment opportunity upon issuance of the Public Notice for permit applications under Section 404.	N
864	267	Psarianos	Bridget	Trustees for Alaska	Water Resources	BLM must address the potential impacts listed below in the EIS: -Extraction of alluvial material from within or near a stream bed has a direct impact on the stream or rivers physical habitat parameters such as channel geometry, bed elevation, substrate composition and stability, instream roughness elements, depth, velocity, turbidity, sediment transport, stream discharge, and temperature. -Channel hydraulics, sediment transport, and morphology are directly affected by gravel mining. The immediate and direct effects are to reshape the boundary, either by removing or adding materials. The subsequent effects are to alter the flow hydraulics when water levels rise and inundate the altered features. This can lead to shifts in flow patterns of sediment transport. Local effects also lead to upstream and downstream effects. -Altering habitat parameters can have deleterious impacts on instream biota, food webs, and the associated riparian habitat. Impacts to anadromous and resident fish populations due to gravel extraction can include: reduced fish populations in the disturbed area, replacement of one species by another, replacement of one age group by another, or a shift in the species and age distributions, as well as altering competitive interactions within and among species. -Stockpiles of overburden and gravel left or abandoned in the channel or floodplain can alter channel hydraulics during high flows. -Wet pit mining in floodplains may reduce groundwater elevations, reduce stream flows, increase water temperature and create potential for fish entrapment. o Destruction of the riparian zone during gravel extraction operations can have multiple deleterious effects on anadromous fish habitat.	The mine pits would not be in the floodplain. The perimeter ice pad of Mine Area 2 would extend into the floodplain, as shown in Figure 2.5.4. The effects of ice infrastructure in floodplains are described in Section 3.8.2.3.2, <i>Ice Infrastructure</i> .	N
864	269	Psarianos	Bridget	Trustees for Alaska	Water Resources	The Bureau of Reclamation (2005) contains a Table (taken from Grindeland and Hadley, 2003) that summarizes the potential impacts caused by floodplain gravel pit capture. BLM needs to analyze and address the potential impacts listed above and presented in the Table (attached) and include the detailed analysis in the EIS. Without having this analysis of potentially significant impacts to the floodplains, rivers and streams due to the gravel mining project implementation, construction and operation, there is no way to ascertain BLM’s assumption that reclamation is appropriate compensation for these impacts.	The mine pits would not be in the floodplain. The perimeter ice pad of Mine Area 2 would extend into the floodplain, as shown in Figure 2.5.4. The effects of ice infrastructure in floodplains are described in Section 3.8.2.3.2, <i>Ice Infrastructure</i> .	N
864	284	Psarianos	Bridget	Trustees for Alaska	Water Resources	The influence of climate change on flow appears to indicate there could be impacts that are exacerbated by climate change, including increased flooding and/or evapotranspiration which could affect the size, depth, and areal extent of thaw lakes. Though section 3.2 and Appendix E.2.A of the DEIS describe certain design features to account for climate change, CPAI’s design is not sufficiently site-specific for these waterbodies. Further, Appendix E.8 of the DEIS states “(t)hough climate change is occurring it is unknown how it might impact flood-peak magnitude and frequency in the Arctic.” Appendix E.8 also states “(i)t is unknown to what flood event or ice conditions the HDD boring and the pipeline crossings would be designed.” This is unacceptable and BLM must provide this information and correlate it to risk and uncertainty in terms of stability and functionality for structures in, above, and below WOUS, including wetlands.	Because it is unknown how climate change might impact flood-peak magnitude and frequency, the design of structure in water and in the floodplain must be managed with adaptive BMPs and permit stipulations, such as those described in Section 3.8.2.1, <i>Avoidance, Minimization, and Mitigation</i> .	N
864	286	Psarianos	Bridget	Trustees for Alaska	Water Resources	It is unclear why riverbed elevations and hydraulic roughness determinations for water resources within the project area and footprint are relying on 2001 and 2002 data. . . . Twenty year old data may not be reliable especially in consideration of climate change, highly erodible and dynamic systems, and other factors likely affecting channel and bed stability within the project area. The DEIS needs to explain the validity and reliability of this old data to the project. More recent data should be obtained and collected prior to project construction in project waterways. As stated in the DEIS “(t)he interaction of the water-sediment mixture and the sand bed can create different bed configurations, such as ripples, dunes, transition, and antidunes. The type of bed form present affects both the hydraulic roughness and the rate of sediment transport, which affects the water velocity, depth of scour, and water surface elevations.” Because the waterways in the project area are highly dynamic systems and are affected by a multitude of factors, including climate change, it is imperative for BLM to gather and utilize current data and information to inform their design for infrastructure in, over, adjacent to, and under project waterways.	The data quoted by the reviewer were presented to provide a general characterization of the rivers. It is not known if this information is being used by CPAI to design the structures or not, since design for Project structures is not complete (typically occurs after the ROD). To our knowledge, no newer information of this type is available within the Project area.	N

4.2.30 Wetlands and Vegetation

Table B.2.33. Substantive Comments Received on Wetlands and Vegetation

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
1306	1	Moore	Steve	USACE	Wetlands and Vegetation	Ch. 3.9.1 Wetlands and Vegetation pg.72 statement, “Project’s 404 permit process is occurring concurrent with the NEPA process,” is incorrect as we have not received a 404 application. Please remove or revise.	The 404-process is now underway and the public notice for the application was published concurrently with the SDEIS release. No change to text.	N
1306	2	Moore	Steve	USACE	Wetlands and Vegetation	Change to “existing wetlands would be converted to lacustrine.”	Edited as suggested.	Y
1306	3	Moore	Steve	USACE	Wetlands and Vegetation	Change to “...would also reduce impacts to the long-term sustainability of wetland function”	Edited as suggested.	Y
1306	4	Moore	Steve	USACE	Wetlands and Vegetation	Couple of references to separate BLM and USACE RODs, but no reference to a JROD.	Due to uncertainty with ROD timing, mention of the joint ROD was removed from the EIS.	N
864	91	Psarianos	Bridget	Trustees for Alaska	Wetlands and Vegetation	These substantial gaps are reflected in the lack of adequate analysis in the EIS, which provides an insufficient basis to meet the Corps’ NEPA obligations. For example, as discussed in Terzi’s report, the draft EIS mentions, but does not quantify, the potential direct impacts from numerous activities and secondary impacts that will result to aquatic resources from construction and implementation of the proposed project, including from the following: -Impacts from gravel infrastructure and culverts, which “could alter surface flows and result in ponded water upgradient of the structures which could induce subsidence, particularly as permafrost temperatures increase with climate change. There are numerous related effects that have not been adequately analyzed and quantified, including potential delays in plant growth from altered flows; conversion of vegetated tundra to lakes; increased surface water depths upgradient of gravel fills, which could transform tundra types; and the potential for drainage patterns and vegetation communities to be interrupted downgradient from any infrastructure; -Damage to permafrost from gravel mining and infrastructure; -Impacts from gravel infrastructure that would be permanently placed in the 50- and 100-year floodplain for Fish (Uvlutuuq) Creek, Judy (Kayyaaq) Creek, Judy (Iqalliqpiik) Creek, Willow Creek 2, Willow Creek 4, Willow Creek 4A, and Willow Creek 8; and -Impacts to riffle/pool complexes, which are a special aquatic site.	Indirect effects of gravel infrastructure are discussed in Section 3.9.2.3.3, <i>Indirect Change in Wetland Composition</i> . Damage to permafrost from gravel mining is described in Section 3.4.2.3.1, <i>Thawing and Thermokarsting</i> . Impacts of gravel in the floodplain are described in Section 3.8.2.3.3, <i>Gravel Infrastructure</i> . Riffle/pool complexes would not be impacted.	N
864	93	Psarianos	Bridget	Trustees for Alaska	Wetlands and Vegetation	The Corps does not have sufficient information on the distribution and functions of the wetlands across the project area to determine appropriate mitigation measures or to adequately assess the proposed project. Given the prevalence of jurisdictional wetlands throughout the project area, the Corps needs to ensure that impacts are mitigated appropriately. Here, there is no indication that ConocoPhillips has provided a functional assessment or impact analysis for wetlands in the draft EIS or supporting information. Conducting functional assessment is critical to determining what functions particular wetlands perform, and their capacity to perform those functions. As acknowledged in the draft EIS, the Corps is missing finer scale mapping and other detailed information about the wetlands in the vicinity of the proposed project footprint that is necessary for its 404 analysis.	There is no regulatory requirement that an Aquatic Site Assessment is needed for NEPA. The functional assessment will occur during the 404 permitting process, and the public will have an opportunity to comment on it during the public comment period for the permit application.	N
864	160	Psarianos	Bridget	Trustees for Alaska	Wetlands and Vegetation	Additionally, as noted in the attached Terzi report, gravel infrastructure and culverts could alter surface flows and result in ponding, subsidence, delayed plant growth, and conversion of vegetated tundra to lakes if the impoundments become permanent. Increased surface water could transform the vegetation community composition into wetter tundra types and thus increase grass and sedge cover, decrease shrub cover, or lead to plant mortality. During spring snowmelt, natural drainage patterns could be interrupted resulting in decreased soil moisture and subsequent changes in vegetation communities, such as an increase in shrub cover and a decrease in grass and sedge cover, as well as conversion from a wetland to an upland. As explained in the attached Terzi report: <i>Although the DEIS acknowledges the potential for these impacts to occur, BLM does nothing to correlate or quantify the impacts back to the project. Chapter 3 of the DEIS includes Best Management Practices (BMPs) and Lease Stipulations (LSs) to avoid and minimize these impacts, but without a finer scale analysis of the wetland impacts, including potential secondary impacts, as listed above, there is no way to ascertain whether the avoidance and minimization measures may be effective. Chapter 3, Section 3.9.3, Additional Suggested Best Management Practices or Mitigation, states BLM “could” include other measures to reduce wetland and vegetation impacts. If the BLM chooses to implement this BMP (or [ConocoPhillips] is required to do so through the Section 404 permit process) then it may provide information for future projects but would do nothing to reduce impacts from this project. If the monitoring demonstrated there were permanent direct or indirect impacts, BLM would need to address those impacts through some sort of contingency plan, a required component of any compensatory mitigation plan which is completely lacking in the DEIS.</i> BLM should include monitoring data from past projects in this area to support any contention that existing BMPs, LSs and any additionally proposed BMPs (as cited above) are effective in quantifying and qualifying impacts from the project.	The NPR-A IAP considered the effectiveness of BMPs and is the reason that specific BMPs were selected in the ROD and are now required. Various BMPs require lessees to monitor specific resources; if monitoring indicates that BMPs are not effective, then BLM adaptively manages to reduce impacts. Proposed ROP C-2 would stipulate that ice roads may not use the same route each year. ROP H-5 would stipulate that data and summary reports derived from North Slope studies be made easily accessible. The Willow MDP ROD will describe which LSs and BMPs would apply to the Project. Text revised in Section 3.9.2.1.4, <i>Additional Suggested Avoidance, Minimization, or Mitigation</i> , to state the following: “If Alternative C or D is selected, monitor vegetation damage and the compression of soil and vegetation in the annual resupply ice road footprint (footprints that are used consecutively each year). . . .” BLM policy does not allow for consideration of compensatory mitigation (IM 2019-018, Compensatory Mitigation, DOI 2019). The BLM does not require monitoring for informational purposes only. All BMPs must be tied to mitigation of specific impacts, and any monitoring required must do so to monitor the effectiveness of existing mitigation measures.	Y
864	168	Psarianos	Bridget	Trustees for Alaska	Wetlands and Vegetation	Further, the DEIS fails to consider the full suite of direct, indirect and cumulative impacts to wetlands and vegetation resulting from this project. As described herein, much of the detail required for such an analysis is missing, likely due to ConocoPhillips’ withholding of its Clean Water Act 404 permit. As a result, critical information needed to fully determine impacts to wetlands and water hydrology in the region are absent in the draft EIS.	All the detail necessary for NEPA analysis is included in the Draft EIS. There is no regulatory requirement that an Aquatic Site Assessment is needed for NEPA. The functional assessment will occur during the 404 permitting process, and the public will have an opportunity to comment on it during the public comment period for the permit application.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
864	253	Psarianos	Bridget	Trustees for Alaska	Wetlands and Vegetation	Gravel infrastructure and culverts could alter surface flows and result in ponded water upgradient of the structures which could induce subsidence, particularly as permafrost temperatures increase with climate change. An increase in water impoundments could delay plant growth or contribute to conversion of vegetated tundra to lakes if the impoundments become permanent. Increased surface water depth and duration of inundation on the upgradient side of gravel fill areas could transform the vegetation community composition into wetter tundra types and thus increase grass and sedge cover and decrease shrub cover. It could also lead to plant mortality if the increased inundation becomes permanent and a potential waterbody is created. During spring snowmelt, impoundments could occur on the upgradient side of gravel fill, and natural drainage patterns could be interrupted on the downgradient side of fill. The effects may include decreased soil moisture and subsequent changes in vegetation communities, such as an increase in shrub cover and a decrease in grass and sedge cover, as well as conversion from a wetland to an upland. Although the DEIS acknowledges the potential for these impacts to occur, BLM does nothing to correlate or quantify the impacts back to the project. Chapter 3 of the DEIS includes Best Management Practices (BMPs) and Lease Stipulations (LSs) to avoid and minimize these impacts, but without a finer scale analysis of the wetland impacts, including potential secondary impacts, as listed above, there is no way to ascertain whether the avoidance and minimization measures may be effective.	The effects of climate change in combination with the Project are discussed in Final EIS Section 3.19.10.1, <i>Wetlands and Vegetation</i> .	Y
864	254	Psarianos	Bridget	Trustees for Alaska	Wetlands and Vegetation	Chapter 3, Section 3.9.3, Additional Suggested Best Management Practices or Mitigation, states BLM could include other measures to reduce wetland and vegetation impacts. For example: (m)onitor vegetation damage, and compression of soil and vegetation in annual resupply ice road footprint (footprints that are used consecutively each year) is listed as one such BMP. If the BLM chooses to implement this BMP (or is required to do so through the Section 404 permit process) then it may provide information for future projects but would do nothing to reduce impacts from this project. If the monitoring demonstrated there were permanent direct or indirect impacts, BLM would need to address those impacts through some sort of contingency plan, a required component of any compensatory mitigation plan which is completely lacking in the DEIS.	Avoidance, minimization, and mitigation measures were further developed in the Final EIS and will be included in BLM’s ROD. Measures related to wetlands are described in Final EIS Section 3.9.2.1, <i>Avoidance, Minimization, and Mitigation</i> .	Y
864	257	Psarianos	Bridget	Trustees for Alaska	Wetlands and Vegetation	BLM should specifically examine this impact from a climate change perspective: Arctic peatlands, glacier forelands, rivers, lakes, wet tundras, seashores and shallow bays make up the largest part of the Arctic (at least 60% of the surface) and constitute a significant part of the worlds wetlands and freshwater resources. Arctic wetlands store enormous amounts of carbon in frozen peat and soil, as long as the insulation by an undisturbed peat layer is preventing the underlying permafrost from melting. Accelerated climate change in the Arctic provokes rapid environmental change, easier access to oil and gas, minerals and fisheries. This threatens ecosystems through the retreat of sea ice, permafrost thawing, atmospheric warming, habitat fragmentation, desynchronization of predator-prey life cycles, overharvesting of wildlife and of globally migratory bird and mammal populations, and ocean acidification (Ramsar 2014).	Carbon sequestration is one of the many functions provided by wetlands. To clarify that wetland functions are removed by direct loss, the words “and wetland function” were added to the first sentence in Section 3.9.2.3.1 (<i>Direct Loss and Alteration of Wetlands</i>). The link between a loss of carbon sequestration and accelerated climate change is outside the scope of assessing impacts to wetlands.	Y
864	275	Psarianos	Bridget	Trustees for Alaska	Wetlands and Vegetation	In addition, Arctic tundra environments are far from invulnerable, displaying sensitivity to human disruptions and as noted previously, climate change. The tundra is also slow to repair itself from physical disturbances such as tire tracks from heavy equipment (Nunez 2019). Chapter 3 of the DEIS, Section 3.9.1. states “(t)he field-verified portion of the analysis area is 76% wetlands. Previous disturbance and fill of wetlands in the analysis area is limited to gravel and ice infrastructure from the GMT and Alpine oilfields, the community of Nuiqsut, and decommissioned Distant Early Warning Line sites. The existing infrastructure and development activities have altered some wetlands functions, contributed dust and sediment to wetlands, and increased the potential for spills entering wetlands.” Given these statement in the DEIS, it appears that BLM’s assertion that impacts to wetlands will be “temporary” is not supported or documented. Compensatory mitigation must be provided to offset the potentially significant impacts to wetlands and other WOUS. In addition, without a wetland impact analysis and functional assessment there is no way to determine how much, and for what lost and/or impaired wetland functions, compensatory mitigation should address. An impact analysis and functional assessment must be provided for this project and a compensatory mitigation plan prepared to address all potential impacts.	Temporary impacts to wetlands are limited to ice-based infrastructure, as stated in Section 3.9.2.3.1 (<i>Direct Loss and Alteration of Wetlands</i>) and Section 3.9.2.3.2 (<i>Direct Vegetation Damage and Soil Compaction</i>), because while disturbed, wetlands affected by ice pads and roads would still retain the characteristics (hydric soil, hydrophytic vegetation, wetland hydrology) necessary to meet the USACE definition of a wetland. There is no regulatory requirement for a Compensatory Mitigation Plan to be included in the EIS. Potential compensatory mitigation would be determined through the Section 404 permitting process.	N
864	276	Psarianos	Bridget	Trustees for Alaska	Wetlands and Vegetation	Table E.9.4 - Direct Loss by Watershed and Action Alternative includes % of Watershed that would be impacted from the proposed project for the Colville River Delta-Frontal Harrison Bay; Kalikpik River; Outlet Fish Creek; Outlet Judy Creek; Ublutuoch River. The % impacted is listed as <0.1 except for Outlet Judy Creek (0.1%) and Ublutuoch River (0.2%). Even though the impacts in each watershed may be small in comparison to the size of the watershed, the data presented is meaningless unless correlated to total impacts within the watershed cumulatively. And even so, these watersheds are enormous. . . . Impacts in this system, even if under 0.1% of the watershed could still have significant impacts to this productive and sensitive ecosystem. If the DEIS is claiming that impacts will be minor and mitigated by reclamation, abandonment and removal of the gravel infrastructure because so little of the watershed is being impacted, then the DEIS must provide discussion and rationale for this assertion based on current science, not some arbitrary numbers for huge watersheds encompassing hundreds to thousands of square miles.	The rationale for the conclusions are provided in Section 3.9.2.3.1, <i>Direct Loss and Alteration of Wetlands</i> .	N
864	313	Psarianos	Bridget	Trustees for Alaska	Wetlands and Vegetation	The DEIS states the following (page 79): “(s)ome loss of wetlands and vegetation would be unavoidable. The function associated with those wetlands would be irretrievably lost throughout the life of the Project until reclamation is complete. If reclamation did not occur, including the removal of gravel fill, the loss would be irreversible. The loss would not be irreversible if reclamation occurred, which would also prevent impacts to the long-term sustainability of wetland function in the fill footprint.” The DEIS does not justify nor substantiate these comments, nor does it discuss which functions could be impaired or lost and for how long. There is nothing presented that would validate BLM’s claim that if reclamation occurred, lost and impaired wetland functions	The section discusses unavoidable loss (permanent impacts), and the statement in Section 3.9.3 (<i>Unavoidable Adverse, Irretrievable, and Irreversible Effects</i>) is a summary of the preceding text; therefore, a discussion of specific functions is not necessary. Wetlands provide a wide array of functions (i.e., regulates water quality, removes pollutants/sediments, provides habitat), and all functions would be lost (i.e., for wetlands within the fill footprint) until reclamation activities occur. In response to the effect of reclamation on wetlands, the effect of reclamation on the ability of wetlands to return to areas where gravel fill has been removed is described in the introductory paragraph of Section 3.9 (<i>Wetlands</i>	N

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						would not be irreversible and the wetlands and their functions impacted by the project would rebound and impacts would not be long-term (in fact the DEIS states the opposite in Chapter 3, Section 3.9.1, page 72 where it states “(t)he existing infrastructure and development activities have altered some wetlands functions, contributed dust and sediment to wetlands, and increased the potential for spills entering wetlands”). BLM must provide detailed plans, examples of long-term sustainability of wetlands lost and damaged after decades, and why reclamation is adequate compensatory mitigation. A detailed reclamation plan must be submitted and approved for BLM to assert that this is compensation.	<i>and Vegetation</i>), citing two reports supporting this assertion. There is no regulatory requirement for compensatory mitigation to be included in the EIS. Potential compensatory mitigation would be determined through the Section 404 permitting process.	

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Willow Master Development Plan

Appendix B.3

Supplement to the Draft EIS Comments and BLM Responses

December 2022

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List of Acronyms

—	no data
AAQs	Alaska Ambient Air Quality Standards
ACP	Arctic Coastal Plain
ADF&G	Alaska Department of Fish and Game
ADNR	Alaska Department of Natural Resources
ANCSA	Alaska Native Claims Settlement Act
ANILCA	Alaska National Interest Lands Conservation Act
AQRV	air quality related value
AQTSD	Air Quality Technical Support Document
ASRC	Arctic Slope Regional Corporation
ASTAR	Arctic Strategic Transportation and Resources project
BA	biological assessment
BLM	Bureau of Land Management
BMP	best management practice
BT1	Bear Tooth drill site 1
BT2	Bear Tooth drill site 2

BT3	Bear Tooth drill site 3
BT4	Bear Tooth drill site 4
BT5	Bear Tooth drill site 5
CAH	Central Arctic Herd
CEQ	Council on Environmental Quality
cfs	cubic feet per second
CFWR	constructed freshwater reservoir
cm	centimeters
COVID-19	coronavirus disease 2019
CPAI	ConocoPhillips Alaska, Inc.
CRD	Colville River Delta
CRSA	Colville River Special Area
CWA	Clean Water Act
CWAT	Community Winter Access Trail
dB	decibels
DOI	Department of the Interior
DS2P	Kuparuk Drill Site 2P
EIS	Environmental Impact Statement
EPA	U.S. Environmental Protection Agency
ERoEI	energy returned on energy invested
ESA	Endangered Species Act
FLIR	forward-looking infrared
GHG	greenhouse gas
GIS	geographic information system
GMT-1	Greater Mooses Tooth 1
GMT-2	Greater Mooses Tooth 2
HIA	health impact assessment
IAP	Integrated Activity Plan
IPCC	Intergovernmental Panel on Climate Change
ITR	Incidental Take Regulation
km	kilometers
Kuukpik	Kuukpik Corporation
LOA	Letter of Authorization
m	meters
MDP	Master Development Plan
MI	miscible injectant
MMPA	Marine Mammal Protection Act
MTI	module transfer island
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
NPR-A	National Petroleum Reserve in Alaska
NPRPA	Naval Petroleum Reserves Production Act
NSB	North Slope Borough
NVN	Native Village of Nuiqsut
OCS	outer continental shelf
RFFAs	reasonably foreseeable future actions
ROD	Record of Decision
ROPs	required operating procedures
ROW	right-of-way
SBS	Southern Beaufort Sea (population of polar bears)
SDEIS	Supplement to the Draft EIS
SPMT	self-propelled module transporter
TCH	Teshekpuk Caribou Herd
TLSA	Teshekpuk Lake Special Area

UN	United Nations
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
WOUS	Waters of the United States

1.0 SUPPLEMENT TO THE DRAFT ENVIRONMENTAL IMPACT STATEMENT PUBLIC ENGAGEMENT PROCESS

The Willow MDP Supplement to the Draft EIS comment period began on March 20, 2020, with the publication of a Notice of Availability in the Federal Register. The comment period was open for 45 days ending on May 4, 2020. The public comment period for the Project was also announced via a BLM news release and the Bureau of Land Management's (BLM) Project website.

In April 2020, the BLM held eight virtual public meetings to receive comments on the Supplement to the Draft EIS. Because of State and local mandates regarding COVID-19 that restricted travel and in-person meetings, BLM delivered virtual meetings to reach audiences across the State. Two of the virtual public meetings gave priority to North Slope residents and two meetings gave priority to Nuiqsut residents. The meetings included public hearings for comments regarding the Project's potential impact to subsistence resources and activities as per the Alaska National Interest Lands Conservation Act (ANILCA) Section 810. All meetings were also accessible by phone. A copy of the presentation was translated into Iñupiaq and aired 6 times on KBRW radio, which broadcasts to the North Slope communities of Barrow, Point Hope, Point Lay, Wainwright, Atkasuk, Nuiqsut, Prudhoe Bay, and Kaktovik. Hard copies of the presentation were sent to post office boxes in Nuiqsut and to entities in communities that were open to receive packages during the COVID-19 restrictions, such as city or tribal offices. Details concerning dates, times, and locations of the meetings were announced through local news media, newspapers, radio, email, and the Alaska BLM Project website. Verbal comments given at public meetings and the public hearing were documented in formal transcripts for each individual meeting.

The presentation used during public meetings, transcripts of each meeting, comment received during the public comment period, and a comment summary report are available on the BLM Willow MDP ePlanning website: <https://eplanning.blm.gov/eplanning-ui/project/109410/510>.

BLM received written comments by mail, fax, email, online comment form via ePlanning, and verbal testimony at public meetings. BLM received a total of 31,015 submissions during the Supplement to Draft EIS public comment period. Of the submissions, 456 were unique (i.e., original submissions that did not have identical or almost identical wording as another submission); 98% of the submittals received were part of organized letter writing campaigns.

The BLM will not issue its decision on the Project until at least 30 days after the Notice of Availability of the Final EIS is published in the Federal Register.

2.0 COMMENT ANALYSIS

The BLM received a total of 31,015 submissions during the public comment period. (A submission is defined as a single email, letter, webform submission, or speaker in written transcripts.) These were received via email, online, or mailed-in letters, or comments submitted verbally at public meetings. Of the submissions, 456 were unique (i.e., original submissions that did not have identical or almost identical wording as another submission) with the remainder submitted as “form” (i.e., submissions containing identical content) or form submissions with slight modifications (e.g., one or two unique sentences added, but otherwise identical to a form) or unique comment submissions (i.e., original submissions that did not have identical or almost identical wording as another submission). The form submissions all originated from a total of five unique form masters, some of which shared overlapping phrases or bullet points.

Not all respondents noted if they were affiliated with an organization or were providing comments as an individual. Of those that indicated an affiliation, nearly all respondents were individuals. Tribes/tribal corporations, organizations, and governmental agencies (or personnel that commented and provided this information) are shown in Table B.3.1. The Center for Biological Diversity submitted one comment letter with 25,499 individual submissions from their members. Each of these were broken out and included in the submissions count discussed above. Alaska Wilderness League submitted one letter with 4,311 signatures from their members; these were also included in the submissions count discussed above. Individuals who provided their business title or employer information in their letter or testimony but did not state that they were an official representative were counted as individuals, not businesses or organizations.

Table B.3.1. Respondent Group Types

Respondent Group Type	Respondent Title	Respondent Title (continued)
Tribes/tribal corporations	Arctic Slope Regional Corporation ASRC Energy Services, LLC Doyon, Limited	Native Village of Nuiqsut Tribal Council Kuukpiik Corporation
Businesses and Organizations	Alaska Crane Ltd. Alaska District Council of Laborers Alaska Eskimo Whaling Commission Alaska Oil and Gas Association Alaska Petroleum Joint Crafts Council Alaska Wilderness League (and members) Anchorage Chamber of Commerce Associated General Contractors of Alaska Associated General Contractors of Alaska Center for Biological Diversity (and members) ConocoPhillips Alaska	Flowline Alaska, Inc. Greater Fairbanks Chamber of Commerce Greenberry International Union of Operating Engineers LIUNA Lynden N C Machinery Inc Natural Resources Defense Council Northern Alaska Environmental Center Petrotechnical Resources of Alaska, LLC Resource Development Council for Alaska, Inc. STG Inc. Trustees for Alaska Udelhoven Oilfield Systems Services, Inc.
Government agencies and government officials	North Slope Borough State of Alaska Alaska State Legislature US Environmental Protection Agency	Alan Lowenthal, Member of Congress Deb Haaland, Member of Congress Jared Huffman, Member of Congress Raul M. Grijalva, Member of Congress Ruben Gallego, Member of Congress

Within each comment letter or verbal transcript, individual comments (i.e., stand-alone comments that relate to a single issue, idea, or conclusion) were identified and grouped into one or more of the categories listed in Table B.3.2. Comment categories are either defined by individual resources that may be affected by the Project, individual elements of the Project, or specific phases and aspects of the EIS or NEPA process (Table B.3.2). Categories are intended to describe the main topic or resource that is discussed in the comment, regardless of whether the comment is expressing opposition or support for the Project as it relates to that topic. Any comments identified within form letters were categorized only once and counted as a single comment no matter how many form letters with that same comment were submitted.

Table B.3.2. Substantive Comment Categories

Resource Topics	Project Element Topics	EIS or NEPA Process Topics
Air quality Birds Climate change Environmental justice Fish General economics Land ownership and use Marine mammals Noise Public health Soils and permafrost Spills Subsistence and ANILCA Section 810 analysis Terrestrial wildlife Visual resources Water resources Wetlands and vegetation	Avoidance, minimization, and mitigation National Petroleum Reserve in Alaska Integrated Activity Plan Project description	Alternatives development process Cumulative effects Draft EIS comments EIS process or timeline Permitting Purpose and need Request for comment period extension Request for new alternative Request for new analysis Stakeholder engagement process

Note: Not all categories were used in coding and are therefore not summarized below. ANILCA (Alaska National Interest Lands Conservation Act); EIS (environmental impact statement); NEPA (National Environmental Policy Act).

Although the BLM diligently considered each comment letter, the comment analysis process involved determining if a comment was substantive or non-substantive. In performing this analysis, BLM relied on Section 6.9.2, *Comments*, in the BLM NEPA Handbook H-1790-1 (2008) to determine what constituted a substantive comment. All substantive comments will be responded to in this report.

Substantive comments do one or more of the following:

- Question, with reasonable basis, the accuracy of information in the EIS or environmental assessment (EA)
- Question, with reasonable basis, the adequacy of, methodology for, or assumptions used for the environmental analysis
- Present new information relevant to the analysis
- Present reasonable alternatives other than those analyzed in the EIS or EA
- Cause changes or revisions in one or more of the alternatives

Additionally, the BLM's NEPA handbook identifies the following types of substantive comments:

- **Comments on the Adequacy of the Analysis**—Comments that express a professional disagreement with the conclusions of the analysis or assert that the analysis is inadequate are considered substantive; they may or may not lead to changes in the Final EIS. Interpretations of analyses should be based on professional expertise. Where there is disagreement within a professional discipline, a careful review of the various interpretations is warranted. In some cases, public comments may necessitate a reevaluation of analytical conclusions. If, after reevaluation, the BLM Authorized Officer responsible for preparing the EIS does not think that a change is warranted, the response should provide the rationale for that conclusion.
- **Comments That Identify New Impacts, Alternatives, or Mitigation Measures**—Public comments on a Draft EIS that identify impacts, alternatives, or mitigation measures that the draft did not address are considered substantive. This type of comment requires the BLM Authorized Officer to determine if it warrants further consideration; if so, he or she must determine if the new impacts, new alternatives, or new mitigation measures should be analyzed in the Final EIS, in a supplement to the Draft EIS, or in a completely revised and recirculated Draft EIS.
- **Disagreements with Significance Determinations**—Comments that directly or indirectly question, with a reasonable basis, determinations on the severity of impacts are considered substantive. A reevaluation of these determinations may be warranted and may lead to changes in the Final EIS. If, after reevaluation, the BLM Authorized Officer does not think that a change is warranted, the BLM's response should provide the rationale for that conclusion.

Comments that are not considered substantive include the following:

- Comments in favor of or against the proposed action or alternatives without reasoning that meet the criteria listed above (such as “we disagree with Alternative Two and believe the BLM should select Alternative Three”)
- Comments that only agree or disagree with BLM policy or resource decisions without justification or supporting data that meet the criteria listed above (such as “more grazing should be permitted”)
- Comments that don’t pertain to the project area or the project (such as “the government should eliminate all dams,” when the project is about a grazing permit)
- Comments that take the form of vague, open-ended questions

In response to substantive comments, the BLM could do the following:

- Modify alternatives including the proposed action
- Develop and evaluate alternatives not previously given detailed consideration by the agency
- Supplement, improve, or modify its analyses
- Make factual corrections
- Explain why the comments do not warrant further agency response, citing appropriate sources or authorities

Comments that merely express an opinion for or against the Project were not identified as requiring a response because they meet the BLM NEPA handbook definition for a non-substantive comment. Many comments received throughout the comment analysis process expressed personal opinions or preferences, had little relevance to the adequacy or accuracy of the Draft EIS, or represented commentary on management actions that are outside the scope of the EIS. These commenters did not provide specific information to assist the BLM in making a change to the existing action alternatives, did not suggest new alternatives, and did not take issue with methods used in the Draft EIS; the BLM did not address these comments further in this document.

The BLM read, analyzed, and considered all comments of a personal or philosophical nature and all opinions, feelings, and preferences for one element or one alternative over another. Because such comments were not substantive, the BLM did not respond to them. It is also important to note that, while the BLM reviewed and considered all comments, none were counted as votes. The NEPA public comment period is neither an election nor does it result in a representative sampling of the population. Therefore, public comments are not appropriate to be used as a democratic decision-making tool or as a scientific sampling mechanism.

Within the 456 unique submissions, 532 substantive comments were identified. There were 28 comments that asked to extend the comment period, 54 comments that expressed support for how the BLM conducted stakeholder engagement, and 122 comments that expressed concern for how BLM conducted stakeholder engagement. Chapter 3.0, *Substantive Comment Summary*, provides a summary of the substantive comments received by comment category. Chapter 4.0, *Substantive Comments and Responses*, identifies the substantive comments received on the Draft EIS and provides BLM’s response. Subject matter experts reviewed comments that recommended additional studies, data, or scientific literature to be incorporated into the analysis; new information and citations were incorporated into the Final EIS as appropriate.

3.0 SUBSTANTIVE COMMENT SUMMARY

3.1 Air Quality

Commenters requested additional detailed analysis and mitigation for the proposed project's impact on air quality. Commenters request that air quality be addressed in terms of individual and cumulative impact, specifically citing the cumulative impacts of the proposed project with existing oil field projects. To adequately assess air quality impacts, commenters requested an updated independent baseline study of air quality be completed for the Nuiqsut area.

Concerns were raised that the SDEIS does not analyze air quality and greenhouse gas emissions associated with key project components sufficiently because emissions are being remodeled and will be included in the Final EIS. Commenters requested that the revised modeling consider all of the proposed project updates and modifications, not only those analyzed in the SDEIS. Commenters are concerned that the public would lack an opportunity to review or provide comments during the public comment period, especially if the new analysis results in substantial changes.

Commenters expressed concerns about the air quality analysis in the SDEIS. They cited concerns the revised project description by ConocoPhillips is not expected to substantially change air quality, despite failing to provide an assessment of how the level, type, and location of emissions could change from the analysis concerned in the Draft EIS. Commenters requested that the SDEIS update its air quality analysis to include the new module delivery option as these changes will change the projects impacts on air quality. Commenters repeated concerns from the Draft EIS including technical questions about the scientific accuracy of air quality monitoring and requested that BLM should explain whether these deficiencies are being addressed as part of the remodeling efforts as the original modeling underestimated air quality impacts.

Commenters expressed concern that the revised Project components would change the level and location of emissions associated with the Project and shift the air quality impacts closer to Nuiqsut. Commenters questioned why the shift of GMT-2 production would not substantially change the air quality analysis and requested that the modeling incorporate that shift and that the revised design information be clarified and incorporated into the air quality modeling.

3.2 Alternatives Development Process

Commenters noted that the Draft EIS and SDEIS differ in their conclusions on the feasibility of an ice road river crossing alternative. In addition, commenters requested technical clarifications to the alternatives descriptions in the SDEIS.

3.3 Avoidance, Minimization, and Mitigation

Commenters requested that the BLM include a mitigation plan for wetland impacts, including compensatory mitigation and mitigation as will be required by the Section 404 CWA permit. Commenters also requested that BLM consider how wetland mitigation may benefit Nuiqsut residents. Commenters requested additional mitigation measures for impacts to surface water resources, including a request for an adaptive surface water management plan.

In addition, commenters stated the following concerns:

- The SDEIS failed to account for the NRP-A Regional Mitigation Strategy.
- The SDEIS does not clearly state how the proposed mitigation measures would reduce impacts associated with the ice bridge and boat ramps.
- The mitigation measures presented in the SDEIS are inadequate because the SDEIS fails to take into account public comments on the Draft EIS mitigation measures.
- The mitigation measures identified for birds are inadequate.

Commenters also requested specific technical edits and clarifications to mitigation measures.

3.4 Birds

Commenters stated the SDEIS omitted Golden Eagles in the bird analysis. Commenters requested additional research and requested the inclusion of detailed analysis of each project alternative. Commenters also provided information and studies to be included and incorporated into the revised analysis.

Commenters reiterated comments and concerns about the analysis in the Draft EIS stating data presentation is incomplete and the SDEIS lacks meaningful analysis of impacts to birds and their habitat. Commenters stated that presentation of bird habitat use in the SDEIS is not useful for analysis and does not provide meaningful information about the impacts to birds. Commenters stated the SDEIS must analyze impacts and compare impacts across all alternatives. Commenters specifically call out the proposed boat ramp and analysis of Option 3 and stated that impacts to birds are not fully analyzed. Commenters requested the level of probable use be modeled and studied or the SDEIS should utilize a similar situation as a proxy for its analysis.

Commenters stated the impacts to bird habitats from the Constructed Freshwater Reservoir are not well explained or analyzed. Commenters requested a clarification on which waterbirds would benefit from habitat gained from the reservoir as stated in the SDEIS because fish would be prevented from entering the reservoir.

Commenters requested that acres of different habitat types lost or altered be included in the Final EIS to calculate the total wetlands lost for compensatory mitigation and that compensatory mitigation measures be included.

Commenters requested clarification to the differences in species-specific effects due to different species densities at Oliktok Point versus Atigaru Point or Point Lonely stating it is unclear which species are variable between the locations, if this is referring to disparate effects, or whether the differences in species-specific effects are due to different densities or differences in activities.

Commenters requested additional explanation and support for the statement in the SDEIS that Option 3 would result in less habitat loss from gravel fill, as there is no explanation how this would impact different species of birds in different ways and locations.

Commenters requested additional analysis, clarifications, and citations regarding the impacts of ice roads associated with the different alternatives on wintering birds. Commenters stated that the SDEIS fails to adequately analyze impacts to special status species, including migratory birds. Commenters noted that the analysis focuses on gravel infrastructure and activity and fails to analyze the impact of ice roads from altered vegetation and hydrology changes on habitat. Commenters requested additional detailed analysis on the potential impacts from the three new project components in terms of impacts to habitats, species, disturbance, displacement, injury and mortality and seasonal impacts.

Commenters are concerned the SDEIS does not adequately analyze cumulative impact to birds by failing to consider additional project infrastructure and their compounding effects, other North Slope infrastructure, and ongoing IAP revisions.

Commenters also requested specific technical edits and clarifications to this section.

3.5 Climate Change

Commenters raised concerns that the analysis in the SDEIS did not adequately address how climate change has the potential to impact the Project and the resources in the Project area.

Commenters stated that the SDEIS analysis did not address Draft EIS comments on climate change requested additional analysis. Commenters noted the SDEIS is inadequate for failing to include project emissions of black carbon and greenhouse gas emissions, including requesting additional analysis. Commenters further stated that the greenhouse gas emission estimates are unsupported and inaccurate because the SDEIS failed to disclose key assumptions and data or used faulty assumptions/inputs in its models.

Commenters stated that SDEIS fails to account for subsurface marine and methane deposits.

Commenters expressed concerns about the analysis of key project components and their associated greenhouse gas contributions and air quality analysis. Commenters are concerned about their lack of ability to review the analysis and provide public comments.

Commenters raised concerns that the BLM did not include a discussion of the economic costs of greenhouse gas emissions from the Project.

Commenters raised concerns that the SDEIS did not adequately consider the effects of climate change and how that would affect transporting large equipment via ice roads.

Commenters raised concerns that the SDEIS did not analyze the cumulative impact of climate change on oil development in the Arctic and the oil and gas burned over the life of these project.

3.6 Cumulative Effects

Commenters stated that the cumulative effects analysis does not adequately take into consideration other developments occurring across the arctic, including previous oil and gas development, future proposed projects, and BLM's plans for expanding oil and gas leasing. Additionally, there were comments that stated the cumulative analysis does not adequately consider the full range of alternatives in the Integrated Additivity Plan (IAP) EIS and the likely environmental impacts of those alternatives.

Commenters stated that the analytical framework for the cumulative analysis in the SDEIS is flawed and has the effect of minimizing the project's total cumulative effects. Comments note that the list of reasonably foreseeable future action and potentially affected resources was improperly narrowed in the SDEIS. Commenters stated the cursory discussion of reasonably foreseeable future actions and cumulative impacts in the Draft EIS and SDEIS is not comprehensive enough to allow for meaningful analysis of cumulative impacts. Commenters additionally stated that the SDEIS cumulative impacts analysis is flawed because it fails to account for similar cumulative impact analysis comments provided on the Draft EIS.

Commenters requested revisions and clarifications to the list of reasonably foreseeable future actions and a revised cumulative effects analysis that is reflective of the revised list.

Comments questioned the inclusion of the IAP Alternative D as a reasonably foreseeable future action prior to the BLM selecting a preferred IAP alternative. Commenters requested that the BLM update the analysis once an alternative is selected, or that BLM take a more resonated approach to analyzing the IAP's alternative scenarios.

3.7 Draft Environmental Impact Statement

Comments were received on the Draft EIS during the comment period for the Supplement to the Draft EIS. These comments expressed concerns about effects to the Colville River delta, marine habitats, polar bear critical habitat, and air quality.

3.8 Environmental Impact Statement Process or Timeline

Commenters requested that the BLM consult with Alaska Native corporations pursuant to federal executive orders, laws and regulations, and Department of Interior policies.

Commenters stated that it was appropriate for the BLM to prepare a SDEIS that analyzes the substantive changes to the proposed action.

3.9 Environmental Justice

Commenters recommended that mitigation should be included to ensure that environmental justice impacts to subsistence, public health, and sociocultural systems are reduced and advocated for the continued engagement with affected environmental justice communities.

3.10 Fish

Commenters stated that the SDEIS analysis of fish impacts is inadequate because it failed to provide information of how the potential impacts from the new elements exacerbate or combine with impacts analyzed in the Draft EIS. Commenters noted that the SDEIS treats the new project elements as occurring in isolation from other oil and gas infrastructure, thereby failing to analyze whether the potential impacts from the construction and/or operation of the reservoir and other project components are additive to one another or how they otherwise intersect. Commenters expressed concerns that the SDEIS does not address inadequacies found in the Draft EIS in addressing potential impacts to fish injury, mortality, or habitat.

Commenters requested that the SDEIS include additional detail about which fish would be impacted from changes to habitat due to the location of crossings in overwintering fish habitat which may impeded movement of fish. Commenters also requested that the impact of water withdrawals as a part of crossing design be analyzed.

Commenters requested additional detail on how crossing sites may change due to bathymetric conditions and flow and seasonal conditions and weather events within the large watershed and how this would be managed prior to construction, during construction, during operations and after operations. Commenters requested that the BLM revisit the issue of fish being diagnosed with saprolegnia fungi to see if there was a spike in contaminations back in 2005 due to the construction of ice roads in the area for development and winter exploration. Commenters

requested that the revised SDEIS include approximate temperatures and address the prevent of supercooling of freshwater fish from freezing. Commenters questioned how monitoring of fish would occur during supercooling.

Commenters stated that BLM failed to thoroughly address impacts to fish and hydrology from the construction of the freshwater reservoir by noting in the SDEIS that the reservoir would not result in effects to fish different from the Draft EIS, stating that water levels would remain unchanged.

Commenters recommended the FEIS provide additional detail on how data on fish presence at the proposed Colville River crossing site will be collected to address the lack of baseline data on discharge and fish use, as well as discuss the potential for fish eggs to be in the gravel or fish to be in pools within the footprint of the ice bridge. Commenters also noted that the FEIS should provide additional information about fish species that may need to be transported around the ice bridge and how this would be done.

Commenters requested technical edits and revisions to clarify information in this section.

3.11 General Economics

Commenters requested the SDEIS address the current economic situation with lower oil and gas prices and reduced demand for transportation fuels and how this could impact the viability of the Willow MDP.

Commenters noted the economic significance of the project to ANCs and the local community benefits to communities and subsistence culture. They note the production from Willow would be critical for the TAPs operation and these regional benefits from the NPR-A Fund should be fully considered in the analysis. clarification about NPR-A grant funds.

Commenters questioned the economic benefits of this proposal considering the public and environmental costs associated with its development.

3.12 Land Ownership and Use

Commenter stated the SDEIS repeated Draft EIS's omissions and errors concerning landownership and use which mischaracterized impacts to this resource and failed to include impacts to Teshekpuk Lake Special Area's recreation and wilderness values. Commenter requested technical edits to this section.

Commenters requested technical edits to this section.

3.13 Marine Mammals

Commenters raised concerns that the SDEIS failed to explain how the BLM will comply with the Endangered Species Act (ESA) and Marine Mammal Protection Act (MMPA) and requested this be explained in the Final EIS.

Commenters expressed concerns that the SDEIS underestimates impacts to polar bears and other marine mammals. Commenters stated the SDEIS fails to acknowledge risks to polar bears from habitat and noise disturbances associated with Option 3 and impacts to barrier island critical habitat from the construction and use of reservoir and boat ramps. Commenters also requested mitigation to minimize these impacts.

Commenters noted that the cumulative impact analysis overlooks the regional significance of RFFA oil and gas development on polar bear critical habitat. Commenters requested that cumulative impacts from other environmental stressors be accurately assessed and recommended mitigation be included. Commenters specifically requested that the BLM estimate additional induced mortality due to increased access to polar bear habitat from the Willow Project and RFFAs.

Commenters expressed concerned that the SDEIS fails to analyze the impacts of new project components on marine mammals. Commenters noted that the SDEIS provided no new injury or mortality analysis or analysis of potential population-level impacts. Specifically, comments stated that the SDEIS failed to analyze potential impacts of new project elements to denning and non-denning members the Southern Beaufort Sea (SBS) population of polar bears. Commenters noted that the SDEIS provides no information on how the number of dens in the analysis area were identified.

Commenters requested that the BLM quantify increases in vessel traffic for each proposed alternative and assess to assess the likelihood of increased vessel strikes. Commenters expressed concerns that the analysis in the SDEIS

fails to analyze other marine mammals, including beluga and bowhead whales. Commenters noted concerns about the impacts of marine vessel traffic and barges, noise, and the socioeconomic importance of whaling.

Commenters expressed concerns with the analysis of impacts to bears from the reservoir and boat ramps. Commenters recommended that BLM should estimate induced uses of the reservoir and boat ramps and use a two mile radius around those public uses involving skiffs or other motorized access to delineate the disturbance zone for non-denning bears.

Commenters expressed concerns that comments on the Draft EIS regarding marine mammals were not addressed in the SDEIS.

Commenters requested technical edits and revisions to this section. In particular commenters noted errors and requested revisions in the habitat disturbance buffer for polar bears.

3.14 National Petroleum Reserve in Alaska Integrated Activity Plan

Commenters stated that the BLM should not be permitting this project while simultaneously revising the Integrated Activity Plan (IAP). Specifically, commenters note that the IAP will include revised mitigation measures that BLM should consider applying to this project. Commenters requested technical clarifications on the applicability of the IAP lease stipulations and best management practices to the proposed project.

3.15 Noise

Commenters noted technical flaws in the noise analysis and requested technical revisions.

3.16 Permitting

Commenters stated that the BLM proceeding with the SDEIS was inappropriate since a “valid” permit application under Section 404 of the CWA has not been submitted to the USACE and that the SDEIS did not provide the information or analysis necessary for the USACE to comply with the CWA. Commenters also note that mitigations associated with the Section 404 permit are unknown and therefore cannot be adequately commented on by the public.

Commenters requested that the BLM delay permitting the project for several reasons, including the potential for cumulative effects from development on local communities, uncertainty around BLM’s revisions to the IAP, and uncertainty around oil process due to the global pandemic. A five-year delay in permitting was requested.

3.17 Project Description

Commenters requested additional information be provide that specifically details the location of all proposed project components and their construction methods. Additional details were primarily request for the location of boat ramps and engineering details for the boat ramps and river crossing, including details related to water flow and fish passage. Commenters noted that this requested project description information is needed to fully inform the effects analysis and public disclosure.

Commenters also requested specific technical edits and clarifications to the applicant’s proposed project components.

3.18 Public Health

Commenters expressed concerns about public health impacts to vulnerable and indigenous communities from proximity to extractive industries. They requested inclusion of analysis on public health concerns such as respiratory illness from air pollution and expressed concerns about the well-being of indigenous and local communities.

Commenters raised concerns about how project impacts to air, water, food, and wildlife would affect public health from contamination, mentioning that community members already are seeing signs of sick or contaminated fish. Commenter requests additional analysis in the SDEIS of the direct impact and cumulative impact of environmental contamination. Commenters raised concerns about respiratory illnesses and asthma rates.

Commenters raised criticisms of the SDEIS similar to those raised for the Draft EIS in that it failed to include a health impact assessment and questioned the lack of the baseline health data. Commenters would like to see protocols implemented to prevent emerging health impacts from oil and gas development and requested 24-hour air quality monitoring with real time instrumentation.

3.19 Request for Comment Period Extension or New Public Hearing

Commenters requested a comment period extension, comment period pause, additional opportunities for providing public testimony, and/or in-person public hearings, additional public outreach after the comment period ends and additional in-person participation for locally affected residents, including Nuiqsut and other North Slope residents. Commenters stated that the timing of the meetings did not allow for meaningful engagement because the public, including residents of Nuiqsut and other potentially affected communities, were occupied with health concerns during the COVID-19 pandemic.

3.20 Request for More Detail

Commenters requested more detail on the design and location of the boat ramps, more detail on the design of the Colville River crossing near Ocean Point, including measures for maintaining water flow and fish passage.

Commenters stated that the SDEIS does not adequately present, in narrative form, all the benefits of Option 3 and requested that further details be added.

3.21 Request for New Alternative

Commenters requested that the BLM consider the alternative options suggested during the Draft EIS public comment period, including such options as restrictions on infrastructure in special areas, seasonal drilling, and roadless options. Additionally, there were requests that the BLM consider an alternative gravel road segment from Alpine to GMT-2.

3.22 Request for New Analysis

Commenters made the following requests for analysis:

- A new supplemental analysis that accounts for the changes in oil prices and economic conditions in light of current public health events.
- That traditional knowledge be incorporated throughout the analysis, including in the assessment of impacts and consideration of mitigation measures.
- That the BLM present a comparative analysis of all module delivery options in a single document.
- New analysis of the impact of injections on hydrological and biological resources as well as climate change.

Requests for new analysis stated that:

- The SDEIS arbitrarily focuses on certain proposed action changes and potentially affected resources, despite broader proposed action changes that may warrant additional detailed analysis. Commenters requested comprehensive analysis of all proposed action changes for all resources potentially affected.
- The BLM failed to take a hard look at impacts of the proposed project because analysis relies on applicant-provided baseline data.
- That the SDEIS inadequately discloses potentially significant impacts because the SDEIS analysis does not incorporate updates made to the Draft EIS in response to public comments.

3.23 Soils and Permafrost

Commenters expressed concerns that the SDEIS continued the Draft EIS' flawed analysis of potentially significant impacts to this resource by failing to analyze the impacts of the added project components in a systematic fashion in addition to limiting the scope of the analysis and cross-referencing the Draft EIS analysis.

Commenters are concerned that the SDEIS omits analysis regarding how impacts could intersect with the changes in permafrost caused by climate change and requested additional detail to support the design of the constructed freshwater reservoir to minimize thermal impacts.

Commenters also requested specific technical edits and clarifications to this section.

3.24 Spills

Commenters requested that the BLM clarify that spill risk would be reduced under Option 3.

Commenters are concerned that spills or accidents will be magnified due to the remote location of the project and that existing laws for spills would not be enforced due to the public health pandemic.

Commenters stated that the SDEIS's reliance on the current National Contingency Plan is inadequate because the plan has not been recently updated.

3.25 Stakeholder Engagement Process

Commenters expressed concern regarding the use of the virtual meeting platform for public meetings.

Commenters felt the platform did not allow members of the public without internet access to meaningfully engage in the EIS process. Commenters stated that the agency did not allow enough time and space for questions, that it was not clear how many and which BLM personnel were participating, and that many participants experienced technical difficulties that may have prevented them from testifying and engaging.

Commenters expressed support for the virtual meeting platform for public meetings. Commenters felt the platform allowed for meaningful engagement while meeting state and federal requirements to avoid in-person meetings during the COVID-19 pandemic. Commenters stated that the platform allowed people from across the state to participate and indeed increased meeting participation, that the platform was easy to use, and that the meetings were well moderated and easy to follow.

3.26 Subsistence and Alaska National Interest Lands Conservation Act Section 810 Analysis

Commenters expressed concerns that the BLM failed to address subsistence concerns raised in comments on the Draft EIS and stated that the SDEIS failed to integrate community feedback on subsistence.

Commenters expressed many concerns about impacts to subsistence regarding food security and overall risk to communities that rely on subsistence activities and fishing. Commenters also noted concerns about contaminants that are being consumed by fish and caribou and suggested that the Native Village of Nuiqsut perform studies on subsistence. Commenters are especially concerned the reliance on Teshekpuk Caribou Herd for subsistence and threats to the traditional lifestyle of these communities.

Commenters expressed concern that the analysis in the SDEIS fails to disclose significant effects from project changes by failing to address uncertainty and potentially significant effects to subsistence from the Colville River Crossing ice bridge, the new module delivery option ice road. Commenters also requested the BLM present the subsistence impacts from the module delivery options in comparative form.

Commenters stated that the SDEIS failed to analyze impacts to furbearers and furbearer harvesting.

Commenters are concerned the project would serve as an impediment to caribou and affect the availability of subsistence harvest. Commenters expressed concerns that the SDEIS did not meaningfully analyze impacts to subsistence by failing to provide detailed effects on caribou, analyze the potential impact of freshwater reservoir to subsistence, how any of the three new components may have population-level effects on subsistence species, and analyze impacts to fish from construction of a new gravel mine near Nuiqsut. Commenters recommended that the comparison of Option 3 against other module delivery options be included in the Final EIS, as this would impact both the Central Arctic Herd and the Teshekpuk Caribou Herds.

Commenters expressed many concerns about mitigation of subsistence impacts. Commenters stated that the BLM failed to include meaningful mitigation measures for subsistence. Commenters encouraged the BLM to issue mitigation measures to help the caribou movement and to address the concerns of the community about subsistence harvest. Commenters recommended the BLM consider restrictions on both vehicles and aircraft during critical times of caribou movement and bird nesting periods. Commenters recommended residents be allowed access to additional project roads for subsistence. Commenters also support the construction vehicle pull out pads and boat ramps to mitigate against project related impacts and recommended local input be gathered to identify the best locations and designs for subsistence.

Commenters expressed support for the Project stating that Nuiqsut residents would have access to Project infrastructure for subsistence purposes, which would result in the following ancillary benefits: reduced air travel, improved emergency response, and improved safety and community access for movement, subsistence and recreational activities. Commenters noted existing subsistence infrastructure was designed with local input and this should be continued to provide desired results for the community in the form of subsistence enhancements.

Commenters expressed concerns about cumulative impacts to caribou herd populations and subsistence. Commenters noted that these potential long-term impacts of the Willow Project and development around

Teshkepuk Lake Area on subsistence resources are not accounted for in the cumulative analysis and need to be analyzed in the Final EIS.

Commenters requested technical edits, clarifications, and revisions to improve the subsistence analysis. Commenters also noted areas where BLM should revise the Final EIS so it is consistent with other NEPA documents.

Commenters requested the subsistence analysis be revised to account for seasonality in ice road use and subsistence activities, particularly in clarifying the description of seasonal project activities that minimize impacts on subsistence activities.

Commenters stated that the ANICLA Section 810 Analysis does not account for cumulative effects on subsistence. Specific concerns include cumulative effects on fish harvests and inadequacy of baseline data. Additionally, commenters are concerned with the cumulative analysis reliance on alternatives contained in the IAP Draft EIS. Commenters stated that there are flaws in the cumulative effect's analysis conclusions in the SDEIS ANICLA Section 810 Analysis regarding the project's subsistence effects on communities that are far removed from the project area and the effects of the IAP.

Commenters are concerned that the BLM will not consider the conclusion of the ANICLA Section 810 Analysis and impacts to subsistence in the decision-making process.

Commenters are concerned with BLM's procedural noticing of the ANILCA Section 810 Analysis in the Federal Register.

Commenters requested several technical edits and clarifications to the ANILCA Section 810 Analysis.

3.27 Terrestrial Wildlife

Commenters expressed concerns regarding impacts of air and road traffic on caribou (e.g., deflection, migration diversions, and tradeoffs between road and air impacts) and effectiveness of proposed mitigation. Commenters stated the SDEIS failed to include this level of detail and requested that BLM and the Applicant mitigate impacts to caribou through vehicle restrictions and limiting the number of flights to limit caribou disturbance.

Commenters noted the SDEIS fails to address impacts of climate change on Arctic species and ecosystems.

Commenters expressed concerns that the SDEIS needs to consider alternatives that are protective of sensitive resources and include additional analysis to protect wildlife and wetland ecosystems, including the Colville River and Teshkepuk Lake Special Area.

Commenters requested the analysis for caribou and wildlife consider the direct, indirect, and cumulative impacts on ecology, hydrology, vegetation, and wildlife of affected areas. Commenters believe these impacts have been minimized in the Draft EIS and SDEIS and that the impacts of the Project components on these resources should not be considered in isolation.

Commenters expressed concerns that the SDEIS failed to incorporate comments on caribou and wildlife made in the Draft EIS. Examples include the analysis area used for terrestrial mammals is too small and should be expanded to capture the full area of potential impacts. Commenters specifically disputed the use of a 3.7-mile buffer from active roads and pads and requested review of additional literature. Commenters questioned the effectiveness of aircraft restrictions for protecting caribou.

Commenters expressed concern that the SDEIS failed to include analysis impacts of the Project on wildlife species other than caribou.

Commenters expressed concern over impacts of Option 3 on caribou, especially regarding overwintering impacts. Commenters requested that the SDEIS be revised and clarified to analyze impacts on caribou displacement, disturbance, and forage. Commenters stated that the SDEIS downplays these impacts by incorrectly assuming all impacts would be limited to winter. Commenters also requested additional analysis of winter activity associated with Option 3 and its potential impacts on caribou (e.g., taking caribou's winter energy balance into account). Commenters specifically noted the SDEIS fails to address impacts of ice roads on caribou.

Commenters expressed concerns regarding caribou calving density data and analysis and requested that this be revised and clarified for consistency and accuracy. Commenters noted the implications of this data in the ANICLA 810 analysis and implications on the abundance of caribou available for subsistence use.

Commenters requested technical edits and revisions to this section to improve the analysis and fix consistency issues.

3.28 Visual Resources

Commenters requested technical edits to this section.

3.29 Water Resources

Commenters noted several different types of potential impacts to waterways and aquatic species that they state have not adequately been evaluated in the SDEIS.

Commenters requested more information on surface water flows of Willow Creek 3 and impacts to these flows from the construction freshwater reservoir.

Commenters requested additional information and analysis on the potential for needing water management and fish passage during construction and use of the proposed ice bridge, including the effects of such management actions on water resources and fish. Commenters also requested an evaluation of potential alternative measures that may be implemented to address these management concerns. Commenters requested that existing baseline data and local knowledge be incorporated in the planning of the ice bridge abandonment to reduce potential environmental impacts.

Commenters requested additional analysis of boat ramp floodplain impacts that were not previously analyzed in the Draft EIS and requests consideration of mitigation measures for those effects.

Commenters stated that the water resources analysis of impacts associated with the Colville River crossing ice bridge is inadequate due to a lack of baseline data on ice flows and uncertainties regarding design of the crossing. Commenters stated that the BLM has not adequately attempted to obtain the necessary baseline data or resolve uncertainties. Commenters also provide suggestions for alternative modeling of baseline flow at the crossing location.

Commenters requested that existing baseline data on ice jams and annual ice-break up for the Colville River delta be incorporated into the analysis. Commenters requested that the BLM further describe the likelihood of water resource impacts to occur from gravel infrastructure.

Commenters requested several technical edits or clarifications to the SDEIS water resources analysis.

3.30 Wetlands and Vegetation

Commenters expressed concerns about the use of the impervious cover model to predict watershed degradation due to wetland losses. Commenters recommended the EIS include analysis of impacts to aquatic resource functions and values at site-specific scale, which can also be used to inform appropriate mitigation.

Commenters requested miscellaneous editorial revisions throughout the wetlands and vegetation chapter.

4.0 SUBSTANTIVE COMMENTS AND RESPONSES

4.1 How to Read This Volume

The BLM assigned a letter number to every unique communication received during the Draft EIS public comment period. The following tables contain all substantive comments with the BLM's responses; they are organized by the comment topic (or code). Commenter names and applicable organization or agency are provided for letter submissions. Complete transcripts of public meetings and copies of all comment letters are available on the BLM's ePlanning website: <https://eplanning.blm.gov/eplanning-ui/project/109410/510>.

4.2 Comments and Responses

There were 150 substantive comments on 2 comment themes that are responded to in the text below.

The remaining 382 substantive comments are responded to in the tables in Section 4.2.3 (*Other Substantive Comments*).

4.2.1 Request for Comment Period Extension or New Public Hearing

There were 28 comments that asked to extend the comment period. Commenters requested a comment period extension, comment period pause, additional opportunities for providing public testimony, and/or in-person public hearings, additional public outreach after the comment period ends and additional in-person participation for locally affected residents, including Nuiqsut and other North Slope residents. Commenters stated that the timing of the meetings did not allow for meaningful engagement because the public, including residents of Nuiqsut and other potentially affected communities, were occupied with health concerns during the COVID-19 pandemic. In addition, commenters stated that the meetings were held during the initiation of the spring whaling season, which may have kept members of the community from attending the meetings.

The BLM released a targeted Supplement to the Draft EIS, based on public comments received during the Draft EIS review. The Supplement to the Draft EIS was limited to only three specific aspects of the Project and was 70 pages in length, making a 45-day review period adequate.

4.2.2 Stakeholder Engagement Process

There were 122 comments that expressed concern for how BLM conducted stakeholder engagement and that the use of the virtual meeting platform for public meetings did not allow members of the public without internet access to meaningfully engage in the EIS process. Commenters stated that the agency did not allow enough time and space for questions, that it was not clear how many and which BLM personnel were participating, and that many participants experienced technical difficulties that may have prevented them from testifying and engaging.

Though not counted as substantive, there were also 54 comments that expressed support for how the BLM conducted stakeholder engagement. These are summarized in Section 3.27 (*Stakeholder Engagement Process*).

Following guidance put forth by the White House, the CDC, and state and local health authorities the BLM implemented teleworking, social distancing, and limited public access to BLM facilities. The health and safety of the public, affected communities, and our employees is our highest priority; therefore, the BLM determined it was not appropriate to hold in-person meeting and instead utilized virtual meeting tools to fulfill the requirements of our important, statutory duties under NEPA and Section 810 of ANICLA.

Internet was not required to attend a virtual public meeting. The BLM offered a telephone-only option for these public meetings, which was specifically intended to meet the needs of individuals who may not have access to the internet; these individuals were also able to register by phone.

All participants that registered for a meeting and wanted to provide testimony were able to do so. Additionally, the BLM established a toll-free telephone line to record up to 10 minutes of testimony for those that choose not to testify at the meeting or that wanted to provide additional testimony.

4.2.3 Other Substantive Comments

Tables B.3.3 through B.3.30 provide the substantive comments on the SDEIS and BLM’s responses.

4.2.3.1 Air Quality

Table B.3.3. Substantive Comments Received on Air Quality

r	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
26707	16	Baca	Andrew	US Environmental Protection Agency	Air Quality	The SDEIS does not include an updated air quality analysis, stating that “The three Project changes are not expected to substantially change the air quality analysis. Key Project components and their associated emissions are being remodeled and the results will be included in the Final EIS.” We support the BLM’s commitment to provide updated air quality modeling for the FEIS. It will be important that the revised modeling take into account all of the proposed project updates and modifications, not only those analyzed in the SDEIS. We look forward to reviewing updated emissions inventory and air quality modeling information in our capacity as a cooperating agency, to support the BLM in preparation of the FEIS.	The Final EIS analyzes impacts to air quality from key Project components, taking into account all Project updates and modifications as reflected in the revised emissions inventory and near-field modeling. The Final EIS analysis, like the Draft EIS analysis, is not restricted to those changes listed in the SDEIS.	N
216	5	Bruno	Jeff	State of Alaska	Air Quality	The Draft SEIS notes in Chapter 1, page one that Production from the neighboring Greater Mooses Tooth 2 (GMT-2), which is currently under construction, may shift from the Alpine Processing Facility to the Willow Processing Facility. Chapter 3, page 12, further notes that the three project changes (Chapter 2 Alternatives) are not expected to substantially change the air quality analysis. Key project components and their associated emissions are being remodeled and the results will be included in the Final EIS. Suggestion: Please clarify in the Final EIS why a shift of GMT-2 production from Alpine to Willow would not substantially change the air quality analysis. The Final EIS needs to document and explain how this production shift was analyzed or accounted for in the current air quality analysis.	The revised AQTSD (Appendix E.3B, <i>Air Quality Technical Support Document</i>) explains in Section 1.1, <i>Willow Master Development Plan</i> , that the Project emissions inventory and near-field modeling analysis account for the potential for the Willow Processing Facility to process oil produced at GMT-2.	N
130	8	Karro	Loren J	—	Air Quality	The possible problems of air quality are barely addressed in the DEIS, and are not addressed in the SDEIS at all. To say they will be further remodeled and included in the FEIS denies the public and other agencies a chance to see what the findings are, and to comment on them before they are in the final document. Air quality must be addressed in terms of the individual and cumulative impacts, as problems with asthma flare-ups are already being linked to windblown particulates from oil operations.	The Draft EIS provided a comprehensive analysis of air quality impacts, as detailed in the main body of the Draft EIS and in the appendices, which included an extensive AQTSD (Appendix E.3B, <i>Air Quality Technical Support Document</i>) detailing the Project emissions inventory and Project and cumulative impact assessments for 1) criteria air pollutants for individual and combined phases of development, 2) prevention of significant deterioration, 3) impact assessments for hazardous air pollutants, and 4) impacts to visibility and deposition. As stated in the SDEIS, key Project components were remodeled and results are provided in the Final EIS. The Final EIS air quality analysis was revised based on public and agency comments provided on the Draft EIS and SDEIS. Importantly, the approaches used to assess impacts on air quality in the Final EIS were not materially different from the Draft EIS. While input data changed and the specifics of the analysis were revised for the Final EIS based on updated Project design information, the overall approach used to assess air quality impacts in the Draft EIS is the same for the Final EIS. Resulting air quality impacts in the Final EIS are predicted to be similar or lower than the Draft EIS. Since the Final EIS approach and results are not materially different from the Draft EIS, and the comments provided on the Draft EIS were able to inform the air quality impact analysis, an additional review of air quality impacts for the SDEIS was not warranted. Project-specific and cumulative impacts to air quality, including windblown dust and airborne particulate matter, were analyzed in both the Draft EIS and the Final EIS.	N
130	13	Karro	Loren J	—	Air Quality	The possible negative impacts on air quality of the proposed project, both standing alone and cumulatively with existing oil field projects, must be examined in detail and mitigation efforts, if any, must be laid out.	Project-specific and cumulative impacts to air quality, including existing oil field projects and other planned development, were analyzed in both the Draft EIS and the Final EIS. Related to the request for mitigation measures, the purpose of NEPA is to analyze the Project, as proposed by the proponent, and alternatives to inform the selection of an alternative. Since air quality modeling results show that impacts for all action alternatives would be below all applicable NAAQS and AAAQS and established thresholds for AQRVs, no significant air quality impacts would occur. Therefore, additional prescriptive mitigation measures are not required for protection of air quality. As stated in the SDEIS, key Project components were remodeled and results are provided in the Final EIS. The Final EIS air quality analysis was revised based on public and agency comments provided on the Draft EIS and SDEIS. Importantly, the approaches used to assess impacts on air quality in the Final EIS were not materially different from the Draft EIS. While input data changed and the specifics of the analysis were revised for the Final EIS based on updated Project design information, the overall approach used to assess air quality impacts in the Draft EIS is the same for the Final EIS. Resulting air quality impacts in the Final EIS are predicted to be similar or lower than the Draft EIS. Since the Final EIS approach and results are not materially different from the Draft EIS, and the comments provided on the Draft EIS were able to inform the air quality impact analysis, an additional review of air quality impacts for the SDEIS was not warranted.	N
168	11	O'Reilly-Doyle	Kathleen M	—	Air Quality	Air Quality. This SDEIS addresses the issue of Air Quality in just two sentences. It concludes emissions are being remodeled and the results will be included in the Final EIS. This does not allow an opportunity to provide review or comment during this public comment period.	As stated in the SDEIS, key Project components were remodeled and results are provided in the Final EIS. The Final EIS air quality analysis was revised based on public and agency comments provided on the Draft EIS and SDEIS. Importantly, the approaches used to assess impacts on air quality in the Final EIS were not materially different from the Draft EIS. While input data changed and the specifics of the analysis were revised for the Final EIS based on updated Project design information, the overall approach used to assess air quality impacts in the Draft EIS is the same for the Final EIS. Resulting air quality impacts in the Final EIS are predicted to be similar or lower than the Draft EIS. Since the Final EIS approach and results are not materially different from the Draft EIS, and the comments provided on the Draft EIS were able to inform the air quality impact analysis, an additional review of air quality impacts for the SDEIS was not warranted.	N

r	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
26705	11	President	Acting	Native Village of Nuiqsut Tribal Council	Air Quality	BLM must update its air quality analysis to consider the new module delivery option. BLM has not updated its air quality analysis to include the Colville River crossing module delivery option. This option includes roads in different locations and different levels of traffic, among other changes relative to the other module delivery options, which will change the project’s impacts on air quality. Yet, without any explanation, the SDEIS states that the changes flare not expected to substantially change the air quality analysis.”	The Final EIS does assess the air quality impacts associated with the new module delivery option (Option 3: Colville River Crossing). Impacts are presented in Final EIS Section 3.3.2.4.5 (<i>Module Delivery Options</i>), as well as in the AQTSD (Section 3.7, <i>Module Delivery Option 3</i> , of Appendix E.3B, <i>Air Quality Technical Support Document</i>). The impacts from Option 3 would be similar to Option 2 (Point Lonely Module Transfer Island), and impacts are below all applicable NAAQS and AAAQS.	N
520	31	Psarianos	Bridget	Trustees for Alaska	Air Quality	One glaring example of BLM’s failure to undertake an adequate analysis of impacts in the supplemental draft EIS can be seen in the agency’s refusal to consider changes to impacts to air quality. BLM states that ConocoPhillips redone project description is not expected to substantially change the air quality analysis. Key Project components and their associated emissions are being remodeled and the results will be included in the Final EIS. As an initial matter, Groups raised serious technical questions about the scientific accuracy of the air quality modeling performed for the draft EIS. The air quality modeling analysis performed by the BLM for the draft EIS indicates that significant adverse impacts on air quality could occur, making this an important resource for consideration in the supplemental draft EIS. BLM should explain whether these deficiencies are also being rectified as part of its remodeling efforts, as its original modeling effort underestimated air quality impacts.	The Final EIS was developed based on public and agency comments provided on the Draft EIS and the SDEIS. Importantly, the approaches used to assess impacts on air quality in the Final EIS were not materially different from the Draft EIS. While input data changed and the specifics of the analysis were revised for the Final EIS based on updated Project design information, the overall approach used to assess air quality impacts in the Draft EIS is the same for the Final EIS. Resulting air quality impacts in the Final EIS are predicted to be similar or lower than the Draft EIS. Since the Final EIS approach and results are not materially different from the Draft EIS, and the comments provided on the Draft EIS were able to inform the air quality impact analysis, an additional review of air quality impacts for the SDEIS was not warranted. Related to the technical questions provided in comments on the Draft EIS, responses to those comments are provided in the Final EIS (Appendix B.2, <i>Draft EIS Comments and BLM Responses</i>). The Final EIS was revised to address comments when warranted. Specifically, related to comments about an underestimate in air quality impacts, additional text was added to the AQTSD (Appendix E.3B, <i>Air Quality Technical Support Document</i>) to explain the near-field modeling scenarios in more detail, and the development drilling near-field modeling scenario was revised to include construction emissions. In the Draft EIS, predicted impacts from all alternatives and scenarios were below NAAQS and AAAQS and established thresholds for AQRVs, except for Alternative C Routine Operation, which was predicted to exceed the PM _{2.5} 24-hour NAAQS and AAAQS. As shown in the Final EIS, impacts from the revised Project are predicted to be below all applicable NAAQS and AAAQS and established thresholds for AQRVs for all action alternatives and scenarios, including Alternative C Routine Operations. Therefore, there would not be significant impacts on air quality.	N
520	32	Psarianos	Bridget	Trustees for Alaska	Air Quality	BLM provides no assessment of how the level, type, and location of emissions could change the impacts of the Willow project from what was considered in the draft EIS. This is unacceptable. Construction of ConocoPhillips proposed gravel island versus construction of an annual ice bridge across the Colville would be likely to shift air quality impacts closer to Nuiqsut. Further, the list of project changes arbitrarily excluded by BLM from analysis in the supplemental draft EIS are likely to substantially change the air quality impacts from what was modeled in the draft EIS. Aircraft and vehicle traffic patterns, the location of the central processing facility and airstrip, the location of ice road routes, and adding new project equipment and modules would all change the level and location of emissions for the project. Further, the supplemental draft EIS considers shifting production on the neighboring GMT-2 pad from the Alpine processing facility to the Willow Processing Facility. In addition to pipeline modifications, this change would shift air pollution from Alpine to the Willow area. Air pollution modeling for the Willow project must incorporate that shift. The revised design information at whichever distance is used needs to be both clarified and incorporated into air pollution modelling for the Willow project. Considering these differences is critical; sweeping such changes under the rug with conclusory statements violates NEPA.	As stated in the SDEIS, key Project components were remodeled and results are provided in the Final EIS. The Final EIS was developed based on public and agency comments provided on the Draft EIS and SDEIS. Importantly, the approaches used to assess impacts on air quality in the Final EIS were not materially different from the Draft EIS. While input data changed and the specifics of the analysis were revised for the Final EIS based on updated Project design information, the overall approach used to assess air quality impacts in the Draft EIS is the same for the Final EIS. Resulting air quality impacts in the Final EIS are predicted to be similar or lower than the Draft EIS. Since the Final EIS approach and results are not materially different from the Draft EIS, and the comments provided on the Draft EIS were able to inform the air quality impact analysis, an additional review of air quality impacts for the SDEIS was not warranted. As shown in the Final EIS, the level, type, and locations of emissions are relatively similar between the Final EIS and the Draft EIS. The air quality impacts at Nuiqsut are estimated to be insignificant for all module delivery options, as well as any action alternative. The Final EIS analyzes impacts to air quality from key Project components, including aircraft, vehicles, Willow Processing Facility, airstrips, ice roads, module delivery, processing oil produced at GMT-2, and many other associated Project activities. The Final EIS analysis, like the Draft EIS analysis, is not restricted to those changes listed in the SDEIS.	N
844	4	O'Reilly-Doyle	Kathleen	—	Air Quality	Air quality: This draft EIS addresses the issue of air quality in just two sentences. It concludes emissions are being remodeled and the results will be included in the final EIS. This does not allow an opportunity to provide review or comment during this public period.	As stated in the SDEIS, key Project components were remodeled and results are provided in the Final EIS. The Final EIS was developed based on public and agency comments provided on the Draft EIS and SDEIS. Importantly, the approaches used to assess impacts on air quality in the Final EIS were not materially different from the Draft EIS. While input data changed and the specifics of the analysis were revised for the Final EIS based on updated Project design information, the overall approach used to assess air quality impacts in the Draft EIS is the same for the Final EIS. Resulting air quality impacts in the Final EIS are predicted to be similar or lower than the Draft EIS. Since the Final EIS approach and results are not materially different from the Draft EIS, and the comments provided on the Draft EIS were able to inform the air quality impact analysis, an additional review of air quality impacts for the SDEIS was not warranted.	N
117	12	—	Bruce	—	Air Quality	I note that among the Infield Lines noted in 2.4.3.1 of the proposed project and alternatives, it says that Miscible-injectant (MI) pipeline MI transported from the WCF for injection to support enhanced oil recovery. WHAT SORTS OF GASES AND CHEMICALS COMPOSE THE MISCIBLE-INJECTANT PROPOSED TO BE INJECTED AT THE WILLOW MRP? It appears that the MI will come from the proposed WCF, so you should be able to detail the exact constituents in MI proposed for use as part of the Willow MDP! Seeing that carbon dioxide is sometimes used in MI, and seeing that carbon dioxide is a significant global greenhouse gas, what impact will injecting such have on the hydrological and biological resources of the area as well as on local and global climate?	MI has been used in North Slope oil production activities for more than 30 years to support enhanced oil recovery. MI is a blend of lean injection gas (primarily methane) and heavier liquid components (generally C3–C6), which is injected into the reservoir to act as a solvent and remove additional oil from the rock pores. This process is currently being used by CPAI at its Alpine facilities (Alpine Oil Discharge Prevention and Contingency Plan; CPAI 2018), and a similar process with similar stream composition is expected to be used for the Willow MDP Project. MI, as blended at Alpine and as proposed at Willow, does not contain carbon dioxide. All infield flowlines, including those used for MI, would be designed, constructed, and monitored consistent with compliance measures outlined in 18 AAC 75.047. The likelihood of spills occurring along infield flowlines are addressed in Chapter 4.0 (<i>Spill Risk Assessment</i>) and in Appendix H (<i>Spill Summary, Prevention, and Response Planning</i>), and the potential effects to hydrological and biological resources in the unlikely event a flowline spill does occur are addressed in relevant resource sections presented in Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>).	N

r	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
26705	12	President	Acting	Native Village of Nuiqsut Tribal Council	Air Quality	As detailed in our comments on the DEIS, the cumulative effects of development within our region have severely compromised our air quality, causing significant health problems. Adequate information about the current air quality in Nuiqsut does not exist, and additional exploration and development activities increase the threat of toxic air pollution from normal operations as well as blowouts and other accidents. An up-to-date, independent study of air quality must be completed before BLM approves the Willow MDP. After such study is completed, an evaluation of the project’s air quality impacts must include a comparative assessment of the air-quality consequences for each alternative and option, including the Colville River module delivery option.	Related to the comments on the Draft EIS, responses to those comments are provided in Final EIS Appendix B.2, <i>Draft EIS Comments and BLM Responses</i> . The Final EIS was revised to address comments when warranted. Specifically, comments about the current air monitoring program in Nuiqsut and hazardous air pollutants and blowouts resulted in responses to clarify the quality assurance procedures used when collecting air quality data at Nuiqsut and explanation about the predicted hazardous impacts at Nuiqsut. The Final EIS does assess the air quality impacts associated with the new module delivery option (Option 3: Colville River Crossing). Impacts are presented in the Final EIS Section 3.3.2.4.5 (<i>Module Delivery Options</i>), as well as in the AQTSD (Section 3.7, <i>Module Delivery Option 3</i> , of Appendix E.3B, <i>Air Quality Technical Support Document</i>). The impacts from Option 3 are similar to Option 2 (Point Lonely Module Transfer Island), and impacts are below all applicable NAAQS and AAAQS.	N
26705	16	President	Acting	Native Village of Nuiqsut Tribal Council	Air Quality	The SDEIS also indicates that BLM is reanalyzing greenhouse gas emissions and air quality associated with key project components, and that the results will be included in the final EIS. If these reanalyses result in substantial changes, they must be included in a supplemental draft EIS with the opportunity for public review and comment.	As stated in the SDEIS, the Final EIS presents revised GHG emissions and air quality analysis for key Project components. As is shown in the Final EIS, results are predicted to be similar or lower than the Draft EIS. Since the Final EIS approach and results are not materially different from the Draft EIS, and the comments provided on the Draft EIS were able to inform the air quality impact analysis, an additional review of air quality impacts for the SDEIS was not warranted.	N

4.2.3.2 Alternatives Development Process

Table B.3.4. Substantive Comments Received on Alternatives

r	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
717	46	Dunn	Connor	ConocoPhillips Alaska	Alternatives	2. 2.2.1 - Alternatives -Constructed Freshwater Reservoir “The CFWR would be excavated during winter (16.3 total acres) . . .” Totaling the acreage shown in Table 2.2.1 shows that CFWR excavation is a total of 16.4 AC, not 16.3.	The discrepancy noted by the commenter is related to rounding; this SDEIS table is not used in the Final EIS. No change to text.	N
717	47	Dunn	Connor	ConocoPhillips Alaska	Alternatives	3. 2.2.2 -Alternatives -Boat Ramps for Subsistence Users “[Boat ramps] would likely be constructed the same time as the adjacent gravel road.” ConocoPhillips has refined the timing of boat ramp construction. The Tiŋmiaqsiuġvik ramp would be constructed during the first year of construction. The boat ramps at Judy Creek and Fish Creek would be constructed within 2 years of constructing the BT1 and BT4 access roads, respectively, after site visits and input from local stakeholders.	Edit made to Final EIS Section 4.2.13, <i>Boat Ramps for Subsistence Users</i> , of Appendix D.1 (<i>Alternatives Development</i>).	Y
717	50	Dunn	Connor	ConocoPhillips Alaska	Alternatives	6. 2.3.6 - Alternatives - Water Use In Table 2.3.3, under Camp Supply- Freshwater The value for 2026 (Summer) should be changed from 0 to 0.3 and the total for all years should be changed from 6.1 to 6.4.	Values corrected for Final EIS (Appendix D.1, <i>Alternatives Development</i> , Table D.4.46)	Y
717	51	Dunn	Connor	ConocoPhillips Alaska	Alternatives	7. 2.3.9 - Alternatives - Summary Overview of Option 3 ConocoPhillips recommends adding a note to clarify that length of the proposed ice road from DS2P to GMT2 is 40.1 miles, and it will be constructed during two seasons.	The construction of the 40.1-mile-long ice road between Kuparuk DS2P and GMT-2 is explicitly described as being constructed twice (total 80.2 miles) in Final EIS Appendix D.1 (<i>Alternatives Development</i>), Section 4.7.3.4, <i>Other Infrastructure</i> . Clarifying text was added to Option 3 summary table in Final EIS Appendix D.1.	Y
805	4	Lowenthal; Haaland; Huffman; Grijalva; Gallego	Alan; Deb; Jared; Raul M.; Ruben	United States Congress	Alternatives	Neither the draft EIS nor the SDEIS is sufficient to fulfill BLM’s NEPA requirement to consider a reasonable range of alternatives.	The range of alternatives was developed by resource specialists from BLM and cooperating agencies and from comments received during scoping. During alternatives development for the Willow MDP Project, BLM considered issues identified during scoping, such as impacts to caribou and subsistence, while developing alternatives to the proponent’s Project. Alternatives development is described in Chapter 3.0 (<i>Alternatives Development</i>) and Chapter 4.0 (<i>Reasonable Range of Alternatives</i>) of Appendix D.1, (<i>Alternatives Development</i>), including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All action alternatives meet the Project’s purpose and need.	N
807	3	Major	Mark	—	Alternatives	One other point I’d like to make clear for everybody on the line, it was a question that I posed about the action A alternative [<i>sic</i>], and the response was that the action A was primarily put into the document for baseline. But let me translate that for everybody. What that means is the BLM cannot select alternative A, the no action alternative. They must pick something between alternatives B and D. We’ve also previously made — at least I have also made previous comments before on the Colville River crossing. Personally, that sounds like it’s better than the module transfer island, but we do have concerns with some of the information that’s been provided in the supplement to the EIS.	Alternative A (No Action) would not meet the Project’s purpose and need but is included in the EIS for detailed analysis to provide a baseline for the comparison of impacts of the action alternatives.	N
30	1	Patrick	Judy	—	Alternatives	It only has a wintertime ice road. And this Willow project seems like it’s an extension of Alpine. I think it makes sense to connect it to Alpine with a gravel road. I mean, the road already goes to GMT-2, so it doesn’t have that much further to go. Adopt alternative B.	The support for Alternative B is noted.	N

r	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
520	10	Psarianos	Bridget	Trustees for Alaska	Alternatives	Third, BLM’s failure to analyze a reasonable range of alternatives also necessitates a revised EIS. NEPA requires that an EIS analyze a range of reasonable alternatives. . . . The range of alternatives considered for the Willow MDP is inadequate for multiple reasons. The supplemental draft EIS considers only three project components added by ConocoPhillips since publication of the draft EIS: module delivery via sealift barge at Oliktok Dock with a crossing over the Colville River, a constructed freshwater reservoir (CFWR), and up to three boat ramps for subsistence access. BLM did not consider any of the alternatives proposed in comments on the draft EIS. BLM failed to consider reasonable alternatives that would eliminate the proposed gravel island in Harrison Bay, avoid impacts in Special Areas, avoid additional airstrips, or utilize seasonal roadless drilling to decrease impacts to important surface resources. BLM continues to ignore reasonable alternatives suggested by the public during scoping and on the draft EIS, only considering certain changes to the project proposed by the applicant. This is unacceptable when other reasonable alternatives exist. Importantly, the new and revised alternatives that will be necessary to remedy these significant gaps will not be minor variation[s] of the existing alternatives that are qualitatively within the spectrum of alternatives that were discussed in the draft. To remedy the inadequate range of alternatives, a comprehensive revised draft EIS is necessary.	BLM prepared the Draft EIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement.	N
520	14	Psarianos	Bridget	Trustees for Alaska	Alternatives	The draft EIS fell far short of BLM’s legal obligation and NEPAs core mandate to study in depth and disclose the environmental consequences of reasonable alternatives to the agency’s preferred course of action. . . . The inclusion of an additional alternative barging modules to Oliktok Dock for transport over the Colville River via ice bridge does not cure the draft EISs deficiencies. BLM still fails to consider a reasonable range of alternatives. BLM improperly limited its consideration of alternatives based on screening criteria which appear to be primarily preferences of ConocoPhillips to reduce costs, not considerations to meet BLM’s legal mandates. All of the action alternatives involve the same pad size and placement, the same road and/or pipeline alignments (where no infield road exists), the same pad size and amount of infrastructure at the new Willow processing facility, a new airport west of Nuiqsut, two gravel mines inside the Ublutuooh (Tɪŋmiaqsiuǵvik) River 0.5-mile setback; infrastructure within the Colville River Special Area; and infrastructure inside of the Teshekpuk Lake Special Area. Changes to these project components such as the size, location, and layout of facilities, among others, have not been made public or considered by BLM, but there is no indication that BLM is considering varying these elements between alternatives. Indeed, the newly proposed layout and location of the project is not analyzed in the supplemental draft EIS, nor have Willows resources been sufficiently delineated by ConocoPhillips, making it impossible to determine whether different locations for the project may be feasible. BLM has unreasonably limited its range of alternatives such that all of the alternatives are nearly identical to ConocoPhillips proposed action.	The range of alternatives was developed by resource specialists from BLM and cooperating agencies and from comments received during scoping. During alternatives development for the Willow MDP Project, BLM considered issues identified during scoping, such as impacts to caribou and subsistence, while developing alternatives to the proponent’s Project. Alternatives development is described in Chapter 3.0 (<i>Alternatives Development</i>) and Chapter 4.0 (<i>Reasonable Range of Alternatives</i>) of Appendix D.1, <i>Alternatives Development</i> , including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All action alternatives meet the Project’s purpose and need. The SDEIS added a third module delivery option (Option 3: Colville River Crossing) based on stakeholder feedback to include an alternative that would not construct an offshore gravel island.	N
520	15	Psarianos	Bridget	Trustees for Alaska	Alternatives	Groups vehemently objected to BLM’s Alternatives Screening Process because BLM improperly dismissed alternatives based on ConocoPhillips initial evaluation, as described in the draft EIS. Indeed, Appendix D of the draft EIS describes ConocoPhillips success in limiting BLM’s consideration of alternatives before the BLM’s NEPA process had even begun. As a result of BLM’s failure to consider reasonable alternatives in the draft EIS, such as those suggested by the public and BLM’s own agency experts, the agency has been forced to issue a supplement. We do not highlight this fact solely to point out that we told you so, but also to stress the importance of public involvement and input in the NEPA process, consistent with the purposes of that statute. We also highlight this fact to reinforce that BLM continues to overlook reasonable, viable alternatives in the supplemental draft EIS as a result of its improper screening process.	The range of alternatives was developed by resource specialists from BLM and cooperating agencies and from comments received during scoping. During alternatives development for the Willow MDP Project, BLM considered issues identified during scoping, such as impacts to caribou and subsistence, while developing alternatives to the proponent’s Project. Alternatives development is described in Chapter 3.0 (<i>Alternatives Development</i>) and Chapter 4.0 (<i>Reasonable Range of Alternatives</i>) of Appendix D.1, <i>Alternatives Development</i> , including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All action alternatives meet the Project’s purpose and need. At the development stage, the siting of oil and gas facilities is largely dependent on the location of the subsurface resources to be extracted. Under the NPR-A IAP and Section 404 of the CWA, lessees are required to minimize facility footprints and propose siting and alignment of facilities in such a manner as to minimize environmental impacts to various resources (e.g., caribou, wetlands). Alternatives to the Project proponent’s proposal are considered and analyzed in detail only if they offer potential environmental benefits to one or more resources or uses.	N
520	16	Psarianos	Bridget	Trustees for Alaska	Alternatives	It is perplexing that the draft EIS characterizes ConocoPhillips proposal to barge modules to Oliktok Dock for transport over the Colville via ice routes and existing infrastructure unfeasible and states that it could not be implemented. But that is what is now proposed. The supplemental draft EIS offers no explanation as to how the safety concerns, allegedly egregious environmental consequences, and lack of economic feasibility outlined in the draft EIS are no longer at issue or have been mitigated to such an extent as to warrant inclusion of this alternative in the supplemental draft EIS. It also does not offer why this particular option was selected, as opposed to other alternative components which would have also eliminated the need for the proposed gravel island in Harrison Bay.	Option 3 (Colville River Crossing) as described in the SDEIS and Final EIS was not previously deemed unfeasible. As described in Appendix D.1 (<i>Alternatives Development</i>), Tables D.3.1 and D.3.2 (and clarified further in the Final EIS), BLM evaluated crossing the Colville River via a grounded ice bridge near Umiat (the only location for which there were existing flow data). Because there was flow year-round at Umiat, grounding an ice bridge there or anywhere downstream was considered infeasible. Based on public comments, CPAI continued to look for a feasible crossing location and, with additional data collection, was able to locate a crossing where an ice bridge could be partially grounded and still allow some flow in small channels. More text was added to Section 4.7.3.2, <i>Module Delivery and Colville River Crossing</i> , of Appendix D.1 to clarify that the proposed ice bridge in Option 3 would be partially grounded; however, there would be some pockets of deep, free water present that would be narrower than the length of the SPMTs, which would bridge the liquid water channels, with their load being supported by the grounded ice sections (Figure D.4.6, detail A, in Appendix D.1).	Y

r	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
520	17	Psarianos	Bridget	Trustees for Alaska	Alternatives	We reiterate that differences in resource impacts among alternatives are meant to be considered in the NEPA analysis itself, not discussed behind closed doors by BLM in close coordination with the project applicant. There is no discussion as to how BLM quantified any of the differences for the alternatives it is still refusing to consider in the supplemental draft EIS, or why the Oliktok Dock option is the only new alternative component up for consideration. Table D.3.2 in the draft EIS appears to be the agency’s attempt to address some of its criteria for elimination; however, it only provides a few brief sentences that do not explain all of these bullet points. Nor is it clear where any of this information originated and there are no citations for assertions, leaving the public to assume they are arguments offered by ConocoPhillips with no independent analysis by the agency. The alternatives considered may not be entirely driven by a private applicants preferences. . . . We are disappointed that BLM has continued to limit its range of alternatives in the supplemental draft EIS and considers only one additional alternative option. Given that ConocoPhillips deemed its current Option 3 to be unfeasible during the screening process, but has since reneged on that statement, it is rational to assume that other unfeasible alternatives are in fact feasible and possibly environmentally preferable. The Ninth Circuit highlights that an applicant cannot define a project in order to preclude the existence of any alternative sites and thus make what is practicable appear impracticable. We encourage BLM to independently revisit its screening criteria and overall approach to alternatives, and comprehensively revise its EIS to include a range of alternatives that are meaningfully different from ConocoPhillips application.	Option 3 as described in the SDEIS and Final EIS was not previously deemed unfeasible. As described in Appendix D.1 (<i>Alternatives Development</i>), Tables D.3.1 and D.3.2 (and clarified further in the Final EIS), BLM evaluated crossing the Colville River via a grounded ice bridge near Umiat (the only location for which there were existing flow data). Because there was flow year-round at Umiat, grounding an ice bridge there or anywhere downstream was considered infeasible. Based on public comments, CPAI continued to look for a feasible crossing location and, with additional data collection, was able to locate a crossing where an ice bridge could be partially grounded and still allow some flow in small channels. More text was added to Section 4.7.3.2, <i>Module Delivery and Colville River Crossing</i> , of Appendix D.1 to clarify that the proposed ice bridge in Option 3 would be partially grounded; however, there would be some pockets of deep, free water present that would be narrower than the length of the SPMTs, which would bridge the liquid water channels, with their load being supported by the grounded ice sections (Figure D.4.6, detail A, in Appendix D.1).	Y
407	3	Rose	Garett	Natural Resources Defense Council	Alternatives	Compounding this, BLM continues to fail to analyze a reasonable range of alternatives. Instead, the SDEIS maintains the three functionally identical alternatives that the DEIS analyzed. And BLM pursues this approach despite commenters on the DEIS informing the agency of several viable, specific alternatives that would reduce potentially significant impacts.	The range of alternatives was developed by resource specialists from BLM and cooperating agencies and from comments received during scoping. During alternatives development for the Willow MDP Project, BLM considered issues identified during scoping, such as impacts to caribou and subsistence, while developing alternatives to the proponent’s Project. Alternatives development is described in Chapter 3.0 (<i>Alternatives Development</i>) and Chapter 4.0 (<i>Reasonable Range of Alternatives</i>) of Appendix D.1, <i>Alternatives Development</i> , including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All action alternatives meet the Project’s purpose and need. The SDEIS added a third module delivery option (Option 3: Colville River Crossing) based on stakeholder feedback to include an alternative that would not construct an offshore gravel island.	N
407	18	Rose	Garett	Natural Resources Defense Council	Alternatives	Compounding the SDEISs myriad failures to meaningfully consider how the actions considered therein would increase potential impacts to the Western Arctic’s resources, BLM also fails to consider any new alternatives that would significantly reduce such impacts. The DEIS purported to analyze four alternatives, but the three action alternatives were functionally identical in terms of impacts. The additional components included in the SDEIS further reduce the marginal differences between the analyzed alternatives. BLM’s failure to revise its alternatives analysis in the SDEIS is a violation of the agency’s obligation under NEPA to consider all reasonable alternatives. BLM must consider additional alternatives that would meaningfully reduce potentially significant impacts, many of which were suggested by commentators and remain viable, and recirculate its analysis for public comment.	The range of alternatives was developed by resource specialists from BLM and cooperating agencies and from comments received during scoping. During alternatives development for the Willow MDP Project, BLM considered issues identified during scoping, such as impacts to caribou and subsistence, while developing alternatives to the proponent’s Project. Alternatives development is described in Chapter 3.0 (<i>Alternatives Development</i>) and Chapter 4.0 (<i>Reasonable Range of Alternatives</i>) of Appendix D.1, <i>Alternatives Development</i> , including options considered but eliminated from detailed analysis and the screening criteria for those alternatives. All action alternatives meet the Project’s purpose and need. The SDEIS added a third module delivery option (Option 3: Colville River Crossing) based on stakeholder feedback to include an alternative that would not construct an offshore gravel island. BLM is required to “objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated” (40 CFR 1502.13). Reasonable alternatives are those that substantially meet the agency’s purpose and need. Reasonable alternatives include those that are practical or feasible from the technical and economic standpoint. Reasonable alternatives that substantially meet the purpose and need are not necessarily alternatives that reduce significant effects across all resources. At the development stage, the siting of oil and gas facilities is largely dependent on the location of the subsurface resources to be extracted. Under the NPR-A IAP and Section 404 of the CWA, lessees are required to minimize facility footprints and propose siting and alignment of facilities in such a manner as to minimize environmental impacts to various resources (e.g., caribou, wetlands). Alternatives to the Project proponent’s proposal are considered and analyzed in detail only if they offer potential environmental benefits to one or more resources or uses. Roadless portions of oil and gas developments inherently require more air traffic in order to provide necessary access. Objectively evaluating all reasonable alternatives inherently includes comparing and contrasting the effects of the alternatives and disclosing the trade-offs between alternatives.	N

r	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
407	19	Rose	Garett	Natural Resources Defense Council	Alternatives	The DEISs original alternatives did not cover a meaningful range. . . . [A]ll the alternatives involve the same pad size, the same approximate pad location, the same road and/or pipeline alignments, the same amount of infrastructure at the Willow processing facility, a new airport, a gravel mine inside the Ublutuoch (Tiṇmiaqsiuǵvik) River 0.5-mile setback, development within the Colville River Special area, and development within the Teshekpuk Lake Special Area. . . . BLM’s addition of Option 3 does not bring the agency into compliance with NEPA’s mandate that it assess all reasonable alternatives. First, by BLM’s own design, Option 3 does not change the configuration of any of the core alternatives it is a method of getting infrastructure to the Project that can be plugged into any of the alternatives. Second, BLM’s analysis of Option 3 does not allow the public or decisionmakers to evaluate the comparative merits of the Option as compared to the other Options or in the context of the alternatives. BLM does not meaningfully disclose, for instance, the impacts of Option 3 as compared to Option 2, or the impacts of Option 3 when plugged into Alternative D as compared to Option 2 plugged into Alternative B. Third, BLM, after rejecting a Colville River crossing option as unfeasible in the DEIS, does not disclose what allayed its original concerns, other than to state that CPAI is now confident that transporting sealift modules via an ice road across the Colville River near Ocean Point is feasible and have made this option part of their proposed project. . . . While new Option 3 would eliminate the gravel island element of the Project, it creates a host of additional potentially significant impacts, including an even more significant intrusion into the Colville River Special Area. This approach to alternatives continues the trend, noted by commentators on the DEIS, of BLM blindly following CPAI’s lead. In the original analysis, BLM’s selected alternatives were guided by what CPAI deemed feasible and acceptable. Likewise, as noted, the only stated reason for considering the new components in an SDEIS is because CPAI believed they were feasible and necessary; none of the elements were added and analyzed under BLM’s initiative.	At the development stage, the siting of oil and gas facilities is largely dependent on the location of the subsurface resources to be extracted. Under the NPR-A IAP and Section 404 of the CWA, lessees are required to minimize facility footprints and propose siting and alignment of facilities in such a manner as to minimize environmental impacts to various resources (e.g., caribou, wetlands). Alternatives to the Project proponent’s proposal are considered and analyzed in detail only if they offer potential environmental benefits to one or more resources or uses. Roadless portions of oil and gas developments inherently require more air traffic in order to provide necessary access. Option 3 as described in the SDEIS and Final EIS was not previously deemed unfeasible. As described in Appendix D.1 (<i>Alternatives Development</i>), Tables D.3.1 and D.3.2 (and clarified further in the Final EIS), BLM evaluated crossing the Colville River via a grounded ice bridge near Umiat (the only location for which there were existing flow data). Because there was flow year-round at Umiat, grounding an ice bridge there or anywhere downstream was considered infeasible. Based on public comments, CPAI continued to look for a feasible crossing location and, with additional data collection, was able to locate a crossing where an ice bridge could be partially grounded and still allow some flow in small channels. More text was added to Section 4.7.3.2, <i>Module Delivery and Colville River Crossing</i> , of Appendix D.1 to clarify that the proposed ice bridge in Option 3 would be partially grounded; however, there would be some pockets of deep, free water present that would be narrower than the length of the SPMTs, which would bridge the liquid water channels, with their load being supported by the grounded ice sections (Figure D.4.6, detail A, in Appendix D.1). SDEIS Section 1.2, <i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i> , states the following: “Potential environmental effects for Project elements that were already evaluated in the Draft EIS are not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect), due to CPAI’s Project modifications.” All Project components are described and compared in the Final EIS.	Y
26710	8	Smith	Louise	USFWS	Alternatives	Alternative D (Disconnected Access) with Module Transfer Option 3 (Colville River Crossing), presented in the SDEIS, has the fewest potential impacts to Service trust resources. We believe this Alternative/Transfer Option will minimize impacts of well-field expansion as well as potential ancillary impacts to the Colville River Delta while still allowing for development of the National Petroleum Reserve-Alaska (NPR-A). Alternative D uses the same layout of infield infrastructure as Alternative B (CPAI’s Preferred Alternative), however with no year-round road connection to the Greater Mooses Tooth (GMT) or Alpine (Colville Delta) developments. The proposed Willow Development consists of infield roads to drill sites, a processing facility, operations center, and a 5,200-foot airstrip. Therefore, there is no reason to connect the development to the GMT road system, and hence the Alpine developments. There is no all-season road-access from the Alpine developments to the oilfields east of the Colville Delta (Kuparuk Development, Spine Road, or Dalton Highway). Hence, a connection from the proposed Willow Development to the Alpine development will not provide access to the eastern North Slope or the state highway system.	Though the elimination of a road in Alternative D would aid caribou movements in that area and decrease the amount of total fill needed for the Project, the increase in traffic to the roadless development would increase overall disturbance of caribou and birds. The increase in traffic for a roadless alternative is substantial. Alternative D would have 37% more total ground traffic (1,187,968 more trips) and 57% more total air traffic (6,937 trips) than Alternative B (Tables D.4.16, D.4.17, D.5.5, and D.5.9 in Appendix D.1, <i>Alternatives Development</i>). In addition, the annual ice road required for Alternative D throughout the life of the Project could have longer-lasting effects on water levels in water-source lakes used by nesting waterbirds.	N
26710	9	Smith	Louise	USFWS	Alternatives	Module Transfer Option 3, CPAI’s preferred option, would transport the sealift modules from Oliktok Point to DS2P on existing infield roads within the Kuparuk oil fields. This is more efficient than Module Transfer Option 1 (Module Transfer Island (MTI) adjacent to Atigaru Point) . . . As gravel is a very limited commodity within the NPR-A, the Service is concerned that constructing and then abandoning the MTI (within 3 to 5 years) is not the best use of this scarce resource, and its mining and transportation will significantly impact valuable habitat for our trust species. Therefore, we support Module Transfer Option 3, the applicant’s preferred option.	Option 3 (Colville River Crossing) is BLM’s preferred module delivery option.	N

4.2.3.3 Avoidance, Minimization, and Mitigation

Table B.3.5. Substantive Comments Received on Avoidance, Minimization, and Mitigation

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
159	13	Kenning	Erik	ASRC	Avoidance, Minimization, and Mitigation	Mitigation measures should be designed into the project utilizing all the knowledge gained since the start of the Prudhoe Bay development. Pipeline heights of at least 7 feet, anti-reflective pipeline coatings, pipeline/road separations, and traffic calming measures should all be incorporated into the final project design.	These BMPs have been incorporated into the Project or have been included as suggested BMPs; see Chapter 5.0 (<i>Mitigation</i>) and Appendix I (<i>Avoidance, Minimization, and Mitigation Technical Appendix</i>).	N
159	14	Kenning	Erik	ASRC	Avoidance, Minimization, and Mitigation	Under the U.S. Corps of Army Engineers 404 permit, any required compensatory mitigation should be geared towards providing direct benefits to the residents of Nuiqsut. ASRC is encouraged to see CPAI’s willingness to offer projects to that end and we request the BLM also support those types of projects that benefit the residents of Nuiqsut as well as the surrounding wetlands.	Except as required by law, BLM policy precludes imposition of compensatory mitigation on public land users (IM 2019-018, Compensatory Mitigation, DOI 2019). USACE determines compensatory mitigation requirements associated with Section 404 permits and provides a public comment opportunity upon issuance of the Public Notice for permit applications under Section 404. USACE issued its Public Notice on March 26, 2020.	N
520	26	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, and Mitigation	BLM’s Proposed Mitigation and its Analysis Are Still Insufficient. In our comments on the draft EIS, we provided detailed comments regarding the deficiencies and gaps in BLM’s analysis of proposed mitigation measures. The supplemental draft EIS does not remedy the problems we identified; those all still remain deficiencies with BLM’s analysis. BLM includes two additional suggested mitigation measures in the supplemental draft EIS. It is unclear if BLM is actually going to mandate these measures. BLM does not explain what it means by suggested or otherwise indicate that these would be required for the project.	Avoidance, minimization, and mitigation measures/BMPs were further developed in the Final EIS and will be included in BLM’s ROD. Details are included in the individual resource sections of Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>), in Chapter 5.0 (<i>Mitigation</i>), and in Appendix I (<i>Avoidance, Minimization, and Mitigation Technical Appendix</i>).	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
26707	3	Baca	Andrew	US Environmental Protection Agency	Avoidance, Minimization, and Mitigation	In addition, to ensure a complete NEPA analysis that sufficiently addresses direct, indirect, and cumulative impacts from the proposed project, we continue to recommend that the FEIS include a draft compensatory wetland mitigation plan, with compensatory mitigation sufficient to replace lost aquatic resource functions and values, to the extent practicable.	Except as required by law, BLM policy precludes imposition of compensatory mitigation on public land users (IM 2019-018, Compensatory Mitigation, DOI 2019). A compensatory mitigation plan is not required for NEPA or for the Section 404 permit application; only a compensatory mitigation statement is required. USACE determines compensatory mitigation requirements associated with Section 404 permits and provides a public comment opportunity upon issuance of the Public Notice for permit applications under Section 404. USACE issued its Public Notice on March 26, 2020.	N
26707	11	Baca	Andrew	US Environmental Protection Agency	Avoidance, Minimization, and Mitigation	Mitigation of Impacts to Surface Water Resources We continue to recommend that the FEIS evaluate and discuss whether the projects design features and additional suggested mitigation measures will be sufficient to mitigate potential impacts to surface water resources as a result of hydrologic impacts from project infrastructure, and that additional measures be added if needed.	Avoidance, minimization and mitigation measures/BMPs were further developed in the Final EIS and will be included in BLM’s ROD. Details are included in the individual resource sections of Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>), in Chapter 5.0 (<i>Mitigation</i>), and in Appendix I (<i>Avoidance, Minimization, and Mitigation Technical Appendix</i>).	N
26707	12	Baca	Andrew	US Environmental Protection Agency	Avoidance, Minimization, and Mitigation	We also continue to recommend that the FEIS include an adaptive management plan that provides detail regarding how Conoco Phillips Alaska, Inc. will identify and correct any unanticipated surface water flow blockages as quickly as possible, to avoid lasting environmental impacts.	Language was added to the suggested measure to collect baseline water resources data at Ocean Point, in Section 3.8.2.1.3, <i>Additional Suggested Avoidance, Minimization, or Mitigation</i> .	Y
717	116	Dunn	Connor	ConocoPhillips Alaska	Avoidance, Minimization, and Mitigation	72. 5.0 - Mitigation This paragraph should include wording on Page 10 and Page 51 proposed mitigation measure on coordinating access on the module haul ice road with NSB CWAT and local residents.	Change made as suggested.	Y
520	27	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, and Mitigation	Additionally, it is not clear how the suggested measures would actually reduce impacts. The first is primarily an information gathering requirement. . . . It also sounds like the information is already required: continue to collect baseline data. . . . If it is already required, it is unclear why it is presented as an additional measure. BLM needs to more clearly explain this. The second measure is to [i]nclude erosion mitigation features or options in boat ramp designs to prevent or minimize erosion at boat ramps. It is unclear what specific requirements will be applicable to this mitigation measure. No specific features or options are identified or proposed. And no analysis of the unspecified features or options is included. This does not meet NEPA’s mandates.	Details of what would be required in each avoidance, minimization, or mitigation measure will be provided in the ROD. Additional details regarding measures related to water resources are in Section 3.8.2.1, <i>Avoidance, Minimization, and Mitigation</i> . Though some BMPs require data collection (such as proposed BMP E-6, which requires 1 year of fish sampling for stream crossings), the measures proposed in the Final EIS as additional suggested measures either are not covered by existing (or proposed 2020) BMPs or expand those existing (or proposed) BMPs.	Y
520	28	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, and Mitigation	Further, the supplemental draft EIS fails to account for the NPR-A Regional Mitigation Strategy. The document lacks required mitigation offsets, including the use of the Regional Mitigation Strategy for the Northeastern NPR-A. The GMT-1 Record of Decision required the completion of a Regional Mitigation Strategy (RMS) to offset future projects enabled or assisted by the existence of GMT-1. As a formal requirement of the GMT-1 ROD and because of the scale and scope of the Willow MDPs impacts, the RMS must be implemented through a transparent and meaningful public process. . . . In order to offset and manage the impacts to subsistence, sociocultural systems, air quality, water quality, public health, birds, fish, terrestrial mammals, and threatened and endangered species, . . . core areas of high ecological and cultural importance must be durably protected for a least as long as the life of this projects impacts. By not utilizing the RMS, BLM fails to ensure these protections.	Except as required by law, BLM policy precludes imposition of compensatory mitigation on public land users (IM 2019-018, Compensatory Mitigation, DOI 2019). Numerous avoidance, minimization, and mitigation measures would apply to the Willow MDP Project to mitigate impacts to and protect these resources.	N
520	41	Psarianos	Bridget	Trustees for Alaska	Avoidance, Minimization, and Mitigation	Mitigation measures for birds in the SDEIS are inadequate and incomplete. . . . The SDEIS only adds one mitigation measure: Construct upgrades to Kuparuk roads before or after the nesting season (June 1 through July 31), if possible, to avoid impacts to tundra-nesting birds, and loss of eggs, nestlings, or both. The included caveat that the measure will only occur if possible renders this measure effectively meaningless. But beyond that, there are no mitigation measures analyzed for avoiding or lessening impacts from new infrastructure components, such as the boat ramps. These factors require analysis.	Numerous avoidance, minimization, and mitigation measures for birds are described in Section 3.11.2.1, <i>Avoidance, Minimization, and Mitigation</i> .	N
26710	7	Smith	Louise	USFWS	Avoidance, Minimization, and Mitigation	While the Service does not object to the construction of the subsistence boat ramps, we recommend development of a maintenance plan to ensure long-term viability and use of the site(s) while minimizing impacts to the adjacent waterbodies. We recommend the plan include the following points at a minimum: • Identify entity (CPAI, Kuukpik, Native Village of Nuiqsut, etc.) responsible for site maintenance; • Annual maintenance (grading) of parking pads, turning pads, access ramps, and road access; • Maintain a gravel supply (off-site) to reinforce boat ramps and pads when necessary; • Regular clean-up of pads and surroundings, including back-haul of trash to suitable disposal site; and • Removal/mediation of toxic spills.	Suggestion was added to Final EIS Section 3.8.2.1.3, <i>Additional Suggested Avoidance, Minimization, or Mitigation</i> .	Y

4.2.3.4 Birds

Table B.3.6. Substantive Comments Received on Birds

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
717	78	Dunn	Connor	ConocoPhillips Alaska	Birds	34. 3.11.2.1 - Birds - Alternatives B, C, and D ConocoPhillips recommends adding the information that the boat ramps at Ublutuoch River and Judy Creek would be located within the BMP E-11 yellow-billed loon nest site and nest lake setbacks.	Text added to Section 3.11.2.1.1, <i>Applicable Lease Stipulations and Best Management Practices</i> , and Section 3.11.2.9, <i>Special Status Species</i> .	Y
717	79	Dunn	Connor	ConocoPhillips Alaska	Birds	35. 3.11.2.2 - Birds - Module Delivery Option 3: Colville River Crossing In the first sentence of the fifth paragraph, remove text in parentheses because road upgrades are not limited to the 2 miles between Oliktok Dock and the staging pad.	Text removed as suggested in Final EIS Section 3.11.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> .	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
717	80	Dunn	Connor	ConocoPhillips Alaska	Birds	36. 3.11.2.2 - Birds - Module Delivery Option 3: Colville River Crossing ConocoPhillips recommends text be added to the last paragraph to disclose that birds are unlikely to collide with vehicles in the winter. Additionally, Option 3 should be compared to and put in context of the other alternatives, which would include significantly more air, ground, and marine traffic.	Final EIS Section 3.11.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , clarifies that effects would be lower on winter birds than the other options due to shorter ice roads and less traffic.	Y
117	23	Campbell	Bruce	—	Birds	The spectacled eider is sometimes harmed or killed when a shipping vessel with blinding lights bumps into such birds. Its social activity and at least marginal habitat on the current North Slope needs to be recognized.	Effects of vessel traffic and lighting on spectacled eiders are described in Section 3.11.2.3.2, <i>Disturbance or Displacement</i> , and Section 3.11.2.3.3, <i>Injury or Mortality</i> .	N
130	7	Karro	Loren J	—	Birds	The DEIS did not mention Golden Eagles in their bird analysis. Immature Golden Eagles are known to utilize the NPR-A for 2 years prior to breeding, and this includes the area of the proposed Willow Project. This is not mentioned in the SDEIS either. Further research is needed on this, and consideration of the possible effects of the project on the Golden Eagle need to be included in an SDEIS.	Section 3.11.2, <i>Environmental Consequences</i> , was updated for the Final EIS with a short discussion and includes these citations: -McIntyre et al. 2008 -McIntyre et al. 2018 -Eisaguirre et al. 2019	Y
130	12	Karro	Loren J	—	Birds	Research is conducted on the statewide movement of Golden Eagles including their use of the NPR-A, and the possible effects of the proposed Willow Project on the Eagles is analyzed for each alternative.	Section 3.11.2, <i>Environmental Consequences</i> , was updated for the Final EIS with a short discussion and includes these citations: -McIntyre et al. 2008 -McIntyre et al. 2018 -Eisaguirre et al. 2019	Y
658	4	Long	Becky	—	Birds	The No Action Alternative is the only alternative that has No Drilling or Infrastructure Oil and Gas leasing in Teshekpuk Lake Special Area This area is the largest wetland complex and one of the most important goose molting habitats in the circumpolar North. Bird populations from all 7 continents are present during certain life stages. The area is globally important habitat. A portion of the area recently was designated Qupaluk Flyway Network for the East Asian Australasian Flyway Partnership. More than a dozen Watch List species nest, molt, and rear in the wetland complex including King Eiders, Red throated Loons, Dunlins, and Buff Breasted Sandpipers. A specific concern is Yellow Billed Loons that nest on deep fish bearing lakes and considered listing under the Endangered Species Act. The current lack of migratory bird protections means this Special Area and its protections is especially needed globally The Migratory Bird Treaty Act of 1918 encouraged industries to collaborate with the federal government on minimizing bird deaths. It protected birds without being an onerous burden for industry. However, a new legal opinion within the Department of Interior cancels the bird protections for migratory birds. This roll back means the Act will not be enforced. Now the energy industry can END bird-friendly practices. This area is also an important calving and insect relief area for the Teshekpuk Lake Caribou Herd and critical habitat for polar bears.	Under the NPRPA, BLM is required to conduct oil and gas leasing and development in the NPR-A (42 USC 6506a). An oil and gas lease grants certain exploration and development rights, subject to reasonable regulation; BLM may not preclude CPAI from developing its leases. The No Action Alternative would not meet the Project’s purpose and need but is included for detailed analysis to provide a baseline for the comparison of impacts of the action alternatives, as required by 40 CFR 1502.14(d).	N
844	3	O'Reilly-Doyle	Kathleen	—	Birds	Section 3.11, the section on birds: Statewide movement of non-territorial golden eagles indicate they are located in the National Petroleum Reserve. I will be providing additional information on this research in my written comments, but wanted to address the lack of mention or analysis on golden eagles in this draft EIS.	Section 3.11.2, <i>Environmental Consequences</i> , was updated for the Final EIS with a short discussion and includes these citations: -McItyre et al. 2008 -McIntyre et al. 2018 -Eisaguirre et al. 2019	Y
168	9	O'Reilly-Doyle	Kathleen	—	Birds	Birds Section 3.11 section regarding Birds is incomplete. Statewide movements of Nonterritorial Golden Eagles, indicate they are located in the National Petroleum Reserve, and additional information is needed to understand the areas and resources they use. Although there are studies available, I do not see them referenced in this SDEIS. The following is an abstract on the research available on Golden Eagles, that should be referenced in this analysis: Connectivity of Pre-Adult, Non-territorial Migratory Golden Eagles During the Nesting Season in Alaska Carol L McIntyre, Stephen B Lewis, Todd E Katzner, Tricia A Miller, Michael Lanzone, Michael W Collopy, David C Douglas Citation: McIntyre, C.L., S.B. Lewis, T.E. Katzner, T.A. Miller, M. Lanzone, M.W. Collopy, and D.C Douglas. 2019. Connectivity of Pre-Adult, Non-Territorial Migratory Golden Eagles During the Nesting Season in Alaska. Abstract only. Oral Presentation, Migratory Connectivity of Alaskan Birds Symposium, 137th Stated Annual Meeting American Ornithological Society, Anchorage, Alaska, June 2019.	Section 3.11.2, <i>Environmental Consequences</i> , was updated for the Final EIS with a short discussion and includes these citations: -McIntyre et al. 2008 -McIntyre et al. 2018 -Eisaguirre et al. 2019	Y
168	10	O'Reilly-Doyle	Kathleen	—	Birds	In addition, the following references provide additional information on Golden Eagles that should be considered and incorporated in the analysis of this SDEIS: Mauer, F. 1985. Distribution and relative abundance of Golden Eagles in relation to the Porcupine Caribou herd calving and post-calving periods, 1984. Page 114-144 In Arctic National Wildlife Refuge Coastal Plain Resource Assessment, 1984 Update Report Baseline Study of the Fish, Wildlife and their Habitats, Volume I, Section 1002C, Alaska National Interest Lands Conservation Act. U.S.D.I, U.S. Fish and Wildlife Service, Region 7, Anchorage, Alaska. McIntyre, Carol L. And Stephen B. Lewis. 2018. Statewide Movements of Non-territorial Golden Eagles in Alaska During the. Breeding Season: Information for Developing Effective Conservation Plans. Alaska Park Science - Volume 17, Issue 1. Migration: On the Move in Alaska. Denali National Park and Preserve. https://www.nps.gov/articles/aps-17-1-10.htm Ritchie, B. 2014. Raptor surveys at lakes in the Foothill-Coastal Plain Transition, Colville to Kuk Rivers, NPR-A, Alaska, July 2012 and 2013. Unpublished report. ABR, Inc., Fairbanks, Alaska and Bureau of Land Management, Fairbanks, Alaska. Ritchie, R.J., A.M. Wildman, and D.A. Yokel. 2003. Aerial surveys of cliff nesting raptors in the National Petroleum Reserve-Alaska, 1999, with comparisons to 1977. Technical Note 413, U.S.D.I., Bureau of Land Management, Fairbanks, Alaska. Shook, J.E. and R.J. Ritchie. 2017. Raptor surveys at lakes in the Foothill-Coastal Plain Transition, Colville to Kuk Rivers, NPR-A, Alaska, July 2016. Unpublished report. ABR, Inc., Fairbanks, Alaska and Bureau of Land Management, Fairbanks, Alaska. Stehn, R.A. 2013. Analysis of aerial survey indices monitoring waterbird populations of the Arctic Coastal Plain, Alaska, 1986-2012. Unpublished report. USFWS, Migratory Bird Management, Anchorage, Alaska.	Section 3.11.2, <i>Environmental Consequences</i> , was updated for the Final EIS with a short discussion and includes these citations: -McIntyre et al. 2008 -McIntyre et al. 2018 -Eisaguirre et al. 2019	Y

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520	39	Psarianos	Bridget	Trustees for Alaska	Birds	The SDEIS Bird Section Contains the Same Deficiencies as the Draft EIS. The presentation and analysis for impacts to birds and their habitat remains nonsensical and almost entirely devoid of meaningful analysis. Figure 3.11 (Bird Habitat Use and Analysis Area) documents the number of species using different areas, and Tables 3.11.2 and 3.11.3 document acres of bird habitat lost or altered. We reiterate the points we made in our comment letter on the draft EIS, explaining that this data presentation is incomplete. But moreover, from these tables, it’s not clear what species are impacted. For example, the impacts to the Dune Complex habitat would reportedly only impact one species. A reader is forced to go back to Appendix E.11 in the Draft EIS, scroll down to the bottom of Table E.11.1 to figure out that the code DUCO means Dune Complex, and then find the one row in the table where a single bird (Black-bellied Plover) has DUCO listed among its Habitats Used. This is onerous on the reader and suppresses public understanding. It’s also not clear why impacts to the Dune Complex habitat and the Black-bellied Plover are not worth analyzing further, or why habitats with higher species numbers are deemed more important.	SDEIS Section 1.2, <i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i> , states the following: “Potential environmental effects for Project elements that were already evaluated in the Draft EIS are not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect), due to CPAI’s Project modifications. Other Project changes (e.g., minor changes in gravel pad sizes, changes to the location of Project components and minor shifts in gravel road alignments, changes in ground traffic and air traffic numbers) are not expected to substantively change the overall analysis or results described in Chapter 3 of the Draft EIS.” All Project components are detailed in the Final EIS. Summarizing individual species use of habitat types and aggregating for each habitat type to species richness provides a useful measure of the potential importance of each habitat type within the analysis area to the overall bird community; it does not factor in species abundance or the probability of a species occurring in the analysis area, because for most species, those data are not available. Relative abundance described in Table E.11.1 in Appendix E.11 (<i>Birds Technical Appendix</i>) is based on the best available information. Table E.11.2 in Appendix E.11 summarizes the number of species using each habitat type, which was used to rank the habitats by species richness. This ranking is better than descriptive evaluations, as it is quantitative and based on a broad synthesis of the literature and field studies. Previous studies in the vicinity indicate that there is a correspondence between species richness and abundance of nests and broods (Tables 7, 9–11 in Burgess, Johnson et al. 2003; Tables 14 and 15 in Johnson, Burgess et al. 2005; Table 5 in Rozell, Johnson et al. 2020; Johnson, Lanctot et al. 2007; Bart, Brown et al. 2012; Bart, Platte et al. 2013). The habitats with the most species and most nests and broods of waterbirds are Patterned Wet Meadow, Sedge Marsh, Old Basin Wetland Complex, Moist Sedge-Shrub Meadow, and Shallow Open Water with Islands or Polygonized Margins. The other habitats with high species diversity either were not very common in the analysis area (e.g., Open Nearshore Water, Salt Marsh, Deep Polygon Complex) or were used by shorebirds and passerines, which use a broad range of habitats. We point out that many of the habitat types with low species richness (<10 species) occupy small portions of the analysis area and comprise minor amounts (<1%) of the area lost to direct and indirect effects (Tables E11.4 through E11.6 in Appendix E.11). Many are not very abundant due to the location of the analysis area, which includes very little of the coast, or as in the case of Rivers, Streams, and associated habitat types, they are narrow strips of habitat types without much areal extent. However, these habitat types are not necessarily rare in the ACP, nor would they be appreciably diminished or affected by the Project.	N
520	40	Psarianos	Bridget	Trustees for Alaska	Birds	This method of presenting the bird habitat use data does not give the reader meaningful information about impacts to these birds. For example, Table 3.11.2 indicates that Deep Open Water without Islands (code DOW in Appendix E.11) is a habitat used by only 11 species, and therefore is not indicated as an area with the highest potential for avian occurrence. But DOW habitat is used by Yellow-billed Loons and other birds. Yet, the reader has no indication from the table or the narrative as to whether the impact to DOW habitat will be harmful to Yellow-billed Loons in the area. Nor is it clear why DOW habitat is deemed less important solely because it is used by fewer bird species, even though it is used by a special status species and others. The acreage of habitat loss within different habitat types used by various numbers of birds is almost entirely meaningless and not useful in either BLM’s analysis or the public’s understanding of that analysis. Moreover, Table 3.11.2 in the SDEIS does not include total acreage lost by habitat type, so even the most basic purpose of this table is not fulfilled. This problem existed in the draft EIS, and now persists in the SDEIS, which carries forward this less than meaningful analysis.	Summarizing individual species use of habitat types and aggregating for each habitat type to species richness provides a useful measure of the potential importance of each habitat type within the analysis area to the overall bird community; it does not factor in species abundance or the probability of a species occurring in the analysis area, because for most species, those data are not available. Relative abundance described in Table E.11.1 in Appendix E.11 (<i>Birds Technical Appendix</i>) is based on the best available information. Table E.11.2 in Appendix E.11 summarizes the number of species using each habitat type, which was used to rank the habitats by species richness. This ranking is better than descriptive evaluations, as it is quantitative and based on a broad synthesis of the literature and field studies. Previous studies in the vicinity indicate that there is a correspondence between species richness and abundance of nests and broods (Tables 7, 9–11 in Burgess, Johnson et al. 2003; Tables 14 and 15 in Johnson, Burgess et al. 2005; Table 5 in Rozell, Johnson et al. 2020; Johnson, Lanctot et al. 2007; Bart, Brown et al. 2012; Bart, Platte et al. 2013). The habitats with the most species and most nests and broods of waterbirds are Patterned Wet Meadow, Sedge Marsh, Old Basin Wetland Complex, Moist Sedge-Shrub Meadow, and Shallow Open Water with Islands or Polygonized Margins. The other habitats with high species diversity either were not very common in the analysis area (e.g., Open Nearshore Water, Salt Marsh, Deep Polygon Complex) or were used by shorebirds and passerines, which use a broad range of habitats. We point out that many of the habitat types with low species richness (<10 species) occupy small portions of the analysis area and comprise minor amounts (<1%) of the area lost to direct and indirect effects (Tables E11.4 through E11.6 in Appendix E.11). Many are not very abundant due to the location of the analysis area, which includes very little of the coast, or as in the case of Rivers, Streams, and associated habitat types, they are narrow strips of habitat types without much areal extent. However, these habitat types are not necessarily rare in the ACP, nor would they be appreciably diminished or affected by the Project. Tables E.11.4 through 11.6 in Appendix E.11 provide quantification of each type of habitat lost or affected by alternative. In the case of yellow-billed loons, deep lakes are their primary breeding habitat, but loons are very specific about which deep lakes are used and which are not. Table E.11.9 in Appendix E.11 presents the number of lakes and number of nest sites within 1 mile of Project facilities, which is the most specific indicator of sites that could be disturbed if BMP E-11 is not implemented. BMP E-11 would provide 1-mile separation of oil and gas facilities from yellow-billed loon nests and 500-m separation from breeding lakes. The impacts of facility construction within the E-11 protection buffers are discussed in Section 3.11.2.9, <i>Special Status Species</i> .	N
520	43	Psarianos	Bridget	Trustees for Alaska	Birds	BLM must properly analyze impacts and compare impacts across all alternatives. The impacts to bird habitat from the Constructed Freshwater Reservoir are not well explained or analyzed. The SDEIS states that the construction of this reservoir would remove and alter acres of bird habitat, but goes on to state that the reservoir would become water habitat and result in . . . a gain in habitat for waterbirds. But it’s not clear which waterbirds would benefit from this reservoir, particularly because fish would be prevented from entering the reservoir.	The CFWR would be the same across all action alternatives; thus, no comparison of effects is provided in the SDEIS or Final EIS. The SDEIS quantifies habitats lost by the CFWR berm and access road in Table 3.11.2, and quantifies habitats altered by the CFWR in Tables 3.11.3 and 3.11.4. These effects are also presented in the Final EIS Appendix E.11, <i>Birds Technical Appendix</i> , Table E.11.4, which quantifies habitats lost (including by the CFWR berm and access road). Table E.11.5 and E.11.6 of the Final EIS quantify habitats altered, including by the CFWR. Final EIS Section 3.11.2.3.1, <i>Habitat Loss or Alteration</i> , describes that both the CFWR and the mine pit would result in a loss of habitat for tundra-nesting birds and a gain in habitat for waterbirds. Tundra-nesting birds and waterbirds (and the habitats they use) in the analysis area are identified in Table E.11.1 in Appendix E.11. Not all waterbirds eat fish. A reference to Table E.11.1 was added to Section 3.11.2.3.1.	Y

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520	44	Psarianos	Bridget	Trustees for Alaska	Birds	The proposed boat ramp is not studied nor fully compared across the alternatives, and therefore impacts to birds are not fully analyzed. The SDEIS states that the number of potential users of each boat ramp is unknown but speculates that one ramp may concentrate use compared to three boat ramps. The level of probable use should be modeled and studied, or the SDEIS should use a similar situation as a proxy, rather than speculating about use and impact without any evidence or rationale. Moreover, Table 3.11.4 only provides estimated acres of bird disturbance caused by three boat ramps, rather than also including acres of disturbance for one ramp, and provides no metric for intensity. Nor does the SDEIS compare the boat ramps across the alternatives, apparently assuming, without explicitly stating or explaining its rationale, that cursorily analyzing impacts from three boat ramps will suffice for analysis of three boat ramps versus one boat ramp.	The boat ramps would be used by Nuiqsut residents, of which there are 347. Thus, use of the boat ramps is not anticipated to be more than that. (Not all residents own or are old enough to drive a boat.) Modeling is not needed to analyze effects to birds for this level of boat ramp use. As described in Final EIS Section 3.16.2.3.3, <i>Harvester Access</i> , roads farther away from the community receive less subsistence use than roads closer to the community, though use of farther-away roads is increasing. The distance of the boat ramps to the community would likely limit casual use. As described in SDEIS Section 3.16.2.1.3, <i>Harvester Access</i> , of the three proposed boat ramps, residents would be most likely to use the Ublutuoch (Tiġmiaqsiuġvik) River boat ramp, as it is closest to the community and would provide more immediate access to the lower, most heavily used portions of Fish (Iqalliqpik) Creek where most traditional camps are located. The boat ramps on Judy (Iqalliqpik) Creek and Fish (Uvlutuug) Creek are located in areas that are not commonly accessed by boat, according to available subsistence use area data (SRB&A 2010, 2019).	N
520	45	Psarianos	Bridget	Trustees for Alaska	Birds	The SDEIS does not grapple with differences between the different options, and thus does not properly analyze differences across options and alternatives. This was a problem that first appeared in the draft EIS and now is illuminated by the SDEIS. The following are failures or gaps in the analysis of Option 3 that require further consideration: The SDEIS states that more birds of some species could be affected by Option 3, but that the types and magnitude of effects would be less than from Options 1 and 2 because no pile driving or in-water work is required at Oliktok Dock and the screeding area is 2.4 acers smaller. But nowhere in the analysis is an explanation of which impacts, exactly, would be either non-existent or lower in magnitude under Option 3. Nor are there any citations to either the draft EIS or the scientific literature to support these claims.	SDEIS Section 1.2, <i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i> , states the following: “Potential environmental effects for Project elements that were already evaluated in the Draft EIS are not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect), due to CPAI’s Project modifications.” All Project components are detailed in the Final EIS. Final EIS Section 3.11.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , clarifies what effects would be greater for Option 3 and why.	N
520	46	Psarianos	Bridget	Trustees for Alaska	Birds	The SDEIS states that [d]ifferences in species-specific effects are due to different species densities at Oliktok Point versus Atigaru Point or Point Lonely. But it is not entirely clear from the text which species are variable between the various locations. Nor is it clear whether this sentence is referring to the disparate effects described in this section, or whether there is a data table somewhere showing the different effects and bird species affected by the different options. Nor is it clear whether the differences in species-specific effects are entirely due to different species densities, or whether there are some differences that are due to the differences in activities. There are also no citations to either the draft EIS, other sections of the SDEIS, or to the scientific literature to help the reader unpack this claim.	Final EIS Section 3.11.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , clarifies what effects would be greater for Option 3 and why.	Y
520	47	Psarianos	Bridget	Trustees for Alaska	Birds	The SDEIS states that Option 3 would have less habitat loss from gravel fill. But there is no reference to any data table that would document the different gravel use among the options and alternatives, nor any explanation for how this would impact different species of birds in different ways and in different locations.	Final EIS Section 3.11.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , clarifies what effects would be greater for Option 3 and why.	Y
520	48	Psarianos	Bridget	Trustees for Alaska	Birds	The SDEIS states that [i]ce roads can alter bird habitats and that constructing an ice road under Option 3 would impact birds in ways that disturb and displace them near construction areas. But other than noting that winter birds apparently congregate at a particular point along the Option 3 ice road route, there is no comparison of impacts from the Option 3 ice road, versus impacts from the other options. Given that the ice roads in different options would traverse different areas, and therefore different types of bird habitat, it stands to reason that the options would have different impacts. Yet the SDEIS does not provide any of this comparative analysis.	SDEIS Section 1.2, <i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i> , states the following: “Potential environmental effects for Project elements that were already evaluated in the Draft EIS are not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect), due to CPAI’s Project modifications.” All Project components are detailed in the Final EIS. Final EIS Section 3.11.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , clarifies what effects would be greater for Option 3 and why.	Y
520	49	Psarianos	Bridget	Trustees for Alaska	Birds	The SDEIS states that [t]he Option 3 ice road may encounter more wintering birds at Ocean Point than other locations. . . . But there is no explanation of where this information comes from, nor any citation to data, a report, or a published article stating why Ocean Point is a wintering bird hotspot. It is also unclear whether the increase in wintering birds at Ocean Point is in comparison to other points along the same ice road route in Option 3, other points along the Colville River, or in comparison to the other ice road routes in Options 1 or 2. This confusion and lack of data renders it meaningless for BLM to conclude that Option 3 winter activities would have minimal impacts on birds because fewer birds are present during winter than in summer. If Ocean Point is truly a place where winter birds congregate for some unstated reason, then routing the ice road through that area would likely have a disproportionate impact on winter birds, which, while they are indeed mobile and in small numbers, may be relying on some unique features of this area to survive.	Clarification was added to Section 3.11.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> . Willow ptarmigan are the predominant bird wintering on the North Slope. Willow ptarmigan use valley bottoms and willow thickets during winter, feeding on willow and other shrub buds. They burrow in snow, which is deeper and less compacted by wind in river bottoms (Hannon, Eason et al. 2020). They prefer Tall, Low, or Dwarf Shrub habitat in winter. Although Ocean Point is not in the area mapped for habitat, willow cover becomes thicker and taller upstream of the Colville Delta, and it is expected to support higher numbers of ptarmigan in winter than the open tundra where they breed. The Ocean Point area is not unique, but it likely supports more ptarmigan in winter than do the other ice road routes connecting coastal transfer options.	Y
520	50	Psarianos	Bridget	Trustees for Alaska	Birds	This analysis is extremely cursory and does not expand on what these differences mean for birds in the project area. The SDEIS notes that Alternative B would include three boat ramps, while Alternatives C and D would only include the boat ramp on the Ublutuoch (Tiġmiaqsiuġvik) River. A couple paragraphs down from this acknowledgement, the SDEIS also notes that the boat ramp on Judy (Iqalliqpik) Creek (only in Alternative B) would be within 500 feet of two lakes that are habitat for yellow-billed loon. But this two-sentence section does not explain how a boat ramp in that area would affect Yellow-billed Loons or their habitat, nor does the SDEIS explain the differences in boat ramp impacts between the alternatives. Adequate explanation for these differences is necessary to order to understand and weigh the environmental impacts of the alternatives.	Final EIS Section 3.11.2.9, <i>Special Status Species</i> , describes effects to special status species, including yellow-billed loons, from gravel infrastructure and human activity. Section 3.11.2.4, <i>Alternative C: Disconnected Infield Roads</i> , and Section 3.11.2.5, <i>Alternative D: Disconnected Access</i> , describe differences among alternatives.	N
520	51	Psarianos	Bridget	Trustees for Alaska	Birds	Analysis of special status species like Yellow-billed Loons is inadequate. The minimal analysis of Yellow-billed Loons is focused on the gravel infrastructure and activity. But ice roads cause impacts to habitat that persist beyond the winter, by altering vegetation and hydrology. The SDEIS does not analyze impacts to Yellow-billed Loons from ice road construction and hydrological alteration. Nor is there any comparison of these impacts from ice roads between the options and alternatives. BLM must analyze impacts to all special status species.	The Draft EIS and Final EIS Section 3.11.2.3.1, <i>Habitat Loss or Alteration</i> , includes ice roads as a potential impact to yellow-billed loon nesting sites. Routing ice roads around identified yellow-billed loon nest sites and nesting lakes to avoid vegetation compaction at nest sites and delayed melt-out of nesting lakes is listed in the Final EIS Section 3.11.2.1.4, <i>Additional Suggested Avoidance, Minimization, or Mitigation</i> .	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
520	52	Psarianos	Bridget	Trustees for Alaska	Birds	BLM fails to analyze impacts to Golden Eagles. The only place that Golden Eagles are even mentioned in the draft EIS or the SDEIS is in Table E.11.1 entitled Bird Species that may Occur in the Analysis Area. Golden Eagles are found within the project area, and many of these individuals are sub-adult birds. Golden Eagles can be impacted by oil and gas operations through collisions with vehicles and aircraft, and through ingestion of oiled birds. The subadult Golden Eagles observed in the project area and across the Arctic Coastal Plain are important to the long-term survival of breeding populations of Golden Eagles across Alaska, and potentially populations in the Lower 48. Sub-adult Golden Eagles spend several years maturing and waiting for a breeding territory to open up, and the health and survival of these younger birds is a key component in the health and survival of future adult breeding populations. As a result, the habitats where these younger birds spend their non-breeding summers becomes critically important. The draft EIS and SDEIS should consider impacts to Golden Eagles within the project area, as well as the ramifications of these impacts to Golden Eagle breeding populations elsewhere in Alaska and the U.S.	Section 3.11.2, <i>Environmental Consequences</i> , was updated for the Final EIS with a short discussion and includes these citations: -McItyre et al. 2008 -McIntyre et al. 2018 -Eisaguirre et al. 2019	Y
520	53	Psarianos	Bridget	Trustees for Alaska	Birds	Analysis of cumulative impacts is essentially absent. The SDEIS simply does not analyze cumulative impacts to birds that would add up and compound among the boat ramps, the reservoir, or the ice road and Colville River ice bridge crossing at Ocean Point. Nor is there any mention of cumulative impacts of Option 3 with other North Slope infrastructure. Perhaps most glaringly, the SDEIS does not even consider cumulative impacts from ongoing IAP revisions. In particular, if BLM opens the Teshekpuk area to leasing, this would potentially create a slew of impacts that would accumulate with the impacts from Willow. Birds like Brant, Yellow-billed Loons, Pacific Loons, Dunlin, and other shorebirds and water birds would experience higher levels of impacts under multiple scenarios of a new IAP. This consideration is not even included in the SDEIS, despite the fact that the recent publication of the draft IAP proposed these changes.	Additional detail was added to Final EIS Section 3.19.10.3, <i>Birds</i> , regarding cumulative effects to birds, including effects from changes to the IAP.	Y
407	11	Rose	Garett	Natural Resources Defense Council	Birds	Birds BLM’s discussion of potentially significant impacts to birds in the SDEIS is fatally defective. The discussion lacks the detail that NEPA demands when describing potential impacts from the three new components. And it particularly ignores potential impacts to species falling under special designations. In these ways and others, BLM is again extending the failures of the DEIS into the SDEIS. The SDEIS fails to meaningfully analyze potentially significant impacts to birds. For example, the discussion of potential impacts from the reservoir and ramps notes that aspects of both would create dust and gravel spray that could alter adjacent habitats with a cross-reference to the DEIS. This description does not provide any detail on how the Projects components would alter the specific habitat in the area or how particular species utilizing those areas might thus be affected. And the cross-reference to the DEIS does not provide further illumination: that document simply asserts that gravel and dust could displace small numbers of birds or reduce the quality of forage or nesting cover, and would be ephemeral (early thaw) and permanent (changes in vegetation composition and structure). The purported analysis of disturbance and displacement and injury and mortality from the reservoir and boat ramp similarly forgo detailed discussion of potential impacts to specific species that utilize those areas. . . . The SDEISs failings are similar with regard to its discussion of Option 3. In attempting to describe potential impacts, BLM again deploys generalities. It states, for example, that screeding, barging, and boat traffic would likely not result in avoidance or changes in distribution or activities of birds, but it bases this general conclusion on a study of long-tailed ducks. Relatedly, the SDEIS provides no particularized analysis of the potential impacts of Option 3 on spectacled eiders or other special status species, despite appearing to acknowledge in the immediately preceding clause that there might be such impacts. And the SDEIS simply asserts that Option 3 winter activities would have minimal impacts on birds because fewer birds are present during winter than in summer, despite stating immediately beforehand that Option 3 may encounter more wintering birds at Ocean Point than other locations. These errors compound similar errors found in the DEIS. The discussion of potential impacts generally provides no meaningful details on how such impacts affect the specific species that utilize the analysis area. The discussion of habitat loss or alteration, for instance, provides no details on how such loss or alteration could affect species health or productivity. And the discussion of injury or mortality is similarly devoid of such analysis. Even where BLM seemingly provides these details as in the discussion of disturbance or displacement the discussion remains cursory. . . . And, more broadly, the SDEIS provides no meaningful discussion of how the Project might affect the presence of local avian populations, which is particularly important in light of the presence of several special status species.	SDEIS Section 1.2, <i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i> , states the following: “Potential environmental effects for Project elements that were already evaluated in the Draft EIS are not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect), due to CPAI’s Project modifications.” Table 3.11.3 in the SDEIS (Table E.11.6 in Appendix E.11, <i>Birds Technical Appendix</i> , in the Final EIS) provides a quantified list of habitats that would be affected by dust. Table E.11.1 describes what birds use those habitats and their status. The Draft EIS and Final EIS both detail the effects of dust on birds.	N
26710	1	Smith	Louise	USFWS	Birds	Upgrades to the Kuparuk gravel road system . . . The Service has concerns regarding the timing of these road upgrades as they may impact tundra-nesting birds and result in loss of eggs and/or nestlings. We suggest road upgrades involving wetland fill occur before or after the nesting season (June 1-July 31) if possible.	Suggestion was added to Final EIS Section 3.11.2.1.4, <i>Additional Suggested Avoidance, Minimization, or Mitigation</i> .	Y

4.2.3.5 Climate Change

Table B.3.7. Substantive Comments Received on Climate Change

r	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
23965	7	Bentley	Judith	Center for Biological Diversity	Climate Change	It fails to comprehensively evaluate the role of the Willow project in fueling the climate crisis, in light of scientific evidence showing that all Arctic fossil fuels must remain untapped for society to meet international climate goals.	Section 3.2.2 (<i>Environmental Consequences: Effects of the Project on Climate Change</i>) analyzes the Project’s direct and indirect GHG emissions, thereby analyzing potential effects on climate change. The comment regarding leaving Arctic fossil fuels untapped cannot be responded to without more detailed information, such as a supporting reference.	N

r	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
12244	1	Berndt	Michael	Center for Biological Diversity	Climate Change	It fails to account for subsurface and marine methane deposits, which could trigger runaway climate crises, if released.	Section 3.2.2 (<i>Environmental Consequences: Effects of the Project on Climate Change</i>) analyzes the Project’s direct and indirect GHG emissions, including methane emissions. The cumulative effects of the GHG emissions associated with the North Slope development, including methane emissions, and the oil and gas that would be combusted over the life of the Willow MDP Project are analyzed in Final EIS Section 3.19.4 (<i>Cumulative Impacts to Climate Change</i>).	N
25775	3	Dieterich	Michele	Center for Biological Diversity	Climate Change	It fails to analyze the effects of climate change and the addition of these greenhouse gases and the effects of destroying this area.	Section 3.2.2 (<i>Environmental Consequences: Effects of the Project on Climate Change</i>) analyzes the Project’s direct and indirect GHG emissions, thereby analyzing potential effects on climate change.	N
5855	2	Harrison	David	Center for Biological Diversity	Climate Change	It also fails to fully assess the climate impacts of the Willow project.	Section 3.2.2 (<i>Environmental Consequences: Effects of the Project on Climate Change</i>) analyzes the Project’s direct and indirect GHG emissions, thereby analyzing potential effects on climate change.	N
2186	1	Howard	Lisa	Center for Biological Diversity	Climate Change	Burning the estimated 590 million barrels of oil to be extracted during the life of the project would result in nearly 254 million metric tons of greenhouse gases the equivalent of 65 coal plants operating for a year. The supplemental draft environmental impact statement for this project fails on many levels. If fails to adequately analyze harm to wildlife that is already being impacted by global warming. It fails to consider the cumulative impact of other oil development in the Arctic. It fails to adequately address the role of the project in fueling the climate crisis.	The cumulative effects on wildlife from the Project in combination with climate change are addressed in Final EIS Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> . The cumulative effects of the GHG emissions associated with the North Slope development and the oil and gas that will be combusted over the life of the Willow MDP Project are analyzed in Final EIS Section 3.19.4 (<i>Cumulative Impacts to Climate Change</i>). Section 3.2.2 (<i>Environmental Consequences: Effects of the Project on Climate Change</i>) analyzes the Project’s direct and indirect GHG emissions, thereby analyzing potential effects on climate change.	N
658	5	Long	Becky	—	Climate Change	Increased Polluting Emissions from Proposed Supplement to the Willow Project Scientists have known since the early 1990s that Prudhoe Bay emissions travel hundreds of miles west over communities such as the Native Village of Nuiqsut (NVN). The cool arctic air can trap pollutants closer to the ground level. Pollutants then build up over a wide area. The exploration, production and burning of fossil fuels creates significant Greenhouse Gas (GHG) emissions. The 11/23/2018 United States Geological Survey report entitled FEDERAL LANDS GREENHOUSE GAS EMISSIONS AND SEQUESTRATION IN THE UNITED STATES: ESTIMATES FOR 2005-2014, Report 2018-5131 show this. This report is a first of its kind accounting for fossil fuel extraction emissions. Oil and gas drilling and production on federal lands and offshore contributes a yearly average of 23.7% of carbon dioxide emissions, 7.3% of methane emissions and 1.5% nitrous oxide emissions. This report can provide a context for future energy decisions as well as a basis to track future fugitive emissions from fossil fuel leasing. BLM needs to figure out the GHG emissions from this proposed project. Methane is a potent GHG emission which enters the atmosphere from flaring, venting, and infrastructure leaking of natural gas. Methane is the primary component of gas making up 87 to 97% by volume. Methane’s warming effect is 87 times greater than carbon dioxide over a 20 year period and 36 times greater over a 100 year average. The current federal administration is gutting the EPA and BLM 2016 waste prevention rules that would have reduced 35% of methane emissions. Comprehensive leak detection and repair requirements, methane capture standards for various field equipment and common drilling practices and establish volume metrics and percentage based venting and flaring limits. But now we don’t have that for federal lands. The oil and gas industry states that methane emissions from production are unavoidable. In a recent 12/18/2018 Alaska Oil and Gas Conservation Commission hearing on methane emissions, Kara Moriarty, the Executive Director of the Alaska Oil and Gas Association which is an industry trade lobbying group testified to the following. The venting or flaring of some natural gas is practically an unavoidable consequence of oil and gas development. Routine and continuous flaring of pilot and purged gas during the non-emergency situations is a key component to the safe development of oil and gas reserves. If this is so, it makes a good case to eliminate new leasing on public lands in the arctic. Natural gas flaring produces black carbon which is a known recognized localized warming impact on ice and snow thus creating more climate impacts. Flaring also produces particulate matter and toxics such as benzene which are known carcinogens. This affects the environment and human health. Black carbon pollution accelerates climate changing impacts on the North Slope. This is by darkening the surface of the sea ice and land. It is also the main ingredient in fine particulate matter pollution.	The Final EIS cites Report 2018-5131 (Merrill, Sleeter et al. 2018) in Section 3.2.1.3 (<i>Trends in U.S. and Alaska Greenhouse Gas Emissions</i>). In addition, GHG emissions are quantified for all Project components for the life of the Project, including direct GHG emissions; indirect GHG emissions from the transportation, refining, and combustion of the produced oil; and cumulative GHG emissions associated with the Willow MDP Project in combination with other existing GHG emissions on the North Slope of Alaska and potential future development. If the Willow MDP Project is authorized, the GHG emissions produced by the Project would also be likely quantified and included in subsequent GHG emissions reports by USGS, if they are developed. GHG emissions estimates include methane and calculate the carbon dioxide equivalent of methane by accounting for its global warming potential over both a 20-year time period and a 100-year time period. GHG emissions estimates account for current federal requirements and the activities anticipated to occur as part of the Willow MDP Project, including flaring. Venting of natural gas is not expected as part of the Project. Appendix E.2A (<i>Climate and Climate Change Technical Appendix</i>), Section 3.2.1 (<i>Black Carbon Effects on Climate</i>), explains the effects of black carbon on climate and the substantial uncertainty that exists regarding the warming potential of black carbon. Emissions of particulate matter and toxics, including benzene, are estimated from flaring and other activities and are presented in Section 3.3.2.2. (<i>Air Emissions Inventory</i>).	N
658	8	Long	Becky	—	Climate Change	Climate Change Impacts inadequately considered. The production timeline for this project means it will be happening at the very time when the scientific realities of climate change show that there needs to be a transition away from fossil fuels. The average annual temperature in the Arctic (land above the Arctic Circle) has increased twice as fast as the rest of the world in the last 50 years. Thus, we are seeing climate change stress in the North Slope. Global climate warming must be kept to only 1.5 degrees C in the next 12 years in order to prevent extreme weather events that affect the well-being of the planet. Emissions must drop by 55% by 2030 in order to prevent this. The DEIS and SEIS only contributes to climate warming.	The current conditions and climate trends are presented in Section 3.2.1 (<i>Affected Environment</i>). The discussion includes recognition of the effects of climate change in the Arctic. This section has been revised to include IPCC (2018) estimates of global GHG emissions reduction targets.	Y
4832	7	McAllistr	Angus	Center for Biological Diversity	Climate Change	Third, it does not accurately evaluate the role of the Willow project in accelerating the current climate crisis, the scientific analysis of which shows with negligible room for doubt that all Arctic fossil fuels must remain untapped for society to meet international climate goals.	Section 3.2.2 (<i>Environmental Consequences: Effects of the Project on Climate Change</i>) analyzes the Project’s direct and indirect GHG emissions, thereby analyzing potential effects on climate change. The comment regarding leaving Arctic fossil fuels untapped cannot be responded to without more detailed information, such as a supporting reference.	N

r	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
323	2	McCarron	Christopher	—	Climate Change	<p>The draft EIS only notes that: The three Project changes (Chapter 2.0, Alternatives) are not expected to substantially change the climate change analysis. Key Project components and their associated greenhouse gas contributions are being reanalyzed and the results will be included in the Final EIS. This does not address climate change in any scientific manner or meaningful way, and nothing is cited to show evidence for the claim it will not substantially change analyses.</p> <p>The fact that the EIS can show that Caribou or Yellow-Billed Loons will not be directly affected is completely irrelevant because they will all be indirectly affected by warming. Infrastructure and subsistence lifestyles for many Alaskans will also be indirectly affected by this, which is not addressed in the EIS.</p>	<p>SDEIS Section 1.2, <i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i>, states the following: “Potential environmental effects for Project elements that were already evaluated in the Draft EIS are not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect), due to CPAT’s Project modifications.”</p> <p>Final EIS Section 3.2, <i>Climate and Climate Change</i>, describes the effects of all Project components on climate change and describes the effects of climate change on the Project.</p> <p>The cumulative effects of the Project with climate change were added to Final EIS Section 3.19.12, <i>Cumulative Impacts to Subsistence and Sociocultural Systems</i>.</p>	Y
590	1	McCarron	Christopher	—	Climate Change	<p>This project would increase fossil fuel production by an initial projection of 200,000 barrels per day for a minimum of 30 years and its impacts on global warming are not addressed in Chapter 3 section 2, even in the slightest. The draft EIS only notes that: The three Project changes (Chapter 2.0, Alternatives) are not expected to substantially change the climate change analysis. Key Project components and their associated greenhouse gas contributions are being reanalyzed and the results will be included in the Final EIS. This does not address climate change in any scientific manner or meaningful way, and nothing is cited to show evidence for the claim it will not substantially change analyses. Reanalyzing means they are not aware of the consequence at this time and cannot provide sufficient evidence to back up their claims for public comment. These two sentences are contradictory. What is known is that it is physically impossible to reduce atmospheric carbon emissions, as recommended by the NCA, the IPCC, and 97% of those in the scientific community (Cook et al. 2016) if we continue to expand pipelines and drill sites. Nobody can refute this; it is fact that is based on fundamental principles of physics and chemistry. The fact that the EIS can show that Caribou or Yellow-Billed Loons will not be directly affected is completely irrelevant because they will all be indirectly affected by warming. Infrastructure and subsistence lifestyles for many Alaskans will also be indirectly affected by this, which is not addressed in the EIS. . . . Testimony by Rick W Whitbeck on the 29th of April 2020, noted that this development would create only 2,000 nonpermanent jobs and only 300 permanent jobs. This is not a project that is good for all Alaskans, it is good for the executives, lobbyists, and shareholders of the fossil fuel industry with a small group of workers being thrown what amounts to scraps. This will ultimately be worse for Alaska in losses in other economic sectors, as documented in the NCA. This EIS is fundamentally incomplete and this project should not proceed at any point in time.</p>	<p>Final EIS Appendix E.2A (<i>Climate and Climate Change Technical Appendix</i>), Section 1.5 (<i>Projected Climate Trends and Impacts in the Project Area</i>), has been revised to include IPCC global GHG emission reduction targets from the 2018 special report <i>Global Warming of 1.5°C (IPCC 2018)</i>. A discussion of climate feedback processes is included in Section 3.2.1 (<i>Affected Environment</i>). Section 3.2.1.2 (<i>Projected Climate Trends and Impacts in the Arctic and on the North Slope</i>) and Section 3.2.3 (<i>Effects of Climate Change on the Project</i>) analyze the effects of thawing permafrost. The decision to not analyze the social costs of carbon is explained in Appendix E.2A, Section 2.4 (<i>Social Cost of Carbon</i>).</p> <p>As explained in responses to other comments, the Final EIS was developed based on public comments provided on the Draft EIS and SDEIS. Importantly, the approaches used to assess Project impacts on climate change in the Final EIS were not materially different from the Draft EIS. Therefore, an additional review of climate change impacts for the SDEIS was not warranted.</p> <p>The Final EIS analyzes the direct, indirect, and cumulative GHG emissions attributable to the Project and provides context about the trends in climate change in the Arctic. The general effects of climate change in the Arctic (e.g., specific species, existing infrastructure, subsistence lifestyles) is not Project-specific and thus is not informative to the selection of an alternative.</p> <p>Some construction jobs and supporting service jobs would likely be filled by NSB residents, positively impacting the local and regional economy. Local oil industry support companies, such as those owned by Kuukpik or ASRC, would earn revenues on the Project, which would indirectly affect local incomes through increased dividends. Assuming an average salary of \$57,000 for indirect and induced jobs throughout the Alaska economy, indirect and induced wages would total \$131.1 million per year. While direct employment and wages generated by construction activities on the North Slope would account for only 1% to 2% of total employment in the state, indirect effects would accrue throughout the state as wages earned on the North Slope would be spent on goods and services in workers’ home communities throughout the state.</p>	Y
850	1	McCarron	Christopher	—	Climate Change	<p>The U.N. Intergovernmental Panel on Climate Change report in 2019, stated there needed to be a 50 percent reduction in carbon emissions by 2030, and the globe needs to be carbon neutral by 2050 to avoid catastrophic consequences of climate change, both environmental and economic. The Arctic is warming at a faster rate than any other place on earth, and even the United States own Fourth National Climate Assessment released in 2018 noted, there needs to be a reduction in carbon emissions. Ripple, et al., 2019, published a petition of 11,000 scientists with a letter urging to — for the reduction of fossil fuel infrastructure. A study done originally in 1997, updated in 2009 by Constanza, et al., showed that ecosystem services value is an average of \$46 trillion a year. The Fourth National Climate Assessment noted that feedback loops due to warming in the Arctic and increased permafrost melting is already becoming an issue, but will become more of a problem over the 21st century. Increasing fossil fuel and drilling is, therefore, not in the public interest for any reason due to current and future effects this will have for local, national, and the global community. This will affect both the environment locally and subsistence resources, but also globally. These are not substantially addressed issues in the draft EIS. There’s only three lines that note the project changes are not expected to substantially change climate change analysis. Key project components and their associated greenhouse gases contribute — gas contributions are being re-analyzed, and the results will be included in the final EIS when nobody can comment on this. It is physically impossible to reduce atmospheric carbon emissions by half if we continue to expand pipelines and drill sites as recommended by the National Climate Assessment, the IPCC and 97 percent of the scientific community. Nobody at these hearings will be able to refute what I have said. This is a fact. We need to stop burning fossil fuels, period. This is — this basic fact makes this project unacceptable.</p>	<p>Final EIS Appendix E.2A (<i>Climate and Climate Change Technical Appendix</i>), Section 1.5 (<i>Projected Climate Trends and Impacts in the Project Area</i>), has been revised to add IPCC global GHG emission reduction targets from the 2018 special report <i>Global Warming of 1.5°C (IPCC 2018)</i>. The Final EIS has not been revised to include reference to the petition by scientists related to the reduction of fossil fuel infrastructure, as a petition is not a scientific analysis. The decision to not analyze the social costs of carbon is explained in Appendix E.2A, Section 2.4 (<i>Social Cost of Carbon</i>). A discussion of climate feedback processes is included in Section 3.2.1 (<i>Affected Environment</i>).</p> <p>As explained in responses to other comments, the Final EIS was developed based on public comments provided on the Draft EIS and SDEIS. Importantly, the approaches used to assess Project impacts on climate change in the Final EIS were not materially different from the Draft EIS. Therefore, an additional review of climate change impacts for the SDEIS was not warranted.</p>	Y
792	1	Notari	Angelica E	—	Climate Change	<p>The most recent IPCC report noted that we need to reduce emissions but 50% by 2030 and become carbon neutral by 2050 to avoid catastrophic consequences of climate change. Expanding fossil fuel infrastructure is therefore a horrible and irresponsible decision.</p>	<p>The current conditions and climate trends are presented in Section 3.2.1 (<i>Affected Environment</i>). The discussion includes recognition of the effects of climate change in the Arctic. This section has been revised to include IPCC (2018) estimates of global GHG emissions reduction targets.</p>	Y
3	4	Merendino	Caleb	—	Climate Change	<p>. . . [S]upplemental draft environmental impact statement is deeply inadequate on multiple fronts: 3) It fails to comprehensively evaluate the role of the Willow project in fueling the climate crisis, in light of scientific evidence showing that all Arctic fossil fuels must remain untapped for society to meet international climate goals.</p>	<p>The impacts on climate change are assessed by describing current and projected future climate impacts on the North Slope and quantifying the potential direct GHG emissions for all Project components for the life of the Project; indirect GHG emissions from the transportation, refining, and combustion of the produced oil; and cumulative GHG emissions associated with the Willow MDP Project in combination with other existing GHG emissions on the North Slope of Alaska and potential future development. The climate change analysis is not limited to an evaluation of individual drill pads. The commenter does not explain what analysis is lacking for a comprehensive evaluation.</p>	N

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29	3	O'Donnell	Gretchyn	—	Climate Change	The monumental environmental impacts, direct and indirect, as a result of this project, are not adequately answered for in the EIS, nor in this presentation. Fossil fuel is, in fact, the leading cause of climate change. The EIS mentions no plan of mitigation of climate change, and how that will definitely foil any plans of transporting large equipment via ice roads.	The commenter does not explain what aspects of the direct and indirect analysis were inadequate. Final EIS Section 3.2.3, <i>Effects of Climate Change on the Project</i> , describes the measures the Project proponent would use to adjust to the effects of climate change on ice roads, among other things affected by climate change. The impacts on climate change are assessed by describing current and projected future climate impacts on the North Slope and quantifying the potential direct GHG emissions for all Project components for the life of the Project; indirect GHG emissions from the transportation, refining, and combustion of the produced oil; and cumulative GHG emissions associated with the Willow MDP Project in combination with other existing GHG emissions on the North Slope of Alaska and potential future development.	N
520	33	Psarianos	Bridget	Trustees for Alaska	Climate Change	BLM Failed to Properly Consider the Direct, Indirect, and Cumulative Impacts of the Willow Project in Light of Climate Change and Greenhouse Gas Emissions As we explained in comments on the agency’s draft EIS, BLM’s analysis of the greenhouse gas emissions and climate impacts from the Willow project fails to take the requisite hard look at the numerous impacts from this massive fossil fuel project, particularly in light of the significant climate change-related harms already facing the Arctic. Specifically, the draft EIS failed to evaluate the impacts of the Willow project in light of the urgent need to reduce greenhouse gas emissions; failed to adequately consider the effects of the project in the context of a warming Arctic; failed to consider the impacts of black carbon; made arbitrary, unsupported estimates regarding greenhouse gas emissions from the project; and otherwise failed to provide a meaningful analysis of the significance of the projects greenhouse gas emissions. BLM’s supplemental draft EIS fails to remedy any of these considerable legal errors. Instead, BLM summarily states that the agency does not expect the project changes to substantially change the climate change analysis of the draft EIS. BLM did not reexamine its estimates of greenhouse gas emissions from the Willow project, or any other aspect of its climate change analysis. Moreover, BLM flippantly declares that the ability of federal agencies to influence the processes thought to be responsible for climate change (such as greenhouse gas emissions) is extremely limited at present, absent an effective worldwide response to the problem. In fact, greenhouse gas emissions are known not merely thought to be responsible for climate change, federal land-management decisions will be a significant part of and courts have confirmed that federal agencies must consider the climate change consequences of their actions.	The direct, indirect, and cumulative impacts of the Willow MDP Project on climate change were evaluated in the Draft EIS, and the analysis in the Final EIS is not materially different. Impacts on climate change are assessed by quantifying the potential direct GHG emissions for all Project components for the life of the Project; indirect GHG emissions from the transportation, refining, and combustion of the produced oil; and cumulative GHG emissions associated with the Willow MDP Project in combination with other existing GHG emissions on the North Slope of Alaska and potential future development. Section 3.2.1 (<i>Affected Environment</i>) and Appendix E.2A (<i>Climate and Climate Change Technical Appendix</i>), Chapter 1.0 (<i>Affected Environment</i>), explain the current climate conditions, climate trends in the Arctic, and the relationships between GHG emissions and climate change. Section 3.2.1 (<i>Black Carbon Effects on Climate</i>) of Appendix E.2A explains the effects of black carbon on climate and the substantial uncertainty that exists regarding the warming potential of black carbon. The development of the GHG emissions inventory is detailed in Attachments C and D to Appendix E.3B (<i>Air Quality Technical Support Document</i>). As stated in the SDEIS, key Project components were reanalyzed for climate change and remodeled for the assessment of air quality impacts, and results are provided in the Final EIS. The Final EIS was developed based on public comments provided on the Draft EIS and SDEIS. Importantly, the approaches used to assess Project impacts on climate change and air quality in the Final EIS were not materially different from the Draft EIS. While input data changed and the specifics of the analysis were revised for the Final EIS based on updated Project design information, and GHG emissions estimates were reexamined, the overall approach used to assess climate change and air quality impacts in the Draft EIS is the same for the Final EIS. Resulting climate and air quality impacts in the Final EIS are predicted to be similar or lower than the Draft EIS. Since the Final EIS approach and results are not materially different from the Draft EIS, and the comments provided on the Draft EIS were able to inform the air quality impact analysis, an additional review of air quality impacts for the SDEIS was not warranted. The Project’s impact on climate change is considered during the BLM’s decision process in combination with impacts to all resources.	N

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520	34	Psarianos	Bridget	Trustees for Alaska	Climate Change	<p>These failures are particularly glaring considering that numerous reports released since we submitted our comments in October 2019 underscore the urgent need to rapidly transition away from fossil fuels, including by halting the approvals of new oil development projects. First, the United Nations November 2019 Emissions Gap report reiterated the need for urgent action to cut fossil fuel emissions. According to the report, if the world is to limit global warming to 1.5C, countries must cut emissions by at least 7.6% per year over the next decade, for a total emissions reduction of 55% between 2020 and 2030. The United Nations November 2019 Production Gap report shows that countries like the United States are on course to extract vastly more fossil fuels than what is allowed to meet a 1.5C or even 2C target. Countries current fossil fuel production plans would lead to 120% more fossil fuel emissions by 2030 than would be consistent with a 1.5C pathway, and 210% more by 2040. The United States is a primary contributor to this dangerous over-production of fossil fuels as the world’s largest oil and gas producer and second largest coal producer, with current policies projected to lead to a 30% increase in oil and gas production by 2030. Together these reports make clear that, to limit the worst damages of climate change, the United States must begin rapidly phasing out its fossil fuel production. Second, the Energy Information Administration released its Annual Energy Outlook for 2020 that contains energy-related projections through 2050. The report indicates that without significant policy changes and a rapid transition away from fossil fuels, annual U.S. greenhouse gas emissions are projected to begin rising again by the 2030s. This means that the United States will not be anywhere close to where scientists say it needs to be to reduce its contributions to the climate crisis and avert the most catastrophic impacts of climate change. Third, the National Oceanic and Atmospheric Administration released its 2019 Arctic Report Card. The report highlights the unprecedented changes as a result of warming air temperatures, declining sea ice, and warming waters that are threatening species and ecosystems in Arctic regions. A prominent 2019 review of the risks from climate tipping points warned that a tipping point for Arctic sea ice loss could be triggered at low levels of global warming, with abrupt shifts projected to occur between 1.5C and 2C. The study concluded that the evidence from tipping points alone suggests that we are in a state of planetary emergency: both the risk and urgency of the situation are acute. The 2019 State of the Climate Report from the World Meteorological Organization found that 2019 was the second hottest year on record and ended the hottest decade on record, ocean heat content reached a record high, and Arctic summer sea ice extent dropped to the second lowest level on record, among other harms from the climate crisis. In a statement accompanying the report, UN Secretary-General Antonio Guterres warned that [t]ime is fast running out for us to avert the worst impacts of climate disruption and protect our societies. Fourth, new scientific studies highlight the importance of immediately halting all new fossil fuel infrastructure projects to preserve a livable planet. One study found that phasing out all fossil fuel infrastructure at the end of its design lifetime, starting immediately, preserves a 64 percent chance of keeping peak global mean temperature rise below 1.5C. This means replacing fossil fuel power plants, cars, aircraft, ships, and industrial infrastructure with zero carbon alternatives at the end of their lifespans, starting now. The study found that delaying mitigation until 2030 reduces the likelihood that 1.5 C would be attainable to below 50 percent, even if the rate of fossil fuel retirement were accelerated. In other words, every year of delay in phasing out fossil fuel infrastructure makes lock-in more difficult to escape and the possibility of keeping global temperature rise below 1.5C less likely. The study concluded that although difficult, 1.5C remains possible and is attainable with ambitious and immediate emission reductions across all sectors. Another recent study similarly concluded that no new fossil fuel infrastructure should be permitted and existing infrastructure may need to be retired early in order to meet the Paris Agreement climate targets. Other studies have demonstrated that the urgency of curtailing oil and gas development is enhanced by recent findings that methane emissions from such development have been dramatically underestimated. Together these reports (along with those referenced in our comments on the draft EIS) make clear that, to limit the worst damages of climate change, the United States must begin rapidly phasing out its fossil fuel production. Yet, the Willow project a new oil development project that would lead to oil production for many years would do just the opposite and undermine the need to move swiftly away from dependence on carbon-based fuels. BLM must issue another supplemental draft EIS for public notice and comment that adequately considers, analyzes, and discloses the Willow projects role in fueling the climate crisis. Its failure to do so would be unlawful.</p>	<p>Final EIS Appendix E.2A (<i>Climate and Climate Change Technical Appendix</i>), Chapter 1.0 (<i>Affected Environment</i>), has been revised to include references to the UN <i>Emissions Gap Report</i> (UNEP 2019), the updated U.S. Energy Information Administration’s <i>Annual Energy Outlook 2020I</i> (USEIA 2020), the National Oceanic and Atmospheric Administration’s 2019 <i>Arctic Report Card</i> (Richter-Menge, Druckenmiller et al. 2019), the World Meteorological Organization’s 2019 <i>State of the Climate Report</i> (World Meteorological Organization 2020), and the two citations published in <i>Nature</i> (Smith, Forster et al. 2019; Tong, Zhang et al. 2019). The Pandey et al. study analyzes abnormal conditions (a well blowout) and is therefore not included in the Final EIS. The Final EIS was developed based on public comments provided on the Draft EIS and SDEIS. Importantly, the approaches used to assess Project impacts on climate change and air quality in the Final EIS were not materially different from the Draft EIS. While input data changed and the specifics of the analysis were revised for the Final EIS based on updated Project design information, and GHG emissions estimates were reexamined, the overall approach used to assess climate change and air quality impacts in the Draft EIS is the same for the Final EIS. Resulting climate and air quality impacts in the Final EIS are predicted to be similar or lower than the Draft EIS. Since the Final EIS approach and results are not materially different from the Draft EIS, and the comments provided on the Draft EIS were able to inform the air quality impact analysis, an additional review of air quality impacts for the SDEIS was not warranted.</p>	Y

r	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
407	7	Rose	Garett	Natural Resources Defense Council	Climate Change	Climate Change and Air Quality The SDEIS inappropriately states that the impacts analysis for both climate change and air quality are being redone and will be included in the Final EIS. Commentators on the DEIS, however, noted serious flaws with both analyses. Of particular note, the climate change analysis eschewed any discussion of the economic costs of greenhouse gas emissions from the Project (despite available methodological tools and an accounting of economic benefits elsewhere in the DEIS), and erroneously concluded that the Projects production would almost entirely replace production from other sources, ignoring economic analyses showing that approximately 50% of new supply does not displace existing sources. And the air quality analysis relied on non-public baseline data to generate models that treated each phase of the Project in isolation, rather than occurring in overlapping phases. These analytic missteps constitute fundamental errors that prevent the public and decisionmakers from meaningfully analyzing the potentially significant impacts of the Project on climate change and air quality. Any appropriate correction necessitates revising and reissuing the analysis.	As stated in the SDEIS, key Project components were reanalyzed for climate change and remodeled for the assessment of air quality impacts, and results are provided in the Final EIS. The Final EIS was developed based on public comments provided on the Draft EIS and SDEIS. Importantly, the approaches used to assess Project impacts on climate change and air quality in the Final EIS were not materially different from the Draft EIS. While input data changed and the specifics of the analysis were revised for the Final EIS based on updated Project design information, the overall approach used to assess climate change and air quality impacts in the Draft EIS is the same for the Final EIS. Resulting climate and air quality impacts in the Final EIS are predicted to be similar or lower than the Draft EIS. Since the Final EIS approach and results are not materially different from the Draft EIS, and the comments provided on the Draft EIS were able to inform the air quality impact analysis, an additional review of air quality impacts for the SDEIS was not warranted. Related to the comments on the Draft EIS, responses to those comments are provided in Final EIS Appendix B, <i>Public Engagement and Comment Responses</i> . The Final EIS was revised to address comments when warranted. Specifically, related to comments about the economic costs of GHGs and methods used by the MarketSim model to estimate production displacement, responses were provided to explain BLM’s decision-making process. Related to the reliance on nonpublic baseline data in the air quality impact analysis, data used in the air quality impact analysis are publicly available upon request. Related to the concern that the modeling treated each phase of the Project in isolation, text has been added to the AQTSD (Final EIS Appendix E.3B, <i>Air Quality Technical Support Document</i>) to explain the near-field modeling scenarios in more detail; in particular, text was added to explain that the development drilling scenario analyzes combined activities. Further, the development drilling near-field modeling scenario in Appendix E.3B was revised to include construction emissions.	N
343	1	Sarfeh	Jamie	—	Climate Change	The draft EIS only notes that: The three Project changes (Chapter 2.0, Alternatives) are not expected to substantially change the climate change analysis. Key Project components and their associated greenhouse gas contributions are being reanalyzed and the results will be included in the Final EIS. This does not address climate change in any scientific manner or meaningful way, and nothing is cited to show evidence for the claim it will not substantially change analyses. Reanalyzing means they are not aware of the consequence at this time and cannot provide sufficient evidence to back up their claims for public comment. These two sentences are contradictory. The fact that the EIS can show that Caribou or Yellow-Billed Loons will not be directly affected is completely irrelevant because they will all be indirectly affected by warming. Infrastructure and subsistence lifestyles for many Alaskans will also be indirectly affected by this, which is not addressed in the EIS.	SDEIS Section 1.2, <i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i> , states the following: “Potential environmental effects for Project elements that were already evaluated in the Draft EIS are not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect), due to CPAI’s Project modifications.” Final EIS Section 3.2, <i>Climate and Climate Change</i> , describes the effects of all Project components on climate change and describes the effects of climate change on the Project. The cumulative effects of the Project with climate change were added to Final EIS Section 3.19.12, <i>Cumulative Impacts to Subsistence and Sociocultural Systems</i> .	Y
2880	5	Skiba	Gary	Center for Biological Diversity	Climate Change	No real cumulative impacts of oil development in the Arctic, with other expansions in the area being considered. Failing to adequately address climate change.	The cumulative effects of the GHG emissions associated with the North Slope development and the oil and gas that would be combusted over the life of the Willow MDP Project are analyzed in Final EIS Section 3.19.4 (<i>Cumulative Impacts to Climate Change</i>).	N
9837	1	Tuominen	L.K.	Center for Biological Diversity	Climate Change	It fails to comprehensively evaluate the role of the Willow project in fueling the climate crisis, in light of scientific evidence showing that all Arctic fossil fuels must remain untapped for society to meet international climate goals.	Section 3.2.2 (<i>Environmental Consequences: Effects of the Project on Climate Change</i>) analyzes the Project’s direct and indirect GHG emissions, thereby analyzing potential effects on climate change. The comment regarding leaving Arctic fossil fuels untapped cannot be responded to without more detailed information, such as a supporting reference.	N
20	2	Utley	Kathryn	—	Climate Change	[I]t is going to have a substantially negative impact locally. And then when you add to it that, even as we build and continue to drill for oil, we’re raising the temperature of the Arctic. So, all that permafrost that we’re trying to engineer our way around is going to be melting and releasing methane into the atmosphere, and all that ice that everybody is using to build with is not going to be there. So, this just seems like not our best use of our resources, not the best direction for us to go in. Preserving this area and building up subsistence there seems like a much better idea.	Section 3.2.1.2 (<i>Projected Climate Trends and Impacts in the Arctic and on the North Slope</i>) and Section 3.2.3 (<i>Effects of Climate Change on the Project</i>) analyze the effects of thawing permafrost.	N
26709	7	Warren	James	—	Climate Change	The same problem applies to BLM analysis of climate change. Your documents always claim that the individual drilling pads won’t affect climate change greatly. But that is because one drilling pad or 50 drilling pads or 200 drilling pads is not actually the correct way of looking at climate change. The right way to address climate change in the Arctic is globally, with analysis not of the Colville River crossing ice bridge or the drilling pad or the gravel pit or even the five boat ramps, not even the “screeding” of the ocean bottom at the Point. These “improvements” for human development of industrial infrastructure all contribute to global climate change, certainly. And global climate change is an existential threat to the planet—certainly, and without doubt. But where in the Draft EIS or this new Supplement does BLM actually consider the cumulative effects of all of the North Slope development, and the oil and gas that will be burned over the life of these projects (30-31 years, in the latest Supplement document)? Nowhere. There is no modeling of what this actually means for the planet. There is no sense of global responsibility. Nowhere in these documents does BLM address its own responsibility to take global climate change into account in its decision-making process—rather, the approval process. It is an approval process because the approval is a done deal. “The path to energy dominance leads through Alaska.” We remember those words. They say that BLM is helping to clear the path to energy dominance.	The impacts on climate change are assessed by describing current and projected future climate impacts on the North Slope and quantifying the potential direct GHG emissions for all Project components for the life of the Project; indirect GHG emissions from the transportation, refining, and combustion of the produced oil; and cumulative GHG emissions associated with the Willow MDP Project in combination with other existing GHG emissions on the North Slope and potential future development. The climate change analysis is not limited to an evaluation of individual drill pads. The commenter does not explain what analysis is lacking for a comprehensive evaluation.	N

r	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
570	5	P Warren	James	—	Climate Change	The same problem applies to BLM analysis of climate change. Your documents always claim that the individual drilling pads won’t affect climate change greatly. But that is because one drilling pad or 50 drilling pads or 200 drilling pads is not actually the correct way of looking at climate change. The right way to address climate change in the Arctic is globally, with analysis not of the Colville River crossing ice bridge or the drilling pad or the gravel pit or even the five boat ramps, not even the “screeding” of the ocean bottom at the Point. These “improvements” for human development of industrial infrastructure all contribute to global climate change, certainly. And global climate change is an existential threat to the planet—certainly, and without doubt. But where in the Draft EIS or this new Supplement does BLM actually consider the cumulative effects of all of the North Slope development, and the oil and gas that will be burned over the life of these projects (30-31 years, in the latest Supplement document)? Nowhere. There is no modeling of what this actually means for the planet. There is no sense of global responsibility. Nowhere in these documents does BLM address its own responsibility to take global climate change into account in its decision-making process—rather, the approval process.	The impacts on climate change are assessed by describing current and projected future climate impacts on the North Slope and quantifying the potential direct GHG emissions for all Project components for the life of the Project; indirect GHG emissions from the transportation, refining, and combustion of the produced oil; and cumulative GHG emissions associated with the Willow MDP Project in combination with other existing GHG emissions on the North Slope of Alaska and potential future development. The climate change analysis is not limited to an evaluation of individual drill pads. The analysis includes all aspects of the Project, including activities at drill sites, production facilities, operations center, vehicles, construction, module delivery, maintenance, and all other activities associated with the Project, that are expected to emit GHGs. The cumulative effects of the GHG emissions associated with the North Slope development and the oil and gas that will be combusted over the life of the Willow MDP Project are analyzed in Section 3.19.4 (<i>Cumulative Impacts to Climate Change</i>) of the Final EIS. BLM analyzes the impact of the Project on climate using GHG emissions. It is not currently possible to determine the impact of a single project on global climate change. The impact to climate is considered during BLM’s decision process in combination with impacts to all resources.	N
4	6	P Warren; Warren	James; Jim	—	Climate Change	The same problem applies to BLM analysis of climate change. Your documents always claim that the individual drilling pads won’t affect climate change greatly. But that is because one drilling pad or 50 drilling pads or 200 drilling pads is not actually the correct way of looking at climate change. The right way to address climate change in the Arctic is globally, with analysis not of the Colville River crossing ice bridge or the drilling pad or the gravel pit or even the five boat ramps, not even the “screeding” of the ocean bottom at the Point. These “improvements” for human development of industrial infrastructure all contribute to global climate change, certainly. And global climate change is an existential threat to the planet—certainly, and without doubt. But where in the Draft EIS or this new Supplement does BLM actually consider the cumulative effects of all of the North Slope development, and the oil and gas that will be burned over the life of these projects (30-31 years, in the latest Supplement document)? Nowhere. There is no modeling of what this actually means for the planet. There is no sense of global responsibility. Nowhere in these documents does BLM address its own responsibility to take global climate change into account in its decision-making process—rather, the approval process. It is an approval process because the approval is a done deal. “The path to energy dominance leads through Alaska.” We remember those words. They say that BLM is helping to clear the path to energy dominance.	The impacts on climate change are assessed by describing current and projected future climate impacts on the North Slope and quantifying the potential direct GHG emissions for all Project components for the life of the Project; indirect GHG emissions from the transportation, refining, and combustion of the produced oil; and cumulative GHG emissions associated with the Willow MDP Project in combination with other existing GHG emissions on the North Slope of Alaska and potential future development. The climate change analysis is not limited to an evaluation of individual drill pads. The analysis includes all aspects of the Project, including activities at drill sites, production facilities, operations center, vehicles, construction, module delivery, maintenance, and all other activities associated with the Project, that are expected to emit GHGs. The cumulative effects of the GHG emissions associated with the North Slope development and the oil and gas that will be combusted over the life of the Willow MDP Project are analyzed in Section 3.19.4 (<i>Cumulative Impacts to Climate Change</i>) of the Final EIS. BLM analyzes the impact of the Project on climate using GHG emissions. It is not currently possible to determine the impact of a single project on global climate change. The impact to climate is considered during BLM’s decision process in combination with impacts to all resources.	N
7	3	Wier	Carly	—	Climate Change	I have deep concerns about climate change and about the impact climate change has on infrastructure, especially infrastructure that’s built on ice.	The effects of climate change on Project infrastructure are analyzed in Final EIS Section 3.2.3 (<i>Effects of Climate Change on the Project</i>).	N

4.2.3.6 Cumulative Effects

Table B.3.8. Substantive Comments Received on Cumulative Effects

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
23965	6	Bentley	Judith	Center for Biological Diversity	Cumulative Effects	It fails to properly consider the cumulative impacts of the project in light of other oil development in the Western Arctic and the Bureau’s proposal to significantly expand nearby areas available for oil and gas leasing.	Potential future oil and gas projects that meet the criteria to be considered RFFAs are included in the cumulative effects analysis, including revisions to the NPR-A IAP.	N
117	13	Campbell	Bruce	—	Cumulative Effects	The Supplement to the Draft EIS for the Willow MDP was necessitated by the dropping of the proposed island to be built in I believe it was Harrison Bay which instead will be replaced by moving modules via sealifting barges and building an ice road across the Colville River to transport modules and other items. However, more site-specifics are needed about likely impacts from the Willow MDP both in general, and in particular pertaining to the watercourses / waterbodies that would be impacted by the shift in work away from building the island and instead moving modules by sealift barge to current dock at Oliktok Point and by building an ice road cross the Colville River.	The Final EIS includes analysis of three module delivery options: Option 1 (Atigaru Point Module Transfer Island), Option 2 (Point Lonely Module Transfer Island), and Option 3 (Colville River Crossing). Effects to waterbodies from Option 3 are described in Final EIS Section 3.8.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> .	N
117	14	Campbell	Bruce	—	Cumulative Effects	What will cumulative impacts of the Willow MDP be on waterbodies and on species of the Colville River (including its tributaries and its delta) including anadromous fish species?	Cumulative effects of the Willow MDP Project considered with past, present, and reasonably foreseeable future actions are described in Section 3.19.9, <i>Cumulative Impacts to Water Resources</i> , and Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> .	N
25775	2	Dieterich	Michele	Center for Biological Diversity	Cumulative Effects	It fails to consider the cumulative impacts in conjunction with other proposed projects and leases.	Potential future oil and gas projects that meet the criteria to be considered RFFAs are included in the cumulative effects analysis, including revisions to the NPR-A IAP.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
717	37	Dunn	Connor	ConocoPhillips Alaska	Cumulative Effects	BLM Should Reconsider and Revise the Cumulative Case Analysis in Appendix C The ANILCA Section 810 analysis in Appendix C, Section B.8 should be reconsidered and revised for the final EIS because it incorrectly implies that the Willow MDP would significantly restrict subsistence uses in communities far removed from the project location. Specifically, ConocoPhillips is concerned by the finding that [r]eductions in the abundance of caribou described above for the cumulative case and selection of the 2019 Draft NPR-A IAP EIS Alternative D may significantly restrict subsistence uses for the communities of Nuiqsut, Utqiagvik, Atqasuk, Wainwright, and Anaktuvuk Pass. SDEIS Appendix C, page 52. Notably, BLM did not reach a similar conclusion in the ANILCA Section 810 analysis contained in the draft EIS, and there is no information regarding the Willow project modifications canvassed in the SDEIS (i.e., the CFWR, subsistence access boat ramps, or Option 3 for module delivery) that significantly restricts subsistence uses in these communities. To the contrary, BLM’s analysis recognizes the boat ramps are likely to increase access to desirable areas for subsistence activities. (See SDEIS Appendix C, page 19). Additionally, BLM states that Option 3 for module delivery would reduce direct impacts to Nuiqsut and Utqiagvik coastal and marine subsistence uses. (See Appendix C, page 42). Yet, BLM counterintuitively concludes in the SDEIS ANILCA Section 810 analysis that, in the cumulative case,15 significant restrictions on subsistence uses may occur for the communities of Atqasuk, Wainwright, and Anaktuvuk Pass, in addition to Nuiqsut and Utqiagvik. (See Appendix C, page 52).	Between the August 2019 ANILCA Section 810 Analysis published with the Draft EIS and the publication of the March 2020 ANILCA Section 810 Analysis in the SDEIS, circumstances have changed. Examples, as the commenter points out, are the addition of subsistence boat ramps to CPAI’s Project and the publication of the 2019 Draft NPR-A IAP/EIS (BLM 2019), which evaluates Alternative A and three action alternatives (Alternatives B, C, and D). These alternatives differ in the areas that would be made available for NPR-A oil and gas leasing and infrastructure and would contribute to the cumulative effects of the Project in different ways. BLM found that selection of Alternatives A, B, and C of the 2019 Draft NPR-A IAP/EIS would contribute to the cumulative effects of the Project in similar ways, while selection of Alternative D (or Alternative E as presented in the 2020 Final NPR-A IAP/EIS, BLM 2020) would likely result in greater cumulative impacts on subsistence. NPR-A IAP/EIS Alternative D or E would increase development infrastructure on the North Slope and would continue to cause alteration and degradation of habitats for key subsistence resources, including caribou, furbearers, fish, and goose. Over time, these changes could affect the health and abundance of different subsistence resources on the North Slope. If development continues westward into the core calving area for the TCH, or if it reduces access to key insect relief habitats, then the herd could experience an overall decline in productivity and abundance. Such a scenario could occur if the BLM selects Alternative D or E in the 2020 Final NPR-A IAP/EIS. Alternative D or E would make areas surrounding Teshekpuk Lake available to oil and gas leasing and infrastructure development. Under this scenario, impacts related to the health and abundance of the TCH would likely extend to subsistence users of the herd, including Nuiqsut, Utqiagvik (Barrow), Anaktuvuk Pass, Atqasuk, and Wainwright. The BLM did not revise the ANILCA Section 810 Analysis based on this comment.	N
717	38	Dunn	Connor	ConocoPhillips Alaska	Cumulative Effects	BLM’s rationale for this new conclusion is not based on the potential effects of the Willow project, for which no direct or indirect subsistence impacts on the communities of Atqasuk, Wainwright, or Anaktuvuk Pass are identified. Instead, BLM concludes that there may be potential restrictions on subsistence uses in these three communities based on the possibility that BLM might in the future approve a revision to the NPR-A IAP, which could in turn lead to increased leasing which could lead to development that could displace the TCH caribous that are harvested by subsistence users in these communities. BLM’s new approach artificially amplifies the cumulative case analysis for the Willow MDP. The assumption that an unmodified Alternative D will be selected for the IAP revision effectively assumes the worst case scenario for impacts to subsistence uses and unnecessarily conflates the Willow MDP analysis with that of the NPR-A IAP, which has its own distinct NEPA process and ANILCA Section 810 analysis. For these reasons, as described further below, BLM should reconsider and revise its cumulative case portion of the ANILCA Section 810 analysis.	As a result of comments received on the ANILCA Section 810 Analysis for the Draft EIS, the updated ANILCA Section 810 Analysis published with the SDEIS included a consideration of the potential effects on subsistence uses of each of the alternatives analyzed in the 2019 Draft NPR-A IAP/EIS (BLM 2019), given that it is a current BLM proposed action and therefore its finalization and implementation constitutes a reasonably foreseeable action for the Willow MDP Project (SDEIS Section 3.19.3, <i>Past, Present, and Reasonably Foreseeable Actions</i>). This approach is consistent with BLM-IM-AK-2011-008, which states that “an 810 Evaluation is not constrained to only consider EIS alternatives [but] could be a mixture of alternative sites and alternative parameters.” All the 2019 Draft IAP/EIS alternatives (A, B, C, and D) were given equal consideration, as it was unknown which 2019 Draft NPR-A IAP/EIS alternative would be selected in the associated ROD. BLM found that the selection of Alternatives A, B, and C of the 2019 Draft NPR-A IAP/EIS would contribute to the cumulative effects of the Project in similar ways, such that no alteration to the findings was warranted. However, it was determined that the selection of Alternative D would likely result in greater cumulative impacts to the abundance of subsistence resources. This determination was made on the basis that Alternative D, which would make approximately 18.6 acres of the NPR-A open to fluid mineral leasing, including all of the TLSA (within which Willow MDP Project infrastructure would occur), would result in increased development of infrastructure on the North Slope that “would continue to cause alteration and degradation of habitats for key subsistence resources including caribou.” Such impacts would be felt not only by Nuiqsut and Utqiagvik (Barrow) but also by Atqasuk, Wainwright, and Anaktuvuk Pass whose subsistence needs and uses are dependent on the caribou that migrate through the NPR-A, including the TCH in particular. Accordingly, BLM determined that “reductions in abundance of caribou described . . . for the cumulative case and the selection of the 2019 Draft NPR-A IAP EIS Alternative D may significantly restrict subsistence uses for the communities of Nuiqsut, Utqiagvik, Atqasuk, Wainwright, and Anaktuvuk Pass.” Since the publication of the Final IAP/EIS (BLM 2020), Alternative E was added to the analysis and found to have similar cumulative effects as Alternative D. In response to subsistence concerns from the community of Nuiqsut and the public, CPAI has incorporated up to three boat ramps in the Project design that would improve access for subsistence users. Impacts related to an increase in watercraft and hunting (specifically, potential for increased spills and increased mortality of wildlife) would be an indirect result of construction of the boat ramps and would not be within CPAI’s control.	Y

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717	39	Dunn	Connor	ConocoPhillips Alaska	Cumulative Effects	As a threshold matter, ConocoPhillips questions whether a planning document revision alternative that has not been selected or even identified as a preferred alternative can be deemed reasonably foreseeable consistent with standard NEPA practices. When considering the cumulative effects of a project for purposes of NEPA analysis, the Ninth Circuit defines reasonably foreseeable future actions as including only proposed actions. The Draft NPR-A IAP EIS evaluates four different project alternatives, a no-action alternative and three alternatives with various levels of development in the NPR-A. BLM is still in the process of responding to public comments on the draft NPR-A IAP EIS and will publish a final EIS during summer of 2020. Accordingly, at this point, Alternative D is not approved by BLM nor identified as a preferred alternative. Yet, without explanation, BLM proceeds to analyze the potential additional cumulative impacts under Alternative D only in the new ANILCA Section 810 analysis, noting that [w]hile selection of Alternatives A, B, and C of the 2019 Draft NRP-A IAP/EIS would contribute to the cumulative effects of the project in similar ways, selection of Alternative D would likely result in greater cumulative impacts on subsistence. See Appendix C, page 50. This issue is likely to become moot because BLM is expected to publish a final IAP EIS before the final Willow EIS. Accordingly, it is imperative that BLM’s analysis in the final ANILCA Section 810 analysis for the Willow project be modified to reflect the actual NPR-A IAP Selected Alternative.	<p>As a result of comments received on the ANILCA Section 810 Analysis for the Draft EIS, the updated ANILCA Section 810 Analysis published with the SDEIS included a consideration of the potential effects on subsistence uses of each of the alternatives analyzed in the 2019 Draft NPR-A IAP/EIS (BLM 2019), given that it is a current BLM proposed action and therefore its finalization and implementation constitutes a reasonably foreseeable action for the Willow MDP Project (SDEIS Section 3.19.2, <i>Past, Present, and Reasonably Foreseeable Actions</i>). This approach is consistent with BLM-IM-AK-2011-008, which states that “an 810 Evaluation is not constrained to only consider EIS alternatives [but] could be a mixture of alternative sites and alternative parameters.” All the 2019 Draft IAP/EIS alternatives (A, B, C, and D) were given equal consideration, as it was unknown which 2019 Draft NPR-A IAP/EIS alternative would be selected in the associated ROD. BLM found that the selection of Alternatives A, B, and C of the 2019 Draft NPR-A IAP/EIS would contribute to the cumulative effects of the Project in similar ways, such that no alteration to the findings was warranted. However, it was determined that the selection of Alternative D (or Alternative E, as published in the 2020 Final NPR-A IAP/EIS, BLM 2020) would likely result in greater cumulative impacts to the abundance of subsistence resources. This determination was made on the basis that Alternative D (or E), which would make approximately 18.6 acres of the NPR-A open to fluid mineral leasing, including all of the TLSA (within which Willow MDP Project infrastructure would occur), would result in increased development of infrastructure on the North Slope that “would continue to cause alteration and degradation of habitats for key subsistence resources including caribou.” Such impacts would be felt not only by Nuiqsut and Utqiagvik (Barrow) but also by Atkasuk, Wainwright, and Anaktuvuk Pass whose subsistence needs and uses are dependent on the caribou that migrate through the NPR-A, including the TCH in particular. Accordingly, the BLM determined that “reductions in abundance of caribou described ... for the cumulative case and the selection of the 2019 Draft NPR-A IAP EIS Alternative D may significantly restrict subsistence uses for the communities of Nuiqsut, Utqiagvik, Atkasuk, Wainwright, and Anaktuvuk Pass.” The 2020 Final NPR-A IAP/EIS found the same determination for Alternative E.</p> <p>In response to subsistence concerns from the community of Nuiqsut and the public, CPAI has incorporated up to three boat ramps in the Project design that would improve access for subsistence users. Impacts related to an increase in watercraft and hunting (specifically, potential for increased spills and increased mortality of wildlife) would be an indirect result of construction of the boat ramps and would not be within CPAI’s control.</p>	Y
717	40	Dunn	Connor	ConocoPhillips Alaska	Cumulative Effects	Separate from the foreseeability issue, ConocoPhillips submits that the approach taken by BLM on cumulative impacts does not reflect a measured, balanced analysis of the Willow MDP. Of the four alternatives considered in the NPR-A IAP draft EIS, Alternative D would make available the greatest amount of land for oil and gas leasing and infrastructure development. See NPR-A IAP EIS Appendix E, page 19. By assuming BLM will adopt an unmodified Alternative D as the result of the NPR-A IAP revision process, BLM has effectively assumed a worst case scenario, for restrictions to subsistence uses, which courts have expressly disapproved for purposes of NEPA analysis. Although BLM preliminarily finds that Alternative D would make approximately 75 percent of the calving range of the TCH available for oil and gas leasing and development, Alternatives A, B, and C are not expected to cause large-scale changes in the abundance of caribou. See Appendix C, page 53; NPR-A IAP EIS Appendix E, page 19, 33. ConocoPhillips submitted comments supportive of a modified version of Alternative D that would protect against impacts on caribou and other subsistence resources. Rather than presuming the most impactful Alternative will be selected during the IAP process, a more logical approach would assume a middle of the road alternative (such as Alternative C) to avoid making both best-case and worst-case assumptions. If BLM had taken a more measured approach to the cumulative case analysis, it is doubtful the agency would have found the NPR-A IAP poses significant restrictions to subsistence uses for the communities of Atkasuk [<i>sic</i>], Wainwright, and Anaktuvuk Pass. In any case, the BLM should be clear that such an analysis relates almost entirely to the IAP, not to the Willow MDP.	<p>As a result of comments received on the ANILCA Section 810 Analysis for the Draft EIS, the updated ANILCA Section 810 Analysis published with the SDEIS included a consideration of the potential effects on subsistence uses of each of the alternatives analyzed in the 2019 Draft NPR-A IAP/EIS (BLM 2019), given that it is a current BLM proposed action and therefore its finalization and implementation constitutes a reasonably foreseeable action for the Willow MDP Project (SDEIS Section 3.19.2, <i>Past, Present, and Reasonably Foreseeable Actions</i>). This approach is consistent with BLM-IM-AK-2011-008, which states that “an 810 Evaluation is not constrained to only consider EIS alternatives [but] could be a mixture of alternative sites and alternative parameters.” All the 2019 Draft IAP/EIS alternatives (A, B, C, and D) were given equal consideration, as it was unknown which 2019 Draft NPR-A IAP/EIS alternative would be selected in the associated ROD. BLM found that the selection of Alternatives A, B, and C of the 2019 Draft NPR-A IAP/EIS would contribute to the cumulative effects of the Project in similar ways, such that no alteration to the findings was warranted. However, it was determined that the selection of Alternative D (or Alternative E, as published in the 2020 Final NPR-A IAP/EIS, BLM 2020) would likely result in greater cumulative impacts to the abundance of subsistence resources. This determination was made on the basis that Alternative D (or E), which would make approximately 18.6 acres of the NPR-A open to fluid mineral leasing, including all of the TLSA (within which Willow MDP Project infrastructure would occur), would result in increased development of infrastructure on the North Slope that “would continue to cause alteration and degradation of habitats for key subsistence resources including caribou.” Such impacts would be felt not only by Nuiqsut and Utqiagvik (Barrow) but also by Atkasuk, Wainwright, and Anaktuvuk Pass whose subsistence needs and uses are dependent on the caribou that migrate through the NPR-A, including the TCH in particular. Accordingly, the BLM determined that “reductions in abundance of caribou described ... for the cumulative case and the selection of the 2019 Draft NPR-A IAP/EIS Alternative D may significantly restrict subsistence uses for the communities of Nuiqsut, Utqiagvik, Atkasuk, Wainwright, and Anaktuvuk Pass.” The 2020 Final NPR-A IAP/EIS found the same determination for Alternative E.</p>	Y

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717	41	Dunn	Connor	ConocoPhillips Alaska	Cumulative Effects	In sum, BLM’s approach to the ANILCA Section 810 cumulative case analysis for the project inappropriately conflates the subsistence impacts of the Willow MDP with those of the NPR-A IAP. Even if unintentional, the attribution of potential subsistence effects from IAP revisions to the Willow project may cause confusion and unnecessary apprehension in communities that will not be directly or indirectly impacted by the Willow MDP. Indeed, the BLM’s revision to the NPR-A IAP is undergoing a distinct NEPA process with an independent ANILCA Section 810 analysis. See NPR-A IAP/EIS Appendix E. Accordingly, the subsistence impacts of IAP revisions are more appropriately considered as part of that independent environmental review process.	<p>As a result of comments received on the ANILCA Section 810 Analysis for the Draft EIS, the updated ANILCA Section 810 Analysis published with the SDEIS included a consideration of the potential effects on subsistence uses of each of the alternatives analyzed in the 2019 Draft NPR-A IAP/EIS (BLM 2019), given that it is a current BLM proposed action and therefore its finalization and implementation constitutes a reasonably foreseeable action for the Willow MDP Project (SDEIS Section 3.19.3, <i>Past, Present, and Reasonably Foreseeable Actions</i>). This approach is consistent with BLM-IM-AK-2011-008, which states that “an 810 Evaluation is not constrained to only consider EIS alternatives [but] could be a mixture of alternative sites and alternative parameters.” All the 2019 Draft IAP/EIS alternatives (A, B, C, and D) were given equal consideration, as it was unknown which 2019 Draft NPR-A IAP/EIS alternative would be selected in the associated ROD. BLM found that the selection of Alternatives A, B, and C of the 2019 Draft NPR-A IAP/EIS would contribute to the cumulative effects of the Project in similar ways, such that no alteration to the findings was warranted. However, it was determined that the selection of Alternative D (or Alternative E, as published in the 2020 Final NPR-A IAP/EIS, BLM 2020) would likely result in greater cumulative impacts to the abundance of subsistence resources. This determination was made on the basis that Alternative D (or E), which would make approximately 18.6 acres of the NPR-A open to fluid mineral leasing, including all of the TLSA (within which Willow MDP Project infrastructure would occur), would result in increased development of infrastructure on the North Slope that “would continue to cause alteration and degradation of habitats for key subsistence resources including caribou.” Such impacts would be felt not only by Nuiqsut and Utqiagvik (Barrow) but also by Atkasuk, Wainwright, and Anaktuvuk Pass whose subsistence needs and uses are dependent on the caribou that migrate through the NPR-A, including the TCH in particular. Accordingly, the BLM determined that “reductions in abundance of caribou described ... for the cumulative case and the selection of the 2019 Draft NPR-A IAP/EIS Alternative D may significantly restrict subsistence uses for the communities of Nuiqsut, Utqiagvik, Atkasuk, Wainwright, and Anaktuvuk Pass.” The 2020 Final NPR-A IAP/EIS found the same determination for Alternative E.</p> <p>In response to subsistence concerns from the community of Nuiqsut and the public, CPAI has incorporated up to three boat ramps in the Project design that would improve access for subsistence users. Impacts related to an increase in watercraft and hunting (specifically, potential for increased spills and increased mortality of wildlife) would be an indirect result of construction of the boat ramps and would not be within CPAI’s control.</p>	Y
717	106	Dunn	Connor	ConocoPhillips Alaska	Cumulative Effects	3.19.2 - Cumulative Effects - Past, Present, and Reasonably Foreseeable Future Actions The cumulative impacts analysis in the SDEIS should be updated to focus BLM’s analysis on Reasonably Foreseeable Future Action (RFFA) that appreciably add to or synergistically interact with other past, present, or (actual) RFFAs. The updated analysis should account for recent information; and consider existing analyses of potential impacts for other projects. CPAI further recommends that BLM specifically disclose uncertainty associated with planning documents, such as the NPR-A IAP/EIS, and provide a range of potential conclusions that reflects both positive and negative potential effects of activities that are allowable, but not otherwise authorized, under those plans. In order to update this analysis, BLM must: (1) update Table 3.19.1 to remove those projects that cannot be considered RFFAs, (2) substantively revise the cumulative impacts analysis, and (3) substantively revise Appendix C, Part B.8, to reflect a cumulative case that is consistent with Section 3.19. Deleting in-text references to invalid RFFAs but failing to re-analyze cumulative impacts and the cumulative case in the ANILCA Section 810 Analysis based on these changes, would not constitute the necessary substantive revisions.	Table 3.19.1 (Section 3.19, <i>Cumulative Effects</i>) was reviewed, and the Mustang project was found not to meet the RFFA criteria as defined by BLM policy (BLM NEPA Handbook H-1790) (BLM 2008); it is now considered a present action. Nine projects were added in the SDEIS as RFFAs, and those projects are considered under the cumulative case in the ANILCA Section 810 Analysis published with the SDEIS. BLM prepared the Draft EIS and SDEIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts, including cumulative impacts, that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement. Cumulative effects of the Willow MDP Project are analyzed in Section 3.19 (<i>Cumulative Effects</i>).	Y
717	107	Dunn	Connor	ConocoPhillips Alaska	Cumulative Effects	3.19 - Cumulative Effects Table 3.19.1 Reasonably Foreseeable Future Actions That May Interact with the Project. First row. The description for the Outer Continental Shelf (OCS) Leasing Program states that “revisions to leasing plan for Chukchi and Beaufort Seas could open more areas to leasing. Under 43 USC 1331-1656b, a new plan is under development.” There are both administrative and legal barriers to future OCS oil and gas leasing in the Chukchi and Beaufort Seas. As of April 25, 2019, Department of Interior Secretary Bernhardt directed the Bureau of Ocean and Energy Management to suspend development of a programmatic agreement for the 2019-2014 OCS Oil and Gas Leasing Program (national); that EIS is no longer in progress. The subordinate area-specific EIS for the 2019 Beaufort Sea Oil and Gas Lease Sale has also been suspended, as a result of the national program deferment. This is in addition to the closure of 119 million acres of OCS lands to future oil and gas leasing enacted during President Obama’s administration under the Antiquities Act on Dec. 20, 2016; and Federal District Judge Sharon Gleason’s ruling that the closures cannot be overturned by President Trump’s subsequent April 28, 2017, issuance of the “America-First Offshore Energy Strategy,” which attempted to rescind the closure. By all reasonable measures, additional oil and gas activities in the Beaufort and Chukchi Sea areas are unlikely to occur at this time and therefore should be removed from the list of RFFAs. BLM will need to revise the assumptions regarding impacts to marine mammals and subsistence activities that served as the basis for the Draft EIS’s cumulative impacts analysis and Appendix C: ANILCA Section 810 Preliminary Analysis for the cumulative case. ConocoPhillips anticipates that this modification will alter BLM’s conclusions regarding the availability of marine mammals for the North Slope communities.	DOI has appealed the District Court’s decision to the U.S. Court of Appeals for the Ninth Circuit. Should it prevail, DOI may ultimately pursue a leasing program in the OCS areas currently closed to leasing. Such potential Chukchi and Beaufort Sea leasing has been conservatively included as an RFFA, so as to ensure that cumulative impacts are not underestimated in the event that such leasing ultimately occurs.	Y
717	108	Dunn	Connor	ConocoPhillips Alaska	Cumulative Effects	3.19.2 - Cumulative Effects - Past, Present, and Reasonably Foreseeable Future Actions The final EIS should include an updated table of reasonably foreseeable future actions. The 2020 Plan of Development for the Colville River Unit (submitted in March) notes that a preliminary engineering and design study for CD8, a potential new gravel drill site, will be progressed in 2020.	Additional text was added to Final EIS Section 3.19.3, <i>Reasonably Foreseeable Future Actions</i> , to clarify what RFFAs were included and what BLM considered speculative.	Y

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717	109	Dunn	Connor	ConocoPhillips Alaska	Cumulative Effects	3.19 - Cumulative Effects Table 3.19.1 Reasonably Foreseeable Future Actions That May Interact with the Project. BLM defines a reasonably foreseeable future action (RFFAs) as “a project for which there is an existing proposal, a project currently in the NEPA process, or a project to which a commitment of resources (such as funding) has been made.” (Willow SDEIS, Table 3.19.1). This definition notably fails to address how such projects relate to the proposed Willow development and/or resources potentially affected by Willow, which has led to the inclusion of proposed projects that meet the RFFA definition but do not in fact appreciably add or synergistically interact with Willow’s potential impacts. In order to address this, BLM should: (1) update Table 3.19.1 to remove projects that can no longer be considered RFFAs, (2) substantively revise the cumulative impacts analysis, and (3) substantively revise Appendix C, Part B.8, to reflect a cumulative case that is consistent with Section 3.19 after revisions.	Table 3.19.1 (Section 3.19, <i>Cumulative Effects</i>) was reviewed, and the Mustang project was found not to meet the RFFA criteria as defined by BLM policy (BLM NEPA Handbook H-1790) (BLM 2008); it is now considered a present action. Nine projects were added in the SDEIS as RFFAS, and those projects are considered under the cumulative case in the ANILCA Section 810 Analysis published with the SDEIS. BLM prepared the Draft EIS and SDEIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts, including cumulative impacts, that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement. Cumulative effects of the Willow MDP Project are analyzed in Section 3.19, <i>Cumulative Effects</i> .	Y
717	110	Dunn	Connor	ConocoPhillips Alaska	Cumulative Effects	3.19 - Cumulative Effects Table 3.19.1 Reasonably Foreseeable Future Actions that may Interact with the Project. Fourth and fifth rows. In 2019, the State of Alaska withdrew funding support for the proposed Alaska Stand Alone Pipeline (ASAP) in favor of pursuing the Alaska Liquified Natural Gas line project (Alaska LNG). The two projects are redundant and have always been presented as either/or proposals; there is no circumstance in which both projects would be constructed. BLM should remove ASAP from the list of RFFAs. The Federal Energy Regulatory Commission (FERC) prepared the Alaska LNG EIS and analyzed potential impacts of the proposed action on resources that are addressed in BLM’s cumulative impacts analysis. Because BLM fails to reference the proposed Alaska LNG Project anywhere else in Section 3.19, it is unclear how the agency has incorporated FERC’s analysis and conclusions, if at all. If BLM did not consider the relatively minor portion of the proposed Alaska LNG Project that would be located on the North Slope in its cumulative impacts analysis, it should also be removed from Table 3.19.1.	The choice of what pipeline project would be built is speculative. No changes made.	N
717	111	Dunn	Connor	ConocoPhillips Alaska	Cumulative Effects	3.19 - Cumulative Effects Table 3.19.1 Reasonably Foreseeable Future Actions that may Interact with the Project. Sixth, ninth, and eleventh rows. BLM currently describes includes three programmatic documents that do not meet the definition of an RFFA and should be evaluated separately from the listed series of proposed projects. A planning tool should not be treated the same as a project proposal.	Programmatic documents are included because changes to how lands are managed and what activities are allowed to occur on them could produce effects that would appreciably add or synergistically interact with the Willow MDP Project’s potential impacts. No changes made.	N
717	112	Dunn	Connor	ConocoPhillips Alaska	Cumulative Effects	3.19 - Cumulative Effects Table 3.19.1 Reasonably Foreseeable Future Actions that may Interact with the Project. Sixth row. BLM should correct this entry to be consistent with the agency’s own nomenclature, which currently describes the “[o]il and gas leading program for the Arctic National Wildlife Refuge in Area 1002” as the Arctic National Wildlife Refuge Oil and Gas Leasing Program. Per Section 20001 of the 2017 Tax Cuts and Jobs Act (Public Law 115-97, Dec. 22, 2017), BLM prepared an EIS for the Coastal Plain Oil and Gas Leasing Program. Oil and gas leasing is not allowed in the majority of the Arctic Refuge.	The nomenclature in Table 3.19.1 (Section 3.19, <i>Cumulative Effects</i>) was updated. The Coastal Plain Oil and Gas Leasing Program was included in the cumulative effects analysis because it meets BLM’s definition of an RFFA as defined by BLM policy, which states the following: “Reasonably foreseeable future actions are those for which there are existing decisions, funding, formal proposals, or which are highly probable, based on known opportunities or trends” (BLM NEPA Handbook H-1790) (BLM 2008). The Coastal Plain Oil and Gas Leasing Program constitutes a formal proposal and thus needs to be analyzed.	N
717	113	Dunn	Connor	ConocoPhillips Alaska	Cumulative Effects	3.19.3.5 - Cumulative Effects - Cumulative Impacts to Environmental Justice. The Draft EIS (DEIS) and Supplemental Draft EIS (SDEIS) document potential for direct and indirect impacts to Nuiqsut and Utqiag̃vik. The Draft EIS states that “indirect subsistence and sociocultural impacts of the Project could extend to other North Slope communities such as Atqasuk and Anaktuvuk Pass if the Project results in large-scale changes in the abundance or availability of subsistence resources such as caribou that are used by those communities. (p.125)” The DEIS does not document large-scale changes in abundance or availability of subsistence resources. The analysis in the SDEIS does not alter the conclusions described in the DEIS, i.e., the addition of the boat ramps, CFWR, and Option 3 would not result in “large-scale changes in the abundance or availability of subsistence resources.” ConocoPhillips recommends clearly separating discussion of cumulative effects on Nuiqsut and Utqiag̃vik, for which the DEIS and SDEIS document direct and/or indirect effects from the Willow Project, from discussion of cumulative effects on Anaktuvuk Pass, Atqasuk, Point Lay, and Wainwright. BLM has not identified direct or indirect impacts on Anaktuvuk Pass, Atqasuk, Point Lay, and Wainwright from the Willow Project; ConocoPhillips recommends clarifying that changes to the potential cumulative effects on these communities appear to be the result of the NPR-A IAP revision.	Changes in the abundance or availability of subsistence resources would occur from the Project as a whole, not only as a result of the CFWR and the boat ramps. Because the Final EIS addresses all Project components, this is described in Section 3.19.12, <i>Cumulative Impacts to Subsistence and Sociocultural Systems</i> .	Y
1379	2	Higgins	Bruce	Center for Biological Diversity	Cumulative Effects	However, if the Trump administration chooses continue to consider ConocoPhillips proposal, BLM should at least revise the SDEIS to fully describe and evaluate the following: 1) the cumulative adverse impacts of the proposed project on wildlife already struggling to survive, on already stressed wetlands, on air pollution, and on subsistence values; 2) the potential synergistic effects of the proposed project and all other oil and gas activities in the Western Arctic, including BLM’s proposal to significantly expand nearby areas available for oil and gas leasing; and 3) the role of the proposed Willow project in fueling the climate crisis, in light of scientific evidence showing that fossil fuels must remain untapped for society to meet international climate goals.	BLM prepared the Draft EIS and SDEIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts, including cumulative impacts, that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement. Cumulative effects of the Willow MDP Project are analyzed in Section 3.19, <i>Cumulative Effects</i> . The Final EIS analyzes climate change in Section 3.2, <i>Climate and Climate Change</i> .	N
5162	6	Jeffery	Karin	Center for Biological Diversity	Cumulative Effects	Neither does it properly consider the cumulative impacts of the project in light of other oil development in the Western Arctic and the Bureau’s proposal to significantly expand nearby areas available for oil and gas leasing.	Potential future oil and gas projects that meet the criteria to be considered RFFAs are included in the cumulative effects analysis, including revisions to the NPR-A IAP.	N
816	4	Johnson	Alex	—	Cumulative Effects	BLM has also not fully considered the cumulative impacts of this and concurrent development across the western Arctic. This is a complex and far-reaching infrastructure proposal that is likely to have significant impacts on the region and the entire NPRA, above and beyond the numerous impacts on the Teshekpuk Lake special area. This area is one of the most productive wetland complexes in the Arctic, and an important calving ground of the Teshekpuk Lake caribou herd, an essential subsistence resource for communities on the North Slope.	BLM prepared the Draft EIS and SDEIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts, including cumulative impacts, that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement. Cumulative effects of the Willow MDP Project are analyzed in Section 3.19, <i>Cumulative Effects</i> .	N

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658	7	Long	Becky	—	Cumulative Effects	The Supplement did not consider the cumulative impacts of further development in the western Arctic specifically the Greater Mooses Tooth 1 and 2.	GMT-1 and GMT-2 are included in the analysis as past and present actions (described in Section 3.1.1, <i>Past and Present Actions</i>).	N
805	3	Lowenthal; Haaland; Huffman; Grijalva; Gallego	Alan; Deb; Jared; Raul M.; Ruben	United States Congress	Cumulative Effects	BLM has failed to recognize the cumulative infrastructure and development impacts ConocoPhillips oil and gas project will have on the region.	BLM prepared the Draft EIS and SDEIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts, including cumulative impacts, that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement. Cumulative effects of the Willow MDP Project are analyzed in Section 3.19, <i>Cumulative Effects</i> .	N
4832	6	McAllistr	Angus	Center for Biological Diversity	Cumulative Effects	It takes little account of the further impacts of the project in view of other oil development in the region, and the Bureau’s proposal to expand significantly nearby areas available for oil and gas leasing.	Potential future oil and gas projects that meet the criteria to be considered RFFAs are included in the cumulative effects analysis, including revisions to the NPR-A IAP.	N
3	3	Merendino	Caleb	—	Cumulative Effects	The supplemental draft environmental impact statement is deeply inadequate on multiple fronts: 2) It fails to properly consider the cumulative impacts of the project in light of other oil development in the Western Arctic and the Bureau’s proposal to significantly expand nearby areas available for oil and gas leasing.	Revisions to the NPR-A IAP are included in the cumulative effects analysis (Section 3.19, <i>Cumulative Effects</i>).	N
26705	19	President	Acting	Native Village of Nuiqsut Tribal Council	Cumulative Effects	We request that BLM not permit this project until the effects of the project together with other current and future oil development activities are fully understood and until the future management of the NPR-A and details of ConocoPhillips’ plans are known.	An oil and gas lease grants certain exploration and development rights, subject to reasonable regulation. Placement of a moratorium on such activities is not reasonable regulation and thus is in contradiction to the lease rights. Baseline studies are continually updated throughout the Northeast NPR-A.	N
520	18	Psarianos	Bridget	Trustees for Alaska	Cumulative Effects	E. The Supplemental Draft EIS Fails to Fully Disclose or Analyze the Cumulative Impacts from Willow. In our comments on the draft EIS, we explained how BLM failed to adequately disclose and analyze the indirect and cumulative effects of Willow. The supplemental draft EIS has not remedied the problems we identified; the agency has still done only a cursory and general discussion of cumulative impacts resulting from Willow and other past, present, and reasonably foreseeable future actions. No additional detail or analysis was added for the multiple past, present, and reasonably foreseeable future projects that we identified as having deficient analysis. To comply with NEPAs mandate to consider the cumulative impacts of a project, cumulative impacts analysis requires some quantified or detailed information; . . .[g]eneral statements about possible effects and some risk do not constitute a hard look absent a justification regarding why more definitive information could not be provided. Agencies must do more than just catalogue relevant past projects in the area. This means a discussion and an analysis in sufficient detail to assist the decisionmaker in deciding whether, or how, to alter the program to lessen cumulative impacts.	BLM prepared the Draft EIS and SDEIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts, including cumulative impacts, that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement. Cumulative effects of the Willow MDP Project are analyzed in Section 3.19 (<i>Cumulative Effects</i>). Quantitative analysis was provided where feasible; otherwise, qualitative analysis was used.	N
520	19	Psarianos	Bridget	Trustees for Alaska	Cumulative Effects	The Supplemental Draft EIS Provides an Insufficient Cumulative Effects Analysis. BLM’s approach to cumulative impacts in the supplemental draft EIS is confusing and problematic. BLM has expanded the list of reasonably foreseeable future actions in its chart from the draft EIS. However, that list is still incomplete. Additionally, the list includes only single sentence descriptions of the actions. It does not include actual analysis for many of these projects. Instead, BLM focuses on a narrow set of resources that it determined would be impacted by the three new project components. This is inexplicable, given the fact that additional projects are now included on the list that were not included, and therefore not analyzed, in the draft EIS for the cumulative impacts to all resources.	BLM prepared the Draft EIS and SDEIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts, including cumulative impacts, that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement. Cumulative effects of the Willow MDP Project are analyzed in Section 3.19 (<i>Cumulative Effects</i>).	N
520	20	Psarianos	Bridget	Trustees for Alaska	Cumulative Effects	For the resources that are considered in the supplemental draft EIS, the analysis remains deficient. Very brief statements are included minimally describing future projects, and only the most basic statements are included indicating what the impacts could be to some biological resources. But there is no analysis of what the cumulative impacts of the future actions and the Willow project are. The reader is left without any dots being connected or an understanding of how Willow and the identified projects could impact these resources and uses cumulatively.	As noted in SDEIS Section 1.2, <i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i> , ongoing design refinement and engineering is typical during the NEPA process. The SDEIS evaluated three substantive elements added to the Project description since the Draft EIS. The SDEIS limited the scope of analysis to new Project components that would have new potential effects or would have effects in new areas not previously analyzed in the Draft EIS. Potential environmental effects for Project elements that were already evaluated in the Draft EIS were not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect) due to Project modifications. These minor Project updates and modifications were listed in the SDEIS for public comment, and they are detailed in the Final EIS and included in the overall analysis of potential effects. Cumulative effects of the Willow MDP Project are analyzed in Section 3.19 (<i>Cumulative Effects</i>). BLM prepared the Draft EIS and SDEIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts, including cumulative impacts, that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement.	N
520	21	Psarianos	Bridget	Trustees for Alaska	Cumulative Effects	Regarding BLM’s analysis of the cumulative impacts to the social environment, subsistence and sociocultural systems, and environmental justice, BLM mistakenly focuses on Alternative D in the draft IAP as having the potential to allow development to the west and around Teshekpuk Lake. As we explained in our comments on that document, the protections provided in the other alternatives are illusory; all action alternatives could result in impacts that need to be considered as part of the Willow analysis.	The cumulative effects analysis focuses on potential changes to the NPR-A IAP that could 1) overlap with effects from the Willow MDP Project and 2) result in new effects or changes to the magnitude, duration, or extent of effects already described.	N

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520	23	Psarianos	Bridget	Trustees for Alaska	Cumulative Effects	BLM is contemplating opening substantial areas to oil and gas development immediately adjacent to Willow and shrinking Special Area protections, which could further exacerbate the serious impacts to subsistence users and other resources in the area. BLM has also failed to analyze these impacts in light of the most recent NPR-A lease sale, where a subsidiary of Armstrong Energy leased a substantial number of acres along the southern border of Teshekpuk Lake, beginning from ConocoPhillips existing block of leases and extending west, all the way to Atqasuk. BLM needs to analyze these changes and provide a more in-depth assessment of the likely cumulative impacts in a revised Willow EIS.	BLM considered potential cumulative impacts of the Willow MDP Project in the context of the 2020 Final NPR-A IAP/EIS (BLM 2020) alternatives. BLM’s 2020 Final NPR-A IAP/EIS addresses the potential impacts of a no action alternative (see Final EIS Section 3.19.3, <i>Reasonably Foreseeable Future Actions</i>). BLM evaluated Alternative A and four action alternatives (Alternatives B, C, D, and E) of the 2020 Final NPR-A IAP/EIS, which differ in the areas that would be made available for NPR-A leasing and infrastructure and which would contribute to the cumulative effects of the Project in different ways. BLM found that selection of Alternatives A, B, and C of the 2020 Final NPR-A IAP/EIS would contribute to the cumulative effects of the Project in similar ways; selection of Alternative D or E would likely result in greater cumulative impacts on subsistence. NPR-A IAP/EIS Alternative D or E would increase development infrastructure on the North Slope and would continue to cause alteration and degradation of habitats for key subsistence resources, including caribou, furbearers, fish, and goose. Over time, these changes could affect the health and abundance of different subsistence resources on the North Slope. If development continues westward into the core calving area for the TCH, or if it reduces access to key insect relief habitats, then the herd could experience an overall decline in productivity and abundance. Such a scenario could occur if the BLM selects Alternative D or E in the 2020 Final NPR-A IAP/EIS. Alternative D or E would make areas surrounding Teshekpuk Lake available to oil and gas leasing and infrastructure development. Under this scenario, impacts related to the health and abundance of the TCH would likely extend to subsistence users of the herd, including Nuiqsut, Utqiag̃vik (Barrow), Anaktuvuk Pass, Atqasuk, and Wainwright. Simply purchasing a lease does not meet the definition of an RFFA. Just because land is leased does not mean it would be developed. When and where commercial discoveries of oil and gas occur, if production development would occur, the type and extent of petroleum technology advances, and economic uncertainties related to global oil prices are all speculative. This is supported by the low probability that commercial production development would occur on a lease tract offering. ADNDR reports that half of the tracts (49.7%) offered in state oil and gas lease sales in northern Alaska are actually leased (Kornbrath 1995); of these, approximately 11% have been drilled. About 5% of the tracts leased have been commercially developed for oil and gas production. The percentage is even smaller for tracts offered in federal lease sales in Alaska (Kornbrath 1995).	N
520	24	Psarianos	Bridget	Trustees for Alaska	Cumulative Effects	The revised IAP could also lead to an expanded network of so-called community roads that could also have severe impacts that have not been adequately analyzed in the Willow draft EIS. All three action alternatives in the revised IAP allow community roads in areas closed to oil and gas leasing and development or subject to no surface occupancy stipulations on oil and gas leases and all action alternatives would allow for a potential community road connecting Nuiqsut and Utqiag̃vik that is routed north of Teshekpuk Lake. So-called community roads would not be paid for by the oil industry, however they could be paid for by ANCSA corporations and oil industry vehicles could travel those roads. As the ice road season shortens due to climate change, the oil industry will have increasing interest in utilizing gravel roads, including community roads. It is foreseeable these roads will be open to and used by industry to access a wide range of areas, such as Smith Bay. The State is also proposing to build gravel roads that could connect communities on the North Slope to the existing road system at Prudhoe Bay. BLM does not adequately account for or analyze the impacts of these roads in light of Willow, including the impacts they will have if allowed in particularly sensitive areas, such as north of Teshekpuk Lake, and the potential level of use by the oil industry. BLM needs to update and substantially revise its impacts analysis for all resources to account for the likely impacts the IAP revision will have in combination with the Willow project.	Section 3.19 (<i>Cumulative Effects</i>) of the Draft EIS and Final EIS analyze the cumulative effects of potential future community access roads that could be constructed under the ASTAR project. The specific locations of such roads are speculative at this time, given that no applications have been submitted for any particular road project.	N

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407	16	Rose	Garett	Natural Resources Defense Council	Cumulative Effects	Cumulative Impacts While the SDEIS attempts to expand upon the limited analysis contained in the DEIS, it falls well short of meaningfully disclosing and analyzing potentially significant cumulative impacts. The SDEIS explicitly fails to revise analyses for several resource categories. Where it does make gestures toward additional analysis, it repeats the DEISs error of failing to meaningfully analyze the potential cumulative impacts of Willow with other activities in the level of detail demanded by NEPA. And in the limited areas where it does purport to provide more detail about other activities, the SDEIS analyses are inadequate. The SDEIS dismisses without meaningful explanation revised analysis of the potentially significant cumulative impacts of the Project. It glosses over or ignores cumulative impacts to climate and climate change, air quality, soils, permafrost and gravel resources, contaminated sites, noise, visual resources, water resources, wetlands and vegetation, landownership and use, and economics. These omissions compound the DEISs wholly cursory examination of potential cumulative impacts to permafrost, soils, and gravel resources, which merely concludes without support that the Project will contribute to cumulative effects but not change cumulative impacts. And it extends the absence of any analysis of potential cumulative impacts to water resources, which is especially notable given the uniqueness and ecological importance of the Western Arctic’s hydrological systems. BLM’s failure here is made even starker by the agency’s expansion of the list of reasonably foreseeable future actions. Where the SDEIS discusses potential cumulative impacts, it generally fails to do so with the requisite degree of specificity demanded by NEPA. The analysis lists twenty-one categories of reasonably foreseeable future actions. The analysis, however, proceeds to analyze potential cumulative impacts from only a small minority of them. For example, the SDEIS includes the Arctic National Wildlife Refuge Oil and Gas Leasing Program in its list. But there is no analysis of how potential impacts from the Project might cumulate with impacts from the Refuges program. This omission is particularly striking given that both projects could include portions of the Central Arctic Herds range and the potential impacts from the operation of both on North Slope air quality. Moreover, where the SDEIS does highlight a specific future action, its discussion often fails to meaningfully discuss how the potentially significant impacts of Willow will combine with the potentially significant impacts from those actions. Instead, the discussions tend to focus on the potential impacts of the other projects and, if at all, reference potential cumulative impacts only generically. When discussing impacts from seismic, for example, after noting some of the direct impacts of seismic exploration to plants and snow, the SDEIS simply asserts that impacts of seismic on forage plants would be in addition to direct loss of forage from gravel roads and pads. Relatedly, at several points when discussing the ongoing revisions to the IAP, a draft of which was submitted for public comment and the final version of which will be available in summer 2020, BLM simply states that such revisions could increase vessel traffic and/or oil and gas development, which the Project could combine with to have cumulative impacts on marine mammals, alongside a sentence without analysis about potential impacts to subsistence if increased offshore activity causes deflections or behavioral changes in whales. Similarly, the SDEISs discussion of potentially significant cumulative impacts to biological resources remains inadequate. In the context of caribou, while the SDEIS suggests the potential for population-level impacts, it notes that such impacts are difficult to predict and declines to pursue additional analysis. Similarly, while the marine mammals analysis has been revised to more clearly specify types of potential cumulative impacts, there is no analysis of potential population-level impacts. And the SDEIS, like the DEIS, provides no detailed discussion of potential cumulative impacts to fish, birds, and non-caribou terrestrial mammal populations.	SDEIS Section 1.2, <i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i> , states the following: “Potential environmental effects for Project elements that were already evaluated in the Draft EIS are not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect), due to CPAI’s Project modifications.” Because there were no changes to the cumulative effects described in the Draft EIS for climate and climate change, air quality, soils, permafrost and gravel resources, contaminated sites, noise, visual resources, etc., they were not described in the SDEIS.	N
10	3	Thomas	Sarah	—	Cumulative Effects	This is unacceptable, and your agency’s supplemental draft environmental impact statement is deeply inadequate on multiple fronts: 1) It fails to sufficiently analyze the project’s harm to wildlife already struggling to survive in a warming Arctic, damage to wetlands, air pollution and loss of subsistence values. 2) It fails to properly consider the cumulative impacts of the project in light of other oil development in the Western Arctic and the Bureau’s proposal to significantly expand nearby areas available for oil and gas leasing. 3) It fails to comprehensively evaluate the role of the Willow project in fueling the climate crisis, in light of scientific evidence showing that all Arctic fossil fuels must remain untapped for society to meet international climate goals.	BLM prepared the Draft EIS and SDEIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts, including cumulative impacts, that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement. The Project’s effects on wildlife are analyzed in Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>) of the Final EIS; specifically, fish are analyzed under Section 3.10 (<i>Fish</i>), birds are analyzed under Section 3.11 (<i>Birds</i>), terrestrial mammals are analyzed under 3.12 (<i>Terrestrial Mammals</i>), and marine mammals are analyzed under Section 3.13 (<i>Marine Mammals</i>). Climate change is analyzed under Section 3.2 (<i>Climate and Climate Change</i>). Cumulative effects of the Willow MDP Project are analyzed under Section 3.19 (<i>Cumulative Effects</i>).	N
822	3	Van Dam	Brie	—	Cumulative Effects	BLM and cooperating agencies — or cooperating agencies have not yet adequately considered climate change projections into their assessment of the cumulative impact of all the proposed infrastructure and activity associated with this project. proposed here relies on ice roads, ice bridges, and is located on or near permafrost, all of which are extremely vulnerable I’d like to see the BLM and cooperating agencies include a thorough analysis of the feasibility of proposed infrastructure, like ice roads and bridges, in light of climate change in the future. And thank you for the opportunity to provide comment.	BLM prepared the Draft EIS and SDEIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts, including cumulative impacts, that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement. Cumulative effects of the Willow MDP Project are analyzed in Section 3.19, <i>Cumulative Effects</i> . The Draft EIS acknowledges and addresses climate change impacts on the Project in Section 3.2.3, <i>Effects of Climate Change on the Project</i> . Appendix E.2 (<i>Climate and Climate Change Technical Appendix</i>) discusses how CPAI would accommodate climate change considerations in its Project design.	N
26709	9	Warren	James	—	Cumulative Effects	So, the sharpest conclusion I have to draw is that BLM is simply minimizing cumulative impacts by ignoring them completely or by treating them not in their cumulative totality but as independent, isolated impacts. But that is logically inconsistent and incoherent. The analysis, in other words, is fundamentally flawed. It adopts an analytical framework in order to undermine ecological perspectives, which stress interdependence and global, cumulative effects. It draws no meaningful conclusions from its own considerable accumulation of analytical work.	BLM prepared the Draft EIS and SDEIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts, including cumulative impacts, that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement. Cumulative effects of the Willow MDP Project are analyzed in Section 3.19, <i>Cumulative Effects</i> .	N

4.2.3.7 Draft Environmental Impacts Statement

Table B.3.9. Substantive Comments Received on the Draft Environmental Impact Statement

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
117	17	Campbell	Bruce	—	DEIS	WHAT SPECIFIC IMPACTS WOULD CARRYING OUT THE PROPOSED WILLOW MDP HAVE ON THE COLVILLE RIVER AND TRIBUTARIES (including in the Ocean Point area), ON FISH CREEK, ON JUDY CREEK, AND ON OTHER WATERCOURSES OF THE NORTHEASTERN NPR-A? ALASKA DFG notes that Harrison Bay constitutes important and sensitive marine habitat. Specifically, the Harrison Bay Colville Delta area is: 1. A major hotspot for marine birds; 2. A summer (May through October) core area for Watchlist bird species of concern; 3. A globally significant international Bird Area (IBA); 4. A hotspot for benthic-feeding seabirds in summer; 5. Feeding and high-density denning habitat for polar bears; and 6. Identified by Alaska Department of Fish and Game in the Most Environmentally Sensitive Areas (MESA) program. Are any of these facts being considered in your formulation of plans for the NPR-A? I will also note that the plan is to have the approved Willow MDP along with a new Integrated Activities Plan in order to supersede current law which is in the form of the IAP/EIS Record of Decision of 2013 as well as to supersede (depending upon alternative) the Colville River Special Area established in 2008.	The revision of the IAP considers the things pointed out by the commenter with regard to the important habitats provided by the Colville River and its tributaries, as well as the CRD. The Willow MDP Project is subject to lease stipulations from prior IAPs, which do not change when a new IAP is issued. Stipulation K-1 provides setbacks for important rivers, including the Colville River, within which permanent oil and gas facilities are prohibited. Applicable revisions to BMPs considered in the IAP are included as <i>Applicable Lease Stipulations and Best Management Practices</i> in the Willow MDP Final EIS (typically, Section 3.X.2.1.1).	N
117	19	Campbell	Bruce	—	DEIS	Besides the various carcinogens related to oil and gas fields even before fracking chemicals entered the picture (such as benzene, toluene, and xylene), I notice various non-clean and non-safe materials mentioned in the documents. Under drill sites, chemical injection facilities (including tanks, containment, small pumps, and exterior tank fill connection), plus temporary tanks, production operations storage tanks, production operations stand-by tank, and transformer platforms (oil insulated). Things would also be bad at the Willow Operations Center where there would be, among other things, wastewater and water treatment plants, water tanks, and chemical storage, at least two Class I underground injection control disposal well(s) (Class I disposal wells), hazardous waste accumulation and storage, diesel and jet fuel tanks and pump skids (I will point out that diesel fuel has over 40 known carcinogens within that fuel mix), and municipal solid waste incinerator. Will there be any attempts to seek to reduce dioxin contaminant emission from such an incinerator? Will toxic waste be burned too, or just alleged municipal solid waste?	Final EIS Section 4.0, <i>Spill Risk Assessment</i> , describes the types of hazardous materials that would be used for the Project and the types and likelihood of spills. As stated therein, “it is expected that hazardous material spills would be localized and contained within required secondary containment or contained in the immediate area of the spill on the gravel pad. Hazardous materials spills are not expected to extend beyond gravel or ice infrastructure.”	N
117	21	Campbell	Bruce	—	DEIS	I noticed on a DOI website that there are 75 comment periods which end today. I CALL FOR THE DISCLOSURE IN THE NEXT SUPPLEMENTAL DOCUMENT (OR ELSE THE FINAL EIS) OF E-MAIL COMMUNICATIONS BY TRUMP ADMINISTRATION, DOI, AND BLM PERSONNEL IN REGARDS TO ARRANGING FOR MORE OR LESS SIMULTANEOUS TIMING FOR THE WILLOW MDP, THE INTEGRATED ACTIVITIES PLAN FOR THE WHOLE NPR-A, AND FOR THE 404 CLEAN WATER ACT PERMIT. It would be good both for thoroughness of the review, as well as for gauging site-specific cumulative impacts from a range of activities relating to the Willow MDP, if the agencies working on each document could have given more site-specific comments once they realized the extent of project design changes for the Willow MDP. The various agencies need serious site-specific input as far as what is proposed where, versus what species are there now and what the needs for their life cycles are to continue to live and perhaps recover such species.	The public comment period for the Willow MDP Draft EIS was scheduled to minimize overlap with review periods for other Arctic projects. BLM provided all information to the cooperating agencies regarding the Project changes in fall 2019. BLM also held a specific meeting with the Interdisciplinary Team and cooperating agencies, before issuance of the SDEIS, during which the Project proponent reviewed all proposed changes in detail. BLM worked within national, state, and local guidance to minimize the risk of COVID-19 transmission while delivering our services to the greatest extent practicable. Using virtual meeting technology allows for communities to request meetings at their convenience without concerns for weather or logistical costs, creating a more efficient way to provide information and receive feedback with minimal cost to the American taxpayer.	N
117	22	Campbell	Bruce	—	DEIS	I shall now quote from the Digital Journal what pointed out that in a new study authored by scientists from the Environmental Defense Fund, Harvard University, Georgia Tech, and the SRON Netherlands Institute for Space Research, and published today in the journal Science Advances, it was found that oil and gas operations in Americas Permian Basin are releasing methane at twice the average rate found in previous studies. The main scientist at EDF Dr. Steven Hamburg pointed out that [t]hese are the highest emissions ever measured from a major U.S. oil and gas basin. There’s so much methane escaping from Permian oil and gas operations that it nearly triples the 20-year climate impact of burning the gas they’re producing. WHAT MEASURES WILL CONOCO-PHILLIPS ALASKA USE IN ORDER TO SEEK TO NOT ALLOW MUCH METHANE TO ESCAPE FROM THE OIL AND GAS OPERATIONS RELATED TO THE WILLOW MDP?	Methane is a GHG. Measures used to reduce GHG emissions are described in Section 3.2.2.1, <i>Avoidance, Minimization, and Mitigation</i> .	N
132	2	Lish	Christopher	—	DEIS	This human-made, modular island just off-shore and north-east of the Teshekpuk Lake Special Area would impact polar bear critical habitat and likely would also impact to threatened ice seals and whales. These species are already experiencing significant effects from climate change and other oil and gas activities in the Alaskan Arctic. The DEIS understates impacts to polar bears and seals, and completely omits impacts to cetaceans including listed bowhead and beluga whales.	Effects to polar bears and seals from the MTI are described in Section 3.13.2.6, <i>Module Delivery Option 1: Atigaru Point Module Transfer Island</i> , and Section 3.13.2.7, <i>Module Delivery Option 2: Point Lonely Module Transfer Island</i> . The MTI for Options 1 and 2 would be located in shallow waters and thus is not expected to affect bowhead or beluga whales, except for barge traffic associated with the island, which would originate in Dutch Harbor and could transit through areas used by whales. This text was added to Section 3.13.2.6, <i>Module Delivery Option 1: Atigaru Point Module Transfer Island</i> .	Y

4.2.3.8 Environmental Impact Statement Process and Timeline

Table B.3.10. Substantive Comments Received on the Environmental Impact Statement Process and Timeline

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
159	18	Kenning	Erik	ASRC	EIS Process and Timeline	ANCSA Corporation Consultation: In adherence to Executive Order 13715, Congressional mandate, DOI Policy on Consultation with ANCSA Corporation and DOI Policy on Consultation with Indian Tribes, DOI and its agencies are required to consult with ANCSA Corporations in a meaningful manner on any Departmental action that could have substantial direct effect or limit the ANCSA Corporations ability to participate in Departmental programs. Consultation is intended to create effective Federal decision-making and to help ensure Federal action is achievable, comprehensive, long-lasting, and reflective of ANCSA input. BLM should also conduct the required consultations with the affected Alaska Native Corporations and tribal governments; consultation is a critical mechanism for BLM to develop strong working relationships with Alaska Native partners and to demonstrate how Alaska Native input is captured in the Willow MDP.	BLM reached out to ASRC for ANCSA consultation in December 2019. BLM has meet with Kuukpik regarding ANCSA consultation several times. ANCSA consultation is described in Final EIS Section 1.10.4, <i>Tribal Consultation</i> .	N
26705	3	President	Acting	Native Village of Nuiqsut Tribal Council	EIS Process and Timeline	BLM should not permit the Willow MOP at this time. For the reasons explained in our comments on the DEIS, 2 NVN asks that BLM not permit the Willow MDP at this time. Development is happening too fast, and the impacts of the many recent projects near our community are not yet understood. Additionally, there is significant uncertainty about the future management of the NPR-A and about ConocoPhillips’ ultimate plan for developing Willow. BLM is revising its Integrated Activity Plan (IAP) for the NPR-A, which could significantly change BLM’s management of the region. BLM has released a draft environmental impact statement for the IAP, but has not identified a preferred alternative. ConocoPhillips has also signaled that it is uncertain about its plan for developing Willow. The Covid-19 pandemic and recent drop in oil prices may create further uncertainty. BLM’s position that it must proceed with this permitting process now is unsupported and is inconsistent with its obligations under the NPRPA, NEPA, and ANILCA to fully consider the impacts of the project and to ensure that any development will not unnecessarily harm our community or resources in the NPR-A. We continue to ask that any permitting for the Willow MDP be delayed for at least five years.	BLM cannot speculate about the intentions of the Project proponent regarding when the Project proponent will choose to apply for authorization or whether the Project is still viable. The EIS is in response to CPAI’s request to review its Willow MDP Project. An oil and gas lease grants certain exploration and development rights, subject to reasonable regulation. The Draft EIS and the SDEIS consider analysis of a reasonably foreseeable development scenario. BLM is required to respond through a ROD on the Willow MDP Project regardless of potential revisions to the IAP. The Project is subject to lease stipulations from prior IAPs, which do not change when a new IAP is issued. Applicable BMPs/ROPs considered in the revised IAP are included in <i>Applicable Lease Stipulations and Best Management Practices</i> sections in the Willow MDP Final EIS (typically, Section 3.X.2.1.1). BLM prepared the SDEIS and the Final EIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement.	N
520	2	Psarianos	Bridget	Trustees for Alaska	EIS Process and Timeline	In the following, we describe a series of deficiencies relating to this SDEIS, while seeking not to repeat our entire discussion of the extensive shortcomings of BLM’s draft EIS for the project. In sum, we are deeply concerned about the impacts from the proposed project to the resources and values in the Reserve, the limited opportunity for public input, and the lack of a meaningful impacts analysis due to BLM’s deficient draft EIS and the lack of an appropriately timed 404 permit. These issues must be rectified and the draft EIS revised and re-released for a meaningful public comment period.	A Section 404 permit application is not required in order to undertake the NEPA process. Section 404 requires a permit before dredged or fill material may be discharged into WOUS; the Section 404 program is administered by USACE, which issued its Public Notice on March 26, 2020. BLM prepared the SDEIS and the Final EIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement.	N

4.2.3.9 Environmental Justice

Table B.3.11. Substantive Comments Received on Environmental Justice

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
26707	14	Baca	Andrew	US Environmental Protection Agency	Environmental Justice	Environmental Justice As noted in our DEIS comments, we recommend continued attention to Environmental Justice issues as the project moves forward to ensure that disproportionate adverse impacts to environmental justice communities are mitigated to the maximum extent possible. Based upon the analysis presented in the SDEIS, it appears that the new module delivery [O]ption 3 would reduce the highly adverse and disproportionate subsistence, sociocultural systems, and public health impacts identified for module delivery [O]ption 1.	Analysis of Option 3 (Colville River Crossing) is included in the SDEIS and Final EIS, including in Section 3.16 (<i>Subsistence and Sociocultural Systems</i>), Section 3.17 (<i>Environmental Justice</i>), and Section 3.18 (<i>Public Health</i>).	N
26707	15	Baca	Andrew	US Environmental Protection Agency	Environmental Justice	The SDEIS expands the cumulative environmental justice analysis to consider impacts to five additional communities that were not analyzed in the DEIS, due to the overlap of Project effects with potential reasonably foreseeable future actions in the cumulative effects analysis. The cumulative impacts analysis in the SDEIS concludes that the effects on subsistence, sociocultural systems, and public health may be highly adverse and would be disproportionately borne by populations from Nuiqsut, Utqiagvik, Anaktuvuk Pass, Atkasuk, Point Lay, and Wainwright. . . . We also recommend that the BLM take steps to involve and inform the additional affected communities identified in the SDEIS regarding project decisions and impacts, and that the FEIS consider ways to reduce the contributions of the Willow MDP project to cumulative adverse environmental justice impacts.	The Final EIS also includes the expanded communities. The Project’s ROD will identify mitigation measures to be applied to the Project.	N

4.2.3.10 Fish

Table B.3.12. Substantive Comments Received on Fish

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
26707	10	Baca	Andrew	US Environmental Protection Agency	Fish	We recommend the FEIS provide additional detail on how data on fish presence at the proposed Colville River crossing site will be collected to address the lack of baseline data on discharge and fish use, as well as discuss the potential for fish eggs to be in the gravel or fish to be in pools within the footprint of the ice bridge. . . . We also recommend that the FEIS provide additional information about fish species that might potentially need to be transported around the ice bridge and how that might be accomplished. If transporting fish would not be feasible (e.g., because of challenges capturing fish under the ice or risk of mortality during transport), we recommend that the FEIS describe the potential environmental consequences.	All concentrations of fish that would have a biological purpose for moving substantially during winter (burbot and Arctic cisco) are documented to occur downstream from Ocean Point (Morris 2003). The number of fish that may move through Ocean Point is expected to be low and would be able to pass in the small channels of flow under the ice bridge. Should the crossing ground out, the preponderance of life-history information on Arctic fishes during winter suggests that only Arctic cisco and burbot would be actively moving in the Colville River. Arctic cisco would be following the saline front, which does not reach the crossing at Ocean Point, and burbot would be feeding, but harvest information suggests that burbot are most common downstream from the Itkilik River nearer the Putu Channel. Even if the crossing blocked fish passage periodically over a 5-week period, impacts to fish would be minimal in terms of the number of fish and because other species in the river (primarily broad whitefish, least cisco, and Arctic grayling) would not be feeding or substantially moving. Therefore, impacts would be limited to small numbers of fish and would occur over isolated brief periods. No spawning is believed to occur at Ocean Point in the main channel of the Colville River, though it is inferred to occur downstream from Ocean Point and, for broad whitefish, also likely within the sloughs around Ocean Point to the east of the main channel. Text was amended in Final EIS Section 3.10.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , to reflect that fish transport and culverts are no longer being considered. Text was also amended to reflect that the ice bridge across the Colville River would be partially grounded and that some small channels of flow would occur; thus, effects to fish are expected to be lesser than the effects described in the SDEIS. After the NEPA process, BLM can require additional data from CPAI in order to approve the ROW permit. CPAI would not proceed with the crossing until it can demonstrate that the level of effects would be within those analyzed in the EIS. If CPAI had to change its design to demonstrate this, that would require either additional NEPA analysis or a Determination of NEPA Adequacy. Morris, W. 2003. Seasonal Movements and Habitat Use of Arctic Grayling (<i>Thymallus arcticus</i>), Burbot (<i>Lota lota</i>), and Broad Whitefish (<i>Coregonus nasus</i>) within the Fish Creek Drainage of the National Petroleum Reserve-Alaska, 2001–2002. Technical Report No. 03-02. Fairbanks, AK: Prepared for NSB, Department of Wildlife Management and ADNR, Office of Habitat Management and Permitting.	Y
717	75	Dunn	Connor	ConocoPhillips Alaska	Fish	3.10.1 - Fish - Affected Environment “Ocean Point is also believed to be the approximate upstream extent of saltwater influence from the CRD.” This sentence needs a citation and is inconsistent with the next paragraph and Section 3.8.1.2, which states “Ocean Point on the Colville River is upstream of the saltwater intrusion influence, which can reach at least 30 miles upstream from Harrison Bay in the winter (Arnborg, Walker et al. 1962).”	DELETED: “Ocean Point is also believed to be the approximate upstream extent of saltwater influence from the CRD.” EDITED: “Saltwater intrusion is at least 30 miles upstream from Harrison Bay in winter, <i>just upstream from the Itkilik River</i> (Arnborg, Walker et al. 1962).”	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
717	77	Dunn	Connor	ConocoPhillips Alaska	Fish	3.10.3 - Fish - Additional Suggested Best Management Practices or Mitigation “Collect baseline data regarding winter fish presence along the Colville River near Ocean Point throughout winters every year until the grounded ice bridge crossing is no longer required for the Project.” Documenting winter fish presence for multiple winters isn’t necessary and ConocoPhillips requests removal of this proposed BMP/mitigation. BLM’s own analysis in Section 3.10.2.2 indicates “fish are not anticipated to be present at Ocean Point during winter because the river ice can be naturally grounded and little flow exists.” ConocoPhillips specifically investigated this option due to the possibility that this area grounds out naturally in some winters. In the winters where we propose the heavy haul, this crossing will be grounded and will just mimic natural conditions. The species that use this river are well-documented, and BLM even states in Section 3.10.1 “targeted fish species are not common further upstream to Ocean Point. Studies of seasonal movements of radio-tagged broad whitefish (Morris 2000, 2003) found that fish that moved in the Colville River in fall or winter did not move upstream from Ocean Point and most wintered in a side channel of the Colville River at Ocean Point or downstream in reaches around the confluence with the Itkillik River. It is likely that burbot are not moving through Ocean Point during winter though they are the most likely species to do so when the opportunity is there (i.e. flows are sufficient). Most species aside form burbot are not feeding in the winter and tend to be fairly sedentary once they have reached overwintering locations.” BLM again suggests that flow through the winter in this area is not an annual occurrence, and BLM also states that most fish aren’t moving or feeding much, plus aren’t even likely to be in the area.	Measure was rewritten as follows: “Identify overwintering fish habitat (maximum water depths, particularly free-water depth under ice cover) in the Colville River at and near Ocean Point and other streams in the NPR-A that might intersect the Option 3 ice road. Avoid crossings of potential overwintering habitat.” Lack of data regarding fish presence and winter flow at Ocean Point are key topics described in substantive public comments.	N
607	5	Fisher	Kevin	North Slope Borough	Fish	P. 19 3.8.2.1.2 In-Water Structures This section notes that work could super cool [<i>sic</i>] the water. . . . Please provide approximate temperatures and address the prevention of supercooling of freshwater fish from freezing. Also, how will monitoring of fish take place during supercooling?	Though supercooling of water has been observed in other areas of the North Slope, temperatures at which this would occur have not been documented. If the river ice surface is used as a work platform, the potential for supercooling would be reduced by removing the smallest area of insulating snow cover as necessary to complete work in a timely fashion. Upon completion, it is likely that snow would quickly drift over the area and further reduce the potential of supercooling open water below.	N
607	6	Fisher	Kevin	North Slope Borough	Fish	P. 28, 3.10.1 Overwintering habitat depicted in this figure was derived from Morris (2003), and likely overestimates overwintering habitat in some areas. 1. How was overestimation determined? 2. Define some areas.	Overwintering habitat derived from Morris (2003) was intended to only include habitats within the Colville River, not bordering aquatic habitats that may be depicted within the figure’s overwintering habitat polygons. Thus, overwintering habitat depicted in the figure may appear to be overestimated. All wintering relocations of radio-tagged broad whitefish occurred downstream from the proposed ice road crossing or in the slough to the east of Ocean Point (Morris 2003).	N
607	7	Fisher	Kevin	North Slope Borough	Fish	P. 31 The phrase resistant fish is in bold, and it states that only resistant fish are present from DSP2 to Itkillik River; however, in figure 3.10.1, there is no indication that this area has been examined, otherwise the symbol for resistant fish would be used, as it is in other others on this map. Please clarify and cite sources.	There are six main lakes between the Itkillik River and Kuparuk DS2P, all of which have been previously sampled by CPAI from 1990 to 2014. They range in depth from 3.3 to 11.0 feet deep, and only resistant fish species were detected. Fish sampling points east of the Colville River were added to Figure 3.10.1 in the Final EIS.	N
57	1	Kunakana	Sam	—	Fish	I was totally opposed to any other development until we get a better understanding of what’s going on with our fish that we’ve been getting since 2013, that has been diagnosed with having saprolegnia [<i>sic</i>] fungi. I believe that — you know, and that needs to be revisited to check and see if there is a spike in the contaminants that were detected back in 2005 because of ice roads, more ice roads being built in this area for development and for winter exploration.	Discussion of <i>Saprolegnia parasitica</i> was added to Final EIS Section 3.10.1.1, <i>Freshwater</i> .	Y
26705	14	President	Acting	Native Village of Nuiqsut Tribal Council	Fish	BLM must thoroughly address impacts to fish and hydrology from constructing a freshwater reservoir. The updated project includes construction of a freshwater reservoir under Alternatives B, C, and D. BLM fails to adequately analyze the impact of constructing this reservoir. The SDEIS suggests that the reservoir will not have any effects on fish different from those described in the DEIS because it will not substantially change water levels in Lake M0015 or Willow Creek. As pointed out in our previous comments, the analysis of fish and fishing in the DEIS was already inadequate. Additionally, changing the timing and flow of water in tundra creeks and lakes can have longer-term effects on fish and hydrology. These effects are not well understood, and must be more thoroughly addressed in the SDEIS.	The CFWR would not change the timing or flow in tundra creeks, as described in Final EIS Section 3.8.2.3.6, <i>Water Withdrawal and Diversion</i> .	N
520	36	Psarianos	Bridget	Trustees for Alaska	Fish	While the SDEIS states that the location of the crossing is not expected to be used by fish in winter, BLM indicates on maps that the location of this crossing is overwintering fish habitat. Such habitat conditions are incredibly important for Arctic fishes life cycles. It is incorrect to generalize across fish species and the life history of species, however, so BLM should describe which fish may be impacted by changes to this habitat. . . . BLM also acknowledges that this grounded ice crossing may act as a barrier and impede the movement of fish. BLM states that CPAI will consult with ADF&G on how fish would be transported around the grounded ice bridge if they are found at this site. . . . How this would occur must be described in detail as such an undertaking could be logistically challenging or even impossible to effectively execute. The impacts of water withdrawals and their result on dissolved oxygen, among other habitat factors, at or resulting from the crossing design must also be analyzed and described in a revised draft EIS.	As stated in Section 3.10.1.1, <i>Freshwater</i> , overwintering habitat depicted in Figure 3.10.1 was derived from Morris (2003) and likely overestimates overwintering habitat in some areas, including at Ocean Point. In addition, after publication of the SDEIS, refinements were made to the description of the Colville River ice bridge; these were added to Appendix D.1 (<i>Alternatives Development</i>), Section 4.7.3, <i>Option 3: Colville River Crossing</i> . The crossing would not be a bottom-fast ice bridge but would be a partially grounded engineered ice bridge that would be constructed to provide sufficient load-carrying capacity to support the weight of the sealift modules and the SPMTs. The term “grounded ice” is footnoted, and the footnote describes the nature of the engineered ice bridge; it was clarified that there may be one or more low-flow channels present near the riverbed that would allow winter discharge to flow beneath the ice. These small channels are narrower than the length of the SPMT. The engineered ice bridge would be built up to required specifications to support module moves approximately 24 hours before crossing, then allowed to rest before moving a module across, allowing for potential water movement under ice. After a module crosses, the ice crossing would be built up to required specifications approximately 24 hours before the next module crosses the bridge. Text was amended in the Final EIS Section 3.10.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , to reflect that fish transport and culverts are no longer being considered.	Y
520	37	Psarianos	Bridget	Trustees for Alaska	Fish	The bathymetric conditions and flow of the Colville River are dynamic and ever changing depending on seasonal conditions and weather events within this massive watershed. How this crossing site may change and effectively be managed before construction, during construction, during operations, and after operations should all be described in detail.	As stated in Section 3.8.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , “CPAI will be collecting flow and ice data at Ocean Point for several more years before the start of module transport (ice bridge first needed in 2025).” After the NEPA process, BLM can require additional data from CPAI in order to approve the ROW permit. CPAI would not proceed with the crossing until it can demonstrate that the level of effects would be within those analyzed in the EIS. If CPAI had to change its design to demonstrate this, that would require either additional NEPA analysis or a Determination of NEPA Adequacy.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
520	38	Psarianos	Bridget	Trustees for Alaska	Fish	Specifically, a proposed construction, use, and demolition schedule should articulate risks and impacts to this habitat across seasons. Finally, BLM must require CPAI to monitor and publicly report on ice characteristics at the crossing point as noted in Section 3.10.3, prior to considering this option in a meaningful way in a revised EIS.	Construction, use, and maintenance (including season-end maintenance) are described in Section 4.7.3, <i>Option 3: Colville River Crossing</i> , of Appendix D.1 (<i>Alternatives Development</i>). Effects to fish from Option 3 are described in Section 3.10.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> . Proposed BMP H-5 (added to Section 3.10.2.1.1, <i>Applicable Lease Stipulations and Best Management Practices</i>) would require that data and summary reports derived from North Slope studies be made easily accessible to the public.	N
407	10	Rose	Garett	Natural Resources Defense Council	Fish	The analysis gives no indication of how potential impacts from the new elements exacerbate or otherwise combine with the potential impacts to fish analyzed in the DEIS. It fails to provide information necessary to engage in a meaningful analysis of potentially significant impacts. . . . The SDEIS notes that the freshwater reservoir, boat ramps, and Option 3 all involve activities in or near aquatic habitats important to a number of fish species. The first two components are situated within areas already affected by other Project components or other oil and gas infrastructure. Despite this overlap, the SDEIS treats these new elements as occurring in functional isolation from such infrastructure. For example, the freshwater reservoir will be constructed near BT3 and connected to the Project via gravel roads. But the SDEIS fails to explore whether the potential impacts from the construction and/or operation of the reservoir and other project components are additive to one another or how they otherwise intersect. Option 3 brings potentially significant direct and indirect impacts to new areas, but BLM fails to present any meaningful analyses of such impacts to fish. The SDEIS merely asserts that fish are not anticipated to be present at the Colville River crossing during the winter. But it then undermines this assertion by stating that CPAI will engage in further monitoring to ensure that this is actually the case. And it further undermines it in maps marking the location of the ice bridge as habitat for overwintering fish. Additionally, it provides no analysis about how constructing and using the ice bridge might change conditions in the Colville River in the area around the bridge or the concomitant potential impacts on fish and their habitat. . . . With regard to the reservoir and boat ramps, the SDEIS only states that [t]here are no changes to injury and mortality compared to the Draft EIS for the Project components described in the SDEIS. And with regard to Option 3, while the SDEIS notes the potential injury or mortality from screeding operations, it says such activity would not affect fish at the population level. As with the water resources analysis, BLM’s failure to collect and analyze information about fish species and their habitat renders the SDEISs analysis useless for understanding the Projects potentially significant impacts to fish. BLM must remedy this by collecting the information necessary to perform a NEPA-compliant impacts analysis, correcting the errors in its analysis of such impacts, and comprehensively analyzing the potential impacts from the new components of the Proposal.	Effects from all new infrastructure, including the CFWR, are in Section 3.10.2.3.1, <i>Habitat Loss or Alteration</i> , and Section 3.10.2.3.2, <i>Disturbance or Displacement</i> . Effects from Option 3 (Colville River Crossing) on hydrology and physical conditions in the Colville River are in Section 3.8.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> . Effects from Option 3 on fish are in Section 3.10.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> . Impacts to fish would be limited to low numbers of individuals because key life-history phases would be avoided and effects would be primarily limited to short durations and would avoid substantial overwintering areas and spawning areas. Low numbers of individuals would not affect populations within streams and rivers within the Project area, either in individual waterbodies or as a whole, given the highly migratory nature of most fish species in the analysis area and the specific habitats potentially affected. Population-level effects would be a reduction in the number of fish using any given stream or the Project area as a whole. Neither would occur as a result of the Project. After the NEPA process, BLM can require additional data from CPAI in order to approve the ROW permit. CPAI would not proceed with the crossing until it can demonstrate that the level of effects would be within those analyzed in the EIS. If CPAI had to change its design to demonstrate this, that would require either additional NEPA analysis or a Determination of NEPA Adequacy.	N
26710	3	Smith	Louise	USFWS	Fish	The Service suggests, to the extent practicable, the proposed ice road route on both sides of the Colville River be designed and routed to avoid river and stream crossings (e.g., the Itkillik River) that may impact access to overwintering fish habitats. In addition, we suggest removing ice-road crossings of fish-bearing streams and rivers prior to spring break-up to allow for seasonal movement of fish.	Avoidance of crossing overwintering habitat was added to Final EIS Section 3.10.2.1.3, <i>Additional Suggested Avoidance, Minimization, or Mitigation</i> . Removing ice road crossings prior to breakup is required by BMP C-3.	Y
26710	4	Smith	Louise	USFWS	Fish	The Service supports considering the installation of fish passage culverts within the ice bridge to allow fish passage; however, the culverts should be removed, and the ice bridge slotted before breakup.	The installation of culverts in the ice bridge has been further analyzed by CPAI and determined to be infeasible. Text was removed from the Final EIS.	Y

4.2.3.11 General Economics

Table B.3.13. Substantive Comments Received on General Economics

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
101	2	Campbell	Bruce	—	General Economics	This makes total sense in these harrowing recent times where economies are collapsing right and left due to Covid-19 leading to a huge reduction in demand for transportation fuels around the planet. This advised ADDITIONAL SUPPLEMENTAL DRAFT EIR should especially: 1. ADDRESS THE NEW ECONOMIC REALITY OF CHEAP OIL AND GAS PRICES, and how that may impact the viability of the Willow MDP; 2. ADDRESS THE PLUMMETING DEMAND FOR FUEL AROUND THE GLOBE (and not just during the quarantine phase for Covid-19).	The economic viability of the Project is a consideration for the Project proponent, not BLM under NEPA. Additionally, it would be speculative to assume oil prices will not change (higher or lower) in the coming years.	N
101	4	Campbell	Bruce	—	General Economics	RE-EVALUATE THE FINANCIAL VIABILITY OF VARIOUS PETROCHEMICAL EXTRACTION PROJECTS (both current and planned) THROUGHOUT THE NATIONAL PETROLEUM RESERVE-ALASKA (and beyond) in light of the massive drop in global demand for fuel, including how you see various drilling and pipeline projects linking up. It may be half a decade before we have a decent idea whether the global economy will ever recover to a point where there will be the demand for fuel that there has been in recent years around the globe. So, will the Willow MDP be an anchor to help open up a new set of leases on Alaska’s North Slope as the EIS theorizes, or will it not be financially viable in this modern era of covid-19?	The economic viability of the Project is a consideration for the Project proponent, not BLM under NEPA. Additionally, it would be speculative to assume oil prices will not change (higher or lower) in the coming years.	N
20179	3	Freeman	Kyri	Center for Biological Diversity	General Economics	How much revenue would go to local communities, and for how long? Do local people support this plan?	Economics related to the Project are analyzed in Draft and Final EIS Section 3.15, <i>Economics</i> . Additionally, the NPR-A Impact Grant Fund is included in the Draft EIS analysis in Section 5.3.1, <i>State of Alaska National Petroleum Reserve in Alaska Impact Grant Program</i> . Support for and opposition to the Project vary across community members.	N
14609	1	Gordon	Marc	Center for Biological Diversity	General Economics	It fails to require a large enough profit for taxpayers for the use of this taxpayer owned resource, once all government costs and subsidies are accounted for.	Comment is out of scope for the Willow MDP EIS.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
159	16	Kenning	Erik	ASRC	General Economics	ASRC has communicated to BLM the economic significance of the Willow MDP. The local development of Willow MDP will provides contracting opportunities for Alaska Native Corporations (ANCs) and jobs for our shareholders. . . . Continued responsible resource development across the North Slope provides numerous financial benefits to the local people via the NSB services, Alaska Native Corporation dividends, or through indirect mechanisms like contracting and job opportunities, public services, and more. The vast majority of the NSB operating budget is generated from taxation of oil & gas infrastructure. The NSB then provides funding for essential services to the local communities, these services include: K-12 education, health clinics, sewage, refuse, fire department, wildlife protection, research, police services, search and rescue, emergency response services, and other community necessities. These modern day amenities should not be dismissed. The predicted uplift to North Slope production from Willow will also be critical for the Trans-Alaska Pipeline System (TAPS) operations. The continued operation of TAPS will help to generate additional long-term property taxation opportunities for the NSB so it can continue to provide services which are essential to NSB residents quality of life through social welfare support and continued capital improvements.	The commenter’s general support for the Project is noted. Economics related to the Project are analyzed in Draft and Final EIS Section 3.15, <i>Economics</i> .	N
159	17	Kenning	Erik	ASRC	General Economics	Further, regional benefits from the NPR-A Impact Fund which can provide funds to the municipal governments of the NPR-A communities should be fully considered in BLM’s analysis. The NPR-A Impact Fund has provided benefits to the local communities as a direct result of development within NPR-A. Examples of positive impacts of the NPR-A Impact Fund can be seen in Nuiqsut, through funding of natural gas piping and building conversions, funding of local government operations, renovation of City Hall, as well as funds dedicated to the Youth and Community Center. Funds available for North Slope communities will be greatly increased by the Willow development. As Nuiqsut is the closest community to the development and therefore the most impacted, Nuiqsut should continue to pursue and receive projects funded through the NPR-A Impact Fund to benefit all residents of the community.	The NPR-A Impact Grant Fund is included in the Draft EIS analysis in Section 5.3.1, <i>State of Alaska National Petroleum Reserve in Alaska Impact Grant Program</i> .	N
4565	2	Lazarus	Anne	Center for Biological Diversity	General Economics	The commercial fishing industry will be severely and negatively impacted.	The vast majority of Project activities would be onshore, and most offshore activity that occurs would be during winter; the Project is not anticipated to impact any potential commercial fishing activity.	N
5460	1	Ludlum	Carole	Center for Biological Diversity	General Economics	Who will benefit from this development? Yes, there will be some job creation, but it will be temporary. In exchange, an irreplaceable treasure will be destroyed.	Economics related to the Project are analyzed in Draft and Final EIS Section 3.15, <i>Economics</i> . Additionally, the NPR-A Impact Grant Fund is included in the Draft EIS analysis in Section 5.3.1, <i>State of Alaska National Petroleum Reserve in Alaska Impact Grant Program</i> .	N
24730	1	Talaro	Wendy	Center for Biological Diversity	General Economics	It fails to do an honest, thorough calculation of energy return on energy invested (EROEI).	ERoEI is the ratio of the amount of usable energy delivered from a particular energy source to the amount of energy expended to obtain that energy resource. ERoEI analysis is not a requirement of NEPA analysis, and therefore, it is not included in the EIS.	N

4.2.3.12 Land Ownership and Use

Table B.3.14. Substantive Comments Received on Land Ownership and Use

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
717	93	Dunn	Connor	ConocoPhillips Alaska	Land Ownership and Use	3.14.2 - Land Ownership and Use - Environmental Consequences The EIS states that the boat ramp at the Ublutuoch (Tiġmiaqsiuġvik) River would cross the standard disturbance setback of 1 mile around recorded yellow-billed loon nest sites. The boat ramp at the Ublutuoch (Tiġmiaqsiuġvik) River is located on Kuukpik-owned lands while the nest in question is located on BLM-managed lands. BLM does not administer or enforce loon nest buffers on private lands. This language should be revised to avoid implying that that boat ramp is subject to a loon buffer.	Language was revised throughout the Final EIS.	Y
717	94	Dunn	Connor	ConocoPhillips Alaska	Land Ownership and Use	3.14.2 - Land Ownership and Use - Environmental Consequences Please clarify that the boat ramps are located within and/or adjacent to waterbodies and setback areas for which waivers are already being requested for the Project. The ramp at the TiġmiaqsiuġvikRiver is located on Kuukpik-owned land and a waiver is not required as BLM does not administer or enforce BMPs on private lands.	An additional waiver is not required. The boat ramp waivers would be included in the wider Project waivers for construction of infrastructure within the setbacks on the three rivers.	N
717	95	Dunn	Connor	ConocoPhillips Alaska	Land Ownership and Use	3.14.2 - Land Ownership and Use - Environmental Consequences Please revise “each boat ramp would add a 3.7-acre gravel footprint to the Project” to: “each boat ramp varies in size and layout and, combined, would add 5.9 acres of gravel footprint.”	Modified text in Final EIS Section 3.14.2.3.1, <i>Action Alternatives</i> , to read as follows: “Each boat ramp varies in size and layout and would add a maximum 5.9 acres of gravel footprint for all three boat ramps.”	Y
717	96	Dunn	Connor	ConocoPhillips Alaska	Land Ownership and Use	3.14.2.1 - Module Delivery Option 3: Colville River Crossing - Last Paragraph on page Add in Mine Site F to the list of existing operational Kuparuk mines. The NSB/Oil Search opened a new area at this location this winter.	Modified text in Final EIS Section 3.14.2.3.2, <i>Module Deliver Options</i> , to read as follows: “The gravel for these road improvements would be acquired from existing Kuparuk mines (e.g., Mine Site C, E, or F).”	Y
717	97	Dunn	Connor	ConocoPhillips Alaska	Land Ownership and Use	3.14.2 - Land Ownership - Environmental Consequences - First paragraph in section The first sentence says, “The three components will increase the overall acres to be developed and may potentially change rezoning requirements.” The three components in DSEIS are not expected to change the NSB rezoning requirements.	Modified text in Final EIS Section 3.14.2.3, <i>Action Alternatives and Module Delivery Options</i> , to read as follows: “The differences among the action alternatives and module delivery options are not expected to change NSB rezoning requirements, but the number of acres rezoned may vary by alternative and option.”	Y
717	98	Dunn	Connor	ConocoPhillips Alaska	Land Ownership and Use	3.14.3 - Module Delivery Option 3: Colville River Crossing - First Paragraph on page ConocoPhillips recommends that the proposed mitigation measure to develop a coordination plan with other stakeholders include residents of Nuiqsut not just CWAT.	Modified text in Final EIS Section 3.14.2.1.2, <i>Additional Suggested Avoidance, Minimization, or Mitigation</i> , for the additional mitigation measure to read as follows: “Develop a coordination plan with other stakeholders who are permitted to use the CWAT snow road (i.e., Nuiqsut residents) by BLM to prevent access conflicts during sealift module movement across the Colville River.”	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
717	117	Dunn	Connor	ConocoPhillips Alaska	Land Ownership and Use	Appendix A - Land Ownership and Use Native allotments are hard to see in this figure. The Native Allotment at Ocean Point is not visible on figure.	Figure 3.14.1 has been updated and includes the Native allotment at Ocean Point.	Y
407	14	Rose	Garett	Natural Resources Defense Council	Land Ownership and Use	As with its analysis of potentially significant impacts to other resources, the SDEIS repeats the DEISs omissions and errors concerning land ownership and use, thereby obscuring the extent of such impacts. Option 3, in particular, would involve intensified potential impacts to the Colville River Special Areas, which was designated to protect, initially, arctic peregrine falcons and expanded to include all raptors. While the SDEIS notes the fact of ice road construction in the special area, there is no analysis of potentially significant impacts of the Project to the areas values. In this regard, the SDEIS mirrors the DEISs failure to analyze impacts to the Teshekpuk Lake Special Areas (designated to protect migratory birds): the DEIS notes construction within the Teshekpuk Lake Special Area (and Colville River) but provides no analysis of potentially significant impacts to the areas values. Relatedly, the SDEIS does not analyze potential impacts from the new elements to either recreation or wilderness values. BLM has recognized the outstanding wilderness characteristics of Teshekpuk Lake and the Colville River, and has otherwise noted the NPR-A’s broader wilderness values. And, paradoxically, BLM noted recreational use of the analysis area before excluding it from analysis in the DEIS. The components evaluated in the SDEIS would intensify and expand the Projects impacts to both recreational and wilderness values. By failing to analyze these impacts, BLM has once again obscured the extent and magnitude of potentially significant impacts from the Project. Given that activity associated with the Project could impair the Special Areas ability to fulfill their purposes and degrade both wilderness and recreational values, it is imperative that BLM specifically analyze potential impacts in this regard.	The land ownership and use of the area is not being changed from wildlife habitat and subsistence use, nor are protections being removed, recreation permits being changed, etc. The area retains its values related to recreation and wilderness. Both the TLSA and the CRSA are areas available to oil and gas leasing. The special areas are administrative boundaries, and Project impacts would not necessarily be greater within them or outside them. Impacts to birds are discussed in Draft and Final EIS Section 3.11, <i>Birds</i> , and Appendix E.11, <i>Birds Technical Appendix</i> .	N

4.2.3.13 Marine Mammals

Table B.3.15. Substantive Comments Received on Marine Mammals

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
717	33	Dunn	Connor	ConocoPhillips Alaska	Marine Mammals	The Analysis of Marine Mammals Mischaracterizes Polar Bear Habitat and Overstates the Potential for Impacts SDEIS Section 3.13 Marine Mammals contains some new discussion relevant to polar bears that requires revision in the final EIS. The SDEIS mistakenly assesses potential impacts to polar bear foraging habitat. For example, BLM states on page 46 of the SDEIS that 26.2 acres of foraging habitat for polar bears would be lost due to the CFWR and other new features described in the SDEIS, and that polar bear habitat will be altered from vegetation compaction due to ice infrastructure and habitat alteration from water withdrawal in connection with the CFWR. Polar bears primarily forage on sea ice, with their primary diet consisting of ice seals The CFWR is 22 miles at the closest point to the Beaufort Sea coast, the proposed Fish Creek boat ramp location is 14 miles from the coast, Judy Creek boat ramp location is 20 miles from the coast, and the proposed Tĭṇṁiaqsiuġvik Bridge boat ramp location is 5.5 miles from the coast. It is implausible to expect polar bears to hunt seals this far inland or depend on uncompacted vegetation or freshwater lakes.	Mentions of vegetation compaction impacts to foraging were removed from Section 3.13.2.3.1, <i>Habitat Loss or Alteration</i> .	Y
717	34	Dunn	Connor	ConocoPhillips Alaska	Marine Mammals	On page 46 of the SDEIS, BLM states, “using the disturbance buffer of one mile commonly used by USFWS for identified polar bear dens, 9,469.8 acres would potentially be disturbed from the CFWR and the boat ramps.” This statement incorrectly applies a 1-mile buffer without identifying a known polar bear den or considering what areas consist of proper polar bear denning habitat. Potential denning habitat requires certain topographical features, and the mapped denning habitat within one mile of both the CFWR and the boat ramps reveals there are only 260.4 acres. Moreover, since the boat ramps would be used in the summer when polar bears are not denning, there would be no disturbance of any denning bears because denning occurs in the autumn and early winter.	As described in Section 3.13.2.3.2, <i>Disturbance or Displacement</i> , disturbance calculations are based on the USFWS polar bear den disturbance zone, which is 1 mile. This was calculated for all Project activities in winter, not only where a den has been previously located, because there is no other available information on a disturbance threshold for polar bears not in dens.	N
717	35	Dunn	Connor	ConocoPhillips Alaska	Marine Mammals	On page 47, in the context of discussing Option 3 for Module Delivery, the SDEIS states: Ice infrastructure would cover 666.66 acres total (333.3 acres each in 2025 and 2027) which could alter polar bear foraging habitat during winter construction. Ice infrastructure would cross mapped potential terrestrial denning habitat for polar bears. Specifically, the crossing of the Colville River at Ocean Point is located in polar bear potential denning habitat. BLM must provide some additional context and analysis here. When the U.S. Fish and Wildlife Service (USFWS) designated polar bear critical denning habitat, it conservatively designated an extremely large area in which almost all polar bear denning occurs, using wide swaths in order to capture any areas that may become important denning habitat as a result of future climatic and environmental changes. That area contains all necessary topographic, macrohabitat, and microhabitat features [for polar bear denning] that are essential for the conservation of polar bears in the United StatesThe Ocean Point ice crossing is nearly 23 miles from the coast and nearly 17 miles away from any designated critical habitat. See SDEIS, Figure 3.13.2. Moreover, there have been no identified polar bear dens within many miles of the Ocean Point crossing. Accordingly, although the Ocean Point crossing is theoretically within an area where polar bears could den, the best available scientific information demonstrates that it is outside of the area where almost all polar bears actually den and the likelihood of any dens or denning females being disturbed in that area is negligible.	Text was added to Section 3.13.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , to clarify the distance to the coast from Option 3, and the density of use by polar bears at the coast and inland. The nearest identified polar bear dens to Option 3 are 2.8 miles to gravel infrastructure and 10.3 miles from ice infrastructure.	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
717	84	Dunn	Connor	ConocoPhillips Alaska	Marine Mammals	3.13.2.2 - Marine Mammals - Module Delivery Option 3: Colville River Crossing Contrary to the statement in the third paragraph, potential terrestrial denning habitat is mapped for much of the Kuparuk and Oliktok area (Durner et al. 2001; publicly available from: http://pubs.aina.ucalgary.ca/arctic/Arctic54-2-115.pdf). The GIS data is available for public download from this webpage: https://www.usgs.gov/centers/asc/science/polar-bear-maternal-denning?qt-science_center_objects=4#qt-science_center_objects To be consistent with mapping available in the NPR-A, an area can be quantified by assuming an average width of potential terrestrial denning habitat of 6.4 meters (Durner et al. 2001).	Data from this website were used for the SDEIS and Final EIS. Text was clarified in Section 3.13.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , to indicate that part of the Option 3 ice road route east of the Colville River is not mapped for potential terrestrial denning habitat. The Oliktok and Kuparuk areas are mapped.	Y
717	85	Dunn	Connor	ConocoPhillips Alaska	Marine Mammals	3.13.2.2 - Marine Mammals - Module Delivery Option 3: Colville River Crossing Please delete the sentence “Multi-season ice pads could take longer to recover depending on the degree of soil saturation as detailed in the Draft EIS Section 3.9, Wetlands and Vegetation.” No multi-season ice pads are proposed as part of Option 3.	Edit made in Section 3.13.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , as suggested.	Y
717	86	Dunn	Connor	ConocoPhillips Alaska	Marine Mammals	3.13.2.2 - Marine Mammals - Module Delivery Option 3: Colville River Crossing The estimated distance to 120 dB rms underwater threshold for marine mammals during barge activity is incorrect. Note that the values reported for screeding are 1/10th that of barges and there is no apparent reason for that difference. The footnotes describe a transmission loss of 15 log(R), which is commonly used when no empirical data is available. However, Greene et al. (2008) reported a transmission loss of 26.4 log (R) at Oliktok Point. NMFS, in their Biological Opinion for the Nanushuk Project, estimated that noise from vessel traffic would decline to 120 dB rms at 225 meters (738 ft). Note also, that if a range of source values are estimated, then a range of distances should also be provided	NMFS has consistently stated in several consultations that transmission loss measured at Northstar cannot be considered empirical data for Oliktok Point, so the practical spreading loss of 15 log(R) was used. In recent communication with NMFS representatives, they asked that the backhoe measurement from Greene Jr., Blackwell et al. (2008) of 125 dB at 100 m be used as the source level for screeding instead of the tug/barge scenario for the BA. But for the EIS, we use the worst-case distance of 1.5 miles for vessel disturbance, rather than setting a different analysis area for each activity type.	N
717	87	Dunn	Connor	ConocoPhillips Alaska	Marine Mammals	3.13.2.2 - Marine Mammals - Module Delivery Option 3: Colville River Crossing The sound source levels reported for screening should be revisited. The reference provided in the DEIS, Marine Mammal Technical Appendix, was Blackwell and Greene (2003); however, this study did not include screening and was conducted in Cook Inlet. A more appropriate reference, and one that has been used recently by NMFS on projects near Oliktok Point, is Greene et al. (2008). Greene, C.R., S.B. Blackwell, M.W. McLennan, and KGF. 2008. Sounds and vibrations in the frozen Beaufort Sea during gravel island construction. The Journal of the Acoustical Society of America 123:687-695.	NMFS has consistently stated in several consultations that transmission loss measured at Northstar cannot be considered empirical data for Oliktok Point, so the practical spreading loss of 15 log(R) was used. In recent communication with NMFS representatives, they asked that the backhoe measurement from Greene Jr., Blackwell et al. (2008) of 125 dB at 100 m be used as the source level for screeding instead of the tug/barge scenario for the BA. But for the EIS, we use the worst-case distance of 1.5 miles for vessel disturbance, rather than setting a different analysis area for each activity type.	N
717	88	Dunn	Connor	ConocoPhillips Alaska	Marine Mammals	3.13.2.2 - Module Delivery Option 3: Colville River Crossing - Table 3.13.2 SDEIS, Table 3.13.2: The last row of this table suggests that the barge and support vessel traffic associated with Option 3 may, for all marine mammals, cause temporary disturbance or displacement from underwater noise and human activity or injury or mortality from vessel strikes. However, the draft EIS states, correctly, that impacts to marine mammals as a result of injury or mortality from vessel collision is not expected. See DEIS 3.13.2.3.3. Additionally, the draft EIS at Appendix E.13, Table E.13.6, suggests potential disturbance or displacement from noise and human activity related to barge traffic associated with the Module Delivery Options, but correctly lists no injury or mortality from vessel strikes. The draft EIS also states that seals may be temporarily disturbed by construction activities related to Module Delivery Option 1 and that vessel traffic would otherwise have a limited effect on marine mammals because marine mammals typically avoid vessels in known high-vessel areas, sound levels of vessels are well below the injury thresholds for marine mammals, and, for bowhead and beluga whales, their migration corridor is generally in depths greater than 60 feet and all vessel traffic would occur in shallower water. See id. 3.13.2.6.1. These analyses should equally apply to Option 3, for which barge and support vessel traffic potential effects would be within the scope of the effects considered in the draft EIS. The Final EIS should provide a clear and consistent explanation about the potential effects (or lack thereof) of barge and support vessel traffic on marine mammals across Options 1, 2, and 3.	The Project as proposed in the Draft EIS had significantly less vessel traffic than what is currently proposed. Full analysis of the vessel traffic is included in the Final EIS for all action alternatives and module delivery options.	N
717	89	Dunn	Connor	ConocoPhillips Alaska	Marine Mammals	3.13.2.2 - Marine Mammals - Effects to Marine Mammals from Module Delivery Option 3 (Colville River Crossing) BLM suggests impact to polar bears from “habitat alteration from water withdrawal” for ice road infrastructure. See SDEIS, Table 3.13.2. Polar bears are not dependent upon frozen (or thawed) freshwater lakes (See generally 75 Fed. Reg. 76,086; 73 Fed. Reg. 28,212). This statement should therefore be eliminated or, alternatively, supported with a specific explanation based on established available science for how water withdrawal will have an effect on polar bear habitat.	Table 3.13.2 in the SDEIS contained an error, as noted in the comment. This was edited for the Final EIS in Table 3.13.4.	Y
717	90	Dunn	Connor	ConocoPhillips Alaska	Marine Mammals	3.13.2.2 - Marine Mammals - Effects to Marine Mammals from Module Delivery Option 3 (Colville River Crossing) BLM suggests that polar bear injury or mortality may occur from vehicle strikes. See SDEIS, Table 3.13.2. ConocoPhillips is unaware of polar bear injury or mortality due to vehicle interactions in the oil fields. The SDEIS must be based on the best available scientific information, not speculation. This suggestion should therefore be removed from the SDEIS.	As stated in Final EIS Section 3.13.2.3.3, <i>Injury or Mortality</i> , “data prior to 2001 indicate that no such incidental collisions of polar bears and vehicles have been documented on the North Slope.” Vehicle strike was removed from Table 3.13.4 in the Final EIS.	Y
717	91	Dunn	Connor	ConocoPhillips Alaska	Marine Mammals	3.13.2.2 - Marine Mammals - Effects to Marine Mammals from Module Delivery Option 3 (Colville River Crossing) BLM incorrectly applies the USFWS 1 mile buffer in this table. The 1-mile buffer is not a disturbance zone for all polar bears, but rather it’s applied to denning polar bears. So, the calculation of over 53,000 acres of disturbance due to ice roads and the existing gravel roads is grossly inflated and misinterpreted calculation. Rather, only the identified potential terrestrial denning habitat acreage within 1 mile of the associated ice and gravel infrastructure should be used, though arguably den identification surveys will be conducted, plus additional mitigations such as training that will greatly reduce the impact on any denning bear should a bear choose to den within one mile of the Option 3 route, which is highly unlikely given historical den locations and overall polar bear denning density for this area. Plus, the potential impact is only seasonal. There is only 260.4 acres of potential denning habitat within 1 mile of the CRWR and all of the proposed boat ramp. The Kuparuk gravel route and ice road route to Willow only contains 527 acres of potential denning habitat. The 1 mile buffer absolutely cannot be applied to assuming disturbance to non-denning polar bears.	As described in Section 3.13.2.3.2, <i>Disturbance or Displacement</i> , disturbance calculations are based on the USFWS polar bear den disturbance zone, which is 1 mile. This was calculated for all Project activities in winter, not only where a den has been previously located. There are no available data on a disturbance distance or threshold for anything other than dens for polar bears. Therefore, in the absence of that information, a conservative distance of 1 mile was used because it is accepted by USFWS and industry for the most-sensitive period.	N

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717	92	Dunn	Connor	ConocoPhillips Alaska	Marine Mammals	3.13.2.2 - Marine Mammals - Effects to Marine Mammals from Module Delivery Option 3 (Colville River Crossing) BLM misapplies the USFWS 1-mile buffer in Table 3.13.3 on page 49. The 1-mile buffer is not a disturbance zone for all polar bears, but rather a management measure that is applied specifically to known, denning polar bears. The calculation of over 53,000 acres of disturbance due to a 1-mile buffer around ice roads and the existing gravel roads is a misapplication of the one-mile buffer mitigation. Only the identified potential terrestrial denning habitat acreage within one mile of the associated ice and gravel infrastructure should be considered, although even that would result in a highly conservative figure. Den identification surveys and additional mitigations such as training to recognize denning habitat and signs of active denning will greatly reduce potential impact on denning polar bears within one mile of the proposed Option 3 route. However, denning is unlikely to occur given history of minimal reported den locations and overall low polar bear denning density for this area. Furthermore, the potential impact is seasonal, as polar bears den only during winter. As stated previously, based on the specific topographical features preferred for denning, there is approximately 260.4 acres of potential denning habitat within one mile of the CFWR and the proposed boat ramps, and the Kuparuk gravel route and ice road route contain approximately 527 acres of potential denning habitat. ConocoPhillips asserts there is no basis for applying a one-mile buffer to assume disturbance to non-denning polar bears.	As described in Section 3.13.2.3.2, <i>Disturbance or Displacement</i> , disturbance calculations are based on the USFWS polar bear den disturbance zone, which is 1 mile. This was calculated for all Project activities in winter, not only where a den has been previously located. There are no available data on a disturbance distance or threshold for anything other than dens for polar bears. Therefore, in the absence of that information, a conservative distance of 1 mile was used because it is accepted by USFWS and industry for the most-sensitive period.	N
531	4	Hopson	Lesley	Alaska Eskimo Whaling Commission	Marine Mammals	The AEWK is also concerned that BLM has done little analysis of the potential for impacts to bowhead whales. The DEIS contains very little analysis related to Options 1 and 2, and whether there would be any impacts to bowhead whales during the migration. In fact, when BLM looks at offshore impacts from construction, it uses a standard of 1.5 miles from the construction, which based on the USFWS polar bear den disturbance zone. Further, BLM presents conclusions of limited harm from Options 1 or 2 to bowhead whales based solely on the distance from the migration corridor. However, these conclusions in the DEIS demonstrate a lack of understanding of bowhead whales, and a lack of communication with the AEWK, NWCA, Whaling Captains, and NMFS. DEIS Section 3.13.2.6.1. For Option 2, BLM says the results would be the same. DEIS at Section 3.13.2.6.2. The DSEIS is similarly lacking information on the potential impacts to bowhead whales, and also the sociocultural impacts to whaling. The AEWK asks that the Final EIS reflect the lessons learned from our traditional knowledge regarding bowhead whale behavior and the potential impacts from offshore activities. Our communities have been sharing this information to BOEM and NMFS for many years, and this information should be available to BLM as it is reflected in many other existing planning documents.	SDEIS Section 1.2, <i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i> , states the following: “Potential environmental effects for Project elements that were already evaluated in the Draft EIS are not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect), due to CPAI’s Project modifications.” Because vessel traffic was not a new action, it was not described in the SDEIS. Impacts to bowhead whales from vessel traffic are described in Final EIS Section 3.13.2.3.2.2, <i>Coastal and Marine Disturbance or Displacement</i> , Section 3.13.2.3.3, <i>Injury or Mortality</i> , and Section 3.13.2.6.2, <i>Disturbance or Displacement</i> . Vessel traffic is also assessed for all marine mammals in Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> . Sociocultural impacts to whaling were added to Section 3.16.2.3.2.5, <i>Marine Mammals</i> . Text regarding how traditional knowledge was used in the EIS was added to Final EIS Section 3.1, <i>Introduction and Analysis Methods</i> .	Y
520	60	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	The SDEIS Underestimates Impacts to Polar Bears and Other Marine Mammals BLM’s analysis of impacts to Polar Bears is inadequate Like the draft EIS, the SDEIS understates the impacts of the proposed project to polar bears. Both EISs recognize that polar bears are listed as threatened under the Endangered Species Act but fail to note the perilous conditions facing the Southern Beaufort Sea population specifically. The SDEIS fails to acknowledge the risks to bears from the extensive habitat and noise disturbances associated with the Option 3 module transport effort, especially the inescapable risk of den disturbance and potential mortality should that risk materialize, but also impacts to non-denning bears. The SDEIS also fails to discuss impacts to the barrier island critical habitat near Oliktok Point, and underestimates the impacts to polar bears from barge and vessel traffic and from construction and use of the reservoir and boat ramps. Critically, it entirely fails to take a hard look at the cumulative impacts to polar bears and habitat posed by the Willow project together with existing and reasonably foreseeable actions that taken together would industrialize the majority of Alaska’s Arctic coast.	Analysis of vessel traffic and noise are described in the Final EIS Section 3.13.2.3.2.2, <i>Coastal and Marine Disturbance or Displacement</i> , and Section 3.13.2.3.3, <i>Injury or Mortality</i> . As described in Section 3.13.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , ice infrastructure for Option 3 would be 17.2 miles inland from the coast at its closest point. Because the majority (95%) of bear dens observed in this region have occurred within 5 miles of the coast (Durner, Douglas et al. 2009), the temporary habitat loss from Project ice infrastructure would be outside the area most used by polar bears. No habitat loss or alteration would occur in barrier island critical habitat for Option 3. Vessel presence and noise could temporarily disturb individual polar bears resting or foraging on marine mammal carcasses along the coast or on barrier islands. Although it has not been thoroughly documented, persistent disturbance from vessels operating within 1 mile (1.6 km) of barrier islands could prevent use of localized areas of barrier island critical habitat (USFWS 2011a). Scedding at Oliktok Dock (expected to take 1 week) would be 1.2 miles from barrier island critical habitat, the closest Project activity to this habitat. Potential impacts to polar bears would be limited to the short-term disturbance of small numbers of individuals. This text was added to Final EIS Section 3.13.2.3.2.2, <i>Coastal and Marine Disturbance or Displacement</i> . Text was added to Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> , to assess cumulative effects to polar bears and other marine mammals.	Y
520	61	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	BLM’s Affected Environment analysis lacks clarity. The draft and supplemental draft EISs fail to note that the Southern Beaufort Sea (SBS) population of polar bears is at an estimated 900 animals after falling 50% since the late 1990s. It is among the most imperiled, if not the most imperiled, of all polar bear populations worldwide. The bears are experiencing energetic stress, poor cub survival, and poor body condition. SBS bears are increasingly denning on land in Alaska as sea ice diminishes, with terrestrial denning animals now outnumbering those denning on sea ice each season. The U.S. Fish and Wildlife Service (FWS) has calculated a Potential Biological Removal from this population of 14 animals annually; the annual subsistence take alone is far in excess of that. A revised draft EIS should add this important backdrop to the Affected Environment section as it punctuates the need for a very careful assessment of what is proposed in critical polar bear habitat. As FWS and U.S. Geological Survey researchers recently noted, [g]iven that the subsistence take already exceeds PBR, any additional takes related to seismic surveys would not be able to be authorized without impacting the ability of SBS bears to achieve or maintain its optimum sustainable population. The SDEIS, presumably referring to polar bears, states that there are 2,807.8 acres of mapped potential terrestrial denning habitat in the entire analysis area for marine mammals. The draft EIS identified 3,126.6 acres of polar bear denning habitat in the analysis area. So, despite the addition of Option 3, which adds substantially to the total terrestrial denning habitat in the analysis area, the SDEIS finds that there are over 300 fewer acres of denning habitat in that area. BLM needs to clarify the amount of terrestrial denning habitat in the analysis area.	Population details were added to Appendix E.13 (<i>Marine Mammals Technical Appendix</i>), Section 1.1.4.2, <i>Polar Bear</i> . As stated in Section 3.13.1.1.1, <i>Polar Bears</i> , potential terrestrial denning habitat is defined as a topographic feature at least 4.3 feet (1.3 m) in height and having at least an 8-degree slope, which provides conditions for drifting snow. Potential terrestrial denning habitat has been mapped in most of the analysis area, as shown in Figure 3.13.1. Some of the area in the southeast extent of Figure 3.13.1 (east of the Colville River) has not been mapped for potential terrestrial denning habitat. This clarification was added to the Final EIS.	Y

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520	62	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	<p>The Module Transport via Colville River Crossing alternative does not accurately reflect risks to polar bears. The SDEIS does not explore the likely impacts to denning or non-denning polar bears from creating this very large disturbance area, either standing alone or in combination with other known and foreseeable disturbance areas. The SDEIS indicates that construction and use of the ice and gravel roads needed for module transport will create polar bear disturbance zones of 53,251.2 acres and 55,613.3 acres, respectively. That totals 83.2 and 86.9 square miles, respectively, or a total disturbance zone of over 170 square miles. Winter ice road travel would entail up to 84 trips per hour essentially continuous travel over 80.2 miles of ice road for two winters. Winter season is from approximately December 15 April 25 (132 days) to account for time to construct ice roads and the usable ice road season (from approximately January 25 - April 25). That indicates that the ice road would be constructed from about December 15 - January 25. Construction is planned to occur from the two end points and converge at the Colville River, so noise disturbance will always impact two areas simultaneously and those impacts must be considered. That timeframe will allow only a tight window for den detection efforts prior to construction. The Integrated Activity Plan requires operators to survey for potential polar bears dens before initiating winter activities near coastal areas. The IAP does not specify any particular survey method, but the industry practice and best known available den detection tool is a Forward Looking Infrared (FLIR) Survey. Recent studies have illuminated that FLIR technology is only able to detect less than 50% of actual dens and is prone to false positives that detect some other heat source. Weather conditions significantly impact the efficacy of FLIR surveys, and the optimal conditions for conducting them rarely exist. One way to increase the effectiveness of FLIR surveys is to perform multiple surveys over a longer time period, but that will not be possible with a December 15 start date for construction. Surveys are confined to December and January because they need to be done after bears den but before they give birth to cubs. Known past polar bear dens exist within 2.8 and 10.3 miles of the gravel and ice roads, respectively, and although polar bears don’t necessarily return to the same denning locations, impacts to denning bears are a foreseeable consequence of the project. It is therefore likely that a den in the gravel and ice road disturbance areas will not be detected prior to road construction and use. The project thus runs the risk of disturbing denning bears, or immediate post-denning mother bears and cubs, every day from December 15 - April 25 for two winters. The SDEIS contends that impacts to denning bears will be mitigated via later FWS Letters of Authorization issued pursuant to Incidental Take Regulations (ITR). The ITR currently in effect in the project area and Letters of Authorization (LOAs) issued pursuant thereto do not authorize any lethal take of polar bears. They do not and cannot eliminate the risk, however, that polar bear dens in the project area will go undetected prior to road construction and use. The ITR doesn’t require FLIR detection efforts at all, and nor can any LOA. Even if ConocoPhillips were to voluntarily agree to conduct FLIR surveys, their limited effectiveness cannot ensure that dens will be detected, and the proposed action presents a risk of mortality to the precarious SBS population. The Willow draft and supplemental draft EISs don’t mention the thorny problem of den detection, or the potential population level impact of den disturbance on the Southern Beaufort Sea polar bear population. Further, as discussed in our draft EIS comments, the project will also impact non denning bears and that is even more true now, with the large road construction project through denning and foraging habitat. A revised EIS must disclose this risk of lethal and non-lethal take of denning polar bears and the impact of that take on the Southern Beaufort Sea population.</p>	<p>As described in Section 3.13.2.8, <i>Module Delivery Option 3: Colville River Crossing</i>, ice infrastructure for Option 3 would be 17.2 miles inland from the coast at its closest point. Because the majority (95%) of bear dens observed in this region have occurred within 5 miles of the coast (Durner, Douglas et al. 2009), the temporary disturbance from Project ice infrastructure would be outside the area most used by polar bears. Methods for detecting polar bear dens would be coordinated with USFWS through the Project’s ESA and MMPA consultations. CPAI has conducted two aerial surveys using FLIR technology in December and January for the last two winter seasons because of the changes observed in snow depth and timing of bears entering dens and will continue to do so for the Project. There are several assumptions in both Wilson and Durner (2019) and Smith et al. (2020) that are incorrect regarding the efficacy of FLIR surveys: 1) FLIR surveys are effective outside of the weather windows reported in both, as evidenced by several recent industry studies and in results of annual FLIR surveys; 2) dens with ceiling thicknesses greater than 100 cm have been detected in several industry studies; 3) the depth of 100 cm was based on handheld FLIR technology, which does not have the same effective distance as aerial technology; and 4) annual surveys are not just one flight; there is detailed protocol with video review and hot-spot quality assurance/quality control. CPAI also trains personnel to conduct visual surveys for signs of dens in areas, so aerial FLIR survey is not the only method used. Further, on the rare occasion when dens were not detected and a bear emerges near industry, companies work with USFWS to establish stringent measures to not cause abandonment.</p>	N
520	63	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	<p>BLM must consider the impacts to polar bear use of the barrier islands. The offshore analysis area map indicates that the project will impact the barrier islands no disturbance zone for polar bears. Polar bear critical habitat includes a one-mile no disturbance buffer around the barrier islands because of their particular importance for denning, resting, and movement along the coast. Bears may not use the barrier islands if they are disturbed by human activity. The SDEIS does not discuss this fact, and BLM must address the impacts of authorizing an activity within the critical habitat designation for polar bears that could risk displacement of bears from the barrier islands near Oliktok Point. These impacts must be acknowledged and mitigated.</p>	<p>No habitat loss or alteration would occur in barrier island critical habitat for Option 3 (Colville River Crossing). Vessel presence and noise could temporarily disturb individual polar bears resting or foraging on marine mammal carcasses along the coast or on barrier islands. Although it has not been thoroughly documented, persistent disturbance from vessels operating within 1 mile (1.6 km) of barrier islands could prevent use of localized areas of barrier island critical habitat (USFWS 2011b). Scedding at Oliktok Dock (expected to take 1 week) would be 1.2 miles from barrier island critical habitat, the closest Project activity to this habitat. Potential impacts to polar bears would be limited to the short-term disturbance of small numbers of individuals. This text was added to Final EIS Section 3.13.2.3.2.2, <i>Coastal and Marine Disturbance or Displacement</i>.</p>	Y
520	64	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	<p>BLM fails to address barging impacts. The SDEIS ignores the disturbance zone created by the barge operation because the barge route is only estimated but not specifically known. The approximate nature of the barge route, however, is insufficient reason to wholly discount its effects. The disturbance zone for barging is significant, amounting to over 7000 feet from the source, and there are 600 and 1200 additional miles of barging associated with Option 3 compared to Options 1 and 2, respectively. The impacts from barging the additional miles from Point Lonely or Atigaru Point to Oliktok Point are a necessary piece missing from the analysis. The SDEIS does not evaluate the impacts to polar bears and other marine mammals. Barge operations route should not be difficult to estimate, especially since vessels already travel to Oliktok Point, and must be included and analyzed in a new draft EIS.</p>	<p>SDEIS Section 1.2, <i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i>, states the following: “Potential environmental effects for Project elements that were already evaluated in the Draft EIS are not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect), due to CPAI’s Project modifications.” Because vessel traffic was not a new action, it was not described in the SDEIS. Analysis of vessel traffic is described in Final EIS Section 3.13.2.3.2.2, <i>Coastal and Marine Disturbance or Displacement</i>, and Section 3.13.2.3.3, <i>Injury or Mortality</i>.</p>	Y

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520	65	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	The SDEIS does not include accurate impacts from reservoir and boat ramps. The SDEIS underestimates the impacts of the proposed water reservoir and boat ramps on both denning and non-denning polar bears. Using the one-mile disturbance buffer often employed by FWS to protect polar bear dens, BLM calculates a disturbance area of 9469.8 acres, or almost 15 square miles, for denning bears. There is a known past polar bear den within 6.1 miles of the reservoir area. While polar bears do not necessarily return to the same den locations, past use indicates it is suitable habitat, demonstrating that the reservoir and ramp construction project may impact denning bears. The SDEIS contends that [b]ecause construction of these facilities would have a short duration and occur over a small area of denning habitat relative to the entire North Slope, polar bears are expected to find alternate similar habitat. But as noted in our draft EIS comments, there are a great number of stressors in polar bear critical denning habitat in addition to the Willow project. The 15 square miles of disturbance from just this one project component are in addition to 170 square miles of disturbance from the road construction and use component, plus the undisclosed square miles of habitat already disturbed or proposed for disturbance. BLM must assess the impacts of the Willow project on denning polar bears together with other existing and reasonably foreseeable impacts on denning bears.	The reservoir and boat ramps would be located more than 12 miles inland from the coast at their closest point. Because the majority (95%) of polar bear dens observed in this region have occurred within 5 miles of the coast (Durner, Douglas et al. 2009), the temporary disturbance from these Project features would be outside the area most used by polar bears. Further, these features would occur in only a small area of potential denning habitat relative to the vast amount of denning habitat in the NPR-A. The effects of the Project are considered in combination with past and present actions and RFFAs in Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> . Text was added to that section regarding polar bears and other marine mammals.	Y
520	66	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	Additionally, the impacts from the reservoir and boat ramp are not limited to the construction phase. The timing and extent of the use of the boat ramps and reservoir to access area rivers is not disclosed, and this activity could also impact polar bears. Non-denning bears, especially females and females with cubs, have demonstrated sensitivity and strong avoidance reactions to the noise produced by snow machines at a distance of over two miles. BLM should estimate the reasonably foreseeable induced public uses of the reservoir and boat ramps, and use a two mile radius around those public uses involving skiffs or other motorized access to delineate the disturbance zone for non-denning bears. While disturbance to non-denning bears is much less likely to be lethal compared to denning bears, it is very likely to increase energetic stress and displace bears from preferred habitat and travel routes. For a population suffering from nutritional stress, poor body condition and reduced cub survival, more energetic stress and disturbance is not a prescription for recovery and could create or exacerbate population-level impacts. Indeed, minimizing the impacts of any human development on polar bears is a clear recovery strategy identified in the FWSs Polar Bear Conservation Management Plan.	The EIS states that habitat loss and alteration, as well as disturbance from gravel infrastructure, would be permanent (Section 3.13.2.3.1, <i>Habitat Loss or Alteration</i> , and Section 3.13.2.3.2, <i>Disturbance or Displacement</i>). The boat ramps would be used during the open-water season by the community of Nuiqsut, which has a population of 347 people. Because not all residents own a boat, use of the ramps would be by fewer people. While individual bears could use interior, terrestrial habitat during the summer, the majority of SBS bears typically use the sea ice when accessible and coastal areas later in the open-water season. This habitat is north of the boat ramps by 5 miles. The probability of boat traffic occurring when individual bears are in the vicinity that could be affected by visual or auditory stimulus is low. The reservoir would not be used by the public. Disturbance calculations are based on the USFWS polar bear den disturbance zone, which is 1 mile, as stated in Section 3.13.2.3.2, <i>Disturbance or Displacement</i> .	N
520	67	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	The FWSs comments on the Willow project were notably absent at the draft EIS stage. Their importance is emphasized in the Polar Bear Conservation Management Plan: Review and comment on proposed projects and activities in polar bear habitat within the United States (e.g., oil and gas exploration, . . .) to mitigate potential adverse outcomes. BLM should not move forward with an EIS for the Willow project before receiving and responding to the FWS comments, including those related to polar bear impacts.	BLM did not receive comments from USFWS during the public comment periods on the Draft EIS and the SDEIS. However, all cooperating agencies, including USFWS, had the same opportunity to submit comments on the Draft EIS. As a cooperating agency, USFWS has had frequent conversations with BLM about effects of the Project on resources within USFWS jurisdiction. Comments specific to effects of the Project on polar bears are addressed in the Section 7 consultation between BLM and USFWS.	N
520	68	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	Cumulative Impacts from other environmental stressors must be accurately assessed and mitigated in a revised draft EIS. The SDEIS addresses cumulative impacts to polar bears as follows: As sea ice cover diminishes with warming climate, polar bears may spend more time on land and fast more, which would reduce access to prey and negatively affect energy levels, respectively (Molnr, Derocher et al. 2010). It may also mean a higher likelihood of bears encountering human infrastructure and activities on land. The impacts of onshore development would likely affect polar bears through disturbance in coastal barrier-island and denning habitats, especially during construction, but those would be mitigated through the Incidental Take Regulations and Letters of Authorization issued by USFWS (which stipulate mitigation and minimization measures). Polar bears are already spending more time on land, and the energetic cost of doing so is already a concern, so these are known, present impacts, not future potential ones. Increases in both industrial development and polar bear terrestrial uses will necessarily mean a higher likelihood of encounters and disturbance. These impacts from Willow and other developments on polar bears in the impacted terrestrial, nearshore and offshore areas should be the focus of this section of the SDEIS. Instead, the SDEIS leaves the analysis and mitigation options to the ITR/LOA process under the Marine Mammal Protection Act. This falls short of NEPAs requirement to take a hard look at the impacts of the project.	Text was added to Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> , to assess cumulative effects to polar bears and other marine mammals.	Y
520	69	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	The ITR/LOA process itself does not evaluate cumulative impacts, so the analysis foregone now will not be salvaged at some later time. The SDEIS cumulative impacts section assesses only future impacts, noting that past and present impacts are discussed in section 3.1. That section, however, simply mentions the Alpine and GMT developments adjacent to the Willow proposed development. It ignores other developments, such as the Prudhoe Bay complex, from consideration in terms of their cumulative impact on polar bears and critical habitat. Thus, the scope of past and present projects listed is limited to those near the project area, instead of relevant past and present projects that, taken together, cumulatively impact polar bears and their habitat. Worse, there is no assessment or quantification of even the Alpine and GMT developments impacts on polar bears or habitat; instead, there is just a simple mention of their existence.	Cumulative effects are those that occur in combination with past and present actions and RFFAs. The effects of the Willow MDP Project on marine mammals would not extend to Prudhoe Bay and thus would not occur in combination with effects from Prudhoe Bay. Text was added to Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> , regarding polar bears and other marine mammals. As stated in that section, ITRs and LOAs issued by USFWS stipulate mitigation and minimization measures, which would help mitigate cumulative effects.	Y

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520	70	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	The cumulative impacts section discussing reasonably foreseeable future actions (RFFA) continues in the same vein by listing projects but offering no analysis of their cumulative impact on polar bears or their habitat. BLM claims that it considered public and agency input (Appendix B) and used the technical analyses conducted for this SEIS to identify and focus on cumulative effects that are truly meaningful in terms of local, regional, or national significance but in fact it completely overlooks the regional significance of all of the RFFAs in polar bear critical habitat. For example, BLM lists RFFAs including oil and gas development across the entirety of the Arctic National Wildlife Refuge coastal plain, the pending revision of the NPRA IAP, the Nanushuk and Liberty projects, and the ASTAR project, as well as seismic exploration throughout the region. The proposed Arctic Refuge Coastal Plain oil and gas program alone would significantly impact the most important terrestrial denning habitat for Southern Beaufort Sea polar bears. BLM’s preferred alternative allows leasing and development, including seismic exploration, across the entire 1.56 million-acre program area despite the presence of high-density denning areas and the fact that 77% of the program area consists of designated critical polar bear habitat. BLM’s proposed IAP revision could the area open to oil and gas leasing and development to 81% of the NPRA, and allow new infrastructure to be developed on millions of acres of polar bear critical habitat. The Nanushuk project is comparable in scale to Willow and just across the Colville River from Nuiqsut. It will entail 190-280 miles of seasonal ice roads in the area and over 20 miles of new permanent gravel roads, in addition to a new Central Processing Facility, over 20 miles of infield pipelines, and a 22-mile export pipeline to the Kuparuk CPF, among other infrastructure that will impact polar bears. The Liberty project would connect many of the same types of infrastructure six miles offshore, to an artificial island, where drilling, production, and production support facilities including another seawater treatment plant would be constructed. And while the polar bear discussion in the Willow SDEIS does not mention the ASTAR project, BLM elsewhere notes the proposed 30 to 190 miles of new roads (and 30 to 190 miles of new pipelines), including a community road connecting Nuiqsut and Utqiag̃vik that would be routed north of Teshekpuk Lake. All of these actions impact polar bears and critical habitat, and collectively represent the industrialization of a substantial percentage of designated polar bear denning habitat, as well as other critical habitat. Indeed, they collectively represent the transformation of Alaska’s Arctic coast from Utqiag̃vik to the Canadian border to an industrial development zone. BLM must quantify and assess the impact of these RFFAs on polar bears and their habitat, together with the hundreds of square miles of polar bear critical habitat impacted by the Willow proposal, in its cumulative effects analysis for the Willow project.	Final EIS Section 3.19.3, <i>Reasonably Foreseeable Future Actions</i> , includes all the projects described in the comment as RFFAs. The impacts of the Project in combination with those RFFAs are described in Final EIS Section 3.19.10.5, <i>Marine Mammals</i> .	N
520	71	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	Finally, BLM briefly mentions that increased access due to these large development projects, including access for subsistence activities, could kill more polar bears, or displace them to other habitats to avoid harvest. As noted above, increased mortality for SBS bears is not consistent with recovery of this depleted and vulnerable population. BLM must estimate the additional induced mortality due to vastly increasing access to polar bear habitat via the Willow project and the RFFAs noted. These significant omissions rise to the level of requiring a revised draft EIS.	Estimated take of polar bears would be a part of the Project’s ESA consultation and MMPA LOA.	N
520	72	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	Impacts on other Marine Mammals is similarly lacking. i. BLM neglects to thoroughly analyze marine mammal impacts in the analysis area. Previous comments on the draft EIS have detailed the need for BLM to expand the analysis area for marine mammals. In the SDEIS, BLM has failed to thoroughly examine an increase of vessel traffic, noise, and habitat fragmentation to marine mammals related to barging, lightering and screeding activities at Oliktok Point. Option 3 depends on vessel traffic covering a substantially larger area, as well as support vessel traffic between the coast and the lightering area. BLM must disclose the routes and assess the impacts of the barge and support vessels on all marine mammals potentially affected.	Analysis of vessel traffic and noise are described in Final EIS Section 3.13.2.3.2.2, <i>Coastal and Marine Disturbance or Displacement</i> , and Section 3.13.2.3.3, <i>Injury or Mortality</i> , as well as in Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> .	Y
520	73	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	Both the SDEIS and a subject matter expert in response to a question at the April 17th, 2020 SDEIS online hearing state that option 3 will have comparatively fewer marine impacts: Option 3 would have fewer overall impacts to marine and coastal uses as activities would be additive to existing impacts and no construction of a gravel island. The option would reduce barge and vessel activity through core Nuisqsut [<i>sic</i>] seal and eider harvesting areas in Harrison Bay, and would reduce the intensity of marine traffic. In addition, Option 3 would move most infrastructure and activity further into the periphery of Utqiag̃vik’s use areas. But BLM reaches this conclusion without the benefit of an adequate analysis of the impacts of barge and vessel traffic to marine mammals in the analysis area and along transportation routes. BLM has not provided any additional analysis on noise and other impacts in the marine environment related to making Oliktok Point the destination for project-related marine traffic. BLM must include a detailed analysis of noise in the marine environment, the effects to marine mammals, and effective mitigation measures. This must be done for each of the options BLM has provided.	Analysis of vessel traffic and noise are described in Final EIS Section 3.13.2.3.2.2, <i>Coastal and Marine Disturbance or Displacement</i> , and Section 3.13.2.3.3, <i>Injury or Mortality</i> , as well as in Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> .	Y
520	74	Psarianos	Bridget	Trustees for Alaska	Marine Mammals	Impacts to marine mammals from vessel strikes need to be realistically reflected. BLM has acknowledged that an increase in vessel traffic could increase the likelihood of vessel strikes. BLM has also stated that revisions to the NPR-A IAP could increase vessel traffic. Both of these remarks are understated. An increase in vessel traffic would unquestionably increase the likelihood of vessel collisions with marine mammals. All IAP alternatives, except the no action alternative, support increased development in the NPR-A. BLM must assess the efficacy of mitigation measures to avoid deadly vessel strikes with marine mammals. Likewise, BLM needs to quantify how much vessel traffic is expected to increase for each of the proposed options and assess the reasonably foreseeable increased likelihood of vessel strikes for each option. As noted in our draft EIS comments, this assessment should account for the increasing use of the area by marine mammals, especially whales.	Analysis of vessel strikes are described in Final EIS Section 3.13.2.3.3, <i>Injury or Mortality</i> , as well as in Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> .	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
407	5	Rose	Garett	Natural Resources Defense Council	Marine Mammals	Failure to Explain Compliance with Other Laws BLM fails to meaningfully explain how the agency will ensure compliance with the Endangered Species Act (ESA) or Marine Mammal Protection Act (MMPA). NEPA requires an agency in an EIS to state how alternatives considered in it and decisions based on it will or will not achieve the requirements of [NEPA] and other environmental laws and policies. Both the ESA and MMPA impose obligations on federal agencies considering actions affecting certain species. The Project could have potentially significant impacts on a number of species that fall under the aegis of one or both statutes, including polar bears and bowhead whales. Neither the SDEIS nor DEIS discuss meeting these obligations in any detail. The SDEIS is functionally silent as to compliance with either statute. The DEIS simply asserts that ESA Section 7 consultation will occur with other agencies for species listed under the ESA, without providing any further specification. And it makes only slight reference to the MMPA in Appendix E.14s discussion of noise levels and marine mammals. BLM must rectify these omissions so that the public and decisionmakers fully understand and can comment on how the agency intends to ensure compliance with these critical protective laws.	Text regarding protected species consultations was added to the Final EIS Section 3.13.1.3, <i>Protected Species Compliance</i> . BMP J (included in Table 3.12.2) also addresses compliance with the ESA.	Y
407	13	Rose	Garett	Natural Resources Defense Council	Marine Mammals	<p>Marine Mammals.</p> <p>The SDEIS describes activities that will increase potential impacts to a range of species but does nothing to correct the serious analytic flaws repeatedly raised by commentators contained in the DEISs analysis of potentially significant impacts. For example, the SDEIS continues to use an analysis area based on polar bear research for all marine mammals without reasoned explanation.⁸⁸ Similarly, the SDEIS, despite introducing a new method of infrastructure delivery, does not provide any maps or detailed analysis regarding potential impacts of support vessels or barges along the routes they travel. Additionally, the document cross-references the vague analysis of potential noise impacts to ice seals without providing further analysis, ignoring the best available scientific information. Of particular note, the SDEIS continues to understate potential impacts to polar bears and ignore potentially significant impacts to bowhead and beluga whales.</p> <p>1) Polar Bears The new elements added to the Project would increase potential impacts to denning and non-denning members of the Southern Beaufort Sea (SBS) population of polar bears, one of the most threatened in the world. The freshwater reservoir and boat ramps are located in areas of potential terrestrial denning habitat. And a number of aspects of Option 3, such as the Colville River crossing, are also located in polar bear habitat. Moreover, winter construction and operation activity which would overlap with denning and post-denning activity is clearly associated with each of the elements: construction of the reservoir and boat ramps could occur during the winter, and Option 3 depends on the construction and utilization of extensive ice infrastructure on both sides of the Colville River. Despite these increased potential impacts, the SDEIS simply reups the inadequate analysis found in the DEIS. Like the DEIS, the SDEIS restates the unsupported assertion that, in response to disturbance from construction of the reservoir and boat ramps, polar bears are expected to find alternate similar habitat. As noted in the conservation comments, there is no support for this conclusion. And, moreover, there is no detailed analysis of how continued use of any of the ramps or reservoir, in combination with the potential impacts of other nearby uses (e.g., aerial and ground traffic) would disturb or displace polar bears. Detailed disclosure of how activities at the reservoir and ramps could place further stress on creatures already operating under potentially high levels of physical and nutritional stress is key for understanding the full magnitude of the Projects potential impacts on the species, yet the SDEIS and DEIS eschew such a discussion in favor of generalizations. Similarly, the SDEIS provides no new injury and mortality analysis, simply cross-referencing the DEISs discussion. While that original discussion acknowledged the possibility of cub abandonment and increased mortality risk from human-bear encounters, it provided no analysis of potential population-level impacts. Further, as noted, the new components analyzed in the SDEIS all take place in known, potential terrestrial denning habitat. Given the precipitous state of the SBS population, these omissions prevent the public from understanding how the Project might push that population closer to extirpation. Compounding these errors, the SDEIS provides no information on how the number of dens in the analysis area were identified. As in the DEIS, the SDEIS appears to simply rely on the number of previously identified dens in the area. Using identified dens likely understates the number of actual dens because of difficulties inherent in detection and the SBS populations increasing trend toward terrestrial denning. By relying solely on previously identified dens, the SDEIS like the DEIS understates the potential impacts to polar bears. Further, the SDEIS provides no disclosure of the well-known difficulties of detecting dens in the field. The DEIS states that all Integrated Activity Plan Lease Stipulations and Best Management Practices would be implemented, including BMP C-1, which prohibits [c]ross-country use of heavy equipment . . . within 1 mile of known or observed polar bear dens or seal birthing lairs. Neither the SDEIS nor the DEIS specify how such dens will be identified. Recent research, however, has shown that standard den detection methods, such as forward-looking infrared radar (FLIR), can be unreliable on the North Slope detecting fewer than half of actual occupied dens. Neither the SDEIS nor the DEIS disclose this unreliability or the consequences of detection failures, further obscuring the Projects potentially significant impacts on polar bears.</p> <p>2) Whales The SDEIS continues to impermissibly exclude beluga and bowhead whales from detailed analysis of potentially significant impacts. Research shows that both species can occur in the Project area and along any route utilized to deliver infrastructure. But the SDEIS excludes these whale species from analysis, presumably relying on the DEISs unsupported assertion that because migration corridors occur in depths outside of barging range, there will be no potentially significant impacts. Option 3 like the other Options considered in the DEIS, could entail potential impacts to these species, since it involves barging infrastructure to the Oliktok Dock. This option could thus entail potential impacts to whales, such as vessel collision and noise disturbance. The SDEIS and DEIS fail to acknowledge, let alone analyze these risks or other potentially significant impacts.</p>	<p>SDEIS Section 1.2, <i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i>, states the following: “Potential environmental effects for Project elements that were already evaluated in the Draft EIS are not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect), due to CPAI’s Project modifications.” Because vessel traffic was not a new action, it was not described in the SDEIS.</p> <p>Analysis of vessel traffic and the effects of noise on seals are described in Final EIS Section 3.13.2.3.2.2, <i>Coastal and Marine Disturbance or Displacement</i>, and Section 3.13.2.3.3, <i>Injury or Mortality</i>.</p> <p>As described in Section 3.13.2.3.1, <i>Habitat Loss or Alteration</i>, though the CFWR and boat ramps would occur in potential terrestrial denning habitat, Project gravel infrastructure would be approximately 8.8 to 27.5 miles inland from the coast. Because the majority (95%) of bear dens observed in this region have occurred within 5 miles of the coast (Durner, Douglas et al. 2009), most of the permanent habitat loss from the Project would be outside the area most used by polar bears.</p> <p>Text has been added to Section 3.13.2.3.1, <i>Habitat Loss or Alteration</i>. Visual and infrared surveys are conducted for polar bear dens before the start of each winter season as part of LOAs issued to CPAI. If dens are identified, CPAI would coordinate with USFWS on mitigation measures specific to the den site location and nearest activities. Typical measures include establishment of a 1-mile buffer around the den site to avoid disturbance.</p>	Y

4.2.3.14 National Petroleum Reserve in Alaska Integrated Activity Plan

Table B.3.16. Substantive Comments Received on the National Petroleum Reserve in Alaska Integrated Activity Plan

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
520	7	Psarianos	Bridget	Trustees for Alaska	IAP	Finally, it is also confusing for the public and inappropriate for BLM to be permitting Willow while at the same time the agency is revising the National Petroleum Reserve in Alaska (NPR-A or Reserve) Integrated Activity Plan (IAP). The Willow EIS tiers to the 2013 IAP’s stipulations and best management practices. However, BLM is also reviewing those as part of the IAP revision process. As acknowledged by BLM and others (e.g., in the Greater Moose Tooth One (GMT-1) decision), existing measures in the IAP have failed to adequately address impacts to subsistence and other resources. As part of the IAP revision process, BLM should be considering additional protective measures to address these impacts and meet its statutory obligation to protect sensitive resources and uses. Rushing to permit Willow at this point may foreclose BLM’s consideration of more protective measures to address the serious problems already occurring in the region. BLM should not rush to permit this project. BLM should instead focus on what mitigation measures will more effectively address oil and gas impacts in the Reserve prior to authorizing any more projects.	The Willow MDP Project is subject to lease stipulations from prior IAPs, which do not change when a new IAP is issued. Applicable BMPs/ROPs considered in the revised IAP are included in <i>Applicable Lease Stipulations and Best Management Practices</i> sections in the Willow MDP Final EIS (typically, Section 3.X.2.1.1).	N
520	25	Psarianos	Bridget	Trustees for Alaska	IAP	BLM’s failure to do this analysis is particularly troubling in light of BLM’s similar failure to adequately account for Willow in its assessment of impacts in the reasonably foreseeable development scenario (RFDS) in the revised IAP. In the draft EIS for the revised IAP, BLM improperly excluded Willow from its assessment of impacts in the reasonably foreseeable development scenario. Although BLM recognized in the IAP draft EIS that Willow is a planned development and that the permitting process is ongoing, BLM stated that [e]xisting developments and planned developments that have already been permitted as part of the Willow development are not included in the development or production projections below. In other words, BLM excluded the entire Willow Project from its RFDS on the justification that it was already permitted. Obviously, it has not already been permitted. Willow is likely to have massive direct, indirect, and cumulative impacts across a broad area of the Reserve that will be significantly magnified if BLM revises the IAP to open additional areas to oil and gas. BLM needs to engage in an analysis of the cumulative impacts of Willow and the IAP revision in both NEPA analyses, but has failed to do so. BLM needs to revise its analysis to fully account for these cumulative impacts.	The Willow MDP Project was included in the cumulative effects analysis for the Draft IAP/EIS. The cumulative effects analysis for the Final IAP/EIS includes an updated project description for the Willow MDP. The analysis of how the impacts of the Project would interact with the impacts of each alternative considered in the IAP/EIS was based on the best-available information at the time of drafting the Final IAP/EIS. The hypothetical development scenario only includes projects that are not currently in the NEPA process, that have not received funding, or that do not have an existing proposal.	N

4.2.3.15 Noise

Table B.3.17. Substantive Comments Received on Noise

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
717	57	Dunn	Connor	ConocoPhillips Alaska	Noise	3.6.2.2 - Noise - Module Delivery Option 3: Colville River Crossing “Option 3 would produce similar types and levels of noise as Option 1 (described in the DEIS) except the noise would be farther away from Nuiqsut (Figure 3.6.1) and no impact pile driving, pile removal, or gravel mining would be required.” This statement is inaccurate and requires further detail. Although related noise would not be noticeable in Nuiqsut, the gravel and ice roads that are part of Option 3 would be closer to Nuiqsut, and it should be mentioned that the air and ground traffic would be much less under Option 3 and for fewer years. Furthermore, it is not accurate to state that no gravel mining would be required for Option 3 because gravel from an existing gravel mine outside the NPR-A would be used to upgrade Oliktok Dock and modify Kuparuk Road.	Text was adjusted in Final EIS Section 3.8.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> .	Y
717	58	Dunn	Connor	ConocoPhillips Alaska	Noise	3.6.2.1 - Noise - Alternatives B, C, and D Because ambient sound levels are 35 dBA, noise from the nearest boat ramp would not be audible in Nuiqsut (31 dBA is below ambient). Please revise the fourth sentence in this section accordingly.	Text was adjusted in Final EIS Section 3.6.2.4, <i>Alternative C: Disconnected Infield Roads</i> , and Section 3.6.2.5, <i>Alternative D: Disconnected Access</i> .	Y

4.2.3.16 Permitting

Table B.3.18. Substantive Comments Received on Permitting

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
216	3	Bruno	Jeff	State of Alaska	Permitting	Please note that many of the activities and infrastructure described in the SDEIS and the overall project will require permits/authorizations from ADF&G (separate from this EIS process) as required under State law.	State and local permit requirements are discussed in Section 1.5 (<i>Cooperating Agencies</i>) and Section 1.7 (<i>Permitting Authorities</i>) of the Final EIS.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
130	4	Karro	Loren J	—	Permitting	I believe that it is inappropriate for BLM to advance this project without a valid Clean Water Act 404 permit application having been filed. Separating the process of the EIS and the 404 permit means a limited opportunity for agencies and the public to review the full scope of the impacts of the proposed Willow Plan. The DEIS did not contain the information and analysis necessary for the Corps to conduct a 404 analysis or make the required findings under the Clean Water Act mandate, and the DEIS did not have any consideration of mitigation measures that might be required. The SDEIS also failed to address this topic. This denies the public an opportunity to comment on mitigation measures that will be required to compensate for the inevitable impacts of the project construction and operation. It is surely extremely rare, if not unprecedented, for the BLM to issue a final decision to permit construction of such a massive wetlands project before there is a valid 404 application. No further steps should be taken to review or authorize this project until a complete 404 permit application is submitted and the comment period on the DEIS is reopened.	A Section 404 permit application is not required in order to undertake the NEPA process. Section 404 requires a permit before dredged or fill material may be discharged into WOUS; the Section 404 program is administered by USACE, which issued its Public Notice on March 26, 2020.	N
130	10	Karro	Loren J	—	Permitting	The SDEIS should be pulled until the insufficiencies noted above are addressed: 1. A valid application for the Corps of Engineers 404 Clean Water Permit is included and analyzed.	A Section 404 permit application is not required in order to undertake the NEPA process. Section 404 requires a permit before dredged or fill material may be discharged into WOUS; the Section 404 program is administered by USACE, which issued its Public Notice on March 26, 2020.	N
843	2	Karro	Loren	—	Permitting	I have found no indication that there is yet a valid clean-water act 404 permit before the BLM and the Corps of Engineers. To move forward with this NEPA process without this application is to separate the EIS and 404 processes, and it limits the agencies and the publics opportunity to review the full scope of the impacts of the proposed plans. Commenting on mitigation measures that might be required are not possible when they have not yet been presented.	A Section 404 permit application is not required in order to undertake the NEPA process. Section 404 requires a permit before dredged or fill material may be discharged into WOUS; the Section 404 program is administered by USACE, which will provide a public comment period on any Section 404 permit application before issuing a permit. USACE issued its Public Notice on March 26, 2020.	N
520	29	Psarianos	Bridget	Trustees for Alaska	Permitting	The Draft EIS is Insufficient to Support the Corp’s Obligation Under NEPA and the Clean Water Act. It appears that ConocoPhillips submitted its 404 permit application to the Corps after BLM prepared both its draft and supplemental draft EIS. The Corps is lacking key information necessary to inform its analysis of the Willow project pursuant to its statutory and regulatory mandates. As a result, there is a lack of adequate analysis in the supplemental draft EIS, which provides an insufficient basis to meet the Corps NEPA obligations. We incorporate by reference comments to the Corps on its Public Notice for the Willow MDP, which we will submit to the Corps and BLM on May 11, 2020.	USACE determined that there is sufficient information in the permit application and the Final EIS to make meaningful comparisons among alternatives, to determine the Least Environmentally Damaging Practicable Alternative, to determine whether compensatory mitigation will be required, and to make a permit decision.	N

4.2.3.17 Project Description

Table B.3.19. Substantive Comments Received on Project Description

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
117	15	Campbell	Bruce	—	Project Description	In order to receive additional helpful comments from various agencies, they need a better idea as to specific locations planned for the massive amount of spaghetti-type infrastructure associated with the massive Willow MDP.	The Willow MDP SDEIS and Final EIS include numerous maps identifying the location of Project infrastructure and the environmental resources being analyzed. The EIS provides narrative (text) descriptions and tabular values of impacts and other quantifiable data. This material in total provides for an ample understanding of Project alternatives and impacts.	N
717	6	Dunn	Connor	ConocoPhillips Alaska	Project Description	BLM should correct and clarify the description of the engineered ice crossing of the Colville River under Option 3. Specifically, BLM should explain that there may be one or more narrow, low-flow channels in which water continues to move under the ice, so the ice crossing is not assumed to be bottom-fast.	More text was added to Section 4.7.3.2, <i>Module Delivery and Colville River Crossing</i> , of Appendix D.1 (<i>Alternatives Development</i>) in the Final EIS to clarify that the proposed ice bridge in Option 3 (Colville River Crossing) would be partially grounded; however, there would be some pockets of deep, free water present that would be narrower than the length of the SPMTs, which would bridge the liquid water channels, with their load being supported by the grounded ice sections (Figure D.4.6, detail A, in Appendix D.1).	Y
717	12	Dunn	Connor	ConocoPhillips Alaska	Project Description	The SDEIS analyzes three project components added to the Willow MDP after the draft EIS was published in August 2019. . . . ConocoPhillips listened to concerns about the proposed module transfer island at public meetings, in written public comments, and in ConocoPhillips outreach to Kuukpik Corporation and stakeholders such as whaling captains. . . . After receiving stakeholder feedback opposed to the module transfer island, even before public comment periods were completed, ConocoPhillips worked at length on an option for freezing barges into ice and unloading onto shore during winter, but ultimately could not support that approach from an engineering perspective. ConocoPhillips also evaluated the potential option of using Oliktok dock for sealift offload and transporting modules to the project via crossing the Colville River delta or crossing at or near the Alpine Resupply Ice road crossing of the Colville River. However, that option also proved infeasible due to the logistical, environmental, and safety risks presented by those crossing locations. In response to public comments on the draft EIS, ConocoPhillips investigated additional crossing locations further upstream along the Colville River and ultimately determined that a viable river crossing location at Ocean Point does not present the risks associated with the rejected alternatives in the draft EIS. This option squarely addresses the public comments because it would not require construction of a gravel module transfer island.	The SDEIS and Final EIS for the Willow MDP Project includes a third module delivery option (Option 3: Colville River Crossing) that would not construct an offshore gravel island.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
717	17	Dunn	Connor	ConocoPhillips Alaska	Project Description	As described in Comment 1 of this letter, ConocoPhillips originally proposed construction of a gravel module transport island at Atigaru Point to support movement of sealift modules for the project. Based on discussions with and feedback from local stakeholders, ConocoPhillips reevaluated onshore transportation options. . . . In the SDEISs analysis of potential impacts to water resources from the Ocean Point ice crossing associated with Module Delivery Option 3 (Section 3.8.2.2), BLM describes the crossing as a bottom-fast ice bridge and presents an assessment that is premised on incomplete information and therefore overestimates potential impacts to river flow. As described below, the engineered ice crossing is not expected to be fully grounded, and it will be monitored and maintained to allow any potential flow to occur under ice. Any overflow will be managed at the surface. The following important clarifications should be incorporated into the final EISs assessment of potential impacts associated with Option 3. The crossing will not be a bottom-fast ice bridge of the type described in Section 3.8.2.2. A more appropriate description is found in Section 2.3.3 (page 6): At the crossing location, an engineered ice bridge would be constructed to provide sufficient load-carrying capacity to support the weight of the sealift modules and the SPMTs. In the same section, the use of the term grounded ice is footnoted and the footnote describes the nature of the engineered ice bridge. This footnote provides a mostly correct description, but should be revised to remove reference to pockets of free water and clarify that there may be one or more low-flow channels present near the bed, carrying the winter discharge beneath the ice. These small channels are narrower than the length of the self-propelled module transporter. The engineered ice bridge will be built up to required specifications to support module moves approximately 24 hours prior to crossing, then allowed to rest prior to moving a module across, allowing for potential water movement under ice. After a module crosses, the ice crossing will be built up to required specifications approximately 24 hours before the next module crosses the bridge.	More text was added to Section 4.7.3.2, <i>Module Delivery and Colville River Crossing</i> , of Appendix D.1 (<i>Alternatives Development</i>) in the Final EIS to clarify that the proposed ice bridge in Option 3 (Colville River Crossing) would be partially grounded; however, there would be some pockets of deep, free water present that would be narrower than the length of the SPMTs, which would bridge the liquid water channels, with their load being supported by the grounded ice sections (Figure D.4.6, detail A, in Appendix D.1). Additional details to clarify effects of a partially grounded ice bridge were added to the <i>Environmental Consequences</i> sections for Section 3.8 (<i>Water Resources</i>) and Section 3.10 (<i>Fish</i>).	Y
717	18	Dunn	Connor	ConocoPhillips Alaska	Project Description	Although the SDEIS correctly notes the Ocean Point ice crossing would be needed for five weeks, transport of module loads will be spaced out over that time, providing time for ice bridge settling and maintenance. Instrumentation will be installed within the Colville River at Ocean Point to monitor water levels near real-time for the entirety of the Willow ice road season. Overflow potential will be mitigated, monitored, and actively managed with pumps and/or surface pipes across the ice bridge if needed.	More text was added to Section 4.7.3.2, <i>Module Delivery and Colville River Crossing</i> , of Appendix D.1 (<i>Alternatives Development</i>) in the Final EIS to clarify this. Text was also revised in Section 3.8.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> .	Y
717	19	Dunn	Connor	ConocoPhillips Alaska	Project Description	On page 21 of the SDEIS, BLM states, if the flows are higher than expected and fully grounding the ice bridge is not practical or it is determined to be a fish passage concern, submerged steel culverts could be installed at a deeper location along the crossing. The use of submerged culverts is not a practicable solution for ice roads as they would freeze and fill with ice and cause potential damage during removal. Accordingly, the statement on page 21 should be eliminated.	Text removed.	Y
717	45	Dunn	Connor	ConocoPhillips Alaska	Project Description	All - The term “Colville River Crossing” will convey a sense of permanence to many readers. ConocoPhillips recommends BLM use the term “Colville River Ice Crossing” or “engineered ice bridge” throughout the document to more accurately reflect the seasonal, non-permanent nature of the crossing.	The “Colville River Crossing” title distinguishes this option sufficiently from the “Module Transfer Island” options. The EIS thoroughly describes this temporary and seasonal crossing as being nonpermanent. No change to the option name.	N
717	48	Dunn	Connor	ConocoPhillips Alaska	Project Description	2.3.5 - Access -Table 2.3.2 Note “C” and “B” in Table 2.3.2 should be switched to match contents of the table (i.e. contents of note C is in regards to summer traffic but is called out on the Winter Traffic columns in the table).	All traffic tables have been updated for the Final EIS.	Y
717	49	Dunn	Connor	ConocoPhillips Alaska	Project Description	2.3.7 - Gravel Requirements - Table 2.3.4 Confirm and clarify that gravel volumes for Oliktok Dock upgrades are included in Table 2.3.4.	Gravel fill for Oliktok Dock is presented under the action alternatives in Appendix D.1, <i>Alternatives Development</i> (Final EIS Sections 4.3.6, 4.4.6, and 4.5.6—all titled <i>Gravel and Other Fill Requirements</i>), as this action would be applicable to any action alternative (though it would also be required for Option 3: Colville River Crossing).	N
130	6	Karro	Loren J	—	Project Description	The SDEIS proposes boat ramps under alternative B, C and D, but does not state definitively where they will be located under any of the scenarios. They state that the locations will be decided after more community input. It is impossible to fully analyze the possible impacts of the boat ramps, and impossible for the public to knowledgeably comment on the ramps and their impacts, until their actual location on each river is known.	Final EIS Figures 2.4.1, 2.4.2, and 2.4.3 (Appendix A, <i>Figures</i>) depict the approximate locations of the boat ramps for each action alternative; Final EIS Figure 2.5.3 provides additional details about each boat ramp location. The exact boat ramp locations would be coordinated with local stakeholders.	N
159	8	Kenning	Erik	ASRC	Project Description	The Colville River crossing as part of Option 3 has been characterized as a grounded ice crossing, although it is noted that there may be small channels of flowing water. We believe that this should be more clearly stated in the final document. CPAI should work to maintain flowing water in the event that the crossing point not be completely frozen to the bottom. It is also important to note that while the engineered ice bridge will be in place for five weeks, it only be used for module transfer for a small portion of that time. When modules are not crossing, the ice bridge would easily allow for more natural water flow - should there be any during the life of the ice bridge.	More text was added to Section 4.7.3.2, <i>Module Delivery and Colville River Crossing</i> , of Appendix D.1 (<i>Alternatives Development</i>) in the Final EIS to clarify that the proposed ice bridge in Option 3 (Colville River Crossing) would be partially grounded; however, there would be some pockets of deep, free water present that would be narrower than the length of the SPMTs, which would bridge the liquid water channels, with their load being supported by the grounded ice sections (Figure 2.4.6 detail A, in Appendix A, <i>Figures</i>).	Y
807	4	Major	Mark	—	Project Description	One of the comments in there is transporting fish around the grounded ice bridge. We don’t think the agency, particularly Fish and Game, will allow grounding of the ice anywhere on the Colville River. ConocoPhillips already constructs an ice bridge every year on the main channel of the Colville River to provide access to Alpine and to Nuiqsut. That’s a floating bridge. We would expect that the Fish and Game would take the same stance. You can’t ground it. There was a section in the document that talked about placing steel culverts into the river to provide fish passage, water movement. To my knowledge, that has never been done before on North Slope rivers, and I’m not sure where that input came from.	More text was added to Section 4.7.3.2, <i>Module Delivery and Colville River Crossing</i> , of Appendix D.1 (<i>Alternatives Development</i>) in the Final EIS to clarify that the proposed ice bridge in Option 3 (Colville River Crossing) would be partially grounded; however, there would be some pockets of deep, free water present that would be narrower than the length of the SPMTs, which would bridge the liquid water channels, with their load being supported by the grounded ice sections (Figure D.4.6, detail A, in Appendix D.1).	Y
860	5	Nukapigak	Joe	Kuukpik Corporation	Project Description	Finally, although Kuukpik generally supports constructing the proposed boat ramps at locations designated by the community, their design may require additional refinements. Riprap will likely be needed upstream, for example, to minimize erosion. The parking areas may also not be large enough to allow vehicles with trailers to turn around when other vehicles with trailers are already parked.	CPAI has committed to working with Nuiqsut residents on the final design and location of the boat ramps. As engineering of the boat ramps progresses, design of erosion control measures, layout, and final dimensions will be determined.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
170	2	Osborne	Jeffrey	—	Project Description	Further, the proposed module delivery ice road from Kuparuk drill site 2P to Greater Mooses Tooth 2 drill site, aligns with the North Slope Borough’s Community Winter Access Trail (winter access for Utqiag̃vik and villages to the west of Kuparuk). The ice road route and crossing of the Colville River at “Ocean Point” has been utilized by industry and residents with success and effectively no environmental impact.	CPAI would coordinate with NSB on module move timing and would provide provisions for CWAT users to ensure safe passage along the route where the trail and module haul ice road may overlap.	N
520	35	Psarianos	Bridget	Trustees for Alaska	Project Description	We have very serious concerns about the proposed Colville River grounded crossing. This SDEIS lacks significant details about how this crossing would be designed and built and the impacts it would have on ecological processes and values, including fish. There are significant information gaps about the potential impacts of the crossing that make it impossible to make a reasoned choice among alternatives. Such a lack of detailed information calls into question the legitimacy of this SDEIS because the public cannot meaningfully review such unformed development plans. The large sealift modules weighing between 3,000 and 4,000 tons would cross the Colville River approximately one mile south of Ocean Point. This crossing requires grounded ice. According to footnote 3, It is anticipated that the grounded ice crossing for the Colville River would be primarily frozen fast to the riverbed; however, there may be some pockets of free water present beneath the ice that are narrower than the length of the [self-propelled module transporter (SPMT) which is 200 feet long] (Figure 2.3.1). The free-water pockets would be spanned by the overall length of the SPMTs and therefore would bear minimal loading. Additionally, according to BLM: The proposed crossing location was also sited so that it is upstream of the influence of saltwater intrusion and tidal backwatering from the Colville River Delta (CRD) and thus is not expected to be used by fish in winter. CPAI will continue to monitor the proposed Colville River crossing location for fish presence over coming winters prior to construction to gain baseline data. CPAI would work with the ADF&G through the permitting process if fish presence is found during the winter months when module transport would occur; should it be necessary, CPAI will consult with ADF&G on how fish would be transported around the ice bridge. It's clear that it is not known if there will be grounded ice at the time of the SPMTs crossing the Colville River, if there will be free-water pockets, how large those pockets will be, and if there will be fish in the area that winter. These critical data must be collected, analyzed, and shared with the public if successful module crossings of the Colville River are going to be achieved with minimal environmental impacts.	More text was added to Section 4.7.3.2, <i>Module Delivery and Colville River Crossing</i> , of Appendix D.1 (<i>Alternatives Development</i>) in the Final EIS to clarify that the proposed ice bridge in Option 3 (Colville River Crossing) would be partially grounded; however, there would be some pockets of deep, free water present that would be narrower than the length of the SPMTs, which would bridge the liquid water channels, with their load being supported by the grounded ice sections (Figure D.4.6, detail A, in Appendix D.1). Additional details to clarify effects of a partially grounded ice bridge were added to the <i>Environmental Consequences</i> sections for Section 3.8 (<i>Water Resources</i>) and Section 3.10 (<i>Fish</i>). After the NEPA process, BLM can require additional data from CPAI in order to approve the ROW permit. CPAI would not be able to proceed with the crossing until it can demonstrate that the level of effects would be within those analyzed in the EIS. If CPAI had to change its design to demonstrate this, that would require either additional NEPA analysis or a Determination of NEPA Adequacy.	Y
813	2	St. John	Jeanine	—	Project Description	We’re also supportive of smaller modules and potential scheduled barge deliveries that may also be able to utilize the same route in the wintertime, particularly, if it can improve the timeline for the project and mitigate congestion on both of the ice roads. The history of the route on option 3, particularly as it crosses the Colville, is a known route. As recent as this winter, it was the snow road PistenBully route between North Slope gravel roads and the communities west of the Colville. There are strong operational and mitigation plans that have been implemented for this particular route already.	CPAI would coordinate with NSB on module move timing and would provide provisions for CWAT users to ensure safe passage along the route where the trail and module haul ice road may overlap.	N

4.2.3.18 Public Health

Table B.3.20. Substantive Comments Received on Public Health

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
14	1	Apok	Charlene	—	Public Health	The extractive industry near indigenous communities has been absolutely devastating. There’s a direct correlation to our health being negatively impacted, both by missing, murdered indigenous women and girls, but also in examples like Nuiqsut, where there’s high cases of res— of respiratory illness because of all of the pollution in the air. Furthermore, these impact statements continue to fail to acknowledge and to adequately address the cultural impacts they — impacts that this will have. Some of these things have already been mentioned in the public testimony, such as language. It also impacts our mental health, our spirituality. The health of our people is directly tied to the health of the land.	Air quality analysis, including modeling results, is included in Draft and Final EIS Section 3.3, <i>Air Quality</i> , and Appendix E.3, <i>Air Quality Technical Appendix</i> . Public health impacts are analyzed and included in Draft and Final EIS Section 3.18, <i>Public Health</i> . Cultural impacts are assessed in Section 3.16, <i>Subsistence and Sociocultural Systems</i> .	N
20179	2	Freeman	Kyri	Center for Biological Diversity	Public Health	What would be the human health effects of the waste and gases released, including both climate change and effects related to air quality?	Climate change analysis is included in Draft and Final EIS Section 3.2, <i>Climate and Climate Change</i> , and Appendix E.2, <i>Climate and Climate Change Technical Appendix</i> . Air quality analysis, including modeling results, is included in Draft and Final EIS Section 3.3, <i>Air Quality</i> , and Appendix E.3, <i>Air Quality Technical Appendix</i> . Public health impacts are analyzed and included in Draft and Final EIS Section 3.18, <i>Public Health</i> .	N
25	3	Girard	Jessica	—	Public Health	The health impact of this project would directly affect the community — community of Nuiqsut where you have asthma rates of 70 percent or higher the health impact, continuing to (unclear) for gravel development, have liquified natural gas burned right around the communities, only intensifies these health impacts, without helping the communities directly impacted by them. And in all these reviews, it is necessary to incorporate all available science.	Air quality analysis, including modeling results, is included in Draft and Final EIS Section 3.3, <i>Air Quality</i> , and Appendix E.3, <i>Air Quality Technical Appendix</i> . Public health impacts are analyzed and included in Draft and Final EIS Section 3.18, <i>Public Health</i> . The EIS uses the best-available scientific materials identified by subject-matter experts, cooperating agencies, and the public via the comment process.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
658	6	Long	Becky	—	Public Health	Lack of Requested Health Impact Assessment means lack of adequate baseline health data. The Supplement has not rectified this situation by doing a health impact assessment. The NVN and others requested that a Health Impact Assessment be done. BLM did not do this so the DEIS and the supplement are inadequate. The current oil and gas development around NVN and the areas subsistence resources has NOT incorporated any protocols to prevent emerging health impacts from the oil and gas fields. No more extractive projects in this area until there is conclusive third party health organization to assess industrial projects toxic releases. The Conoco Phillips air quality monitoring equipment is not adequate for baseline and current data needs. This equipment only tracks 2 to 3 hours daily unlike the lower 48 standards. Supposedly it is technically unfeasible for 24 hour monitoring because of the remoteness. But actually it could be done with real time instrumentation so variability over time could be captured. This needs to be done. The State of Alaska contends they have no money for this. When the 2012 shallow well blowout of a Repsol exploratory well happened 18 miles from NVN, the air monitoring equipment was down due to routine maintenance. There should have been a back-up. Residents say that the incident impacted their health. Without the air monitoring data, an evacuation decision could not be decided. Shallow pressurized gas is a common drilling hazard. The Alaska Oil and Gas Conservation Commission Chair has said in the past that the technology is not perfect. A standard blowout preventer cannot always be used if there is not a pipe casing in the ground to attach it too. But the AOGCC can and should require that wells to be cased at a shallower depth. Oil and gas development in the Nuiqsut area and other BLM lands has proceeded too rapidly without enough care for the health of the people from air quality and subsistence resources impacts. Respiratory illness has increased since 1986. The increased percentage of cases is far more than due to population growth. Yet industry and state agencies blame the residents’ lifestyle.	Baseline health data for Nuiqsut are provided in Section 3.18.1, <i>Affected Environment</i> . A full HIA conducted by the State of Alaska would not further inform BLM of the differences between the alternatives presented for the Willow MDP Project. Health impacts are analyzed in Final EIS Section 3.18, <i>Public Health</i> ; BLM determined, in consultation with the State of Alaska, that an HIA was unnecessary. The BLM has no authority over Alaska Oil and Gas Conservation Commission requirements.	N
8	3	Moser	Phillip	—	Public Health	This is environmental degradation. The carbon pollution that the extraction of these resources puts out into the air, is going to most dramatically affect vulnerable people exactly in communities like this.	Air quality analysis, including modeling results, is included in Draft and Final EIS Section 3.3, <i>Air Quality</i> , and Appendix E.3, <i>Air Quality Technical Appendix</i> . Public health impacts are analyzed and included in Draft and Final EIS Section 3.18, <i>Public Health</i> .	N
168	12	O'Reilly-Doyle	Kathleen M	—	Public Health	An article in August 2, 2018, authored by Sabrina Shankman entitled Surrounded by Oil Fields, an Alaska Village Fears for Its Health, When the wind blows in from the vast oil operations, noses run and asthma flares up. Concerns about respiratory illness have risen as North Slope drilling spreads. This article was published in both Inside Climate News and The San Francisco Chronicle. I do not find any analysis in this SDEIS as to how these air quality and health concerns to the residents of the local communities are being addressed. This information should be provided to the public for review and comment before the process is allowed to proceed.	Air quality analysis, including modeling results, is included in Draft and Final EIS Section 3.3, <i>Air Quality</i> , and Appendix E.3, <i>Air Quality Technical Appendix</i> . Public health impacts are analyzed and included in Draft and Final EIS Section 3.18, <i>Public Health</i> .	N
612	3	Strassenburgh	John	—	Public Health	Some who testified at the Nuiqsut hearings (and also at the Nuiqsut hearings on the Draft 2019 IAP/EIS last January) spoke of contamination of land and water and air. What follows land, water, and air pollution is that the fish and wildlife which ingest the contaminants become sick and in turn the people who eat these fish, caribou, and birds have health consequences. Neither the Willow DEIS nor the SEIS study the health effects of Willow development on the people, on either an instant or cumulative basis. BLM should do this. The SEIS also needs to study why the fish are getting sick (sick fish was brought up in the Nuiqsut hearings), how this affects people. BLM explained that the fish weren’t studied because they were not considered by BLM to be an important enough a subsistence resource. BLM elaborated on this point, indicating that there might be individual fish mortality, but there was no threat to the fish population a whole. BLM apparently fails to consider that the abundance, health, and diversity of a population can be significantly altered, and instead concludes that is ok because some remnants of the population will still continue to exist.	Fish impacts are analyzed in the Willow MDP EIS in Section 3.10, <i>Fish</i> . Public health impacts are analyzed and included in Draft and Final EIS Section 3.18, <i>Public Health</i> .	N
3988	1	Sullivan	Joan Paul And Pj	Center for Biological Diversity	Public Health	They use our land and hurt many communities and the people who live in them! CANCER is on the rise whether you want to believe it or not. I believe when these companies come in and prison an area that causes many types of cancer. Of course, for years they never admitted that they caused climate change, so they will deny this too! Why are so many children dying of cancer. [One] in every five and its really worst! I worked with many Org’s [sic] for children and saw the death of so many. You ask why I bring this up! Because they want to destroy another area, which they cannot control oil spills and it will affect many people. Many have died due to what is happening to our air also. L.A. Have many people not being able to breathe and many died of all ages!	Air quality analysis, including modeling results, is included in Draft and Final EIS Section 3.3, <i>Air Quality</i> , and Appendix E.3, <i>Air Quality Technical Appendix</i> . Public health impacts are analyzed and included in Draft and Final EIS Section 3.18, <i>Public Health</i> .	N
10	1	Thomas	Sara	—	Public Health	In this SEIS, I still saw no mention of suicide, and to be looking at the health impacts of a project and — and to ignore the health impacts on the people, is completely inadequate, especially because we know that, as indigenous communities, our community members are more impacted by extraction nearby our community, and that suicide is directly linked to extraction in indigent communities.	Baseline health data for Nuiqsut are provided in Section 3.18.1, <i>Affected Environment</i> . A full HIA conducted by the State of Alaska would not further inform BLM of the differences between the alternatives presented for the Willow MDP Project. Health impacts are analyzed in Final EIS Section 3.18, <i>Public Health</i> ; BLM determined, in consultation with the State of Alaska, that an HIA was unnecessary. Text was added to Section 3.18.2.4.1.1, <i>Health Effect Category 1: Social Determinants of Health</i> , regarding suicide. The <i>Affected Environment</i> section of the 2012 and 2020 NPR-A IAP/EIS (BLM 2012, 2020), which the Willow MDP EIS incorporates by reference, also address suicide-related impacts of development.	N

4.2.3.19 Request for More Detail

Table B.3.21. Substantive Comments Received on Request for More Detail

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
717	15	Dunn	Connor	ConocoPhillips Alaska	Request for More Detail	The final EIS should more clearly reflect how the NEPA process has resulted in these project improvements. The final EIS should also more clearly describe, in narrative form, the benefits of Option 3. All essential information is presented in tables in the SDEIS, but the tables do not qualitatively demonstrate the benefits of Option 3. Option 3 reduces gravel use by about 280,000 cubic yards, reduces freshwater withdrawal from lakes by about 50 million gallons, reduces ground traffic approximately 75 percent, reduces fixed-wing flights from 230 to 70, reduces helicopter flights from 450 to 16, and reduces marine traffic by 190 trips. The aggregate result is a significantly improved project.	The purpose of the NEPA process is to disclose effects and compare alternatives (including options). The Final EIS compares the effects of all module delivery options, including Option 3 (Colville River Crossing).	N
717	52	Dunn	Connor	ConocoPhillips Alaska	Request for More Detail	3.1 - Affected Environment and Environmental Consequences - Introduction The SDEIS states that the NPR-A Integrated Activity Plan (IAP) lease stipulations (LSs) or best management practices (BMPs) would apply to all three new Project components. Because the IAP does not apply to the portions of Option 3 located outside of the NPR-A, ConocoPhillips recommends adding clarification that the IAP LSs and BMPs would apply to project changes located within BLM-managed lands of the NPR-A.	Clarification made throughout the Final EIS.	Y
860	3	Nukapigak	Joe	Kuukpik Corporation	Request for More Detail	Eliminating the MTI is step in the right direction, but additional information is needed to determine if the module crossing at Ocean Point can be done safely. . . . Like many other stakeholders, Kuukpik will be interested to learn more about CPAI’s new plan to transport the modules overland via a river crossing near Ocean Point. Although Kuukpik believes this may indeed be the best option (and it’s certainly preferable to the ill-fated MTI), there still seems to be a lot of questions about how this option would actually work in the field. The Supplemental Draft EIS is far too vague to offer any real guidance in that regard. . . . Two big issues Kuukpik sees are whether the ice bridge will indeed be grounded to the riverbed and what to do if there is more flowing water than CPAI may currently anticipate. . . . The proposed crossing at Ocean Point boasts steep cut banks on both sides of the river and Kuukpik has little information on how CPAI proposed to design the crossing and thus great concerns over the efficacy of the operator to safely cross at that location. Should an incident occur like it did this past winter, it could cause irreparable harm to the resource that is so heavily depended on by Nuiqsut residents. Recovery efforts would be messy, at best. As to the first, a grounded ice bridge across the Colville River may represent a uniquely irreconcilable conflict: CPAI will want to do everything in its power to keep the ice as close to fully grounded as possible, while the community will want to ensure that some water is allowed to pass through relatively unimpeded. The idea of intentionally building a 700+ foot ice darn upstream from Nuiqsut is simply not something residents are likely to accept unless CPAI demonstrates much more concrete plans to deal with the problems that may arise. These problems include blocking the flow of any unfrozen water, leading to back watering and flooding upstream, erosion and scouring underneath and downstream of the bridge, overflow of blocked water on top of the ice, and an increased likelihood of unnatural and/or extreme flooding and release activity in the spring as the bridge slowly breaks apart after CPAI is done with it. And although the Draft curiously tries to argue that fish are not expected to be present in this area during winter, it goes on to note much more frequently the need for further studies to either prove that exact point or to figure out how to deal with the very real likelihood that fish will be encountered when the time build the bridge comes. Fish that might otherwise travel back and forth through this area would probably not survive being trapped on either side of a grounded bridge, especially if the passageways of flowing water are narrow and not consistently connected to other free flowing waters. So far, CPAI’s plan for dealing with these issues seems to be some combination of water pumps and steel culverts. Funneling all or nearly all the flowing water in the Colville River into a 3-400 foot wide series of culverts, of course, would be nearly unheard of on the North Slope as far as Kuukpik knows, and might do very little to prevent fish mortality, downstream scouring, unnatural flows and increased turbidity during and after breakup. Pumps and transporting fish might help reduce some of these impacts, but would be extremely labor intensive, complex, and (like culverts) “difficult to manage and maintain” in this environment. . . . The SDEIS doesn’t include enough commitments and proposed required operating procedures to give Kuukpik any comfort in that regard. Rather, it notes the problems and concerns identified above (and many others), but basically just says CPAI will figure out how to deal with them when the time comes. This doesn’t give Kuukpik much confidence in the SDEIS’s conclusion that this effort will not significantly restrict subsistence uses; it simply doesn’t appear that enough is known to credibly make that determination. Thus, if this option is selected, Kuukpik expects to see not only robust data collection and analysis every winter between now and the construction of the ice bridge, but also an inclusive and transparent public process prior to construction to allow the community to understand and weigh in on the mitigation measures that will be needed to make sure this project is done in a way that avoids unnecessary impacts to the Kuukpikmiut’s name sake river and its subsistence resources.	Additional text was added to Section 4.7.3.2, <i>Module Delivery and Colville River Crossing</i> , of Appendix D.1 (<i>Alternatives Development</i>) in the Final EIS to clarify that the proposed ice bridge in Option 3 would be partially grounded; however, there would be some pockets of deep, free water present that would be narrower than the length of the SPMTs, which would bridge the liquid water channels, with their load being supported by the grounded ice sections (Figure D.4.6, detail A, in Appendix D.1). Additional details to clarify effects of a partially grounded ice bridge were added to the <i>Environmental Consequences</i> sections for Section 3.8 (<i>Water Resources</i>) and Section 3.10 (<i>Fish</i>). After the NEPA process, BLM can require additional data from CPAI in order to approve the ROW permit. CPAI would not proceed with the crossing until it can demonstrate that the level of effects would be within those analyzed in the EIS. If CPAI had to change its design to demonstrate this, that would require either additional NEPA analysis or a Determination of NEPA Adequacy. Measures to avoid, minimize, and mitigate effects of the Project (including those from Option 3: Colville River Crossing) are described in the <i>Applicable Lease Stipulations and Best Management Practices</i> sections in the Final EIS (typically, Section 3.X.2.1.1). The intent of BMP H-1 (Subsistence Plan) is to prevent unreasonable conflicts with subsistence. The BMP requires that a Subsistence Plan be submitted as early as possible and no later than an application is submitted to BLM. Thus, CPAI would coordinate with the community and Kuukpik about any activity near the Colville River that could affect subsistence.	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
860	4	Nukapigak	Joe	Kuukpik Corporation	Request for More Detail	The proposed CFWR reservoir plans to channel water at breakup from Lake M0015 into the CFWR. Lake M0015 is a fish bearing lake and the plan is to have fish screens and a flood control gate at the entrance to the CFWR to control water flow. Kuukpik doesn’t necessarily oppose this plan, but the SDEIS doesn’t have enough information about the waterbodies or the mechanics of this operation for us to determine whether it can be done with minimal impacts on aquatic resources. For example, the draft states that Lakes M0015 and R0064 are hydraulically connected, but the maps provided don’t confirm the extent of that connection. This connection needs to be well-studied and established since Lake R0064 is expected to help recharge the CFWR. The document notes that 55 million gallons of water will be withdrawn in winter but does not address summer water withdrawals. Does CPAI plan to use the lake year round? The Draft also states that “The estimated annual recharge volume of Lake M0015 and Lake R0064 exceeds the estimated volume of the CFWR and change in water flow is not anticipated to impact the Willow Creek 3 baseline flow.” However, Kuukpik did not locate any data to support this position. Finally, the Draft erroneously states that the “shallow” side slopes to the CFWR would “reduce the thennal [<i>sic</i>] impact of impounded water and stabilize slopes [by providing] a thermal buffer to reduce the lateral thaw extents into the walls of the excavated reservoir.” This conclusion is flawed because a 6:1 side slope is hardly “shallow.” Kuukpik doesn’t know whether a 6:t [<i>sic</i>] slope will nevertheless serve the same purpose, but this is just another detail that clearly needs to be studied and presented more completely in the Final EIS in order to allow stakeholders to understand the details of the proposed CFWR.	Additional text was added to Section 3.8.2.3.6, <i>Water Withdrawal and Diversion</i> , regarding the filling of the CFWR and recharge of the lakes. Additional detail was added to Section 3.4.2.3.1, <i>Thawing and Thermokarsting</i> , to clarify the role and effects of the side slopes and perimeter berm of the CFWR. A reference was provided to demonstrate that 3:1 or shallower side slopes limit or reduce slope movement within cuts made in ice-rich soils. A 6:1 slope is shallower than a 3:1 slope.	Y
168	7	O'Reilly-Doyle	Kathleen M	—	Request for More Detail	Boat Ramps The plan states that Boat ramps are being constructed as voluntary mitigation for the project. It also states that increased subsistence access via boat ramps, and increased river/creek traffic could disturb or displace caribou and may alter their distribution and/or movements. Construction of these boat ramps could further exacerbate the disturbances to caribou and waterfowl. According to Section 2.2.2 of this document, only preliminary locations and designs are available. In addition, detailed plans and specific locations for these proposed launch sites are not available for review during this public comment process, which precludes the opportunity for meaningful public comment on their location and design.	Final EIS Figures 2.4.1, 2.4.2, and 2.4.3 (Appendix A, <i>Figures</i>) depict the approximate locations of the boat ramps for each action alternative; Final EIS Figure 2.5.3 provides additional details about each boat ramp location. The exact boat ramp locations would be coordinated with local stakeholders.	N

4.2.3.20 Request for New Alternative

Table B.3.22. Substantive Comments Received on Request for New Alternative

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
589	1	Bennett	Lee Ann	—	Request for New Alternative	The Willow Project is substantially larger than the similar Alpine oil field built between 1998 and 2000. The north-south lay-out of the Willow Project coupled with its perpendicular east-west access roads forms a t-shaped development that threatens to seriously disrupt and deflect caribou herds from their normal migration corridors which could prove disastrous to Nuiqsut’s subsistence resources. . . . Clearly, project impacts on subsistence is the most important concern (i.e., to hunters dependent on hunting to feed themselves, their families, and their communities) for the Indigenous villages like Nuiqsut. The BLM’s failure to fully analyze a roadless BT4 and/or BT5 alternative, which could dramatically reduce the disruption and deflection of caribou, is a major oversight on their part. It is well-known that caribou do not like crossing gravel roads, they tend to avoid them and their migration behavior can be altered dramatically by them. So, it seems reasonable to me that eliminating the gravel road connections to BT4 and and/or BT5 looks increasingly like one of the better alternatives available, however, neither the Draft EIS nor the Supplement to the Draft EIS analyzes either option despite repeatedly confirming that the proposed 25 mile north-south road system would disrupt and deflect migrating caribou, especially those migrating east from Teshekpuk Lake towards Nuiqsut. . . . I strongly suggest that the BLM to analyze these roadless options as possible alternatives for inclusion in the Final EIS. Comments from the Kuukpik Corporation in Nuiqsut, indicate that it supports giving more weight to alternatives that eliminate one of more of the infield road segments, as well. These segments are unlikely to provide significant subsistence or other value to Nuiqsut residents. Additionally, they are more likely to have significant impacts on migrating caribou. Clearly then, reducing certain road segments would likely reduce negative impacts to migrating caribou without reducing the amount of road available to subsistence hunters. Further, a minor increase in air traffic might be outweighed by the elimination of road segments not very useful for subsistence activities. But of course, the BLM needs to include roadless BT4/BT5 satellites in a new alternative along with a detailed analysis of anticipated flight numbers, marginal differences between alternatives, and a thorough assessment of when and where impacts from such flights would occur.	Alternatives to the Project proponent’s proposal are considered and analyzed in detail only if they offer potential environmental benefits to one or more resources or uses. Roadless portions of oil and gas developments inherently require more air traffic in order to provide necessary access. Though the elimination of a road would aid caribou movements in that area, the increase in air traffic to the roadless development would increase overall disturbance of caribou. In this case, the airstrip would be close to the high-density calving area, with most air traffic landing from the west due to dominant wind directions. This is likely to cause disturbance and/or displacement of calving caribou and have some impacts on caribou movements during other times of the year. Making BT4 and BT5 roadless would mean two additional airstrips (i.e., one at each drill site). The impacts of additional fill (and the multitude of associated impacts of the fill) and additional air traffic (and the additional indirect effects of that traffic) would be greater than the impacts of building an infield road to these sites; therefore, it was not included in detailed analysis. The increase in air traffic for a roadless alternative is substantial. The addition of one more airstrip under Alternative C would add 7,473 more fixed-wing trips and 489 helicopter trips over the life of the Project (62% more fixed-wing traffic and 20% more helicopter traffic than having a road).	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
407	20	Rose	Garett	Natural Resources Defense Council	Request for New Alternative	BLM could have in the SDEIS analyzed a number of viable alternatives that would have reduced potentially significant impacts to the Western Arctic’s resources. . . . Among others, these include an alternative disallowing infrastructure in special areas, an alternative allowing winter-only drilling, and an alternative involving meaningful modifications to the Projects configuration. BLM continues to ignore an alternative that would avoid infrastructure in designated Special Areas. . . . The DEIS did not consider such an alternative and neither does the SDEIS, even though all alternatives continue to involve development within the Teshekpuk Lake Special Area, the Colville River Special Area, or both. . . . Similarly, BLM continues to ignore a winter-only drilling alternative. Among other reductions in potential impacts, such an alternative would reduce the need for gravel roads and other infrastructure. And it would reduce disturbance in the spring, summer, and fall, when several different species are engaged in critical activities in the area (e.g., caribou migration and nesting birds). . . . A winter-only drilling alternative and the concomitant reduction in activity outside of winter is more imperative now since activities associated with the permanent infrastructure that BLM considers in the SDEIS would exacerbate potential impacts across all seasons. Additionally, BLM in the SDEIS passed up an opportunity to consider an alternative that would involve different layouts, designs, and sizes for the Project that would reduce overall potential impacts. Most glaringly, under all alternatives, the Projects drill sites have the same size and locations, and the pipelines have the same alignment. In the DEIS, BLM improperly rejected reducing the number or size of the pads, stating that it [w]ould not meet the purpose and need to recover the maximum extent of the targeted hydrocarbon resources. Drill pads have already been optimized to the minimum size needed for the proposed activity. Drill pad locations have already been optimized to provide maximum accessibility to the resources based on existing extended-reach drilling technology and reservoir location and characteristics. As commentators noted, this explanation misstates the purpose and need, which nowhere involves recovering the maximum extent of targeted hydrocarbons. Moreover, dismissing modifications because locations have been optimized to provide maximum accessibility wholly ignores BLM’s legal obligations (recognized in the purpose and need statement) under the NPRPA, as amended, which require protection of surface resources. Given that the SDEIS introduces additional infrastructure across all alternatives, it is necessary for BLM to consider reconfigurations that would reduce the Projects potentially significant impacts. BLM must revise its analysis to consider alternatives that meaningfully reduce potentially significant impacts from the Project and reissue the analysis for public comment. Commentators on the DEIS provided a robust list of specific alternatives that would do this. BLM, however, continues to stand by a selection of functionally identical alternatives, in dereliction of its obligations under NEPA.	At the development stage, the siting of oil and gas facilities is largely dependent on the location of the subsurface resources to be extracted. Under the NPR-A IAP and Section 404 of the CWA, lessees are required to minimize facility footprints and propose siting and alignment of facilities in such a manner as to minimize environmental impacts to various resources (e.g., caribou, wetlands). Alternatives to the Project proponent’s proposal are considered and analyzed in detail only if they offer potential environmental benefits to one or more resources or uses. Table D.3.2 in Appendix D.1, <i>Alternatives Development</i> , was updated to reflect that the location of drill pads would not allow CPAI to exercise its rights under its leases to extract all the oil and gas possible within the leased areas. (This would apply to the location of pads, the pad size, or the number of pads.) Language about this not meeting the Project’s purpose and need was removed.	Y

4.2.3.21 Request for New Analysis

Table B.3.23. Substantive Comments Received on Request for New Analysis

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
117	1	Campbell	Bruce	—	Request for New Analysis	If there is still interest by Conoco-Phillips in pursuing the Willow MDP for the ecologically fragile northeastern corner of the National Petroleum Reserve Alaska, then BLM MUST DO ANOTHER SUPPLEMENT to the (Supplement to) the DRAFT ENVIRONMENTAL IMPACT STATEMENT. This makes total sense in these harrowing recent times where economies are collapsing right and left due to Covid-19 leading to a huge reduction in demand for transportation fuels around the planet. 1. ADDRESS THE NEW ECONOMIC REALITY OF CHEAP OIL AND GAS PRICES, and how that may impact the viability of the Willow MDP; 2. ADDRESS THE PLUMMETING DEMAND FOR FUEL AROUND THE GLOBE (and not just during the quarantine phase for Covid-19).	BLM cannot speculate about the intentions of the Project proponent regarding when the Project proponent will choose to apply for authorization or whether the Project is still viable. The EIS is in response to CPAI’s request to review its Willow MDP Project. An oil and gas lease grants certain exploration and development rights, subject to reasonable regulation.	N
117	2	Campbell	Bruce	—	Request for New Analysis	ALLOW MORE INPUT FROM BIOLOGISTS AND HYDROLOGISTS, AS WELL AS FROM OTHER AGENCIES, NOW THAT THE DOCUMENTATION HAS SLOWLY BEEN EMERGING THROUGH THIS EIS PROCESS GIVING A BETTER IDEA OF THE GENERAL AREAS OF WATERSHEDS WHICH WOULD BE IMPACTED BY A MASSIVE ARRAY OF INFRASTRUCTURE AND EXTRACTION UNDER THE WILLOW MDP.	The SDEIS and the Final EIS were prepared by subject-matter experts, including biologists and hydrologists, and were reviewed by cooperating agencies, including USACE, EPA, USFWS, U.S. Department of Transportation, NVN, Inupiat Community of the Arctic Slope, City of Nuiqsut, NSB, and State of Alaska. The Final EIS has been revised in response to comments from the public and from cooperating agencies on the Draft EIS and the SDEIS.	N
117	3	Campbell	Bruce	—	Request for New Analysis	RE-EVALUATE THE FINANCIAL VIABILITY OF VARIOUS PETROCHEMICAL EXTRACTION PROJECTS (both current and planned) THROUGHOUT THE NATIONAL PETROLEUM RESERVE ALASKA (and beyond) in light of the massive drop in global demand for fuel, including how you see various drilling and pipeline projects linking up. It may be half a decade before we have a decent idea whether the global economy will ever recover to a point where there will be the demand for fuel that there has been in recent years around the globe. So, will the Willow MDP be an anchor to help open up a new set of leases on Alaska’s North Slope as the EIS theorizes, or will it not be financially viable in this modern era of covid-19?	BLM cannot speculate about whether the Project is still viable. The EIS is in response to CPAI’s request to review its Willow MDP Project. An oil and gas lease grants certain exploration and development rights, subject to reasonable regulation. The Draft EIS and the SDEIS consider analysis of a reasonably foreseeable development scenario.	N

No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
816	3	Johnson	Alex	—	Request for New Analysis	ConocoPhillips has made significant changes to the project, including changes to infrastructure location, size, facilities, and projected aircraft and vehicle traffic. BLM has not adequately analyzed these changes in its supplemental draft EIS.	As noted in SDEIS Section 1.2 (<i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i>), the SDEIS evaluated the three substantive elements added to the Project description since the Draft EIS. BLM decided to issue the SDEIS in a succinct format, in order to provide a more reader-friendly document and avoid duplicative information that could be found in the Draft EIS. The intent was to focus only on the main Project changes that had potential new effects, which had not been previously analyzed in the Draft EIS. This is noted in SDEIS Section 1.2: “The SDEIS limits the scope of analysis to new Project components that would have new potential effects or would have effects in new areas not previously analyzed in the Draft EIS.” Potential environmental effects for Project elements that were already evaluated in the Draft EIS were not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect) due to Project modifications. These minor Project updates and modifications were listed in the SDEIS for public comment and are included and detailed in the Final EIS analyses of potential effects. BLM’s decision to focus on the main Project changes and effects that had not been previously analyzed in the Draft EIS is consistent with 43 CFR 46.120(d) and Secretarial Order 3355, which encourages supplementing a Draft EIS to meet the purposes of NEPA as efficiently as possible, while avoiding redundancy in the process.	N
159	12	Kenning	Erik	ASRC	Request for New Analysis	Incorporation of Traditional Knowledge: ASRC expects that BLM consider the history of Traditional Knowledge (TK) throughout the EIS and their review of the Willow project. Traditional Knowledge is based on generations of observations of the environment, ecosystem, and the animals which inhabit our lands. It has sustained Arctic indigenous cultures for daily activities and during times of adversity for millennia. When incorporated into Arctic oil and gas development projects and into the assessment of these projects, it can improve operating practices, safety procedures, and emergency and environmental response systems. In addition to the environmental data that has been collected over the decades supporting this project, traditional knowledge should be a key source of information in assessing impacts and also supporting appropriate mitigation to minimize potential impacts to the environment and animals, especially those terrestrial animals and birds harvested for subsistence. ASRC recommends that BLM continues to work closely with the local Kuukpik Corporation, Native Village of Nuiqsut, City of Nuiqsut, and ASRC and the NPRA Working Group in order to incorporate Traditional Knowledge more fully into their decision-making for the Willow MDP.	Text regarding how traditional knowledge was used in the EIS was added to Final EIS Section 3.1, <i>Introduction and Analysis Methods</i> .	Y
95	1	McGinnis	Margaret	—	Request for New Analysis	I am writing to urge that the supplement addresses the following environmental concerns: The BLM had previously identified impacts to subsistence use and access; biological resources, including caribou, polar bears, spectacled and Stellar eiders, yellow billed loons, and fisheries; social and cultural resources; air quality and climate; and aquatic resources associated with this project.	Section 3.16 (<i>Subsistence and Sociocultural Systems</i>) of the SDEIS and Final EIS addresses subsistence use and access, as well as cultural resources. Several sections address biological resources (Section 3.9, <i>Wetlands and Vegetation</i> ; Section 3.10, <i>Fish</i> ; Section 3.11, <i>Birds</i> ; Section 3.12, <i>Terrestrial Mammals</i> ; and Section 3.13, <i>Marine Mammals</i>). Air quality impacts are discussed in Section 3.3 (<i>Air Quality</i>). Aquatic resources are discussed in Section 3.8 (<i>Water Resources</i>).	N
3	2	Merendino	Caleb	—	Request for New Analysis	Supplemental draft environmental impact statement is deeply inadequate on multiple fronts: 1) It fails to sufficiently analyze the project’s harm to wildlife already struggling to survive in a warming Arctic, damage to wetlands, air pollution and loss of subsistence values.	BLM prepared the SDEIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the SDEIS includes a full and fair discussion of significant environmental impacts that may result from the three new Project components not previously analyzed in the Draft EIS. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement, and informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. Wildlife impacts are discussed in Section 3.10 (<i>Fish</i>), Section 3.11 (<i>Birds</i>), Section 3.12 (<i>Terrestrial Mammals</i>), and Section 3.13 (<i>Marine Mammals</i>). Wetland impacts are discussed in Section 3.9 (<i>Wetlands and Vegetation</i>). Air quality impacts are discussed in Section 3.3 (<i>Air Quality</i>). Subsistence impacts are discussed in Section 3.16 (<i>Subsistence and Sociocultural Systems</i>).	N
839	2	Miller	Pamela	—	Request for New Analysis	I see that [A]lternative B, ConocoPhillips project, this supplemental, basically, slot — appears to slot that in without the full analysis in comparison of the impacts, direct and cumulative, of all the project features and comparing them with the other alternatives. [V]ery confusing in the public — just in your discussion today about what’s in engineering versus a design feature. So that was a problem With the [c]oronavirus, with the economic destruction, I think this needs a step back to fully analyze the potential benefits of economics given the [c]oronavirus, as well as how it may affect the local people with the influx of more people for the construction and so on.	The full analysis of all the updated Project design features is included in the Final EIS, including an updated economic analysis in Section 3.15 (<i>Economics</i>). As described in Final EIS Section 3.18.2.4.1.5, <i>Health Effect Category 5: Infectious Disease</i> , “non-local construction workers would have little contact with Nuiqsut residents, and construction would not affect infectious disease levels in the community.”	Y
26705	2	President	Acting	Native Village of Nuiqsut Tribal Council	Request for New Analysis	The SDEIS does not correct or address the many serious deficiencies we identified in our previous comments, nor does it adequately evaluate the impacts from the Colville River Crossing Module Delivery option and other proposed changes to the MDP.	BLM prepared the SDEIS and the Final EIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement.	N
26705	5	President	Acting	Native Village of Nuiqsut Tribal Council	Request for New Analysis	BLM has not addressed the concerns NVN raised in comments on the DEIS. NVN raised serious concerns with the Willow MDP in our comments on the DEIS. As explained in those comments, BLM failed to: (1) adequately consider NVN’s input and feedback; (2) give sufficient consideration to environmental justice; (3) adequately disclose and analyze numerous, significant human and environmental impacts from the Willow project; (4) conduct an adequate ANILCA section 810 analysis; and (5) include meaningful mitigation measures. In this SDEIS, BLM has not addressed any of the issues raised in NVN’s previous comments, and those comments remain fully applicable to the project. BLM must correct those deficiencies before proceeding with permitting the Willow MDP.	BLM prepared the SDEIS and the Final EIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to public and cooperating agency comments on the Draft EIS and SDEIS, including comments from NVN. In the Final EIS, environmental justice is addressed in Section 3.17 (<i>Environmental Justice</i>) and the ANILCA Section 810 Analysis is included as Appendix G (<i>Alaska National Interest Lands Conservation Act Section 810 Analysis</i>). All responses to comments can be found in Appendix B (<i>Public Engagement and Comment Response</i>) of the Final EIS.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
26705	6	President	Acting	Native Village of Nuiqsut Tribal Council	Request for New Analysis	The SDEIS fails to adequately disclose and analyze the human and environmental consequences of the proposed changes to the Willow MDP. In addition to the issues NVN raised in comments on the DEIS, which have not been resolved in this SDEIS, BLM’s analysis of proposed changes to the Willow MDP is deficient. The most prominent change is the consideration of a module delivery “option” that would transport large sealift modules to the project area from the existing Oliktok Dock on gravel and ice roads, including an ice bridge over the Colville River. BLM has failed to adequately consider the impacts of this and other changes to the project. It failed to (a) address significant uncertainty and potentially significant effects to fish and hydrology from the Colville River Crossing ice bridge; (b) adequately consider the impacts of the new module delivery option on subsistence activities; (c) analyze the different air quality impacts from the new module delivery option and other project changes; (d) present the impacts from the module delivery options in comparative form; (e) address the impacts to fish and hydrology from construction of a fresh water reservoir; and (f) disclose and analyze the effects of several other changes to alternatives considered in the DEIS.	The SDEIS addresses all the potential impacts raised by the commenter. Effects on fish are addressed in Section 3.10 (<i>Fish</i>); effects on hydrology from the Colville River Crossing ice bridge are addressed in Section 3.8 (<i>Water Resources</i>); impacts of the new module delivery option on subsistence activities are addressed in Section 3.16 (<i>Subsistence and Sociocultural Systems</i>); air quality impacts from the new module delivery option and other Project changes are addressed in Section 3.3 (<i>Air Quality</i>); and impacts from the module delivery options are presented in comparative form in the Final EIS. The other minor Project updates and modifications that were determined not to warrant additional analysis in the SDEIS were listed in the SDEIS for public comment, are detailed in the Final EIS, and are included in the overall analysis of potential effects.	N
26705	13	President	Acting	Native Village of Nuiqsut Tribal Council	Request for New Analysis	BLM must compare the impacts of the Colville River module delivery option to other module delivery options. The SDEIS does not compare the impacts from the Colville River crossing option against the other module delivery options, in violation of NEPA. Among other differences, this option will: require construction of a large ice road in a different location than ice roads under the other options; change total ground traffic; change the location of ground traffic; require additional gravel and in different locations; require different water sources; and include a 100-person camp in a new location. In addition to fully analyzing the impacts from this option, BLM must present the impacts “in comparative form, thus sharply defining the issues and providing a dear basis for choice among options by the decision maker and the public.” The SDEIS does not present impacts from the three module delivery options in comparable form. This makes it difficult or impossible to determine from the SDEIS how the impacts from the Colville River crossing option will differ from the other module delivery options. In particular, the SDEIS does not adequately explain how the impacts to subsistence activities under the different module delivery options compare.	The Draft EIS included a comparative analysis of the two module delivery options with an MTI, and the SDEIS provided detailed analysis of the new module deliver option using the Oliktok Dock and Colville River ice road crossing. The Final EIS includes a comparative analysis of all three options. SDEIS Section 1.2, <i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i> , states the following: “Potential environmental effects for Project elements that were already evaluated in the Draft EIS are not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect), due to CPAI’s Project modifications.” All Project components are described and compared in the Final EIS.	Y
26705	15	President	Acting	Native Village of Nuiqsut Tribal Council	Request for New Analysis	BLM must analyze other changes to the Willow MDP or provide an adequate justification for not doing so. The SDEIS references additional project design updates and modifications provided by the project proponent and which BLM indicates will be detailed in the final EIS. These changes may be significant, including relocating the operations center, processing facility, and air strip; processing GMT2 oil at the Willow processing facility; increased fresh water use utilizing additional source lakes; changes to the quantity of gravel needed for the project and the footprint of the gravel mine sites; and changes to the location and footprint of several other project components. BLM has not provided a sufficient justification why these are not substantial changes relevant to environmental concerns that must be addressed in the SDEIS.	As noted in SDEIS Section 1.2 (<i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i>), the SDEIS evaluated the three substantive elements added to the Project description since the Draft EIS. BLM decided to issue the SDEIS in a succinct format, in order to provide a more reader-friendly document and avoid duplicative information that could be found in the Draft EIS. The intent was to focus only on the main Project changes that had potential new effects, which had not been previously analyzed in the Draft EIS. This is noted in SDEIS Section 1.2: “The SDEIS limits the scope of analysis to new Project components that would have new potential effects or would have effects in new areas not previously analyzed in the Draft EIS.” Potential environmental effects for Project elements that were already evaluated in the Draft EIS were not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect) due to Project modifications. These minor Project updates and modifications were listed in the SDEIS for public comment and are included and detailed in the Final EIS analyses of potential effects. BLM’s decision to focus on the main project changes and effects that had not been previously analyzed in the Draft EIS is consistent with 43 CFR 46.120(d) and Secretarial Order 3355, which encourages supplementing a Draft EIS to meet the purposes of NEPA as efficiently as possible, while avoiding redundancy in the process.	N
520	8	Psarianos	Bridget	Trustees for Alaska	Request for New Analysis	BLM Must Still Issue a Revised EIS. BLM’s draft EIS should be further revised and re-released for public comment. . . . BLM’s supplemental draft EIS will need to be revised for at least four reasons: (1) the manner in which it incorporates the draft EIS by reference fails to enable meaningful public review and understanding of the agency’s proposal, methodology, and analysis of environmental consequences; (2) it fails to include key information about the project; (3) it fails to analyze a reasonable range of alternatives; and (4) it fails to take a hard look at the direct, indirect, and cumulative impacts of the proposed project. First, BLM’s supplemental draft EIS for the Willow project contains vague cross-references to BLM’s draft EIS and supporting documents, making it difficult to review and understand the project proposal, alternatives, and impacts. For example, in explaining the alternatives under consideration, the supplemental draft EIS states: In addition to the Project details for Alternatives B, C, and D provided in the Draft EIS Chapter 2.0, Alternatives, and Appendix D, Alternatives Development, a CFWR and up to three subsistence boat ramps would be added to all action alternatives. In order to understand the alternatives that BLM is proposing, the reader must consult both the supplemental draft EIS, the entirety of Chapter 2 of the draft EIS, and Appendix D of the draft EIS. Chapter 2 of the draft EIS continually cross-reference figures which are not in-text, but relegated to Appendix A of the draft EIS. This makes it incredibly challenging to understand the specific alternatives proposed by ConocoPhillips and considered by BLM. An EIS must be organized and written so as to be readily understandable by governmental decisionmakers and by interested non-professional laypersons likely to be affected by actions taken under the EIS. It is inconsistent with NEPA’s goal of informed public participation for this supplemental draft EIS to be set up in such a manner.	As noted in SDEIS Section 1.2 (<i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i>), the SDEIS evaluated the three substantive elements added to the Project description since the Draft EIS. BLM decided to issue the SDEIS in a succinct format, in order to provide a more reader-friendly document and avoid duplicative information that could be found in the Draft EIS. The intent was to focus only on the main Project changes that had potential new effects, which had not been previously analyzed in the Draft EIS. This is noted in Section 1.2 of the SDEIS: “The SDEIS limits the scope of analysis to new Project components that would have new potential effects or would have effects in new areas not previously analyzed in the Draft EIS.” Potential environmental effects for Project elements that were already evaluated in the Draft EIS were not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect) due to Project modifications. These minor Project updates and modifications were listed in the SDEIS for public comment and are included and detailed in the Final EIS analyses of potential effects. BLM’s decision to focus on the main Project changes and effects that had not been previously analyzed in the Draft EIS is consistent with 43 CFR 46.120(d) and Secretarial Order 3355, which encourages supplementing a Draft EIS to meet the purposes of NEPA as efficiently as possible, while avoiding redundancy in the process.	N

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520	9	Psarianos	Bridget	Trustees for Alaska	Request for New Analysis	Second, the supplemental draft EIS contains significant gaps in information and analysis that seriously frustrate public review and understanding. Certain highly significant issues that affect important resources and uses of the project area, such as air quality, greenhouse gas emissions and climate change, and public health are entirely missing from the supplemental draft EIS impacts analysis. Many issues, such as impacts to hydrology, wildlife, marine mammals, and subsistence are only partially addressed, with key elements of the analysis missing, incomplete, inaccurate, inconsistent with the best available science, or otherwise inadequate. . . . The significant and numerous information and analytical gaps render BLM’s supplemental draft EIS so inadequate as to preclude meaningful analysis and review by the public, and therefore necessitate a revised draft EIS. Additionally, what BLM is actually considering and authorizing is very confusing, frustrating public review. To remedy the extensive gaps in information and analysis, a revised draft EIS is necessary that comprehensively considers the entire project in one document.	BLM prepared the SDEIS and the Final EIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement.	N
520	11	Psarianos	Bridget	Trustees for Alaska	Request for New Analysis	Fourth and finally, BLM still fails to take a hard look at the impacts of this massive industrial development. . . . The numerous and significant gaps in information, analysis, and alternatives renders the supplemental draft EIS impacts analysis invalid. As the Ninth Circuit has explained, without establishing the baseline conditions . . . , there is simply no way to determine what effect the proposed [action] will have on the environment and, consequently, no way to comply with NEPA. BLM arbitrarily selected certain resources to analyze in the supplemental draft EIS, while entirely ignoring changes in impacts to other resources, such as air quality and public health. Where BLM did undertake some analysis of differences in resource impacts, such as marine mammals and caribou, elements of the impacts analysis are incomplete, unsupported by the best available science, or otherwise inadequate, as explained below. The deficient impacts analysis renders the supplemental draft EIS so inadequate as to preclude meaningful review. A comprehensive revised draft EIS is required.	<p>As noted in SDEIS Section 1.2 (<i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i>), the SDEIS evaluated the three substantive elements added to the Project description since the Draft EIS. BLM decided to issue the SDEIS in a succinct format, in order to provide a more reader-friendly document and avoid duplicative information that could be found in the Draft EIS. The intent was to focus only on the main Project changes that had potential new effects, which had not been previously analyzed in the Draft EIS. This is noted in SDEIS Section 1.2: “The SDEIS limits the scope of analysis to new Project components that would have new potential effects or would have effects in new areas not previously analyzed in the Draft EIS.” Potential environmental effects for Project elements that were already evaluated in the Draft EIS were not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect) due to Project modifications. These minor Project updates and modifications were listed in the SDEIS for public comment and are included and detailed in the Final EIS analyses of potential effects.</p> <p>BLM’s decision to focus on the main Project changes and effects that had not been previously analyzed in the Draft EIS is consistent with 43 CFR 46.120(d) and Secretarial Order 3355, which encourages supplementing a Draft EIS to meet the purposes of NEPA as efficiently as possible, while avoiding redundancy in the process.</p>	N
520	12	Psarianos	Bridget	Trustees for Alaska	Request for New Analysis	BLM Arbitrarily Failed to Analyze Impacts Due to Important Changes to the Project. The supplemental draft EIS considers three proposals by ConocoPhillips, while entirely ignoring the direct, indirect, and cumulative impacts from other major project changes proposed by the company. In essence, ConocoPhillips has proposed alterations to nearly every conceivable aspect of the Willow project its size, location, the facilities being used, and levels of activity associated with the project. . . . These are not minor changes to the project proposal, but are the type of changes which should be evaluated in a revised EIS. BLM recognizes this laundry list as substantive elements of the project, and concedes that some the projects effects analyzed in the draft EIS may differ in magnitude, duration, or location due to ConocoPhillips modifications. BLM states that it will evaluate these changes in the final EIS, but offers no explanation as to why or how it determined that constructing three boat ramps and a reservoir warrants analysis in a supplemental EIS, but entirely relocating part of the project and changing the size of its components and level of activities does not. It also leaves the public out of the process by eliminating the opportunity for the public to review the project changes and the agency’s analysis and offer public comment for the agency to consider in its review. Here, BLM does not even attempt to provide an explanation for its decision to ignore significant project changes in the supplemental draft EIS. This violates NEPA.	As noted in SDEIS Section 1.2 (<i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i>), the SDEIS evaluated the three substantive elements added to the Project description since the Draft EIS. BLM decided to issue the SDEIS in a succinct format, in order to provide a more reader-friendly document and avoid duplicative information that could be found in the Draft EIS. The intent was to focus only on the main Project changes that had potential new effects, which had not been previously analyzed in the Draft EIS. This is noted in SDEIS Section 1.2: “The SDEIS limits the scope of analysis to new Project components that would have new potential effects or would have effects in new areas not previously analyzed in the Draft EIS.” Potential environmental effects for Project elements that were already evaluated in the Draft EIS were not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect) due to Project modifications. These minor Project updates and modifications were listed in the SDEIS for public comment and are included and detailed in the Final EIS analyses of potential effects. BLM’s decision to focus on the main Project changes and effects that had not been previously analyzed in the Draft EIS is consistent with 43 CFR 46.120(d) and Secretarial Order 3355, which encourages supplementing a Draft EIS to meet the purposes of NEPA as efficiently as possible, while avoiding redundancy in the process.	N
520	13	Psarianos	Bridget	Trustees for Alaska	Request for New Analysis	Finally, BLM should have considered significant new circumstances that point to a potentially long-term delay in, or possibly a cancellation of all or part of the Willow oil development. This includes the current worldwide decline in crude oil demand due to COVID-19, with an uncertain end date for this decline and the possibility of a near-term recession or depression. Further, there is a current worldwide oversupply of crude oil and resulting tank and tanker storage limitations. This situation has already resulted in production declines including on Alaska’s North Slope. It is unlikely that new projects on the North Slope will move forward if existing projects may have to be shut-in. Relatedly, there may be long-term crude oil price projections that are less than the price point needed for ConocoPhillips to pursue the Willow development, or the company may decide to scale back the development. Additionally, ConocoPhillips recently cancelled its exploratory drilling this winter on the North Slope, largely related to the Willow development. As a result of this cancellation, we also question whether ConocoPhillips has sufficient information regarding the project reserves to make informed decisions on locations for gravel well pads. . . . While these uncertainties may take some time to sort out, it is clear that they represent significant new circumstances. If there is a high likelihood that ConocoPhillips will need to delay, cancel, or reduce the size and/or extent of the Willow project, that situation warrants another draft EIS accounting for the foreseeable, significant changes to timing and project design. BLM should not move forward without a better understanding of whether or not this project could proceed in its presently proposed form and on its currently proposed schedule. Further, BLM must consider if it is even feasible that the Willow project can move forward in the current economic climate.	BLM cannot speculate about whether the Project is still viable. The EIS is in response to CPAI’s request to review its Willow MDP Project. An oil and gas lease grants certain exploration and development rights, subject to reasonable regulation.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
520	30	Psarianos	Bridget	Trustees for Alaska	Request for New Analysis	IBLM FAILED TO ADEQUATELY CONSIDER IMPACTS TO RESOURCES IN THE PROJECT AREA. The EIS must assess the direct, indirect, and cumulative effects of the proposed project on the human environment, as well as the means to mitigate adverse environmental impacts. The effects and impacts to be analyzed include ecological, aesthetic, historical, cultural, economic, social, and health impacts. The BLM may not rely solely on the one-sided information and conclusions contained in ConocoPhillips application. As the lead agency responsible for developing the EIS, the BLM is obligated to obtain appropriate baseline data for the project area and do a thorough analysis of potential impacts from the proposed project. For most of the resources reviewed in the supplemental draft EIS, the BLM has failed to take a hard look at direct, indirect, and cumulative effects.	BLM prepared the SDEIS and the Final EIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement.	N
520	79	Psarianos	Bridget	Trustees for Alaska	Request for New Analysis	BLM must compare the subsistence impacts of the Colville River module delivery option to other module delivery options. The SDEIS does not compare the subsistence impacts from the Colville River crossing option against the other module delivery options, in violation of NEPA. Among other differences, this option will require construction of a large ice road in a different location than ice roads under the other options; change total ground traffic; change the location of ground traffic; require additional gravel, in different locations; require different water sources; and include a 100-person camp in a new location. In addition to fully analyzing the subsistence impacts from this option, BLM must present the impacts in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decisionmaker and the public. The SDEIS does not present impacts from the three module delivery options in comparable form. This makes it difficult or impossible to determine from the SDEIS how the subsistence impacts from the Colville River crossing option will differ from the other module delivery options. In sum, BLM’s analysis of subsistence impacts in the SDEIS is inadequate. The SDEIS does not resolve the issues previously raised, and it adds additional uncertainty and potentially significant impacts that the agency must addressed in a revised draft EIS before permitting the project.	The Draft EIS included a comparative analysis of the two module delivery options with an MTI, and the SDEIS provided detailed analysis of the new module deliver option using the Oliktok Dock and Colville River ice road crossing (Option 3: Colville River Crossing). The Final EIS includes a comparative analysis of all three options. SDEIS Section 1.2, <i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i> , states the following: “Potential environmental effects for Project elements that were already evaluated in the Draft EIS are not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect), due to CPAI’s Project modifications.” All Project components are described and compared in the Final EIS.	Y
407	2	Rose	Garett	Natural Resources Defense Council	Request for New Analysis	These comments are focused on the SDEISs failure to meaningfully analyze the potentially significant impacts of the Project and consider a reasonable range of alternatives. . . . The SDEIS, like the DEIS before it, does neither. As such, the SDEIS and DEIS remain so inadequate as to preclude meaningful analysis, necessitating wholesale revision and recirculation. The SDEIS purports to analyze potential impacts from three components being added to the Willow Project by CPAI. First, a new freshwater reservoir is located near one of the proposed wells. Second, the Project will now include up to three new boat ramps for subsistence use, located along Ublutuoch River, Judy Creek, and/or Fish Creek. Third, BLM purports to consider a new module delivery option for transporting infrastructure to the proposed project site from Oliktok Dock well to the east of the Projects location and across the Colville River via ice bridge (Option 3). Notably, this option, if implemented would complete the encirclement of the Native Village of Nuiqsut by oil and gas infrastructure, fundamentally altering the environs for human users and wildlife alike. The SDEIS fails to meaningfully analyze the Projects potentially significant impacts from these and functionally related components. It excludes a host of Project changes from analysis or discussion. It does not document potential impacts from the new components that it does discuss. It ignores potentially significant cumulative impacts of these components. And it ignores well-documented missteps in the DEISs analysis of connected impacts. Where it considers potential impacts, it regularly dismisses their significance without evidence or required analysis. In short, the SDEIS recapitulates and multiplies omissions, flaws, and errors in the DEIS.	BLM prepared the SDEIS and the Final EIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts that informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement. As noted in Section 1.2 (<i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i>) of the SDEIS, ongoing design refinement and engineering is typical during the NEPA process. The SDEIS evaluated three substantive elements added to the Project description since the Draft EIS. The SDEIS limited the scope of analysis to new Project components that would have new potential effects or would have effects in new areas not previously analyzed in the Draft EIS. Potential environmental effects for Project elements that were already evaluated in the Draft EIS were not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect) due to Project modifications. These minor Project updates and modifications were listed in the SDEIS for public comment and are included and detailed in the Final EIS analyses of potential effects.	N
407	4	Rose	Garett	Natural Resources Defense Council	Request for New Analysis	Unanalyzed Project Changes BLM in the SDEIS fails to provide the required analysis of new Project components and modifications for public comment. NEPA requires that an agency draft a supplemental EIS for comment if [t]he agency makes substantial changes in the proposed action that are relevant to environmental concerns. BLM includes a list of nearly a dozen changes to the Project, including infrastructure relocation, changes to the Projects overall footprint, new facilities, nebulously specified updates, and alterations to the water and gravel required by the Project. BLM has not explained why these seemingly substantial changes will not lead to potentially significant impacts that must be analyzed in the SDEIS, instead simply asserting that they are not expected to substantively change the overall analysis or result in the DEIS.	As noted in SDEIS Section 1.2 (<i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i>), ongoing design refinement and engineering is typical during the NEPA process. The SDEIS evaluated three substantive elements added to the Project description since the Draft EIS. The SDEIS limited the scope of analysis to new Project components that would have new potential effects or would have effects in new areas not previously analyzed in the Draft EIS. Potential environmental effects for Project elements that were already evaluated in the Draft EIS were not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect) due to Project modifications. These minor Project updates and modifications were listed in the SDEIS for public comment and are included and detailed in the Final EIS analyses of potential effects.	N
407	6	Rose	Garett	Natural Resources Defense Council	Request for New Analysis	Impacts Analysis Deficiencies The SDEIS fails to meaningfully analyze potentially significant impacts from the Project. The new components discussed in the SDEIS entail greater potential impacts to areas and resources already affected by the Projects original configuration and generate additional impacts in new areas. The deficiencies of the DEISs impacts analysis were raised in detail during the first round of comments. Instead of correcting these deficiencies and comprehensively analyzing the consequences of the new components, the SDEIS piles more atop them. BLM thereby further obscures the magnitude and nature of the Projects potentially significant impacts and further hides from public view information necessary for understanding those impacts.	BLM prepared the SDEIS and the Final EIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts that informs decision-makers and the public of the potential effects of the Project, as well as reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement.	N
407	17	Rose	Garett	Natural Resources Defense Council	Request for New Analysis	The SDEIS thus falls well short of the disclosure and analysis of potentially significant impacts that NEPA requires. BLM continues to hide necessary information and otherwise obscure the magnitude and nature of the Projects potentially significant impacts, thereby preventing the public and decisionmakers from accurately assessing the Projects environmental effects. BLM must revise and recirculate its impacts analysis for the entire Project including the newly added components.	BLM prepared the SDEIS and the Final EIS according to 40 CFR 1502 and BLM’s NEPA Handbook (H-1790-1) (BLM 2008); the EIS includes a full and fair discussion of significant environmental impacts that informs decision-makers and the public of the potential effects of the Project, as well as reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Final EIS has been revised in response to comments on the Draft EIS, including its supplement.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
26709	6	Warren	James	—	Request for New Analysis	The analysis shows that there are very likely direct, indirect, and cumulative impacts of overwhelmingly negative kinds on the ecology, hydrology, vegetation, and wildlife of the affected areas. (This was also the case in the Draft EIS.) And yet the BLM always spreads out the analysis in such a way as to minimize these negative effects. By treating the Teshekpuk Lake Caribou Herd and the gravel infrastructure proposed to be built, BLM claims there will be some adverse impacts and then some maybe positive impacts, such as the great spot for caribou to avoid warble flies and other pests they deal with every summer day. This is not the same as a real analysis of the health of the TLCH and other affected caribou herds across the North Slope. To treat these issues in isolation from one another, Ms. Jones, is deliberately to minimize the impact of BLM decisions.	Effects to the TCH and the CAH from the Project (including effects from gravel infrastructure) are detailed in Section 3.12.2, <i>Environmental Consequences</i> . The health of the TCH and the CAH may be impacted by a variety of different factors, including but not limited to effects from the Project. Cumulative effects on these herds are described in Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> . Each action alternative has trade-offs of positive and negative effects. In accordance with CEQ guidelines, the EIS discloses these trade-offs.	N

4.2.3.22 Soils and Permafrost

Table B.3.24. Substantive Comments Received on Soils and Permafrost

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
26707	6	Baca	Andrew	US Environmental Protection Agency	Soils and Permafrost	We recommend that the FEIS provide additional detail to support statements in the SDEIS that the design of the CFWR minimizes thermal impacts. Section 3.4.2.1.1 Thawing and Thermokarsting indicates that the proposed 6:1 side slopes within the reservoir would reduce thermal impacts of the unfrozen water in the reservoir on surrounding permafrost. Without a reference or explanation to support this statement, it is unclear whether the proposed angle is the best for reducing thermal impacts and whether there may be additional measures that could further reduce impacts.	The proposed 6:1 slopes of the CFRW sidewalls would aid in slope stability and would reduce the risk of lateral movement as the soils of the sidewalls thaw (either when submerged or exposed to warm surface temperatures). Laying the sidewall slopes back at a shallower angle would help to reduce the lateral thaw extents of the developed talik and would allow the permafrost front to grow farther into the reservoir boundary. This clarification was added to Section 3.4.2.3.1, <i>Thawing and Thermokarsting</i> .	Y
717	53	Dunn	Connor	ConocoPhillips Alaska	Soils and Permafrost	3.4.2.1.1 - Soils, Permafrost and Gravel - Thawing and Thermokarsting Paragraph 3 discusses impacts to permafrost based on change in hydrology and snow accumulation from the 7-foot berm around the perimeter of the CWFR but fails to address that the intent and engineered purpose of the berm is to protect the thermal stability at the perimeter of the CWFR. The purpose of the berm should be included in the description.	Installation of soil berms around the perimeter of the CFWR would help maintain the thermal regime of frozen soils adjacent to the excavation. The berms would act as insulation and cause the active layer to rise into the berm, thereby protecting the frozen soils below (near the crest of the CFWR) (Andersland and Ladanyi 2003). This clarification was added to Section 3.4.2.3.1, <i>Thawing and Thermokarsting</i> .	Y
717	55	Dunn	Connor	ConocoPhillips Alaska	Soils and Permafrost	3.4.2.1.1 - Soils, Permafrost, and Gravel Resources - Thawing and Thermokarsting This section was copied from the DEIS discussing the gravel mining operations (Section 3.4.2.3.1, Thawing and Thermokarsting): “Excavation activities would reduce the amount of available thawed soil as excavation encroaches on frozen materials (BLM 2018, pg. 250). As the rate of excavation slows or ends, the taliks and water bearing zones would be re-established as the CFWR fills with water.” These two sentences are not correct as the construction of the CFWR is stated as being done in the winter when there will be very little unfrozen soil (primarily in the thaw bulb of Lake M0015, which likely only extends into the area of the CFWR Channel Connection immediately adjacent to M0015). The CFWR would be filled the following spring during breakup and a new thaw bulb would begin to develop beneath the CFWR and connection channel, joining with the thaw bulb of Lake M0015. We recommend that this text be corrected.	The discussion in Section 3.4.2.3.1, <i>Thawing and Thermokarsting</i> , has been corrected to state that the excavation would be performed in the winter.	Y
407	8	Rose	Garett	Natural Resources Defense Council	Soils and Permafrost	Soils, Permafrost, and Gravel Resources The SDEIS extends the DEISs deficient analysis of potentially significant impacts to soils, permafrost, and gravel resources. In particular, BLM still fails to analyze the Projects impacts in a systematic fashion. Instead, through extensive cross-references to the DEISs analysis and the addition of new errors, the agency continues to obfuscate the scope of such impacts on the literal foundation of the Western Arctic’s ecosystem. Where it exists, the SDEISs analysis of the added Project components fails to consider the full extent of their potential impacts. And it fails in this regard despite each of those elements compounding or extending such impacts. The analysis is, at best, limited to the immediate area of the element being discussed: the freshwater reservoir analysis focuses on potential impacts to the area of the reservoir. The subsection on Option 3 notes only that it would affect soils, permafrost, and gravel resources by constructing ice roads (compacting soils and contributing to thaw and thermokarst) and extracting gravel (changing landforms and decreasing gravel resources) with cross-references to the DEIS. Potential impacts from the boat ramps are not analyzed at all, despite having a collective footprint of up to 5.9 acres. Instead of providing substantive analysis, the SDEIS heavily cross-references the DEIS, which does not itself adequately analyze potential impacts. Both discussions fail to disclose how the potential impacts from various parts of the Project the gravel roads and pads, the ice roads, the mine, etc. could compound, creating destructive thermal and hydrological feedback loops resulting in, for example, the formation and collapse of lakes. And, to the extent they discuss impacts at all, both documents focus on the potential impacts from the Projects components in isolation. For example, the new freshwater reservoir would be connected to the Project via gravel road. The SDEIS states that the presence of impounded water [in the reservoir] would disturb frozen soils and change thermal conditions at the site. And the DEIS states that [p]lacement of gravel fill can cause heat transfer to underlying soils beneath pads. Yet neither the SDEIS nor the DEIS discusses how these potential impacts could compound with and exacerbate each other or with the potential impacts of other pieces of the Project. And neither discuss how these impacts could intersect with the changes in permafrost caused by climate change (changes acknowledged in the DEIS). Nor is this error rectified in the Cumulative Impacts section of either document. The SDEIS disclaims any additional discussion of these resources. And the DEIS simply says that the Project would contribute to the cumulative effects of past, present, and reasonably foreseeable future actions [on these resources] but that it would not change the cumulative impacts. BLM thus hides the actual nature and extent of the Projects potentially significant impacts to soils, permafrost, and gravel from the public. And the public is therefore denied a comprehensive look at the potential impacts of the Project on such resources.	SDEIS Section 1.2, <i>Rationale for Analysis Contained in the Supplement to the Draft Environmental Impact Statement</i> , states the following: “Potential environmental effects for Project elements that were already evaluated in the Draft EIS are not reiterated in the SDEIS, even though some effects may be slightly different (in magnitude, duration, or location—not in type of effect), due to CPAI’s Project modifications. Other Project changes (e.g., minor changes in gravel pad sizes, changes to the location of Project components and minor shifts in gravel road alignments, changes in ground traffic and air traffic numbers) are not expected to substantively change the overall analysis or results described in Chapter 3 of the Draft EIS. These Project updates and modifications will be detailed in the Final EIS.” All Project components are detailed in the Final EIS.	N

4.2.3.23 Spills

Table B.3.25. Substantive Comments Received on Spills

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
717	114	Dunn	Connor	ConocoPhillips Alaska	Spills	4.0 - Spill Risk Assessment - Spill Risk Assessment Please revise this section to reflect that spill risk would be reduced under Option 3 as a result of much lower volumes of air, ground, and vessel traffic; fewer miles of ice road; and one less winter construction season.	Spill risk for all module delivery options is discussed in Final EIS Section 4.5.2, <i>Comparison of Module Delivery Options</i> .	Y
717	115	Dunn	Connor	ConocoPhillips Alaska	Spills	4.2 - Spill Risk Assessment - Option 3: Colville River Crossing ConocoPhillips recommends including here that the crossing of the Colville would only occur during two winter seasons, thereby further reducing risk.	Spill risk for all module delivery options is discussed in Final EIS Section 4.5.2, <i>Comparison of Module Delivery Options</i> .	Y
658	3	Long	Becky	—	Spills	Lack of a current National Contingency Plan (NCP) has convinced me that in the case of an oil spill, cleanup will not be very good. The US Environmental Protection Agency has not updated the NCP mandated by the Clean Water Act since 1994. This unreasonable delay in the rulemaking for an update means that up to date technology and current scientific findings about spill clean-up will NOT be followed. Thus, the current NCP is inadequate for this SEIS and the other parts of the Master Development Plan.	The Project’s spill prevention and response measures that would be used during construction, drilling, and operations would be outlined in a Project Oil Discharge Prevention and Contingency Plan and Spill Prevention, Control, and Countermeasures Plan. Project spill prevention and response is described in EIS Appendix D.1, <i>Alternatives Development</i> , Section 4.2.8, <i>Spill Prevention and Response</i> ; EIS Chapter 4.0, <i>Spill Risk Assessment</i> , provides a qualitative assessment of potential spills and addresses the types of spills that may occur; and EIS Appendix H, <i>Spill Summary, Prevention, and Response Planning</i> , describes preventive measures and response planning activities that CPAI would implement to minimize potential damage to human health and the environment from oil spills or other accidental releases.	N
4006	1	Kadar	Patricia	Center for Biological Diversity	Spills	Any spills, “accidents” or other unanticipated damage cannot be reasonably remedied or removed before permanent damage occurs in this remote area and in such an extreme climate. The EPA is “temporarily” not enforcing existing laws concerning emissions and spills, supposedly due to the COVID-19 pandemic. What if they are never enforced again? What would be the logical outcome of such inaction in the Arctic?	The Project’s spill prevention and response measures that would be used during construction, drilling, and operations would be outlined in a Project Oil Discharge Prevention and Contingency Plan and Spill Prevention, Control, and Countermeasures Plan. Project spill prevention and response is described in EIS Appendix D.1, <i>Alternatives Development</i> , Section 4.2.8, <i>Spill Prevention and Response</i> ; EIS Chapter 4.0, <i>Spill Risk Assessment</i> , provides a qualitative assessment of potential spills and addresses the types of spills that may occur; and EIS Appendix H, <i>Spill Summary, Prevention, and Response Planning</i> , describes preventive measures and response planning activities that CPAI would implement to minimize potential damage to human health and the environment from oil spills or other accidental releases. Regardless of any temporary decisions by EPA related to enforcement actions, BLM and the State of Alaska require reporting and remediation of spills and releases, and it is not reasonable to assume that these entities would not enforce existing laws.	N
26710	2	Smith	Louise	USFWS	Spills	Oil and contaminant spill potential are not adequately addressed in the Willow SDEIS: “Similarly, the three Project components do not change the likelihood or impacts of potential spills, thus spills are not addressed in this chapter of the SDEIS” (SDEIS pg. 12). The Service believes the proposed crossing of the Colville River via an ice bridge substantially increases the risk of oil or other contaminants entering the Colville River. Construction of the ice bridge may necessitate slotting and/or culvert placement to allow for under-ice water flow. Therefore, contaminants entering into the sub-ice water may result in impacts upstream, due to winter storm surges, as well as downstream of the bridge crossing. Spring breakup also will increase the downstream spread of contaminants. The Service suggests analyses of potential spill scenarios and resulting impacts associated with the proposed Colville River Crossing.	Text was added to Final EIS Section 4.2, <i>Potential Spills during Construction</i> , regarding the risk and type of spills that could be associated with Option 3 (Colville River Crossing).	Y

4.2.3.24 Subsistence, Alaska National Interests Lands Conservation Act Section 810

Table B.3.26. Substantive Comments Received on Subsistence, Alaska National Interests Lands Conservation Act Section 810

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
216	4	Bruno	Jeff	State of Alaska	Subsistence, ANILCA 810	The SEIS indicates that the findings and subsistence hearings will be noticed in the Federal Register. This additional procedural step, which is not required in ANILCA, could cause unnecessary project delays. The notice requirements in ANILCA Section 810(a) clarify the purpose is to obtain input from the State, local subsistence users, and subsistence advisory groups, to better inform the agency of a proposals impact on subsistence use and access; therefore, notices of hearings need only be sent to communities potentially affected by the proposed action. There is no direction in ANILCA to notice the findings more broadly to gain input from the public at large. ANILCA Section 810(b) merely directs the Secretary to provide notice and hearings whenever an EIS is required, and to incorporate the findings from ANILCA Section 810(a) into the EIS; not supplement the 810 Analysis with NEPA-related policy requirements.	Comment noted.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
589	2	Bennett	Lee Ann	—	Subsistence, ANILCA 810	The ANILCA 810 analysis concluded, “the totality of limitations on subsistence access associated with the Project, particularly during the 7-year construction phase but lasting the life of the Project, would constitute a substantial restriction on subsistence access for Nuiqsut residents.” Given the importance of caribou availability and access to traditional hunting areas to Nuiqsut hunters, the BLM expects that limitations to subsistence access and the reduced resource availability anticipated to occur over the 30-year Project life . . . would result in an extensive interference with Nuiqsut hunter access. It is concerning and incomprehensible that the BLM still considers Alternative B its preferred alternative, even after their own conclusions. A second major conclusion of the ANILCA 810 analysis is that the Willow Project’s overall layout is without a doubt the worst case scenario in terms of disruption and deflection of caribou. . . . Frankly, based on what I’ve read in the Draft EIS and Supplemental DEIS, Alternative B is the big loser with regard to negative impacts. This alternative is not the right choice for this project, because it is not the right choice for subsistence hunters and the Indigenous communities that will have to live with it for the next 30-years.	At the development stage, the siting of oil and gas facilities is largely dependent on the location of the subsurface resources to be extracted. The target resources (i.e., oil reservoirs) are in fixed locations and remain the same regardless of action alternative; hence, the same drill site locations are identified across all action alternatives. Moving the location of the drill sites would not allow CPAI to exercise its rights under its leases to extract all the oil and gas possible within the leased areas. Alternatives to the Project proponent’s proposal are considered and analyzed in detail only if they offer potential environmental benefits to one or more resources or uses. During selection of a preferred alternative, or of any alternative, BLM looks at multiple resources. The purpose of NEPA is to provide decision-makers and other stakeholders with information they need to understand environmental impacts resulting from an action. The process includes the development of alternatives to an action, which allows decision-makers to consider information about the consequences and trade-offs associated with taking any given course action. BLM will select an alternative and provide rationale for the selection of that alternative in the ROD. BLM does not have to choose the preferred alternative in the ROD; it may choose any alternative or a combination of alternatives in the ROD.	N
717	7	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	BLM should revise the subsistence analysis with respect to Option 3 for module delivery to account for seasonality in both ice road use and subsistence activities. Because the ice road will be used only in the winter and subsistence activities in this area are traditionally low, the potential for impacts to subsistence should also be low.	The data show that the ice road area is heavily used by furbearer hunters and by winter caribou hunters. Thus, these particular activities could experience substantial direct impacts during the two winter ice road seasons. Final EIS Section 3.16.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , has been revised to clarify that caribou harvests in the vicinity of the ice road occur primarily during the summer and fall months and to address the relative impacts to the TCH and CAH.	Y
717	8	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	BLM should revise the subsistence analysis to provide important context and detail associated with relied-upon scientific studies and to ensure the important limitations of those studies are transparently disclosed. BLM should also revise the subsistence analysis to ensure it is consistent with other NEPA documents as well as internally consistent. Related to these revisions, BLM should eliminate unsubstantiated conclusions about potential for roads to impact caribou migration and hunting success.	The subsistence analysis has been reviewed for consistency with the biological sections. For example, while many of the conclusions of the subsistence section regarding caribou availability (Final EIS Section 3.16.2.3.2, <i>Resource Availability</i>) are based on the analysis provided in the terrestrial mammals section (Section 3.12, <i>Terrestrial Mammals</i>), additional impacts may occur that are not addressed in the biological resources section. Impacts that may seem minimal from a biological perspective, and are therefore not addressed in the biological resources sections, can have greater impacts on resource availability for subsistence users. These impacts have been documented through interviews and data collection with local subsistence harvesters.	N
717	10	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	BLM should reconsider and revise the cumulative impacts analysis for the Alaska National Interest Lands Act (ANILCA) Section 810 analysis. As currently written, the analysis improperly focuses on an alternative presented in the draft NPR-A Integrated Activity Plan (IAP), which is a planning document that is still in process, under BLM’s control, and has no direct connection to the Willow MDP.	BLM considered potential cumulative impacts of the Willow MDP Project in the context of the 2020 Final NPR-A IAP/EIS (BLM 2020) alternatives. BLM’s 2020 Final NPR-A IAP/EIS addresses the potential impacts of a no action alternative (See Final EIS Section 3.19.3, <i>Reasonably Foreseeable Future Actions</i>). BLM evaluated Alternative A and four action alternatives (Alternatives B, C, D, and E) of the 2020 Final NPR-A IAP/EIS, which differ in the areas that would be made available for NPR-A leasing and infrastructure and which would contribute to the cumulative effects of the Project in different ways. BLM found that selection of Alternatives A, B, and C of the 2020 Final NPR-A IAP/EIS would contribute to the cumulative effects of the Project in similar ways; selection of Alternative D or E would likely result in greater cumulative impacts on subsistence. NPR-A IAP/EIS Alternative D or E would increase development infrastructure on the North Slope and would continue to cause alteration and degradation of habitats for key subsistence resources, including caribou, furbearers, fish, and goose. Over time, these changes could affect the health and abundance of different subsistence resources on the North Slope. If development continues westward into the core calving area for the TCH, or if it reduces access to key insect relief habitats, then the herd could experience an overall decline in productivity and abundance. Such a scenario could occur if BLM selects Alternative D or E in the 2020 Final NPR-A IAP/EIS. Alternative D or E would make areas surrounding Teshekpuk Lake available to oil and gas leasing and infrastructure development. Under this scenario, impacts related to the health and abundance of the TCH would likely extend to subsistence users of the herd, including Nuiqsut, Utqiagvik (Barrow), Anaktuvuk Pass, Atkasuk, and Wainwright. In response to subsistence concerns from the community of Nuiqsut and the public, CPAI has incorporated up to three boat ramps in the Project design that would improve access for subsistence users. Impacts related to an increase in watercraft and hunting (specifically, potential for increased spills and increased mortality of wildlife) would be an indirect result of construction of the boat ramps and would not be within CPAI’s control.	N
717	14	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	The third new project component in the SDEIS is the addition of a river access boat ramp or multiple ramps. This is proposed directly in response to concerns about the potential for roads to adversely impact availability of caribou for subsistence hunting and impede hunters access to the caribou. At the public meeting on the draft EIS in Nuiqsut on October 2, 2019, some residents expressed concern about potential effects of roads on access to caribou for subsistence hunting. One person testified: If there was a boat ramp at Tiŋmiaqsiuġvik, I’d sure as heck be out there looking for caribou to harvest, but there is no boat ramp. ³ ConocoPhillips recognized opportunity to facilitate caribou hunting away from roads and other infrastructure by providing river access through boat ramps at appropriate, community-supported locations. The proposed boat ramps are an impact mitigation built into the project design, developed in response to agency analysis, public comment, and community concerns.	The Final EIS includes discussion and analysis of the impacts and benefits of the CPAI boat ramps under each alternative.	N

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717	21	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	<p>The Subsistence Analysis of Option 3 Should be Revised to Distinguish Between Seasonal Impacts of Single-Season Ice Roads and Long-Term Gravel Roads</p> <p>The subsistence use analysis for Option 3 inflates the potential impacts to subsistence uses because it generally fails to account for the seasonal aspect of ice roads versus long-term gravel roads. This is an important aspect of the project that needs to be incorporated throughout the subsistence use analysis because many elements of that analysis will have lower impacts from seasonal use of ice roads than from year-round road use. Below, we provide some key examples to highlight why it is important for BLM revise Section 3.16.2.2 to present an assessment of impacts based on short-term seasonal use of ice roads rather than long-term use of gravel roads. On SDEIS page 55, BLM states that “Nuiqsut residents use the area surrounding the ice road crossing for overland and riverine hunting of caribou, overland hunting of wolf and wolverine, hunting of goose (primarily where the ice road crosses the Colville River), riverine moose hunting, and fishing.” Similar language is found on SDEIS pages 51, 52, and 57, as well as in other sections of the analysis. These statements and others convey a sense that a significant amount of subsistence activity may overlap with construction and use of ice roads and ice bridges. However, the only traditional winter subsistence activities that occur in this area are wolf and wolverine hunting. Burbot ice fishing is very localized near Nuiqsut, and only a minor amount of caribou hunting occurs in winter.</p>	<p>The Final EIS analysis acknowledges, where appropriate, that summer/fall subsistence activities will likely not be affected by Option 3 (Colville River Crossing). However, the analysis must also consider whether resource availability of subsistence resources, such as fish, could be indirectly affected by ice road construction. Caribou hunting may be relatively low in winter during most years; however, in some years, winter caribou hunting can be an important source of subsistence foods, and the Option 3 ice road would cross through areas heavily used for these particular activities. Section 3.16.2.8, <i>Module Delivery Option 3: Colville River Crossing</i>, has been revised to provide additional context regarding the timing and duration of impacts and their potential for conflicts with subsistence uses.</p>	Y
717	22	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	<p>Next, the SDEIS states at page 57 that [t]he Option 3 analysis area accounts for between 6% and 12% of the total caribou harvest during individual study years, compared to between 4% and 11% under Option 1. These percentages and those included in SDEIS Tables 3.16.8 and 3.16.9 seem to be based on an entire year of subsistence use and harvests, which does not properly represent the potential impacts caused by just two years of seasonal ice road use planned in the area for Option 3. In fact, caribou hunting during winter months only amounts to between 0% to 5% (January-April) of the total caribou harvest in Nuiqsut. This indicates that winter activities (such as construction and use of the ice road and engineered ice crossing) have the lowest potential impact on caribou hunting.</p>	<p>Added text to Section 3.16.2.8, <i>Module Delivery Option 3: Colville River Crossing</i>, noting that the majority of caribou harvests in the Option 3 area occur during summer and fall, when the ice road would not be present.</p>	Y
717	23	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	<p>BLM also states on page 57 of the SDEIS that “[c]onstruction of the ice road under Option 3 would result in the community of Nuiqsut being completely encircled to the north, west, south, and east by gravel or ice roads.” This fails to account for the fact that the ice road would be in place for only a few months at a time, and for only two seasons. It also fails to account for the fact that the North Slope Borough (NSB) hauls fuel on a winter trail in this area, and that the Community Winter Access Trails (CWAT) is in place in this area, and that other industry users sometimes cross the river in this area in the winter. The two seasons during which the Willow project will utilize an ice road in the Ocean Point area where snow trails previously have existed will not introduce a new type of use and will not result in encirclement of Nuiqsut.</p>	<p>The ice road does represent a new type of activity, use, or infrastructure in this particular area, as its primary purpose is for transport of development infrastructure rather than for community travel. Revised text in Section 3.16.2.8, <i>Module Delivery Option 3: Colville River Crossing</i>, to ensure that the temporary and additive nature of this impact is acknowledged.</p>	Y
717	24	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	<p>Additionally, BLM characterizes impacts to waterfowl hunting (resource availability) from Option 3 as “moderate” based on a presumed likelihood of reduced availability during two spring hunting seasons. See SDEIS Appendix B, Table B.18 (page 47). However, this assessment does not correlate with waterfowl biology as most geese do not arrive on the Arctic Coastal Plain until early to mid-May (that is, after ice road season is ended). In studies from U.S. Geological Survey (USGS) that tracked five greater white-fronted geese (captured at Pt. Lonely) from 2013 to 2017, the earliest arrival dates from the three years of data were May 12 and 13. Ice road season is weather dependent and all activities are typically complete by mid-April to allow time for clean-up and closure of ice sites prior to closure of winter tundra travel, which is typically at the end of April. Accordingly, implementation of Option 3 will result in no impacts to waterfowl hunting and the impact rank should be low.</p>	<p>The bird section of the Final EIS was reviewed to ensure consistency with subsistence conclusions regarding potential impacts of ice roads on waterfowl availability; Section 3.16.2.8, <i>Module Delivery Option 3: Colville River Crossing</i>, was revised accordingly. Also revised Table E.16.18 in Appendix E.16, <i>Subsistence and Sociocultural Systems Technical Appendix</i>, to change likelihood of impacts to waterfowl resource availability to “low.”</p>	Y
717	25	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	<p>Finally, the subsistence analysis assumes harvester access on the module haul ice road would be the same as the gravel heavy-haul ice roads (for example, in SDEIS Table B.18) due to high traffic levels. The traffic levels on the module haul ice road would be much lower than the gravel heavy-haul ice roads, and access for Nuiqsut residents would be similar to other Alpine and exploration ice roads. As noted on Page 10, ConocoPhillips would work with the NSB and local residents to ensure access is provided and conflicts are avoided Access would be coordinated in a manner similar to current CPAI practices for the annual Alpine Resupply Ice Road.</p>	<p>Table E.16.18 in Appendix E.16, <i>Subsistence and Sociocultural Systems Technical Appendix</i>, has been revised to reflect differences in access impacts between gravel haul and module transport ice roads.</p>	Y
717	26	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	<p>All of the examples above show why the distinction between short-term use of seasonal ice roads and long-term use of gravel roads results in material differences in the magnitude of presumed impacts. The subsistence analysis throughout the SDEIS should be revised to reflect this significant distinction.</p>	<p>The analysis notes where impacts would only occur during the construction phase. Some ice roads would occur seasonally throughout the life of the Project. Revised text in Section 3.16.2.6 (<i>Module Delivery Option 1: Atigaru Point Module Transfer Island</i>), Section 3.16.2.7 (<i>Module Delivery Option 2: Point Lonely Module Transfer Island</i>), and Section 3.16.2.8 (<i>Module Delivery Option 3: Colville River Crossing</i>) to ensure that duration and seasonal nature of module transport and gravel haul ice road impacts are adequately captured throughout.</p>	Y
717	27	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	<p>The Analysis of Potential Impacts to Caribou Draws Unsubstantiated Conclusions.</p> <p>ConocoPhillips restates its request that BLM carefully consider our comments on the subsistence impacts analysis in the draft EIS and make appropriate changes in the final EIS. The subsistence impacts analysis in the SDEIS presents concerns similar to those we raised in comments on the draft EIS, and we incorporate those general concerns here by reference. On the whole, the analysis lacks technical support, fails to acknowledge limits of some scientific studies, and contradicts BLM’s analysis of caribou impacts in another section of the SDEIS. Below, and in Attachment A, we provide some examples of where clarifications and improvements are needed to present a more accurate assessment. Page 15 of SDEIS Appendix C, contains the following statement: “[c]aribou responses to roads seem to vary from year to year based on the context in which roads are encountered, thus while project roads may not deflect caribou during all seasons or years, in some years, substantial deflections or delays could take place. Based on available data, it is not possible to predict the exact frequency or intensity at which deflections would take place.” BLM provides no technical information to support the assertion that “substantial deflections or delays could take place.” Without any such support, this statement is speculative and should be removed.</p>	<p>The conclusion that substantial deflections or delays could take place along Project roads is based on the analysis in EIS Section 3.12, <i>Terrestrial Mammals</i>, which indicates that deflections and delays may occur along Project roads, particularly during periods of high vehicle traffic. These statements are supported by scientific studies that are cited in Section 3.12. Revised text in Appendix G, <i>Alaska National Interest Lands Conservation Act Section 810 Analysis</i>, Section 2.a (<i>Evaluation of the Effect of Use, Occupancy, or Disposition on Subsistence Uses and Needs</i>), to add a reference to Section 3.12, to remove the word “substantial,” and to provide additional clarity.</p>	Y

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717	28	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	BLM should ensure that all scientific papers are presented with appropriate context and accuracy. For example, the SDEIS, in Appendix C, relies upon the Wilson, Parrett et al. 2016 paper, but presents an incomplete assessment that skews the analysis. In that study, only 15 percent of the total sample of collared animals were within 15 kilometers of the road during their collared time period (32 of 216 caribou). Eight of the animals were considered “slow crossers” that may have been affected by the road, although it cannot be said with much certainty what caused them to cross when they did. This slow crossing occurred in just one year of the study. None of these eight animals were from the Teshekpuk Caribou Herd (TCH), which is the herd within the proposed project area. The actions of these eight animals (out of 216 tagged animals) from a different herd in a single year does not support a broad conclusion that migratory patterns or hunting success may be adversely affected by Willow roads.	Revised text in Appendix G, <i>Alaska National Interest Lands Conservation Act Section 810 Analysis</i> , Section 2.a (<i>Evaluation of the Effect of Use, Occupancy, or Disposition on Subsistence Uses and Needs</i>), to remove reference to this particular study and to caribou behavior along the Delong Mountain Transportation System road. Deflection of caribou from roads has been documented in other studies and is discussed in EIS Section 3.12, <i>Terrestrial Mammals</i> .	Y
717	29	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	It is also important that scientific papers are addressed in a manner that is consistent with other NEPA analyses. For example, BLM’s discussion of the Wilson, Parrett et al. 2016 paper in the SDEIS is inconsistent with the discussion of the paper in the GMT2 SEIS (Volume 1, page 352). There, BLM explains that 60% of the collared caribou in the study crossed the road without perceptible change. Members of the TCH were unaffected by the road in the study, and the authors of the study postulate that the reason is because the TCH has a greater exposure to industrial development. BLM cautions in the GMT2 SEIS that the application of this study’s result is context dependent; however, that cautionary statement is not present in the Willow MDP SDEIS. BLM should provide similar transparency in the Willow MDP EIS, and conclusions should reflect similar caution.	Revised text in Appendix G, <i>Alaska National Interest Lands Conservation Act Section 810 Analysis</i> , Section 2.a (<i>Evaluation of the Effect of Use, Occupancy, or Disposition on Subsistence Uses and Needs</i>), to remove reference to this particular study and to caribou behavior along the Delong Mountain Transportation System road. Deflection of caribou from roads has been documented in other studies and is discussed in EIS Section 3.12, <i>Terrestrial Mammals</i> .	Y
717	31	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	Finally, BLM should ensure that its impact assessments are internally consistent. For example, BLM discusses the likelihood of air traffic impacting subsistence hunting in SDEIS Appendix C on page 16 and states that air traffic would likely affect hunting activities. However, this discussion is inconsistent with other statements in the draft EIS, such as BLM’s statements on page 105 of that document that (i) “caribou can become habituated to aircraft and as a result exert minimal additional energy in response to aircraft (Webster and Young 1997)” and (ii) magnitude of air traffic would be greatest during calving and Willow is not in medium- or high-density calving areas. Again, recognition of appropriate context and detail shows that certain statements that may seem innocuous such as the statement that aircraft would likely affect hunting activities should be corrected to ensure consistency with the available science, other NEPA analyses, and the draft EIS.	While the subsistence analysis reviews the biological analyses for conclusions and consistency, certain impacts that may seem minimal from a biological perspective may have larger impacts on resource availability for subsistence hunters. In addition, the density of caribou from a biological perspective (i.e., low density of TCH caribou) is irrelevant if the area is highly used by caribou hunters despite the relatively low herd density. In addition to the conclusions cited by the commenter, the biological sections also acknowledge that air traffic results in behavioral responses in caribou; behavioral responses in caribou can affect harvester success, as reported by caribou harvesters in Nuiqsut and elsewhere on the North Slope. The subsistence conclusions are based on the reported experiences of hunters, in addition to the biological analyses.	N
717	32	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	BLM discusses likelihood of air traffic impacting subsistence hunting in SDEIS Appendix C on page 16 and states that air traffic would likely affect hunting activities. However, this discussion does not support BLM’s other statements. For example, BLM states in the draft EIS on page 105, that “caribou can become habituated to aircraft and as a result exert minimal additional energy in response to aircraft (Webster and Young 1997).” Additionally, BLM notes that magnitude of air traffic would be greatest during calving (page 105 of the draft EIS), but also notes that Willow is not in medium- or high-density calving areas. Accordingly, BLM’s statement that aircraft would likely affect hunting activities should be corrected to align with BLM’s other statements on the topic and with the best available information.	While the subsistence analysis reviews the biological analyses for conclusions and consistency, certain impacts that may seem minimal from a biological perspective may have larger impacts on resource availability for subsistence hunters. In addition, the density of caribou from a biological perspective (i.e., low density of TCH caribou) is irrelevant if the area is highly used by caribou hunters despite the relatively low herd density. In addition to the conclusions cited by the commenter, the biological sections also acknowledge that air traffic results in behavioral responses in caribou; behavioral responses in caribou can affect harvester success, as reported by caribou harvesters in Nuiqsut and elsewhere on the North Slope. The subsistence conclusions are based on the reported experiences of hunters, in addition to the biological analyses.	N
717	121	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	Appendix C - ANILCA 810 Analysis - 2.a Subsistence Resource Availability, second to last paragraph. BLM states that since the caribou responses to roads seem to vary from year to year it is not possible to predict the exact frequency or intensity at which deflections would take place: “However, it is reasonable to conclude that resource availability would be affected as a result of the road and subsistence hunters may experience decreased overall hunting success during certain years as result.” If it is not possible to predict, then BLM cannot reasonably conclude roads cause an effect on resource availability for subsistence hunters. ConocoPhillips requests BLM delete the quoted statement.	The text indicates that it is not possible to predict the <i>exact frequency or intensity</i> ; however, it is possible to conclude that deflections will take place and that such deflections will affect subsistence resource availability, based on biological data on caribou responses to roads and reported experiences of community residents. The conclusion that substantial deflections or delays could take place along Project roads is based on the analysis in EIS Section 3.12, <i>Terrestrial Mammals</i> , which indicates that deflections and delays may occur along Project roads, particularly during periods of high vehicle traffic. These statements are supported by scientific studies that are cited in Section 3.12. Revised text in Appendix G (<i>Alaska National Interests Lands Conservation Act Section 810 Analysis</i>), Section 2.a, <i>Evaluation of the Effect of Use, Occupancy, or Disposition on Subsistence Uses and Needs</i> , to reference Section 3.12, to remove the word “substantial,” and to provide additional clarity.	Y
717	122	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	Appendix C - ANILCA 810 Analysis - 2.a Subsistence Resource Availability Top paragraph. BLM states that “while road use, in terms of the percentage of active harvesters, has increased somewhat since road construction began.” In more specific numbers, road use has increased from 33% in 2015 to 43% in 2017 which only captures 3 months of use of the GMT1 road in that year. Indications are that this number has continued to increase and draft data from 2018 shows 62% of harvesters report using the roads. Also, the use of trucks has increased from 0-2% of the travel method to caribou use areas before the construction of CD5 and the Spur Road to 8-14% after.	The primary increase in truck and road use occurred between the pre-Spur Road and post-Spur Road time periods. Use of roads has increased more gradually since Spur Road construction. Reviewed text and revised Section 2.a, <i>Evaluation of the Effect of Use, Occupancy, or Disposition on Subsistence Uses and Needs</i> (Appendix G, <i>Alaska National Interest Lands Conservation Act Section 810 Analysis</i>), to address truck use and more recent data showing continued increasing use.	Y
717	123	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	Appendix C - ANILCA 810 Analysis - 2.a Subsistence Resource Availability Third paragraph. The reference to SRB&A 2017b needs to be reviewed, there is no reference to this report in the reference section.	The reference is included in the Section 810 Analysis (Appendix G, <i>Alaska National Interest Lands Conservation Act Section 810 Analysis</i>) as follows: SRB&A. 2017b. Social Indicators in Coastal Alaska, Arctic Communities. Final Report. Alaska OCS Technical Report BOEM 2017-035. Anchorage, AK: Prepared for BOEM.	N
717	124	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	Appendix C - ANILCA 810 Analysis - 2.a Subsistence Resource Availability First paragraph under displacement of other resources. This paragraph is another example of BLM references waterfowl hunting “peaks during months of April and May” and construction including blasting which would displace waterfowl. Geese do not typically arrive on the North Slope until May, well after completion of ice road and blasting. See prior comment in No. 81 about arrival of geese in reference to Appendix B, Table B.18 (page 47).	Reviewed data on timing of waterfowl hunting and revised text in Final EIS Appendix G (<i>Alaska National Interest Lands Conservation Act Section 810 Analysis</i>), Section 2.a, <i>Evaluation of the Effect of Use, Occupancy, or Disposition on Subsistence Uses and Needs (Displacement of Other Resources)</i> , to note that waterfowl hunting peaks in May.	Y

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717	125	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	Appendix C - ANILCA 810 Analysis - 2.a Subsistence Resource Availability Second paragraph under displacement of other resources. BLM added, “While construction activities, noise and infrastructure (e.g., ice roads) may temporarily block or displace fish upstream or downstream.” It should be noted that ADF&G closely reviews all ice road crossings of fish bearing streams and requires mitigation to ensure this does not happen.	Reviewed fish section and revised text in Appendix G, <i>Alaska National Interest Lands Conservation Act Section 810 Analysis</i> , Section 2.a, <i>Evaluation of the Effect of Use, Occupancy, or Disposition on Subsistence Uses and Needs (Displacement of Other Resources)</i> , to ensure consistency.	Y
717	126	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	Appendix C - ANILCA 810 Analysis - 2.a Access to Subsistence Resources Last paragraph on page. BLM states, “The presence of infrastructure and human activity, and associated safety considerations, would reduce the area in which residents can hunt by up to 2.5 miles, depending on the firearm being used (Willow MDP Draft EIS Section 3.16).” This statement is incorrect. As documented in the Nuiqsut Caribou Subsistence Monitoring Project Year 10 (SRBA 2019), in Table 43, as new infrastructure has been constructed, the amount of caribou harvested within 2.5 miles of infrastructure has increased to 106 or 34% in 2017 from 32 (8%) in Year 1, which indicates that access has improved and that caribou are still available within 2.5 miles. BLM lumps gravel haul ice roads with module transport ice roads in regard to resident access and use of ice roads for hunting. Access on the Module Haul would be more comparable to the Alpine Re-Supply Ice Road with only occasional closure for impassable loads.	The text is accurate that the presence of infrastructure could reduce the area in which residents can hunt by <i>up to</i> 2.5 miles. This conclusion is based on consideration of firearm safety and the distance at which residents can safely shoot around infrastructure, not based on resource availability. Edited text in Appendix G, <i>Alaska National Interest Lands Conservation Act Section 810 Analysis</i> , Section 2.a, <i>Evaluation of the Effect of Use, Occupancy, or Disposition on Subsistence Uses and Needs (Access to Subsistence Resources)</i> , to clarify that 2.5 miles is the maximum distance that would be affected and that residents hunt and harvest resources within 2.5 miles of infrastructure. Revised text in Appendix G, Section 2.a, for clarity regarding traffic and local access to module transport ice roads. Increases in subsistence access for Nuiqsut residents could presumably increase harvest of resources.	Y
717	127	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	Appendix C - ANILCA 810 Analysis - 2.a Access to Subsistence Resources First paragraph on page. BLM states: “Recently collected data from Nuiqsut households indicate that the percentage of households using roads decreases somewhat with distance from the community, or in areas with high concentrations of drill sites.” See comment from our original DEIS letter. “The BLM’s analysis, however, fails to account for the fact that to get to farther roads (such as the GMT1 road), Nuiqsut residents much travel on the nearby roads (the Spur Road), so the Spur Road necessarily has the highest use. If harvesters get a caribou off the Spur Road, they have no need to travel further. All this table really indicates is that successful harvests are occurring close to the community via the Spur Road. Having more road available, such as the Willow Road, will only open up more opportunity to more convenient access to caribou, especially caribou that happen to be farther away from Nuiqsut.”	While it is true that residents must use the Spur Road to continue on to the CD5 and GMT-1 roads, it remains true that more people simply use the Spur Road to hunt and do not continue on to roads farther away. Data are not available at this time to conclude whether this is because residents are successful along the Spur Road and therefore have no need to go farther. In response to subsistence concerns from the community of Nuiqsut and the public, CPAI has incorporated up to three boat ramps in the Project design that would improve access for subsistence users. Impacts related to an increase in watercraft and hunting (specifically, potential for increased spills and increased mortality of wildlife) would be an indirect result of construction of the boat ramps and would not be within CPAI’s control. Revised text in Appendix G, <i>Alaska National Interest Lands Conservation Act Section 810 Analysis</i> , Section 2.a, <i>Evaluation of the Effect of Use, Occupancy, or Disposition on Subsistence Uses and Needs (Access to Subsistence Resources)</i> , to clarify that the data are preliminary and that the data are not available to conclude why road use declines with distance from the community.	Y
717	128	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	Appendix C - ANILCA 810 Analysis - 7.a Module Deliver Option 3 Last paragraph on page. BLM notes that for Nuiqsut the ice road in Option 3, would “result in the community of Nuiqsut being completely encircled to the north, west, south and east by gravel or ice roads for 2 seasons.” It should also be noted that this route chosen for Option 3 is essentially the same seasonal route already commonly used every winter by NSB for CWAT and fuel hauls and/or industry Rolligon routes for exploration, therefore, the impacts would occur in an area with already existing activity.	Revised text in Appendix G, <i>Alaska National Interest Lands Conservation Act Section 810 Analysis</i> , Section 7.a, <i>Evaluation and Finding for Module Delivery Option 3 (Colville River Crossing)</i> , to ensure that the temporary and additive nature of this impact is acknowledged.	Y
717	129	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	Appendix C - ANILCA 810 Analysis - 7.a Module Deliver Option 3 First paragraph on page. BLM makes reference to geese hunting in April. This is another example of BLM reference to waterfowl impacts during times of the year when waterfowl typically are not present. Geese do not typically arrive on the North Slope until May. See prior comment in No. 81 about arrival of geese in reference to Appendix B, Table B.18 (page 47).	Reviewed bird section and data on timing of waterfowl hunting to ensure consistency with subsistence conclusions regarding potential impacts of ice roads on waterfowl availability. Revised text in Appendix G, <i>Alaska National Interest Lands Conservation Act Section 810 Analysis</i> , Section 7.a, <i>Evaluation and Finding for Module Delivery Option 3 (Colville River Crossing)</i> , to clarify that waterfowl hunting in April is limited and that impacts are relatively unlikely.	Y
717	99	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	3.16.1.1.1 - Overview of Subsistence Resources - Nuiqsut - Last Paragraph (page 51) and first paragraph on page 52. In describing the subsistence uses in Nuiqsut, BLM states, “In addition, seal and eider hunting occur offshore near the module delivery options. Residents of Nuiqsut commonly harvest fish (particularly broad whitefish) downstream from the Project in Fish (Uvlutuuq) Creek; in addition, residents conduct much of their fishing for broad whitefish, Arctic cisco, Arctic greyling, and burbot downstream from the direct effects area where it crosses the Colville River. Resident commonly hunt for moose along the Colville River, including at Ocean Point.” This paragraph should clearly state the that module transfer ice road is seasonal, which minimizes impact to most subsistence activities, with the exception of wolf/wolverine and burbot fishing which only occur in the winter and this route/crossing is historically impacted most winter seasons, most recently with NSB CWAT activity and fuel hauling.	The overview of subsistence resources provides a baseline description of subsistence uses within the entire area of potential effect. Discussion of impacts specific to each alternative, including seasonal differences in impacts by area, are provided under direct and indirect impacts discussions. The subsistence analysis clearly states that impacts related to module delivery Option 3 are most likely to occur for winter activities, such as furbearer hunting and winter caribou hunting. Section 3.16.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , has been revised to provide additional context regarding the timing of subsistence activities within the analysis area.	Y
717	100	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	3.16.1.1.2 - Overview of Subsistence Resources - Utqiag̃vik - Second Paragraph on Page Similar to comment above regarding Nuiqsut, the BLM states that “Moose are hunted by some Utqiag̃vik residents where the direct effects area crosses the Colville River near Ocean Point.” BLM does recognize some of the seasonality of subsistence hunting in this paragraph but does not address the winter ice road activity minimizes impacts to most subsistence hunting activities.	The overview of subsistence resources provides a baseline description of subsistence uses within the entire area of potential effect. Discussion of impacts specific to each alternative, including seasonal differences in impacts by area, are provided under direct and indirect impacts discussions. Section 3.16.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , has been revised to provide additional context regarding the timing of subsistence activities within the analysis area.	Y
717	101	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	3.16.2.1.3 - Harvester Access - Last Paragraph on page The paragraph discusses boat access along the Colville River where module transport road is proposed. There will be no boat in river when ice road is constructed or used.	The sentence has been clarified to note that boats are not used in winter.	Y
717	102	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	3.16.2.2 - Other Subsistence and Sociocultural Impacts - module delivery option 3 - Colville River Crossing The description of subsistence activities in this paragraph also fails to break down seasonal use in Ocean Point area vs. winter ice road season.	Section 3.16.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , has been revised to provide additional context regarding the timing of subsistence activities within the Option 3 analysis area.	Y

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717	103	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	3.16.2.2 - Subsistence In the first paragraph, BLM states: “The Option 3 analysis area accounts for between 6% and 12% of the total caribou harvest during individual study years, compared to between 4% and 11% under Option 1.” This analysis is specifically referring to the heavy haul module ice road, but it is unclear if the 6 -12% harvest is the value for only the months of January through April, because those are the months of the active ice road season. BLM is not specific in this instance, and should clarify when the 6-12% harvest occurs in this area. If, in fact, it doesn’t occur during the months that the ice road would be present, then ConocoPhillips believes this is an inaccurate statement.	Section 3.16.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , text has been revised to clarify the timing of subsistence harvests within this area.	Y
717	104	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	3.16.2.2 - Subsistence and Sociocultural Systems - Module Delivery Option 3: Colville River Crossing BLM makes the statement, “Construction of the ice road under Option 3 would result in the community of Nuiqsut being complete encircled to the north, west, south, and east by gravel or ice roads.” As described in preceding sections (see Section 3.14.2.1), the proposed ice road route is already a route used seasonally by the NSB CWAT and fuel haul projects as well as other industry. This is seasonal only and is making use of an already used ice road corridor. ConocoPhillips recommends deleting this statement because this activity around Nuiqsut is historically common each winter.	Section 3.16.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , text has been revised to acknowledge the presence of the CWAT south of the community of Nuiqsut and to ensure that the additive and temporary nature of the Option 3 ice road impacts is clear.	Y
717	118	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	Appendix B - Subsistence - 1.2.1 Subsistence Overview - Nuiqsut (Last paragraph in section) The last paragraph in this section should also reference that due to Alpine Development, Nuiqsut has seasonal access to the Dalton Highway in order to travel to Anchorage and Fairbanks for supplies, including subsistence resources like boats, snow machines, four-wheelers, trucks, ammunition, etc. This is unique on the North Slope and provides a significant cost reduction for all supplies and materials.	Reviewed and revised text in Section 1.2.1, <i>Nuiqsut</i> , of Appendix E.16, <i>Subsistence and Sociocultural Systems Technical Appendix</i> .	Y
717	119	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	Appendix B - Subsistence - Comparison of Impacts to Subsistence Uses for Nuiqsut In the third row of the table, (Resource Availability), for Option 3: Colville River Crossing, impacts to waterfowl are considered “moderate” with likelihood of reduced availability during two spring hunting seasons. Ice road season is weather dependent and all activities are typically complete by mid-April so that clean-up and closure can occur prior to closure of winter tundra travel which is usually towards the end of April. While the Table B.7 on page 19 of Appendix B shows low use for waterfowl in April this does not correlate with the waterfowl biology as most geese do not arrive on the Arctic Coastal Plain until early to mid-May (AFTER ICE ROAD SEASON). Based upon the raw data from USGS that tracked five greater white-fronted from 2013-2017 that were captured at Pt Lonely, the earliest arrival dates from the three years of data were May 12 and 13. Additionally, biologists studying greater-white fronted goose productivity for ConocoPhillips pre- and post-construction of the CD5 noted in 2017 that the mean incubation start date for geese was June 7. Therefore, it’s highly unlikely that any goose-related subsistence activity is occurring in the Ocean Point area in April, and therefore BLM should revise statements referring to this accordingly. Additionally, the ice road will not be traveled, maintained or otherwise used come May when subsistence activities for goose hunting and eggng may be occurring, therefore there is no impact from the ice road expected to this subsistence activity.	The bird section of the Final EIS was reviewed to ensure consistency with subsistence conclusions regarding potential impacts of ice roads on waterfowl availability; Section 3.16.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , was revised accordingly. Also revised Table E.16.18 in Appendix E.16, <i>Subsistence and Sociocultural Systems Technical Appendix</i> , to change likelihood of impacts to waterfowl resource availability to “low.”	Y
717	120	Dunn	Connor	ConocoPhillips Alaska	Subsistence, ANILCA 810	Appendix B - Subsistence - Comparison of Impacts to Subsistence Uses for Nuiqsut In row 4 (Harvester Access) under Alternative B, BLM states: “High likelihood of impacts during construction phase due to lack of ice road access on gravel haul and module transport ice roads . . . due to high traffic levels.” And in Option 3 in same row: “Moderate likelihood of impacts during construction phase due to lack of ice road access on module transport ice roads.” The module ice road will not have the same level of traffic as the gravel haul ice roads and on page 10 of the DSEIS it notes: “ConocoPhillips would work with the NSB and local residents to ensure access is provided and conflicts are avoided. . . . Access would be coordinated in a manner similar to the current CPA practices for the annual Alpine Resupply Ice Road.” This is also stipulated on page 51. Because traffic will be low and access will be provided, the impacts should be low.	Table E.16.18 (Appendix E.16, <i>Subsistence and Sociocultural Systems Technical Appendix</i>) has been revised to reflect differences in access impacts between gravel haul and module transport ice roads.	Y
607	2	Fisher	Kevin	North Slope Borough	Subsistence, ANILCA 810	The Borough continues to support Alternative B because having roads between all the Willow drill sites and connecting Willow to the Greater Mooses Tooth unit will reduce air traffic, improve emergency response, safety and community access. Air traffic is one of the primary concerns, if not the primary concern, from our residents and subsistence hunters concerning oil and gas development because of its impacts on caribou movements and subsistence harvests. Therefore, minimizing flights must be prioritized over limiting ground infrastructure. Alternative B will also allow residents access to additional roads for subsistence and recreation purposes. These roads may also assist in the annual construction of the Community Winter Access Trail between Nuiqsut and Barrow. We encourage BLM and CPAI to allow local residents access to the Willow projects roads. CPAI should allow residents to utilize the Willow projects roads for subsistence purposes and produce concise policies regarding the use of its roads for subsistence purposes. We also encourage BLM and CPAI to work closely together on designing and implementing vehicle pullout pads and subsistence ramps that allow free passage and subsistence access. These pullouts and ramps will help mitigate the impacts of Willow on subsistence.	BLM will select an alternative and provide rationale for the selection of that alternative in the ROD. BLM does not have to choose the preferred alternative in the ROD; it may choose any alternative or a combination of alternatives in the ROD. The existing NPR-A BMP E-1 requires that Project roads must protect subsistence use and access to subsistence hunting and fishing areas; proposed revisions to this BMP in the updated NPR-A IAP would go further and require permittees to allow subsistence use of permanent gravel and appropriate ice roads and shall construct subsistence pullouts and boat ramps at all crossings of heavily used subsistence rivers. Mitigation measures adopted for the Project will be noted in BLM’s ROD. Subsistence tundra access ramp design has been updated by CPAI based on lessons learned from GMT-1, GMT-2, and community feedback.	Y
607	4	Fisher	Kevin	North Slope Borough	Subsistence, ANILCA 810	Subsistence Boat Ramps. We appreciate CPAIs willingness to construct up to three boat ramps for local residents to use as mitigation for project related impacts. Please work with local residents and entities to identify the best locations and the best designs for these boat ramps. The construction of boat ramps and other subsistence infrastructure should also be coordinated with Oil Search LLC., who may be constructing a subsistence boat ramp for its Nanushuk Project.	The commenter’s support for the subsistence boat ramps is noted. Final boat ramp design has not been completed and will only occur after additional input from the community is received. To BLM’s knowledge, the boat ramp to be constructed by Oil Search LLC as part of the Nanushuk Project would be on the east side of the Colville River, outside the NPR-A and BLM’s management authority; coordination between CPAI and Oil Search should not be necessary but could be facilitated by NSB, NVN, Kuukpik, or the community of Nuiqsut.	N
20179	4	Freeman	Kyri	Center for Biological Diversity	Subsistence, ANILCA 810	How would subsistence hunting and any recreational activity be affected in the region? I’m concerned that your agency’s supplemental draft environmental impact statement does not answer any of these questions.	Impacts to subsistence hunting are addressed in Section 3.16, <i>Subsistence and Sociocultural Systems</i> , and in the ANILCA Section 810 Analysis included as Appendix G (<i>Alaska National Interest Lands Conservation Act Section 810 Analysis</i>).	N

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53	1	Hetrick	Willow	—	Subsistence, ANILCA 810	Some of the main problems that we have with this project are the impediment of the caribou. As you know, caribou move in a north/south direction, and this Willow project, so far, has an east/west kind of orientation on the landscape, and there are a lot of concerns from the community about the availability of subsistence harvest, particularly for caribou, should this project continue. And we would — we would encourage the BLM to issue mitigation measures to help the caribou movement and to address the concerns of the community about subsistence harvest. We also would like the BLM to consider restrictions both vehicles and aircraft during critical times of caribou movement and bird nesting periods, and that is slightly addressed in the EIS and then again in the supplemental EIS.	Relevant lease stipulations and BMPs and additional suggested measures to reduce impacts to resources are provided in Section 3.12.2.1, <i>Avoidance, Minimization, and Mitigation</i> . These include measures to restrict air and ground traffic during key nesting, calving, and migratory periods. The comment has been reviewed by BLM for consideration as an additional suggested mitigation measure. Mitigation measures adopted for the Project would be noted in BLM’s ROD.	N
531	2	Hopson	Lesley	Alaska Eskimo Whaling Commission	Subsistence, ANILCA 810	In particular, the AEWC has several concerns about the construction of an MTI in Harrison Bay. As is well documented, through our hunters observations and western science research, bowhead whales are very sensitive to disturbance from anthropogenic activities. Harrison Bay is used by westward-migrating bowhead whales as a resting and feeding area. In addition, island construction in this region has the potential to change the migratory behavior of fall whales as they travel toward Utqiag̃vik, and therefore the potential to interfere with the important fall whale harvest there. A very serious concern with industrial or other anthropogenic activity in the mid-Beaufort Sea is the potential for deflection of the fall migration north, away from near-shore waters, as they approach Utqiag̃vik. In this situation, our whaling captains could be subjected to grave dangers if they were forced to travel beyond safe distances from shore to access their subsistence resources.	The potential impacts of the MTI on subsistence resources, including bowhead whales, are addressed in Final EIS Section 3.13.2.6.2, <i>Disturbance or Displacement</i> . The marine mammal section concludes that vessel traffic associated with the MTIs would occur in shallower waters outside the migratory path of bowhead whales.	N
531	7	Hopson	Lesley	Alaska Eskimo Whaling Commission	Subsistence, ANILCA 810	The AEWC would also encourage the BLM to consult with NMFS in regard to any impacts to bowheads as it develops the Final EIS and Record of Decision. Further, BLM should encourage that ConocoPhillips continue to participate in the CAA process well in advance of any operations taking place out in the water. . . . We want the agreement to be voluntary and the process to be supported strongly by the federal government.	The potential impacts of the MTI on subsistence resources, including bowhead whales, are addressed in the Final EIS (Section 3.13, <i>Marine Mammals</i>). The marine mammal section concludes that vessel traffic associated with the MTIs would occur in shallower waters outside the migratory path of bowhead whales. The comment has been reviewed by BLM for consideration as an additional suggested mitigation measure. Mitigation measures adopted for the Project would be noted in BLM’s ROD. BMP H-1 and Proposed BMP H-4 would require the development of a Subsistence Plan and coordination with the Alaska Eskimo Whaling Commission.	N
130	5	Karro	Loren J	—	Subsistence, ANILCA 810	I was concerned that the Preliminary 810 Analysis states that the project may SIGNIFICANTLY restrict subsistence uses for Nuiqsut people and those of the other North Slope villages, because of possible changes to the caribou migration and the caribou and marine mammals distribution patterns. The SDEIS repeats these concerns, stating that “Thus, the direct and indirect impacts on caribou availability within the area west of Nuiqsut could have substantial impacts to subsistence users” [SDEIS section 3.16.2.3.2.1]. It further states that fish availability could be affected. Loss of subsistence uses could affect not only the food availability for the whole village, but also a loss to the culture, the mental and physical health, and the traditions of the North Slope villages. These are not minor effects that can be stated and then ignored.	The ANILCA Section 810 Analyses are prepared to disclose whether the BLM believes that an action may significantly restrict subsistence uses. In the case of the Willow MDP Project, BLM did conclude positive findings, meaning that there is the potential for significant restriction on subsistence uses for the community of Nuiqsut and, in the cumulative case, for other North Slope communities (Appendix G, <i>Alaska National Interest Lands Conservation Act Section 810 Analysis</i>). Avoidance, minimization, and mitigation measures to offset impacts to subsistence and subsistence-related resources are considered in the EIS. Details are included in the individual resource sections of Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>), in Chapter 5.0 (<i>Mitigation</i>), and in Appendix I (<i>Avoidance, Minimization, and Mitigation Technical Appendix</i>).	N
159	10	Kenning	Erik	ASRC	Subsistence, ANILCA 810	ASRC supports the desire of Nuiqsut residents to have access to the Willow project infrastructure for subsistence purposes. Existing subsistence ramps and truck pullouts were designed and then refined with significant local input. The three new boat lunches proposed under Alternative B should be designed with a high level of local input to assure that they provide the desired results for the community. As with the existing subsistence enhancements, CPAI should remain flexible to adapting and refining any of the boat launches to provide the maximum benefit to the local residents. Providing these enhancements to the project infrastructure creates new options for the community to practice their subsistence activities - something that ASRC passionately supports.	CPAI has committed to consulting with Nuiqsut about boat ramp design and locations. Mitigation measures for subsistence activities, including BMPs and CPAI design measures, can be found in Final EIS Section 3.16.2.1, <i>Avoidance, Minimization, and Mitigation</i> , and Final EIS Appendix I, <i>Avoidance, Minimization, and Mitigation Technical Appendix</i> . Mitigation measures adopted for the Project would be noted in BLM’s ROD.	Y
50	1	Kunakana	Sam	—	Subsistence, ANILCA 810	. . . [W]e do eat a lot of fish during the summer. . . . We go fishing for broad whitefish. That needs to be considered in the EIS, as cumulative effects in ANILCA 810. I have seen the changes since development got started in our area. I’d like to stress out that when you talk about expert subsistence hunters, I am one of them, as opposed to your contractors that come over here and say they’re expert subsistence hunt — subsistence hunters. They’re not. They just come over here twice a year. They don’t live here 24/7, 365 days a year, seeing what goes on around our area (unclear) exploration, ice road building, everything about development in this area. I would like to stress out that BLM really needs to look into these contaminants associated with industry that is mandated from — that was mandated to DOI to look into getting baseline studies, because one year of studies is not good enough to show the cumulative — impacts associated with industry.	The ANILCA Section 810 Analysis (Appendix G, <i>Alaska National Interest Lands Conservation Act 810 Analysis</i>) includes an analysis of potential impacts to fish, including the potential for contamination of fish resources resulting from spills. Appendix G, Section 8.a (<i>Evaluation of the Effect of Use, Occupancy, or Disposition on Subsistence Use and Needs</i> [for the cumulative case]), and Section 3.19.12 (<i>Cumulative Impacts to Subsistence and Sociocultural Systems</i>) have been revised to provide additional discussion of potential cumulative impacts of contaminants on fish and other subsistence resources. NEPA does not require data collection, and BLM cannot require data collection unless it can be tied to a specific impact. Contamination is not expected as an impact from the Project. Monitoring for contaminants could be accomplished through a grant from the NPR-A Impact Grant Program. BMP A-11 would require implementation of a monitoring study of contaminants in locally used subsistence foods.	Y
57	3	Kunakana	Sam	—	Subsistence, ANILCA 810	Fish Creek and Nigliq Channel, the Colville River Channel, all are connected together. They’re even connected to the Teshekpuk Lake area, when it comes to the migration of the Teshekpuk herd. . . . EISs need to be included under one umbrella through ConocoPhillips, because when we talk about reports that are being turned back and forth, from the contractor to the people that are con— that contract these contracts, decide to do the studies, that serve as experts in this area. . . . More often, we’ve been catching a lot of sick caribou in this area since development started, and I think that needs to be reconsidered into the EIS to check and see if further mitigation measures need to be done with these contaminants that our fish and our caribou are eating, which, in turn, comes to us, because we are the people that subsist this area. So, caribou, fish (speaks Iñupiaq), even the whale. The comments need to be prioritized on this EIS from the village of Nuiqsut first before any other entity, when it comes to the commenting to this master plan. And I would consider BLM looking into having the Native Village of Nuiqsut doing some studies on their own — quality of service — quality of service from BLM State of Alaska, (unclear) has been lost because of these studies that are being done, inconsistently.	Cumulative impacts are discussed in Section 3.19.12, <i>Cumulative Impacts to Subsistence and Sociocultural Systems</i> . The section has been revised to include additional discussion of potential contamination and avoidance of subsistence foods and resulting effects on subsistence and sociocultural systems. ROP H-5 would make data and summary reports derived from North Slope studies easily accessible to the public. BLM does not have authority to require NVN to conduct studies as mitigation for the Willow MDP Project.	Y

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805	6	Lowenthal; Haaland; Huffman; Grijalva; Gallego	Alan; Deb; Jared; Raul M.; Ruben	United States Congress	Subsistence, ANILCA 810	Rural communities on the North Slope rely upon subsistence resources like the Teshekpuk Caribou Herd, and threats to the health of these resources are threats to the traditional lifestyle of these communities. The proximity of the project to the community of Nuiqsut and its potential adverse impacts on subsistence resources and cultural activities are gravely concerning.	Comment noted. Project impacts to caribou are discussed in EIS Section 3.12, <i>Terrestrial Mammals</i> , and Appendix E.12, <i>Terrestrial Mammals Technical Appendix</i> . Project impacts to subsistence are discussed in EIS Section 3.16, <i>Subsistence and Sociocultural Systems</i> ; Appendix E.16, <i>Subsistence and Sociocultural Systems Technical Appendix</i> ; and Appendix G, <i>Alaska National Interest Lands Conservation Act 810 Analysis</i> .	N
34	2	Maupin	Sinqiniq	—	Subsistence, ANILCA 810	Food insecurity has shown to have a negative impact on the health and psychological well-being of those who suffer from it. Brinkman and Cullen have also conducted research that shows food insecurity leads to increased incidences of violence and civil conflict in developing nations. However, very little research has been conducted to examine the potential link between food insecurity and violence in developed nations.	Added language to Section 3.16.2.3.4, <i>Other Subsistence and Sociocultural Impacts</i> , and Section 3.18.2.4.1.4, <i>Health Effect Category 4: Food, Nutrition, and Subsistence Activities</i> , to address the potential for impacts to food security.	Y
8	2	Moser	Phillip	—	Subsistence, ANILCA 810	. . . the damages to subsistence, on top of the damages to these communities, and as we’ve heard, the communities are where the most vulnerable people, the elders that have the most language fluency in the area, are going to be put at most risk by this project.	Comment noted.	N
56	2	Opie	Rene	—	Subsistence, ANILCA 810	And I’m also opposed because no effort has gone into including any health and social issues, as well as the subsistence issue of our fish harvest in the EISs.	Potential social impacts of the Project, including impacts related to changes in subsistence resource availability, harvester access, increased interactions with nonlocal workers, changes in income and employment levels, disruption in social ties and roles, and decreased food security, are discussed in Section 3.16.2.3.4, <i>Other Subsistence and Sociocultural Impacts</i> . Impacts to health are discussed in Section 3.18, <i>Public Health</i> .	N
844	2	O'Reilly-Doyle	Kathleen	—	Subsistence, ANILCA 810	ANILCA 810 analysis: The preliminary 810 analysis concludes that the project impacts may significantly restrict uses for the community of Nuiqsut. And cumulative impacts may significantly restrict subsistence uses and needs to Nuiqsut and five other North Slope Communities. These communities rely on subsistence harvest to meet their cultural needs and food requirements. The findings of the 810 analysis should weigh heavily on any future consideration of the approval of this proposal, as these needs cannot be met in other ways.	ANILCA Section 810 requires that BLM disclose, in the form of what are called findings, whether an action may significantly restrict subsistence user access. BLM considers all analysis contained in the EIS and appendices, including the ANILCA Section 810 Analysis (Appendix G, <i>Alaska National Interest Lands Conservation Act Section 810 Analysis</i>). However, findings are not a decision. Findings do not preclude BLM from including additional mitigations in the future, and they do not restrict BLM to choose any particular alternative.	N
807	1	Major	Mark	—	Subsistence, ANILCA 810	Kuukpik has not taken a formal position on this project, at this time, but we do have some significant concerns. As we’ve mentioned in previous sessions, the drill sites run north to south, but the caribou move east to west. We are concerned that the project may block the caribou or divert them from being able to get to areas where they can be harvested by the Nuiqsut residents.	The potential impacts of north-south roads on the fall caribou migration, in addition to the relative impacts of these roads by alternative, are addressed in the subsistence sections: Section 3.16.2.3 (<i>Alternative B: Proponent’s Project</i>), Section 3.16.2.4 (<i>Alternative C: Disconnected Infield Roads</i>), and Section 3.16.2.5 (<i>Alternative D: Disconnected Access</i>).	N
860	2	Nukapigak	Joe	Kuukpik Corporation	Subsistence, ANILCA 810	Kuukpik’s conversations with BLM and others during the ongoing NPR-A IAP/EIS process cause us to believe that even more of the Teshekpuk Caribou Herd’s critical habitat will is under threat than Kuukpik initially believed because BLM is seriously considering adopting Alternative D-the alternative that Kuukpik always hoped was being included just because it was so extreme in favor of development that it made other less radical alternatives look more reasonable by comparison. . . . But now we know BLM is actually considering adopting some version of Alternative D (and that the Willow proponent, CPAI, is actively urging BLM to do so4). If that happens, the caribou herd that is most critical to Nuiqsut’s subsistence lifestyle and food security will face a threat unlike any they have seen before, including the prospect of drilling pads, pipelines and roads throughout the critical calving and post-calving coastal areas near Teshekpuk Lake. Moreover, development in the migration corridors on either side of the Lake may prevent caribou from even wanting to enter the area to the north at all. . . . the SDEIS specifically concludes that “Reductions in the abundance of caribou . . . for the cumulative case and selection of the 2019 Draft NPR-A IAP/EIS Alternative D may significantly restrict subsistence uses for the communities of Nuiqsut, Utqiag̃vik, Atqasuk, Wainwright. and Anaktuvuk Pass.” . . . Similarly, Alternative D would facilitate development all around the Lake itself, deflecting and displacing the same herd from areas farther north. . . . BLM has concluded that Willow has a “high potential” of deflecting caribou that should move west to east close to Nuiqsut. . . . The point here is that Willow isn’t being proposed in a vacuum. Rather, it is just one of the threats Nuiqsut faces, and one that has to be considered in conjunction with other major challenges, like the prospect of development around Teshekpuk Lake. BLM acknowledges this in the SDEIS, but the Final EIS should connect the dots in more detail to show why the combined effects of the Willow Project and development around Teshekpuk Lake would, together, have such potentially devastating impacts on the long-term health and viability of the TCH. . . . One area in desperate need of attention is further efforts to reduce vehicle traffic associated with the Willow Project. Option 3 for the module transport, for example, is expected to require “approximately 2,000 vehicles per day (84 vehicles per hour) during winter for 2 years (2025 and 2027) (Table 2.3.2).” . . . What are CPAI’s plans to minimize the effect of that level of traffic on subsistence resources and winter subsistence users, such as trappers who frequent the Willow and upper Colville areas?	Because the SDEIS only included information and analysis associated with the subsistence boat ramps, Option 3 (Colville River Crossing), and freshwater reservoir, responses to many of the Draft EIS comments are not reflected in the SDEIS. The Final EIS incorporates responses to the Draft EIS comments, and responses to substantive comments can be found in Appendix B, <i>Public Engagement and Comment Response</i> . Additional text was added to the discussion of potential impacts to caribou and subsistence resulting from the Project in combination with RFFAs; these are discussed in Section 3.19.10.4, <i>Terrestrial Mammals</i> , and Section 3.19.12, <i>Cumulative Impacts to Subsistence and Sociocultural Systems</i> . BLM considered potential cumulative impacts of the Willow MDP Project in the context of the 2020 Final NPR-A IAP/EIS (BLM 2020) alternatives. BLM’s 2020 Final NPR-A IAP/EIS addresses the potential impacts of a no action alternative (see Willow MDP Final EIS Section 3.19.3, <i>Reasonably Foreseeable Future Actions</i>). BLM evaluated Alternative A and four action alternatives (Alternatives B, C, D, and E) of the 2020 Final NPR-A IAP/EIS, which differ in the areas that would be made available for NPR-A oil and gas leasing and infrastructure and which would contribute to the cumulative effects of the Project in different ways. BLM found that selection of Alternatives A, B, and C of the 2020 Final NPR-A IAP/EIS would contribute to the cumulative effects of the Project in similar ways; selection of Alternative D or E would likely result in greater cumulative impacts on subsistence. NPR-A IAP/EIS Alternative D or E would increase development infrastructure on the North Slope and would continue to cause alteration and degradation of habitats for key subsistence resources, including caribou, furbearers, fish, and goose. Over time, these changes could affect the health and abundance of different subsistence resources on the North Slope. If development continues westward into the core calving area for the TCH, or if it reduces access to key insect relief habitats, then the herd could experience an overall decline in productivity and abundance. Such a scenario could occur if BLM selects Alternative D or E in the 2020 Final NPR-A IAP/EIS. Alternative D or E would make areas surrounding Teshekpuk Lake available to oil and gas leasing and infrastructure development. Under this scenario, impacts related to the health and abundance of the TCH would likely extend to subsistence users of the herd, including Nuiqsut, Utqiag̃vik (Barrow), Anaktuvuk Pass, Atqasuk, and Wainwright.	Y
26705	8	President	Acting	Native Village of Nuiqsut Tribal Council	Subsistence, ANILCA 810	BLM has not adequately considered the impacts of the Colville River Crossing module delivery option on subsistence activities. The ice road proposed for the Colville River module delivery option would pass through an area more heavily used by the Nuiqsut community for winter subsistence activities than the other module transport options, with greater potential direct impacts. In our comments on the DEIS, we noted that our community is effectively surrounded by oil and gas development and that BLM has taken no action to meaningfully protect subsistence resources and our remaining subsistence use areas from the impacts of oil development. Under Option 3, the encircling of our community will be complete. During module transport years, hunters and other members of our community traveling on snow machines would have to cross this and other roads in order to access many subsistence resources in the winter. Despite the very significant consequences of this road, BLM includes almost no discussion of the effects it may have on subsistence users and makes no attempt to quantify these effects. Conclusory assertions that one option may have fewer impacts than other options do not fulfill BLM’s obligation to thoroughly analyze the environmental effects of each alternative NVN has significant concerns that Option 3, like the other options, will further compromise subsistence practices within the community, by affecting subsistence resources such as caribou and furbearers and by making access to resources more difficult.	While the analysis of module delivery Option 3 (Colville River Crossing) acknowledges potential impacts to furbearer hunters and winter caribou hunters, it concludes that Option 3 would have fewer overall impacts than Option 1 (Atigaru Point Transfer Island) and Option 2 (Point Lonely Module Transfer Island) because of the lack of an MTI, lower traffic levels, reduced biological impacts, location of the ice road in an area where an another annual road is already located (NSB’s CWAT), and shorter duration of impacts. While Option 3 would further encircle the community, it would do so for two winter seasons, and would be additive to existing infrastructure and traffic in the area from the CWAT, and therefore, those specific impacts would be temporary. Section 3.16.2.8 (<i>Module Delivery Option 3: Colville River Crossing</i>) has been revised to provide additional discussion of the impact to furbearer hunting, in addition to clarification regarding the level of winter use for caribou hunting. The cumulative effects subsistence section (Section 3.19.12, <i>Cumulative Impacts to Subsistence and Sociocultural Systems</i>) has also been revised to further address the potential for the community to be entirely encircled by development.	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
26705	9	President	Acting	Native Village of Nuiqsut Tribal Council	Subsistence, ANILCA 810	The SDEIS fails to include an adequate analysis of how Option 3 will effect caribou and how those effects will differ from the other module delivery options. This is particularly problematic because the Colville River crossing option will affect the Central Arctic Herd in addition to the Teshekpuk Caribou Herd. Members of our community harvest animals from both of these herds. BLM must analyze how the ice road for the Colville River crossing option will deflect and otherwise affect caribou from both the Teshekpuk Lake Herd and Central Arctic Herd and compare those effects to the effects from the other module delivery options. Conclusory statements that there will be fewer effects because there will be less vehicle traffic mask actual differences in the options and ignore site-specific and season-specific effects.	The analysis acknowledges the higher percentage of harvesters potentially affected by module delivery Option 3 (Colville River Crossing) and the greater potential for impacts to harvester access due to the location of the ice road. However, because of the substantially lower levels of traffic, the shorter duration (two winter seasons), the lack of an MTI, and the decrease in impacts to biological resources (based on review of the biological resources sections), the EIS concludes that the overall impacts to the community are lower than Option 1 (Atigaru Point Module Transfer Island) and Option 2 (Point Lonely Module Transfer Island). Section 3.16.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , has been revised to provide additional discussion and clarity regarding the impacts of Option 3 compared to Options 1 and 2 and the relative impacts to the TCH and CAH.	Y
26705	10	President	Acting	Native Village of Nuiqsut Tribal Council	Subsistence, ANILCA 810	The SDEIS also entirely fails to analyze impacts to furbearers and furbearer harvesting. The single specific mention of furbearer impacts from the ice road under Option 3 makes it clear that it may have significant effects: The ice road route under Option 3 would cross through areas somewhat more heavily used by the community of Nuiqsut than those under Options 1 and 2. In particular, the ice road would cross through areas heavily used in the winter for hunting of furbearers (96% of wolf and wolverine harvesters) and caribou (91% of harvesters) along the Itkillik River, Colville River near Ocean Point, and to the south and west of the community. ²⁸ Despite acknowledging that the ice road will go through areas heavily used for furbearer hunting, the SDEIS contains no analysis whatsoever of the impacts to furbearers or furbearer harvesters in Nuiqsut. Impacts to furbearers and harvesting of furbearers were not analyzed appropriately in the DEIS either, so there is no such analysis for any of the alternatives or options. Furbearer hunting and trapping is very important to our community, and the impacts must be analyzed.	Potential impacts to the resource availability of furbearers are provided in Section 3.16.2.3.2.2, <i>Furbearers</i> . Subsequent alternative discussions build on the analysis provided under Alternative B. Section 3.16.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , has been revised to provide additional discussion of the impact to furbearer hunting, in addition to clarification regarding the level of winter use for caribou hunting.	Y
520	58	Psarianos	Bridget	Trustees for Alaska	Subsistence, ANILCA 810	Another place text needs to be updated is in Appendix C. The ANILCA 810 analysis states that displacement of caribou between 2-4 km from roads is common. Recent research on the Central Arctic Herd, however, indicated a displacement distance of 5 km from infrastructure is necessary. This study is cited in Chapter 3, but not in Appendix C. The Appendix C information should be updated to include reference to this study and to reflect the higher upper bounds of caribou calving displacement.	Revised text in Appendix G, <i>Alaska National Interest Lands Conservation Act Section 810 Analysis</i> , Section 2.a (<i>Evaluation of the Effect of Use, Occupancy, or Disposition on Subsistence Uses and Needs</i>), to reflect revisions to displacement zones in Section 3.12, <i>Terrestrial Mammals</i> , based on the higher upper bounds of displacement zone.	Y
520	59	Psarianos	Bridget	Trustees for Alaska	Subsistence, ANILCA 810	Finally, Appendix C states that [e]ffects on caribou movement are most likely to occur where linear structures are placed parallel to the herds primary movement, citing Wilson et al. (2016). This reference seems to be in error as the cited study does not discuss the effects of parallel versus perpendicular roads. Furthermore, it was based on analyzing a road that was generally perpendicular to the path of caribou migration. Here the road alignment is not perpendicular, therefore a different citation should be provided for the above statement or it should be removed.	Revised text in Appendix G, <i>Alaska National Interest Lands Conservation Act Section 810 Analysis</i> , Section 2.a (<i>Evaluation of the Effect of Use, Occupancy, or Disposition on Subsistence Uses and Needs</i>), to clarify statement and revise reference.	Y
520	75	Psarianos	Bridget	Trustees for Alaska	Subsistence, ANILCA 810	BLM’s Subsistence Analysis is Inadequate 1. BLM has not addressed the subsistence concerns raised in comments on the draft EIS. The SDEIS does not cure any of the many significant defects in the draft EISs subsistence analysis, including its failure to: (1) integrate community feedback; (2) give sufficient consideration to environmental justice; (3) disclose and analyze adequately numerous, significant human and environmental impacts from the Willow project; and (4) include meaningful mitigation measures. BLM cannot move forward without correcting the significant problems in the draft EISs analysis of impacts to subsistence resources and users, in addition to the new defects introduced in the SDEIS.	The ANILCA Section 810 Analyses are prepared to disclose whether the BLM believes that an action may significantly restrict subsistence uses. In the case of the Willow MDP Project, the BLM did conclude positive findings, meaning that there is the potential for significant restriction on subsistence uses for the community of Nuiqsut and, in the cumulative case, for other North Slope communities (Appendix G, <i>Alaska National Interest Lands Conservation Act Section 810 Analysis</i>). Avoidance, minimization, and mitigation measures to offset impacts to subsistence and subsistence-related resources are considered in the EIS. Details are included in the individual resource sections of Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>), in Chapter 5.0 (<i>Mitigation</i>), and in Appendix I (<i>Avoidance, Minimization, and Mitigation Technical Appendix</i>). The SDEIS only included a discussion of impacts related to the subsistence boat ramps, CFWR, and module delivery Option 3 (Colville River Crossing) and, therefore, did not incorporate many of the comments on the Draft EIS. The Final EIS incorporates and addresses comments made on the Draft EIS; responses to comments on the Draft EIS and SDEIS can be found in Final EIS Appendix B, <i>Public Engagement and Comment Response</i> .	N
520	76	Psarianos	Bridget	Trustees for Alaska	Subsistence, ANILCA 810	The SDEIS fails to adequately disclose and analyze the significant effects to subsistence from the new module delivery option and other project changes. . . . BLM has not adequately addressed the significant uncertainty and missing information regarding the impacts of the Colville River Crossing ice bridge on subsistence activities. As explained in detail in this comment letter, the SDEIS acknowledges significant uncertainty about the how the Colville River Crossing ice bridge will work and what its effects will be on streamflow and fish populations. BLM plans to unlawfully delay gathering the necessary information until after it has chosen among the alternatives and options. The Colville River is extremely important to subsistence users. Without basic information about this option, BLM cannot assess properly the effects of this option on subsistence users.	Section 3.16.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , provides an analysis of the potential impacts of Option 3 and provides discussion of the relative impacts of this option compared to Options 1 and 2. In summary, Option 3 would occur in an area of slightly higher subsistence use for wolf, wolverine, and caribou but would have a shorter duration and substantially lower levels of air and ground traffic. Section 3.16.2.8 has been revised to include additional discussion of potential impacts of the ice road and ice bridge on subsistence uses. Additional information about the effects of Option 3 was also added to Final EIS Section 3.8.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , and Section 3.10.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> . After the NEPA process, BLM can require additional data from CPAI in order to approve the ROW permit. CPAI would not proceed with the crossing until it can demonstrate that the level of effects would be within those analyzed in the EIS. If CPAI had to change its design to demonstrate this, that would require either additional NEPA analysis or a Determination of NEPA Adequacy.	Y

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
520	77	Psarianos	Bridget	Trustees for Alaska	Subsistence, ANILCA 810	BLM has not adequately considered the impacts of the Colville River Crossing module delivery option ice road on subsistence activities. The ice road proposed for the Colville River module delivery option would pass through an area more heavily used by the Nuiqsut community for subsistence activities, with greater potential direct impacts. Under this option, Nuiqsut will be completely encircled by oil and gas activities. Construction of the heavy-haul ice road will require hunters and other members of the community traveling on snow-machines to cross this and other industrial roads in order to access many subsistence resources in the winter. Despite the very significant consequences of constructing this road, BLM includes almost no discussion of the effects it may have on subsistence users and makes no attempt to quantify these effects. . . . Option 3, like the others, will further compromise subsistence practices, by affecting subsistence resources such as caribou and furbearers and by making hunter access to resources more difficult. The SDEIS fails to include adequate analysis of how this option will affect caribou and how those effects will differ from the other module delivery options. This is particularly problematic because the Colville River crossing option will affect the Central Arctic Herd in addition to the Teshekpuk Caribou Herd. Both herds are important for subsistence harvest. BLM must analyze how the ice road for the Colville River crossing option will deflect and otherwise affect caribou from both the Teshekpuk Lake Herd and Central Arctic Herd and compare those effects to the effects from the other module delivery options. Conclusory statements that there will be fewer effects because there will be less vehicle traffic mask actual differences in the options and ignore site-specific and season-specific effects.	The analysis in the Final EIS acknowledges the higher percentage of harvesters potentially affected and the greater potential for impacts to harvester access due to the location of the ice road. However, because of the substantially lower levels of traffic, the shorter duration (two winter seasons), the lack of an MTI, and the decrease in impacts to biological resources (based on review of the EIS biological resources sections), the Final EIS concludes that the overall impacts to the community are lower than Options 1 and 2. Section 3.16.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , has been revised to provide additional discussion and clarity regarding the impacts of Option 3 compared to Options 1 and 2 and the relative impacts to TCH and CAH caribou.	Y
520	78	Psarianos	Bridget	Trustees for Alaska	Subsistence, ANILCA 810	The SDEIS also entirely fails to analyze impacts to furbearers and furbearer harvesting. The single specific mention of furbearer impacts from the ice road under Option 3 makes it clear that it may have significant effects for Nuiqsut: The ice road route under Option 3 would cross through areas somewhat more heavily used by the community of Nuiqsut than those under Options 1 and 2. . . . Despite acknowledging that the ice road will go through areas heavily used for furbearer hunting, the SDEIS contains no analysis whatsoever of the impacts to furbearers or furbearer harvesters in Nuiqsut. Impacts to furbearers and harvesting of furbearers were not analyzed appropriately in the draft EIS either, so there is no such analysis for any of the alternatives or options. Furbearer hunting and trapping is culturally important, and the impacts must be analyzed.	Section 3.16.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , has been revised to provide additional discussion of impact to furbearer hunting, in addition to clarification regarding the level of winter use for caribou hunting.	Y
407	15	Rose	Garett	Natural Resources Defense Council	Subsistence, ANILCA 810	The SDEIS further obscures the magnitude and nature of the Projects potentially significant impacts on subsistence activities. BLM neglects to gather information necessary to meaningfully analyze Option 3’s potentially significant impacts to the Colville River, a critical area for subsistence. The agency’s statements about the potential impacts of Option 3’s ice road west of the Colville River crossing at Ocean Point provide no analysis or detail about effects to caribou, despite the importance of areas due south of Nuiqsut to subsistence hunters. And the discussion completely fails to analyze potential impacts of the freshwater reservoir to subsistence, potential impacts to furbearers in the context of subsistence, and how any of the three new components might have population-level effects on subsistence species. . . . The original document concluded, without meaningful analysis, that there would be no population-level impacts to subsistence species. And it failed to meaningfully analyze a host of potential sub-population impacts, such how the Project could affect the health of individual members of a species beyond direct injury (e.g., the nutritional stress that the Project may place on caribou) and the Projects overall potential impact on fecundity. It failed to meaningfully analyze potentially significant impact to fish from constructing a massive new gravel mine near Nuiqsut and abutting Ublutuoch River. And despite plainly acknowledging that [r]elative to other resources, the availability of furbearers would be most impacted directly around Project activities and infrastructure, it failed to provide any detailed analysis quantified or otherwise of such impacts. The SDEIS, like the DEIS, thus fails to afford the public or decisionmakers meaningful analysis of the Projects potentially significant impacts on subsistence. Such an analysis is imperative because the Project would continue or even, under Option 3, complete Nuiqsut’s full encirclement by components of oil and gas development. As Nuiqsut’s comments on the DEIS stated, such encirclement will further reduce their subsistence use areas and change permanently where and how they hunt. BLM must ensure that the potential consequences of such encirclement on subsistence are fully known and presented to public scrutiny before continuing with the NEPA process.	The potential impacts of the Option 3 ice road over the Colville River are discussed in Section 3.16.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> . The primary winter uses of the Option 3 ice road are for furbearer hunting and winter caribou hunting, although a relatively low number of caribou harvests have been reported in the area during the winter. The analysis addresses potential impacts of the ice road to subsistence uses of caribou and furbearers, in addition to potential impacts on fish and waterfowl. Quantitative analysis of Option 3 is provided regarding percentage of harvesters using the area for different subsistence resources, as well as the percentage of caribou harvests occurring within the area. The comment does not specify what other type of quantitative analysis is missing. Section 3.16.2.8 has been revised to provide additional discussion of impact to furbearer hunting, in addition to clarification regarding the level of winter use for caribou hunting. Section 3.16.2.3, <i>Alternative B: Proponent’s Project</i> , has been revised to address potential impacts of the CFWR on subsistence. While Option 3 would encircle the community, it would do so for two winter seasons, and would be additive to existing infrastructure and traffic in the area from the CWAT, and therefore, those specific impacts would be temporary. Section 3.16.2.8 has been revised for clarity. The cumulative subsistence section (Section 3.19.12, <i>Cumulative Impacts to Subsistence and Sociocultural Systems</i>) has been revised to further address the potential for the community to be entirely encircled by development. Conclusions regarding the potential impacts of the Project on resource abundance are based on the conclusions of the biological sections, which indicate that the individual alternatives would not have population-level effects on resources. The cumulative analysis addresses the potential for population-level effects in the cumulative case. Impacts to caribou resulting from Option 3 are discussed in Section 3.12.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> .	Y
612	2	Strasenburgh	John	—	Subsistence, ANILCA 810	I am also troubled by the fact that the presenter of the overview (at 19:15:36 of the April 29, 2020 evening hearing) made the point that BLM is under no obligation to consider the ANILCA section 810 conclusions in its decisions. From the presentation transcript of the evening of April 29, 2020: They [i.e., the section 810 findings] don’t restrict the BLM to choose any particular alternative. They are just findings that disclose whether we believe there’s potential for significant restrictions on subsistence use and needs. The section 810 findings associated with the Willow project show the potential for significant adverse effect on the access to and availability of caribou, marine mammals, and subsistence resources: “reduction in abundance of caribou caused by alteration of their distribution and degradation of habitat”; and “reduction in availability of marine mammals caused by alteration of their distribution”; among other dire conclusions (page 21 of project overview in introduction to the hearings). . . . By any line of rational thinking, BLM must consider the section 810 conclusions and modify, mitigate, deny or take any action necessary to remove these dire consequences of the project as proposed.	ANILCA Section 810 requires that BLM disclose, in the form of what are called findings, whether an action may significantly restrict subsistence user access. BLM considers all analysis contained in the EIS and appendices, including the ANILCA Section 810 Analysis. However, findings are not a decision. Findings do not preclude BLM from including additional mitigations in the future, and they do not restrict BLM to choose any particular alternative.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
7	1	Wier	Carly	—	Subsistence, ANILCA 810	. . . [T]his is a completely inadequate and — and really unfair process that you’ve rolled out here the 810 analysis, directly says that this project is going to trade food security and culture and community for this project. We are very concerned about our future of — of — of food security here in Alaska, and I think it’s a very, very real concern, particularly for communities that rely on subsistence food sources, like caribou.	The ANILCA Section 810 analyses are prepared to disclose whether BLM believes that an action may significantly restrict subsistence uses. In the case of the Willow MDP Project, BLM did conclude positive findings, meaning that there is the potential for significant restriction on subsistence uses for the community of Nuiqsut and, in the cumulative case, for other North Slope communities (Appendix G, <i>Alaska National Interest Lands Conservation Act 810 Analysis</i>). Avoidance, minimization, and mitigation measures to offset impacts to subsistence and subsistence-related resources are considered in the EIS. Details are included in the individual resource sections of Chapter 3.0 (<i>Affected Environment and Environmental Consequences</i>), in Chapter 5.0 (<i>Mitigation</i>), and in Appendix I (<i>Avoidance, Minimization, and Mitigation Technical Appendix</i>).	N

4.2.3.25 Terrestrial Wildlife

Table B.3.27. Substantive Comments Received on Terrestrial Wildlife

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
23965	2	Bentley	Judith	Center for Biological Diversity	Terrestrial Wildlife	The project is unacceptable, and your agency’s supplemental draft environmental impact statement is deeply inadequate on multiple fronts: 1) It fails to sufficiently analyze the project’s harm to wildlife already struggling to survive in a warming Arctic.	Effects to wildlife from the Project in combination with effects from climate change are detailed in Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> .	N
216	2	Bruno	Jeff	State of Alaska	Terrestrial Wildlife	With respect to resources within the purview of ADF&G we have one comment regarding moose habitat use described in Table 3.12.2. Occasionally moose are observed near or on the coastal plain during the summer but is generally not considered moose habitat. Moose have been documented on the lower Colville near Ocean Point annually during spring surveys in April (Daggett 2019). We request that this is included as a general comment in the written text or that the habitat is designated as insect relief (IR) in the table.	Information on the northern extent of moose habitat on the Colville River was added to Section 1.1.3, <i>Moose</i> , of Appendix E.12 (<i>Terrestrial Mammals Technical Appendix</i>), and Moist-Sedge Shrub Meadow was removed as moose habitat in tables within that appendix.	Y
25775	1	Dieterich	Michele	Center for Biological Diversity	Terrestrial Wildlife	The DEIS does not analyze the harm to wildlife and wetland ecosystems.	Effects to caribou from the Project are detailed in Section 3.12.2, <i>Environmental Consequences</i> . Effects to wetlands from the Project are detailed in Section 3.9.2, <i>Environmental Consequences</i> .	N
717	30	Dunn	Connor	ConocoPhillips Alaska	Terrestrial Wildlife	BLM cites the Johnson et al. (2019) study in Section 3.19 of the SDEIS to support the statement that “CAH [Central Arctic Herd] caribou density was lower in 12%, 15%, and 17% of important habitat during the calving, post-calving, and mosquito season respectively as a result of partial avoidance of areas near infrastructure.” However, this study included Prudhoe Bay, which lacks facility design and science-based engineering that allow free caribou passage. At Prudhoe Bay, pipelines were built low to the ground and roads and pipelines are not separated, which can restrict caribou movement. The Johnson et al. (2019) study should not be used to determine potential future impacts on caribou at Willow because proven mitigation measures, namely, pipeline heights and road and pad separation, will be used to facilitate caribou movement with little or no impediment.	It is correct that Johnson, Golden et al. (2019) includes areas without modern mitigation measures for caribou. Because Section 3.19 (<i>Cumulative Effects</i>) is the cumulative effects analysis, areas of past development are included and the total effect of existing infrastructure is relevant. Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i> , was updated to acknowledge that the percentages discussed are for development that does not all have modern mitigation measures.	Y
717	81	Dunn	Connor	ConocoPhillips Alaska	Terrestrial Wildlife	3.12.1 - Terrestrial Mammals - 2nd paragraph - Affected Environment BLM incorrectly describes the area east of the Colville as “The area east of the Colville River to Oliktok Point contains the Kuparuk oilfield as well as the Mustang, Nuna, and Oooguruk developments.” In 2019, ConocoPhillips purchased the Nuna 1 pad from Caelus Energy. The Nuna pad is now referred to as DS-2T and is simply another drill site in the Kuparuk River Unit. There are no plans to further develop the other drill sites or similar within this area as previously proposed by Caelus. Therefore, describing this area as including the “Nuna Development” is misleading.	Edits were made to Section 3.12.1, <i>Affected Environment</i> , as suggested.	Y
717	82	Dunn	Connor	ConocoPhillips Alaska	Terrestrial Wildlife	3.12.2.1.1 - Terrestrial Mammals - Habitat Loss and Alteration ConocoPhillips recommends either resolving the discrepancies or clarifying why there are discrepancies between the total values shown in Tables 3.12.3 and 3.12.4 (and in text) and those shown in the Bird section, Tables 3.11.2 and 3.11.3, and Wetlands section, Tables 3.9.3 and 3.9.4. Most notably, the acreage of habitat affected by dust shadow from the CFWR is reported as considerably higher (84.7 acres) than is reported for wetlands (33.6 acres).	Numbers may vary among resource sections because not all areas affected by the Project are used by birds or caribou. Table notes were added to impact tables in Section 3.9 (<i>Wetlands and Vegetation</i>), Section 3.11 (<i>Birds</i>), and Section 3.12 (<i>Terrestrial Wildlife</i>).	Y
717	83	Dunn	Connor	ConocoPhillips Alaska	Terrestrial Wildlife	3.12.2.1.2 - Terrestrial Mammals - Disturbance and Displacement The value of 10,052.6 acres of disturbance from new infrastructure does not appear to take into account that much of the area 2.5 miles from the new infrastructure was already accounted for in the disturbance area presented in the DEIS for adjacent roads and pads. The CFWR and boat ramps are proposed immediately adjacent to previously proposed infrastructure, so most disturbance impacts from these features would be negligible compared to those from the roads and pads. In addition, only the construction of the CFWR could disturb caribou; following construction, the CFWR would act like a lake with human activity only at the access road and pad. ConocoPhillips recommends further clarification and discussion of these topics within this section.	The Final EIS presents the area of disturbance for each alternative and does not separate out the CFWR.	N
20179	1	Freeman	Kyri	Center for Biological Diversity	Terrestrial Wildlife	How will the project impact native wildlife, include migratory birds?	Effects to caribou from the Project are detailed in Section 3.12.2, <i>Environmental Consequences</i> . Effects to birds from the Project are detailed in Section 3.11.2, <i>Environmental Consequences</i> .	N
26702	4	Gannon	Glenna	—	Terrestrial Wildlife	Additionally, this complex is a huge infrastructure proposal and impacts to the regions from infrastructure development like bridges could significantly affect wildlife and fish, spawning grounds. Umm, that’s any one bridge. And as far as I can tell, there’s only permitting for one, let alone seven.	Effects to caribou from the Project are detailed in Section 3.12.2, <i>Environmental Consequences</i> . Effects to fish from the Project are detailed in Section 3.10.2, <i>Environmental Consequences</i> .	N

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805	5	Lowenthal; Haaland; Huffman; Grijalva; Gallego	Alan; Deb; Jared; Raul M.; Ruben	United States Congress	Terrestrial Wildlife	Furthermore, the SDEIS fails to consider any alternatives that are protective of sensitive resources in the region. BLM should be maintaining the strongest possible protections for Special Areas within the Reserve. Instead, the proposed Willow Plan development encroaches into the Colville River and Teshekpuk Lake Special Areas. The proposed gravel mines would be adjacent to the Colville River Special Area, with a proposed gravel road and pipeline routing through the Special Area. The proposed oil and gas infrastructure and industrial activities will also extend into Teshekpuk Lake Special Area, an area that has been protected for decades because of its ecological value as the largest Arctic lake. Permanent infrastructure from this development will impact critical nesting areas for endangered bird species as well as high density, year-round range for the Teshekpuk Caribou Herd, causing lasting impacts to wildlife.	Parts of the infield road system, as well as BT2 and BT4, would be within the TLSA in an area that is available to oil and gas leasing. All else being equal, the TLSA is only an administrative boundary, and Project impacts would not necessarily be greater within the TLSA than they would outside the TLSA. The Tinjmiaqsiuġvik Mine Site is 3.8 miles away from the CRSA at its closest point.	N
45	1	Major	Mark	—	Terrestrial Wildlife	Obviously, this project is of major concern to Kuukpik, Nuiqsut, because it has severe potential for impacts on caribou. One of the big concerns is that the project runs north to south, but the caribou migrate east to west. The supplement didn’t really address that kind of detail and what might be done to help out with that situation. But the problem that we still see is there haven’t been any measures put in place or required upon the applicant, by the BLM, to help mitigate impacts to caribou. In that presentation in Nuiqsut, Kuukpik mentioned two specific items that could be done. One is to have flight restrictions in place during that key caribou calving period, and have vehicle restrictions in place to limit the number of the vehicles and limit the number of flights that would come in and possibly disturb the caribou. Can the BLM do that? I think they have the authority to do that kind of stuff, but nothing has been put forward in the supplemental EIS. We’d ask the BLM to take a close look at that and see what they can do.	BMP K-5 restricts air traffic within the Teshekpuk Lake Caribou Habitat Area: aircraft use (including fixed-wing and helicopter) is restricted from May 20 through August 20. Aircraft must maintain a minimum height of 2,000 feet above ground level over the Teshekpuk Lake Caribou Habitat Area from May 20 through August 20. Proposed revisions to the NPR-A IAP BMPs would also address the effects of air traffic on wildlife; these were added to the Final EIS in Section 3.12.2.1.1, <i>Applicable Lease Stipulations and Best Management Practices</i> . BMPs F-2 through F-4 would include limiting the number of takeoffs and landings to the maximum extent practicable. Larger landing strips and storage areas are considered in order to allow the use of larger aircraft, which would reduce the overall number of flights. (This has been incorporated into the Willow MDP Project design to reduce the total air traffic.) Restricting the number of vehicles allowed during construction would extend the construction period considerably and thus extend the duration of the greatest Project impacts.	Y
49	1	Major	Mark	—	Terrestrial Wildlife	Kuukpik’s concerns with this project are the fact that the drill sites run north to south, and the caribou migrate east to west. If they don’t migrate east to west correctly, the Nuiqsut community may get cut off. We think that the BLM can put in measures to help that, to address that. I mentioned them at the earlier meeting. Those are flight restrictions and vehicle restrictions during critical times, caribou calving time, and bird nesting time. And the BLM does not address that so far, and we think the BLM has the authority to do that.	BMP K-5 restricts air traffic within the Teshekpuk Lake Caribou Habitat Area: aircraft use (including fixed wing and helicopter) is restricted from May 20 through August 20. Aircraft must maintain a minimum height of 2,000 feet above ground level over the Teshekpuk Lake Caribou Habitat Area from May 20 through August 20. Proposed revisions to the NPR-A IAP BMPs would also address the effects of air traffic on wildlife; these were added to the Final EIS in Section 3.12.2.1.1, <i>Applicable Lease Stipulations and Best Management Practices</i> . BMPs F-2 through F-4 would include limiting the number of takeoffs and landings to the maximum extent practicable. Larger landing strips and storage areas are considered in order to allow the use of larger aircraft. (This has been incorporated into the Willow MDP Project design to reduce the total air traffic.) Restricting the number of vehicles allowed during construction would extend the construction period considerably and thus extend the duration of the greatest Project impacts.	Y
520	54	Psarianos	Bridget	Trustees for Alaska	Terrestrial Wildlife	The SDEIS addressed some of the areas in which impacts from the newly proposed additions to the Willow project may affect caribou, but many areas require clarification or adjustments. 1. Module delivery options must analyze impacts on caribou disturbance, displacement, and forage. We note that the addition of Option 3 would likely change the extent of impacts on caribou in comparison to the other action alternatives, as it keeps development and activity in both winter and summer farther from the sensitive areas around Teshekpuk Lake, which are used year-round by the Teshekpuk Caribou Herd (TCH), including for critical calving, post-calving and insect relief habitat. One area where impacts are difficult to determine, however, was the impacts of the proposed heavy-haul ice road on overwintering caribou. The TCH is the only North Slope caribou herd in which the majority of individuals regularly overwinter on the coastal plain. This keeps caribou in potential contact with proposed oil and gas development and activity. Based on Figure 3.12.4, the heavy-haul ice road proposed in Option 3 would pass through areas of medium and high density for overwintering caribou. The SDEIS estimates that ground traffic during the winter period would average 84 trips per hour, or 1.4 trips per minute. This is a large amount of potential disturbance to move through caribou overwintering habitat, especially given that such traffic levels are over 5 times higher than those the SDEIS acknowledges as inhibiting crossing success. The SDEIS mentions potential for disturbance or displacement associated with these activities, but does little to provide analysis of the expected consequences. Winter is a critical time for caribou. Foraging opportunities are limited during the winter and caribou rely on body stores of energy for survival and gestation. Studies in other ungulate species of displacement and altered habitat use due to energy development have noted that fitness costs are likely greater during winter, when individuals already exhibit a negative energy balance. Further energetic costs at such a time may lead to loss of body mass and depletion of vital energy reserves. There has been little study of winter responses by caribou to industrial development and activity in Alaska. Nonetheless, studies from Canada reveal that disturbances, such as loud noises, can lead to flight responses in caribou, causing them to expend additional energy, and that caribou may avoid human infrastructure and disturbance in the winter. Such factors can have greater effects in years of high snow depth, when energetic costs of movement increase and foraging opportunities are reduced. Any extra expenditure of energy that caribou undertake as a result of interaction with oil and gas activity or developments is of concern as reproductive success in caribou is strongly correlated with nutritional stress. Late winter body mass of female caribou has been strongly linked to calf production and survival, potentially influencing population growth rates. While caribou exhibit the lowest annual movement rates during the winter, this does not imply a lack of awareness or response to their environment. Studies of European reindeer have found vigilance is highest in winter, compared to other seasons. Furthermore, a study in Canada found that caribou avoided human settlements more strongly, and showed greater cumulative habitat loss due to development, in the winter than in summer. Previous development to the east of the NPR-A has taken place in an area that is mostly abandoned by caribou in the winter, making it especially important that winter impacts be fully considered in the NPR-A context and that extra precautions be taken to avoid negative impacts to overwintering caribou. The SDEIS does not adequately assess or mitigate overwintering impacts.	Information on caribou likely avoiding and having difficulty crossing roads with a very high level of traffic was added to Final EIS Section 3.12.2.6.2, <i>Disturbance or Displacement</i> . The main effect of this is likely to be altered distribution and lowered access to some areas of winter habitat. The impact of this would be limited by the large size of the winter range during most years. Travel conditions are generally good in the ACP during winter, so energetic implications from locomotion are unlikely to be high.	Y

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520	55	Psarianos	Bridget	Trustees for Alaska	Terrestrial Wildlife	2. Caribou calving density must be consistent, detailed, and accurate to understand the impacts from Willow. Content in the SDEIS regarding caribou calving density in the project area was unclear and at times appears contradictory. Figure 3.12.4 and Figure 3.12.6 both show TCH calving density, broken into high-, medium- and low-density calving areas. Both figures contain identical notes indicating the source of data and methods of showing calving densities, with the same citation given for each (Prichard et al. 2019). However, the two figures show different extents of the various calving density areas. Figure 3.12.4 shows high density calving extending to the northern edge of the proposed development pads and gravel roads and medium density calving area covering nearly the entire remainder of newly proposed pads and roads. Figure 3.12.6, however, shows no overlap of high density calving and proposed project roads, a different distribution of high density calving areas north of the lake, and medium density calving areas that only reach to BT4, the northernmost proposed Willow pad. Most of the proposed Willow roads and pads lie in low density calving areas or outside of any of the calving areas according to this latter figure, in contrast to the depiction in Figure 3.12.4. If these figures are based on the same data, as the note and citation indicate, it is unclear why they show different depictions of calving. This needs to be clarified so that readers can accurately interpret the relevant data and confirm the dataset in the SDEIS are accurate. Clarifying this discrepancy in the depictions of caribou calving density also has implications for conclusions drawn in the SDEIS. The discussion of the affected environment and environmental consequences for terrestrial mammals states that, The disturbance zone for the boat ramps and CFWR would be located in areas where the average caribou density during the calving season is at the low end of the range (less than 0.19 to 0.34 total caribou per square km respectively) from 2002 through 2019 based on aerial surveys. This statement implies a low expected level of impact on calving caribou; however, it does not appear consistent with the data presented in the SDEIS. The statement above references Figures 3.12.4 through 3.12.7. As noted above, however, Figures 3.12.4 and 3.12.6 differ in their depiction of calving areas. No figure is presented that overlays the proposed boat ramps and CFWR with caribou calving data, but comparing the locations of this infrastructure from Figure 2.2.2 with Figures 3.12.4 suggests that the proposed infrastructure would mostly lie within the medium calving density area, contradicting the statement in the SDEIS. The calving distribution shown in Figure 3.12.6 aligns more closely with the statement that the proposed boat ramps and the CFWR would mostly overlap areas of low calving density. The density ranges in the quote above also do not appear to accurately align with the information presented in the SDEIS. Figure 3.12.7 shows the mean caribou density by season from 20012018. Inferring locations for boat ramps and the CFWR from Figure 2.2.2 suggests that these primarily lie within calving densities of 0.3 [to] 0.6 caribou per square km, with boat ramp 1 occurring in a lower area of somewhere between 0-0.2 caribou per square km. It is unclear from this figure why the SDEIS concludes that the disturbance zone would mostly span from 0.19-0.34 caribou per square km, when 0.3 forms the bottom end of the range for three out of four of the referenced infrastructure locations. This also needs clarification.	Figure 3.12.4 shows the kernel distribution of all collared female caribou of the TCH during calving. Figure 3.12.6 shows the kernel distribution of all collared female caribou of the TCH <i>that were known to have calved</i> . The distribution for Figure 3.12.6 is more closely associated with Teshekpuk Lake, because noncalving females often remain outside the main calving areas during the calving period (Person, Prichard et al. 2007; Wilson, Prichard et al. 2012). This difference was clarified on the maps. Figure 3.12.7 shows the average density from aerial surveys conducted during different seasons. This differs from the kernel maps in that these are direct estimates of density from aerial surveys (not smoothed by kernel density estimation) and include all caribou (all females, males, calves).	Y (Figure)
520	56	Psarianos	Bridget	Trustees for Alaska	Terrestrial Wildlife	Correcting the above statements/figures so that they align with the actual caribou data is relevant to more than just preserving technical accuracy. It also has implications for the findings of the ANILCA 810 analysis. This analysis states twice that the alternatives analysis area lies within low density calving areas for the TCH. It concludes that because the alternatives analysis area is located in low density calving areas for the TCH, displacement would likely not have population-level effects. This leads BLM to conclude that the abundance of caribou available for subsistence use would not be impacted under Alternative B. If the conclusions about the calving density within the alternatives analysis are not accurate, or are not supported by the available data (e.g., if Figure 3.12.4 is accurate), this calls into question BLM’s finding. It is critical that BLM check all data sources and accurately reflect the available data in its figures and statements in both Chapter 3 and Appendix C of the SDEIS. An accurate and complete dataset should be used in a new draft EIS that accurately describes the project.	Figure 3.12.4 shows the kernel distribution of all collared female caribou of the TCH during calving; this includes females that did not calve. Because many noncalving females remain outside the main calving areas during the calving period (Person, Prichard et al. 2007; Wilson, Prichard et al. 2012), this increases the area of high density relative to calving females only. Figure 3.12.7 shows the most direct evidence of the density of caribou in specific areas during the calving season.	Y (Figure)
520	57	Psarianos	Bridget	Trustees for Alaska	Terrestrial Wildlife	Caribou discussion should accurately reflect the best available scientific literature While scientific literature regarding caribou is included in the draft EIS and SDEIS, there are several places where content should be updated to clearly reflect accurate scientific information. For example, when discussing effects on terrestrial mammals of Module Delivery Option 3, the SDEIS cites Murphy and Curatolo (1987) as stating that road traffic levels greater than 15 vehicles per hour reduce caribou road crossing success. The study did find this, however, it also indicated that caribou avoidance of roads may occur at lower levels of traffic. As the text currently stands, it seems that avoidance would only occur at greater than 15 vehicles per hour, which is misleading and inconsistent with the scientific record. This has been pointed out to BLM previously for other NEPA processes, yet this was not reflected in the SDEIS. The statement should be updated to indicate that caribou avoidance of roads is also expected at lower traffic volumes.	Text was modified in Section 3.12.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , to clarify that deflections and delays could occur at lower traffic volumes, although less likely.	Y

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407	12	Rose	Garett	Natural Resources Defense Council	Terrestrial Wildlife	<p>The SDEISs analysis of potential impacts to caribou remains cursory. For instance, the SDEIS, like the DEIS, uses an analysis area of 3.7 miles. As the conservation comments noted, research shows that this area is likely far too small to reflect the full array of annual impacts on a highly mobile species, such as impacts to forage abundance and seasonal variation in the range of potential impacts. Similarly, the SDEIS takes no steps to address previously raised concerns about the effectiveness of aircraft restrictions for protecting caribou from potential impacts, despite the fact that Option 3 involves additional fixed-wing and helicopter flights. And the analysis fails to provide any specification of how the intense flow of ice road traffic 84 trips an hour could potentially affect overwintering caribou, aside from stating it could disturb and displace caribou and cross-referencing the DEIS, which has a similarly cursory discussion of potential impacts from ice road traffic. The SDEIS also has no meaningful discussion of Option 3s impacts on members of the Central Arctic Herd (CAH), despite being within the range of that herd. The SDEIS notes, without providing detail, merely that additional summer traffic on roads involved in Option 3 could potentially result in additional delays or deflections of the CAH. Compounding this, the SDEIS appears to functionally disclaim any impact on CAH members. It fails to analyze the potential impacts of ice roads on CAH members (e.g., how ice road placement could affect forage opportunities during the spring, summer, and fall). It concludes, without analysis, that because few members of the CAH are present during winter, construction activities at that time would have minimal impacts on that herd. Then it states once again without analysis that because summer construction activities would occur on or near existing roads and pads in an area that is already industrial, there would be minimal disturbance to CAH caribou. The SDEISs terrestrial mammals analysis also ignores potentially significant impacts to non-caribou terrestrial mammals that utilize the area being analyzed, most notably wolves and wolverines. All three new components occupy areas used by Nuiqsut and Utqiagvik for the subsistence hunting of wolves and wolverines. The SDEIS acknowledges the importance of the Project area for such hunting, and the DEIS noted the cultural importance of hunting furbearers. And the DEIS also noted that wolves and wolverines were relatively uncommon in the area being analyzed, suggesting that potential impacts to the local population could have far-reaching consequences. Despite all this, the SDEIS is silent with regard to potential impacts on these species from the new components. In proceeding without a broader, improved analysis of potentially significant impacts to terrestrial mammals, the SDEIS simply compounds the analytic contradictions contained within the DEIS. Despite failing to meaningfully consider potentially significant impacts on furbearers, for instance, BLM nevertheless purported to draw conclusions about how the Project would impact furbearer harvesters. And the DEIS claims without analysis that the Project will have no population-level impacts on any subsistence resources, including furbearers and other terrestrial mammals. In the absence of a meaningful analysis of potentially significant impacts to these species, it is unclear how BLM arrived at these conclusions.</p>	<p>Different studies have reported somewhat different distances of lower-density use by maternal caribou of the CAH during calving, but these distances have been consistently between 1 and 5 km. Lawhead (1988) reported that “few caribou were present within 3-5 km of the Oliktok Point and Milne Point Roads during and after peak calving in that year. This localized avoidance was especially marked for cows with calves.” More recently, Johnson, Golden et al. (2019) estimated that CAH caribou were at lower-than-expected density within 5 km of infrastructure. These distances may vary for different roads and by factors such as calving density or traffic levels (Lawhead, Prichard et al. 2004). Based on all the research conducted on the CAH, a 4-km displacement for maternal caribou during the 2- to 3-week calving period is a reasonable estimate of displacement for conditions similar to the Kuparuk oil fields. The addition of hunting along roads in the TCH range adds additional uncertainty. In addition, some impacts such as potential overgrazing could occur in areas 4 to 6 km from roads. For these reasons, the use of a 6-km analysis area, assuming some displacement occurs to 4 km, is justified. Additional references were added to Final EIS Section 3.12, <i>Terrestrial Mammals</i>, to demonstrate the rationale for the analysis area. Final EIS Appendix E.12, <i>Terrestrial Mammals Technical Appendix</i>, describes effects to species other than caribou. Effects from ice road traffic are provided in Section 3.12.2.3.2, <i>Disturbance or Displacement</i>. High ice road traffic is likely to result in avoidance and difficulty crossing but only represents a very small part of the winter range; travel conditions in winter are generally good, and large energetic expenditures are not likely as a result. Ice roads would cause a temporary degradation of forage along the footprint of the ice road, which represents a very small portion of CAH summer range. As stated in Section 3.12.2.3.2, additional traffic along existing roads may increase delays or deflections for CAH; this is put in context of the fact that 1) traffic would stop for crossings of large numbers of caribou and that 2) CAH caribou move through Kuparuk oil fields multiple times during the summer (Prichard, Lawhead et al. 2019), 3) are highly motivated during insect harassment, 4) use roads and pads for fly relief, and 5) can use alternate routes. The NPR-A IAP considered the effectiveness of BMPs (including aircraft restrictions) and is the reason that specific BMPs were selected in the ROD and are now required. Various BMPs require lessees to monitor specific resources; if monitoring indicates that BMPs are not effective, then BLM adaptively manages to reduce impacts.</p>	Y
612	4	Strassenburgh	John	—	Terrestrial Wildlife	<p>A couple of additional points: All lakes provide important wildlife habitat. Accordingly, all lakes should have buffers, not just deep water lakes. The Teshekpuk Lake Special area is important habitat for birds, including the highest density of shorebirds in the circumpolar Arctic, and many other species among them, spectacled eiders, king eiders, red throated loons, dunlins, and molting geese. And the TLSA provides important caribou calving habitat. And yet, significant development in this special area is called for in the project plan. Teshekpuk Lake Special Area is critical and unique habitat, and development should not be allowed there.</p>	<p>Parts of the infield road system, as well as BT2 and BT4, would be within the TLSA in an area that is available to oil and gas leasing. Like most or all previous NPR-A projects, much of the Project area overlaps previously undisturbed area. All else being equal, the TLSA is only an administrative boundary, and Project impacts would not necessarily be greater within the TLSA than they would outside the TLSA.</p>	N
570	4	P Warren	James	—	Terrestrial Wildlife	<p>By treating the Teshekpuk Lake Caribou Herd and the gravel infrastructure proposed to be built, BLM claims there will be some adverse impacts and then some maybe positive impacts, such as the great spot for caribou to avoid warble flies and other pests they deal with every summer day. This is not the same as a real analysis of the health of the TLCH and other affected caribou herds across the North Slope. To treat these issues in isolation from one another, Ms. Jones, is deliberately to minimize the impact of BLM decisions.</p>	<p>Effects to the TCH and the CAH from the Project (including effects from gravel infrastructure) are detailed in Section 3.12.2, <i>Environmental Consequences</i>. The health of the TCH and the CAH may be impacted by a variety of different factors, including but not limited to effects from the Project. Cumulative effects on these herds are described in Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i>. Each action alternative has trade-offs of positive and negative effects. In accordance with CEQ guidelines, the EIS discloses these trade-offs.</p>	N
4	5	P Warren; Warren	James; Jim	—	Terrestrial Wildlife	<p>The analysis shows that there are very likely direct, indirect, and cumulative impacts of overwhelmingly negative kinds on the ecology, hydrology, vegetation, and wildlife of the affected areas. (This was also the case in the Draft EIS.) And yet the BLM always spreads out the analysis in such a way as to minimize these negative effects. By treating the Teshekpuk Lake Caribou Herd and the gravel infrastructure proposed to be built, BLM claims there will be some adverse impacts and then some maybe positive impacts, such as the great spot for caribou to avoid warble flies and other pests they deal with every summer day. This is not the same as a real analysis of the health of the TLCH and other affected caribou herds across the North Slope. To treat these issues in isolation from one another, Ms. Jones, is deliberately to minimize the impact of BLM decisions.</p>	<p>Effects to the TCH and the CAH from the Project (including effects from gravel infrastructure) are detailed in Section 3.12.2, <i>Environmental Consequences</i>. The health of the TCH and the CAH may be impacted by a variety of different factors, including but not limited to effects from the Project. Cumulative effects on these herds are described in Section 3.19.10, <i>Cumulative Impacts to Biological Resources</i>. Each action alternative has trade-offs of positive and negative effects. In accordance with CEQ guidelines, the EIS discloses these trade-offs.</p>	N

4.2.3.26 Visual Resources

Table B.3.28. Substantive Comments Received on Visual Resources

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
717	59	Dunn	Connor	ConocoPhillips Alaska	Visual Resources	3.7.2.1 - Visual Resources - Alternatives B, C, and D Please clarify the statement “though the boat ramp(s) would be visible by river users in the immediately adjacent areas.” Based on discussion in later sections, specifically Section 3.16.2.1.3, Harvester Access, existing use of the affected portions of Fish and Judy Creeks is extremely limited (“The boat ramps on Judy (Iqallipik) Creek, and Fish (Uvlutuuq) Creek are located in areas that are not commonly accessed by boat, according to available subsistence use area data (SRB&A 2010b, 2019)”). Following boat ramp installation, river users are more likely to use those portions of Fish and Judy Creeks as a direct result of the boat ramps.	Existing and future use of Judy (Iqallipik) Creek and Fish (Uvlutuuq) Creek may be limited, but river users would see the boat ramps and human development in an area of otherwise limited development.	N

4.2.3.27 Water Resources

Table B.3.29. Substantive Comments Received on Water Resources

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
26707	5	Baca	Andrew	US Environmental Protection Agency	Water Resources	Surface Water Impacts Constructed Freshwater Reservoir. We recommend that the FEIS analyze whether and to what extent the annual diversion of flow to the constructed freshwater reservoir would alter the hydrograph of Willow Creek 3. Section 2.2.1 describes the CFWR and indicates that the reservoir would be filled by diverting a percentage of the flow that contributes to Willow Creek 3. The SDEIS concludes that the diversion of flow to the reservoir is not anticipated to impact the Willow Creek 3 baseline flow as the estimated annual recharge volume of Lake M0015 and Lake R0064 exceeds the estimated volume of the CFWR. We further recommend that the FEIS clarify what is meant by the baseline flow of Willow Creek 3 and explain how this baseline flow is related to the annual recharge volume of the two referenced lakes.	Additional spring breakup data for Willow Creek 3 and effects from the CFWR were clarified in Section 3.8.2.3.6, <i>Water Withdrawal and Diversion</i> , and in Section 1.2.2.2.4, <i>Willow Creek 3</i> , of Appendix E.8A (<i>Water Resources Technical Appendix</i>). The diversion of flow to the CFWR would likely reduce the spring breakup hydrograph of Willow Creek 3, which was measured at 5 cfs on May 30, 2019, and 16 cfs on June 2. Baseline summer flows in Willow Creek are likely very low. However, no long-term records exist to establish the specific “baseline” flow conditions of Willow Creek 3, so the term was removed. Because the flow-control gate at the CFWR could be closed so that water is not diverted into the CFWR during periods of low flow, minimal impacts to the summer flow regime of Willow Creek 3 are anticipated.	Y
26707	7	Baca	Andrew	US Environmental Protection Agency	Water Resources	Colville River Crossing. We recommend that a synthetic monthly mean discharge dataset be generated for Ocean Point, in order to support analysis of impacts of the proposed ice bridge crossing of the Colville River. As noted in the SDEIS, there is no flow data available for the Colville River at Ocean Point, and discharge measured at the Umiat gaging station is used in the impacts analysis as the most representative data available. The SDEIS suggests that flow at Ocean Point is likely approximately 1.5 times higher than flow at Umiat, based on the assumption that the magnitude of flow is likely to increase roughly proportional to the drainage area increase. We recommend using such a conversion to generate a representative synthetic dataset for Ocean Point, rather than basing the impacts analysis on flows measured at Umiat.	As suggested, discharge at Ocean Point was estimated using the drainage-area ratio method and was described in Final EIS Appendix E.8A (<i>Water Resources Technical Appendix</i>). The technical memo in which the estimate was developed is provided as Appendix E.8B (<i>Ocean Point Technical Memorandum</i>).	Y
26707	8	Baca	Andrew	US Environmental Protection Agency	Water Resources	In addition, we recommend using the average of only the last 10 years of the Umiat discharge data rather than the entire period of record. Based on data presented in Table 3.8.2, mean monthly discharges for winter months have increased over the 17 years of available data. Using mean discharges derived from the entire period of record will likely underestimate the discharge at Ocean Point during construction and use of the ice bridge.	Data for both the last 10 years and the period of record (17 years) for Umiat are presented in Final EIS Appendix E.8A (<i>Water Resources Technical Appendix</i>), as is the average monthly mean discharge for both time periods. The estimate for discharge at Ocean Point was developed using the last 10 years of data, as presented in Final EIS Appendix E.8B (<i>Ocean Point Technical Memorandum</i>).	Y
26707	9	Baca	Andrew	US Environmental Protection Agency	Water Resources	We recommend the FEIS estimate the likelihood that provisions for water management or fish passage will be necessary during construction and use of the proposed ice bridge. We further recommend that the FEIS discuss whether the use of steel culverts or pumping would be practicable and how they might be implemented. If these measures are determined to not be practicable, we recommend that the FEIS address how their absence would affect the environmental consequences of constructing the proposed ice bridge. Section 3.8.2.2 discusses the possible environmental consequences of the proposed Colville River ice bridge crossing, including the potential for the bottom-fast ice bridge to block the river flow and lead to out-of-bank flooding. Flow between the bed and the ice that would erode the riverbed or unground the bridge is presented as another possibility. The SDEIS explains that CPAI will collect flow and ice data at Ocean Point for the next several years and will develop a plan for water management and fish passage prior to bridge construction. The document indicates that alternatives include a battery of steel culverts hundreds of feet long or pumping of flows around the ice bridge, but states that both alternatives would be difficult to manage and maintain.	Description of the ice bridge was clarified in the Project description and in Section 3.8.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> . The bridge would not be entirely grounded and would allow some flow to pass underneath, thus reducing the likelihood that out-of-bank flooding would occur or that additional water management would be needed.	Y
26707	13	Baca	Andrew	US Environmental Protection Agency	Water Resources	The SDEIS identifies numerous potential surface water impacts related to construction of boat ramps within the floodplain of the Ublutuooh (Tinmiaqsiugvik) River, Judy (Iqallipik) Creek, and Fish (Uvlutuuq) Creek, which were not previously considered in the DEIS, and we recommend that the FEIS consider measures to address these impacts as well.	Surface water impacts from the boat ramps are included in the Final EIS.	N
101	3	Campbell	Bruce	—	Water Resources	ALLOW MORE INPUT FROM BIOLOGISTS AND HYDROLOGISTS, AS WELL AS FROM OTHER AGENCIES, NOW THAT THE DOCUMENTATION HAS SLOWLY BEEN EMERGING THROUGH THIS EIS PROCESS GIVING A BETTER IDEA OF THE GENERAL AREAS OF WATERSHEDS WHICH WOULD BE IMPACTED BY A MASSIVE ARRAY OF INFRASTRUCTURE AND EXTRACTION UNDER THE WILLOW MDP.	The SDEIS and the Final EIS were reviewed by subject-matter experts and by cooperating agencies.	N

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117	16	Campbell	Bruce	—	Water Resources	For instance, I note that a freshwater reservoir (plus perhaps a couple boat ramps) is proposed now instead of that island alternative. WHAT WATERCOURSES WILL HAVE THEIR NATURAL COURSE ALTERED SO AS TO FORM THE RECENTLY PROPOSED FRESHWATER RESERVOIR AS PART OF THE WILLOW MDP? WHAT WATERCOURSES (INCLUDING TRIBUTARIES AND WATERBODIES WHICH A WATERCOURSE MAY EMPTY INTO) AND WHAT PORTIONS OF SPECIES LIFE CYCLES WILL BE IMPACTED BY THE NEWLY-PROPOSED FRESHWATER RESERVOIR? Will a lot of the water in this reservoir be tapped for testing pipeline equipment?	The CFWR would be constructed under all action alternatives to provide a source of freshwater to support the Project. The CFWR would not replace module delivery Options 1 and 2, which still propose construction of an MTI. Effects from the CFWR on water resources are provided in Final EIS Section 3.8.2.3.6, <i>Water Withdrawal and Diversion</i> . Effects from the CFWR on fish are provided in the Final EIS Section 3.10.2.3.1, <i>Habitat Loss or Alteration</i> .	N
717	20	Dunn	Connor	ConocoPhillips Alaska	Water Resources	Finally, the SDEIS states, in Section 3.8.2.2, that [i]t is unknown to what extent the construction of ice bridges is currently exacerbating ice jam flooding conditions. Ice jams and flooding occur naturally in the Colville River delta, and annual break-up monitoring for over 20 years shows that slotting the annual Alpine Resupply Colville River Ice Bridge has negligible effects regarding ice jams and flooding downstream within the Colville River delta. The final EIS should reflect this known information.	The severity of an ice jam is a function of the preceding rate of rise of water level and velocity, the amount of ice traveling with the breakup front, and the nature of the obstacle that initiates the jam (Ashton 1986). It is not unreasonable to assume that upstream actions on an ice bridge may affect the formation and severity of an ice jam. However, as noted, ice jams and flooding do occur naturally in the CRD. A search of the USACE Ice Jam Database (2020) shows seven ice jams recorded from 1988 to 2016. The locations varied from Umiat (1988, 1993) to the CRD (2004, 2007, 2011, 2013). Absence of evidence of ice jam exacerbation does not provide evidence of downstream negligible effects; it confirms the unknown. Changed “exacerbating” to “influencing” in Section 3.8.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> .	Y
717	56	Dunn	Connor	ConocoPhillips Alaska	Water Resources	3.8.2.1.1 - Water Resources - Gravel infrastructure The impacts to water resources from gravel infrastructure, including the boat ramps, presented in the DEIS and the SDEIS are generally described as: 1) increase the depth and duration of water impoundment, 2) increase thermokarsting, 3) cause a change in flow direction, 4) cause channel instability or a change in alignment, 5) result in erosion of the tundra or a stream channel, or 6) result in deposition of sediment on the tundra or in a stream channel. Effects 2 through 6 are possible as compared to undeveloped conditions but they are dependent on the depth and duration of water impoundment (Effect 1). For example, an increase in duration (and depth) of water impoundment against a roadway or on the upstream side of a culvert for a month following the spring runoff event would be much more likely to result in thermokarsting, erosion, or channel changes than an impoundment occurring over a few days each year (or even every other year). ConocoPhillips recommends that the FEIS clearly describe the likelihood of effects 2 through 6.	There is not sufficient design information available yet to determine what the depth, duration, direction, velocity, and frequency of impounded water would be. Therefore, the range of potential effects are described in the EIS.	N
717	60	Dunn	Connor	ConocoPhillips Alaska	Water Resources	3.8.1.1 - Water Resources - Rivers The spring breakup monitoring record is currently 28 consecutive seasons of stage and discharge data near Nuiqsut/Monument 1 per the 2019 MBI breakup report. Median spring peak discharge value refers to Umiat. Water quality record now includes additional sampling at Ocean Point in February 2020 (MBI)This table lacks a row for Winter Monitoring Record, i.e. collected at Ocean Point in December 2019 and February 2020 (MBI).	Amended Table 3.8.1 in Section 3.8.1.1.1, <i>Rivers</i> , with updated number of seasons of data for Colville River Spring Breakup Monitoring Record row, and added a new row for Winter Monitoring Record. Table 3.8.2 in Section 3.8.1.1.3, <i>Freshwater Water Quality</i> , was amended with a new row for Colville River winter water quality.	Y
717	61	Dunn	Connor	ConocoPhillips Alaska	Water Resources	3.8.1.1 - Water Resources - Rivers December 31, 2019 - average floating ice thickness is 2.7 ft; average water under ice is 1.5 ft (max is 2.3 ft); average velocity is 0.15 ft/s (max is 0.25 ft/s).	The range of these values was provided in the SDEIS and is in Table E.8.4 (in Appendix E.8A, <i>Water Resources Technical Appendix</i>) of the Final EIS. Additional data from December 31, 2019, were put into a new table (Table E.8.5) in Section 1.2.1, <i>Colville River</i> , of Appendix E.8A, and references in Final EIS Section 3.8.1.1.1, <i>Rivers</i> .	Y
717	62	Dunn	Connor	ConocoPhillips Alaska	Water Resources	3.8.1.1 - Water Resources - Rivers This table lacks a row for data collected February 25, 2020 (MBI).	These data were added to Table E.8.4 in Appendix E.8A, <i>Water Resources Technical Appendix</i> , of the Final EIS.	Y
717	63	Dunn	Connor	ConocoPhillips Alaska	Water Resources	3.8.1.1 - Water Resources - Rivers Units for salinity is ppt, and that should be stated.	Units of measurement were added to Table 3.8.3 in Final EIS Section 3.8, <i>Water Resources</i> .	Y
717	64	Dunn	Connor	ConocoPhillips Alaska	Water Resources	3.8.2.1.1 - Water Resources - Gravel Infrastructure The SDEIS states that the CFWR would require 10.9 acres of gravel infrastructure. ConocoPhillips estimates 7.4 acres of gravel fill associated with the CFWR, which includes a 3.9-acre perimeter berm and 3.5 acres for the gravel access road and pad.	Gravel fill and excavation are described separately for the Final EIS.	N
717	65	Dunn	Connor	ConocoPhillips Alaska	Water Resources	3.8.2.1.2 - Water Resources - In-Water Structures (Water Intakes, Boat Ramps) The DEIS reported that the Ublutuoch River has a discharge near zero for November through April (DEIS Appendix E.8, Table E.8.9). Based on that information, it would be unlikely for removal of the insulating snow cover to supercool the water immediately around the construction site, leading to the formation of slush throughout the entire water column due to lack of discharge and moving water. Supercooling and slush formation cannot occur without open surface conditions and flowing water with sub-freezing air temperatures.	The Draft EIS (and Final EIS) also report that the area at the boat ramp is overwintering fish habitat. Supercooling of water could occur if the area is deep enough for overwintering habitat. No edits to text were made.	N
717	66	Dunn	Connor	ConocoPhillips Alaska	Water Resources	3.8.2.1.3 - Water Resources - Water Withdrawal BLM should include a value or range for the “estimated annual recharge volume of the basin” for comparison to the volume of the CFWR.	Additional text was added to Section 3.8.2.3.6, <i>Water Withdrawal and Diversion</i> , regarding filling of the CFWR and recharge of the lakes.	Y
717	67	Dunn	Connor	ConocoPhillips Alaska	Water Resources	3.8.2.2 - Water Resources - Module Delivery Option 3: Colville River Crossing Paragraph 4 - “The lowest range of winter flows recorded at Umiat are 1.8 to 2.7 cfs (Table 3.8.2)” It is unclear where values originate; Table 3.8.2 provides flows lower than the range described.	Text was corrected (Section 1.2.1, <i>Colville River</i> , of Appendix E.8A, <i>Water Resources Technical Appendix</i>). The mean monthly April flow at Umiat is 3.1 cfs. This was also corrected in Section 3.8.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> .	Y
717	68	Dunn	Connor	ConocoPhillips Alaska	Water Resources	3.8.2.2 - Water Resources - Module Delivery Option 3: Colville River Crossing Paragraph 4 - “Between January and March, the next lowest flow months, the mean monthly flow at Umiat varied from 24.0 to 3.1 cfs.” Should be 24.0 and 3.9 cfs according to table.	Text was corrected (Section 1.2.1, <i>Colville River</i> , of Appendix E.8A, <i>Water Resources Technical Appendix</i>). The mean monthly March flow at Umiat is 3.9 cfs. This was also corrected in Section 3.8.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> .	Y
717	69	Dunn	Connor	ConocoPhillips Alaska	Water Resources	3.8.2.1.5 - Water Resources - Watercraft in Rivers In this section and throughout the document, the analysis correctly discloses potential indirect impacts related to construction of up to three boat ramps in the Project Area. However, it would be appropriate to clarify for the reader that impacts related to an increase in watercraft and hunting (specifically potential for increased spills and increased mortality of wildlife) are an indirect result of ConocoPhillips’ proposal and that ConocoPhillips does not have direct control, ownership, or management of these activities and impacts.	BLM has disclosed the direct, indirect, and cumulative impacts associated with the construction of up to three boat ramps; while the fact that CPAI does not have direct control, ownership, or management of these activities is true, it is not relevant for making an informed decision in accordance with NEPA.	N

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717	70	Dunn	Connor	ConocoPhillips Alaska	Water Resources	3.8.2.2 - Water Resources - Module Delivery Option 3: Colville River Crossing Paragraph 3 - Update to include winter flow data collected 2109-2020 in Colville River at Ocean Point (MBI 2020).	Data were added to Final EIS Section 3.8.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> , and Section 1.2.1, <i>Colville River</i> , of Appendix E.8A, <i>Water Resources Technical Appendix</i> .	Y
717	71	Dunn	Connor	ConocoPhillips Alaska	Water Resources	3.8.2.2 - Water Resources - Module Delivery Option 3: Colville River Crossing The information in these sentences is not physically correct: “Additionally, building an ice road across the portion of the channel that is dry could cause the riverbed to freeze deeper than it would have. A deeper freeze could cause water that is flowing in the riverbed to be forced to the surface at locations outside the channel(s) that would have confined the surface water flow had the ice road not been constructed.” Building the ice road across the portion of the channel that is dry (in Figure 2.3.1 this is the 1300-foot gravel bar and banks where the ramps would be constructed) would actually provide some insulation, which would in turn reduce the freeze down into the bed and help maintain flow within the bed. As ice covers thicken (either naturally or through creation of an ice crossing), the rate of freeze into the riverbed decreases as the distance for heat from the underlying water or riverbed to travel to the atmosphere increases. So as the ice road is thickened, the heat transfer from the water to the atmosphere is slowed, also slowing any freeze down into the riverbed. As a result, water that is flowing in the riverbed would be less likely to be forced to the surface.	Agreed. This text was deleted from Section 3.8.2.8, <i>Module Delivery Option 3: Colville River Crossing</i> .	Y
717	72	Dunn	Connor	ConocoPhillips Alaska	Water Resources	3.8.2.2 - Water Resources - Module Delivery Option 3: Colville River Crossing ConocoPhillips recommends deleting or clarifying the statement: “Even if the ice road and bridge is slotted, the added ice may cause ice jam flooding within the CRD or other locations along the river to be worse than it would have been.” As is noted elsewhere in the document, the ice roads and ice bridges in the Ocean Point area are part of the existing affected environment. It is unclear whether this statement references a change in conditions relative to existing conditions, which include regular use of ice roads in this area, or a hypothetical scenario with no ice roads in the area.	It would be a change from the existing condition to build a partially grounded ice bridge large enough to transport sealift modules. The existing CWAT route is a snow road, not an ice road. No changes to text were made.	N
531	3	Hopson	Lesley	Alaska Eskimo Whaling Commission	Water Resources	In addition, several of the NWCA captains have expressed concerns about other impacts from the construction of the MTI, including sedimentation. The construction would change the environment in Harrison Bay. It is unclear what would happen to these islands after they are no longer necessary for the Willow Project.	As described in Section 3.8.2.6, <i>Module Delivery Option 1: Atigaru Point Module Transfer Island</i> , “the island is expected to be reshaped by waves and ice within 10 to 20 years, similar to Resolution and Goose islands, two Beaufort Sea exploratory islands constructed at water depths similar to the Proponent’s MTI.”	N
159	9	Kenning	Erik	ASRC	Water Resources	ASRC feels strongly that CPAI should use existing break-up monitoring data from the Colville River Delta and experience gained from the annual Alpine re-supply ice bridge/ice road. This should be used in conjunction with local knowledge, to assure that the slotting of the ice bridge during abandonment is done in the most effective manner and reducing possible impacts.	BLM concurs with the commenter’s recommendation.	N
45	2	Major	Mark	—	Water Resources	Regarding the lakes M0015, and then I think it’s R0064, and that had to do with the hydraulic connectivity. There was a basic statement made that these two lakes are hydraulically connected, but the only place we could find a map that even identified the R-lake was in the ANILCA 810 Section. And that map, maybe it’s coarse grain, but it didn’t show a stream between the two, so if the BLM could answer that question, that would be helpful too.	Labels for Lake M0015 and Lake R0064 were added to all applicable figures for Section 3.8, <i>Water Resources</i> ; Chapter 2.0, <i>Alternatives</i> ; and Appendix D.1, <i>Alternatives Development</i> .	Y
26705	7	President	Acting	Native Village of Nuiqsut Tribal Council	Water Resources	BLM must address the significant uncertainty and missing information regarding the impacts of the Colville River Crossing ice bridge. . . . The SDEIS states that the bridge will be constructed on grounded ice. But the SDEIS acknowledges that there is likely to be winter flow at the bridge location. BLM lacks comprehensive winter stream flow data for the Colville at Ocean Point because there is no gauging station at that location. The limited data that BLM has for Ocean Point shows that ice was not grounded in December 2007 and only partly grounded in December 2019. Data from upstream at Umiat shows there is usually flow in the river in every month of the year. As BLM acknowledges, flows at Ocean Point, nearly 70 miles downstream, are likely higher than flow at Umiat. BLM acknowledges that fish use the river at the bridge location, but some of the fish information included in the SDEIS is decades old and may be outdated. The SDEIS explains that flow in the river during construction and operation of the ice bridge would create significant engineering problems and risks of serious harm to the river and fish. . . . BLM proposes to resolve the uncertainties about water management and fish passage later, by allowing ConocoPhillips to collect flow and ice data at Ocean Point for several years before construction. But NEPA requires BLM to obtain and consider this data to properly assess the impacts of the ice bridge on hydrology and fish before approving the project. “If the incomplete information relevant to reasonably foreseeable significant adverse impacts is essential to a reasoned choice among alternatives and the overall costs of obtaining it are not exorbitant,” the information must be included in the EIS. BLM has not demonstrated that this information is unavailable or exorbitant to obtain. In fact, the SDEIS acknowledges that the data is necessary before construction and that ConocoPhillips is already planning on gathering it. BLM must gather and consider winter streamflow and fish population data in order to properly evaluate the Colville River crossing module delivery option and compare it against the other options in the SDEIS.	More text was added to Section 4.7.3.2, <i>Module Delivery and Colville River Crossing</i> , of Appendix D.1 (<i>Alternatives Development</i>) to clarify that the proposed ice bridge in Option 3 (Colville River Crossing) would be partially grounded; however, there would be some pockets of deep, free water present that would be narrower than the length of the SPMTs, which would bridge the liquid water channels, with their load being supported by the grounded ice sections (Figure D.4.6, detail A, in Appendix D.1). Text was also added to the <i>Environmental Consequences</i> sections of Section 3.8 (<i>Water Resources</i>) and Section 3.10 (<i>Fish</i>) to clarify effects. Because the bridge would be partially grounded, some water would be able to pass under the bridge; therefore, the description of effects was adjusted to reflect that. Also, effects from the Option 3 Colville River ice bridge are disclosed for two scenarios: 1) where flow can easily pass under the partially grounded ice bridge and 2) where flows are larger than anticipated. After the NEPA process, BLM can require additional data from CPAI in order to approve the ROW permit. CPAI would not proceed with the crossing until it can demonstrate that the level of effects would be within those analyzed in the EIS. If CPAI had to change its design to demonstrate this, that would require either additional NEPA analysis or a Determination of NEPA Adequacy. ADF&G would also require data as part of the fish habitat permit for the Project.	Y

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407	9	Rose	Garett	Natural Resources Defense Council	Water Resources	The SDEIS evaluates potentially significant impacts to water resources without the necessary information to complete such an analysis. . . . the water analysis relied on nearly 20-year-old hydraulic data without adequate justification. Beyond simply being stale data, its unreliability is heightened by the dynamic nature of the watercourses in the Western Arctic and the advance of climate change over the last two decades. Nor is this reliance inconsequential: the Western Arctic has a complicated, protean hydrology,45 so accurate, up-to-date information is essential to understand how a large, multi-decade extraction project such as Willow could potentially affect those systems. Like the DEIS, the SDEIS draws conclusions without the necessary data. BLM’s analysis of the potential impacts from Option 3s crossing of the Colville River draws some conclusions about potential impacts only to then reveal that the relevant data has yet to be collected. . . . Similarly, in its analysis of potential impacts to fish, BLM admits that it does not have the data to determine whether there will be grounded ice at Ocean Point. And, in each case, it is wholly unclear why BLM could not collect this information prior to analyzing potential impacts from the project. The lack of data undermines the utility of BLM’s analysis for the public and BLM itself. Beyond failing to collect information necessary for the analysis, the SDEIS also obscures the extent of potentially significant impacts to water resources. Paralleling much of the DEISs analysis, the SDEIS does not quantify the potential impacts to water resources from the infrastructure associated with the three new elements. For instance, the analysis of Option 3 notes the potential for backwatering and out of bank flooding but does not quantify the extent of these potential impacts. Relatedly, the SDEIS treats hydrological systems as occurring in isolation from other aspects of the natural environment. While BLM has acknowledged the potential for landscape alteration from water impoundment, for instance, there is no detailed discussion of how impoundment impacts could compound with potential thermal effects to degrade the permafrost and tundra. . . . To rectify this, BLM must revise its analysis of the Projects potential impacts to water resources to reflect accurate, up-to-date information and the actual scope of such impacts.	River discharge is generally considered the most important parameter influencing river ecosystems; large rivers integrate the behavior of all upstream catchments. Long-term records of continuous discharge at Umiat and discrete measurements during breakup downstream are available; discharge and gaging efforts are continuing. In addition to assessing the data for Umiat, discharge at Ocean Point was estimated using the drainage-area ratio method, as described in Final EIS Appendix E.8A (<i>Water Resources Technical Appendix</i>). The technical memo in which the estimate was developed is provided as Appendix E.8B (<i>Ocean Point Technical Memorandum</i>). After the NEPA process, BLM can require additional data from CPAI in order to approve the ROW permit. CPAI would not proceed with the crossing until it can demonstrate that the level of effects would be within those analyzed in the EIS. If CPAI had to change its design to demonstrate this, that would require either additional NEPA analysis or a Determination of NEPA Adequacy. Quantification of bank flooding would not be accurate without more detailed design and flow data. More detail was added to Appendix E.8A to project potential flow at Ocean Point, and Appendix E.8B was added to the Final EIS. Discussion of how impoundments could affect the thermal regime and degrade the permafrost is provided in Section 3.4.2.3.1, <i>Thawing and Thermokarsting</i> .	Y
26710	6	Smith	Louise	USFWS	Water Resources	The CFWR, excavated within wetlands adjacent to Lake M0015 and the Bear Tooth Drill Site 3 road, will access water from Lake M0015 within the Willow Creek 3 Basin (WC 3 Basin) . . . As unknown impacts to the watershed may occur, water levels in fish bearing lakes within the WC 3 Basin may fluctuate widely from year to year. The Service recommends monitoring the CFWR and using adaptive management to ensure adequate water flow and free passage of fish within the WC 3 Basin.	As stated in Final EIS Section 3.8.2.3.6, <i>Water Withdrawal and Diversion</i> , minimal effects are anticipated either to Lakes M0015 or R0064 or to Willow Creek 3 as a result of the CFWR. Therefore, additional monitoring is unwarranted.	N

4.2.3.28 Wetlands and Vegetation

Table B.3.30. Substantive Comments Received on Wetlands and Vegetation

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
26707	2	Baca	Andrew	US Environmental Protection Agency	Wetlands and Vegetation	We continue to be concerned with the use of the impervious cover model to predict watershed degradation due to wetland losses within vast HUC 10 watersheds, as this tool is designed to predict water quality impacts, primarily to streams, at much smaller scales. Watershed health is a distinct concept from impact analysis. If a watershed remains healthy because impacts are below a certain threshold, that does not mean there are no impacts. While we do not dispute that wetland condition in the mostly undisturbed project area is currently good, we disagree that project impacts can be assessed by relying upon impervious cover thresholds. We continue to recommend that the EIS include analysis of the impacts to aquatic resource functions and values at the site-specific scale, which will help to inform decisions regarding appropriate mitigation. Wetlands perform specific functions and we recommend that the loss of these functions be identified in the FEIS.	The implementing regulations do not require that a functional assessment be used to evaluate a Section 404 permit application, nor to determine compensatory mitigation requirements. USACE determined that there is sufficient information in the permit application and the Final EIS to make meaningful comparisons among alternatives, to determine the Least Environmentally Damaging Practicable Alternative, to determine whether compensatory mitigation will be required, and to make a permit decision.	N
717	54	Dunn	Connor	ConocoPhillips Alaska	Wetlands and Vegetation	10. 3.9.2.2.2 - Wetlands and Vegetation - Module Delivery Option 3: Colville River Crossing Here and throughout the document, the analysis describes “Approximately 666.6 acres of vegetation damage could occur from ice infrastructure for Option 3.” This statement is misleading. ConocoPhillips proposes approximately 333.3 acres of impact due to ice roads and pads. That impact would occur in two separate years, but likely within the same footprint (i.e., the same 333.3 acres would be impacted). This should be clarified. Also, as is noted in Section 3.13.2.2, “The altered habitat from the construction of single season ice roads and pads would recover almost immediately after the winter season is complete and the ice melts.” Similar text should be clarified in Table 3.9.6, Table 3.10.1, Table 3.11.6, Section 3.12.2.2, Table 3.12.6, Table 3.13.2, and Table 3.13.3.	The data provided by CPAI to BLM for analysis of the Project plans (i.e., action alternatives and module delivery options) do not provide year attributes for the GIS maps, only centerlines for planned ice road routes. Ice infrastructure footprint values (i.e., acres) were provided in tabular form by year. While BLM understands that CPAI may construct ice roads and ice pads within the footprint of the previously constructed ice infrastructure, there may also be practical, logistical, or permitting-agency reasons to not do so (e.g., allowing tundra to recover). Additionally, this would be inconsistent with how the action alternatives and other module delivery options are evaluated. The data provided by CPAI do not allow for the requested level of granular analysis to independently verify the commenter’s proposal, or for the ability to apply it consistently across all action alternatives or module delivery options.	N
717	73	Dunn	Connor	ConocoPhillips Alaska	Wetlands and Vegetation	29. 3.9.1 - Wetlands and Vegetation - Affected Environment Please clarify that designation of BLM sensitive species is not relevant to non-BLM lands (i.e. State of Alaska-owned lands in Kuparuk, etc.).	Footnote 5 for “sensitive species” in the SDEIS (Section 3.9.1, <i>Affected Environment</i>) states the following: “BLM designates native wildlife, fish, or plant species occurring on BLM lands...” The footnote has been updated for the Final EIS (Section 3.9.1, <i>Affected Environment</i>) to include a statement that the sensitive species designation only applies to BLM-managed lands.	Y
717	74	Dunn	Connor	ConocoPhillips Alaska	Wetlands and Vegetation	30. 3.9.2.2.2 - Wetlands and Vegetation - Direct Vegetation Damage Section 3.9.2.2.2 and Table 3.9.6 state that 666.6 acres of vegetation would be damaged due to constructing ice roads and pads to facilitate Option 3. The actual acres of ice that will be constructed is 333.3 acres that would be constructed 2 times. BLM should revise this section and table to indicate the actual acreage is 333.3, but constructed twice. It is incorrect and misleading to count this as 666.6 acres.	The data provided by CPAI to BLM for analysis of the Project plans (i.e., action alternatives and module delivery options) do not provide year attributes for the GIS maps, only centerlines for planned ice road routes. Ice infrastructure footprint values (i.e., acres) were provided in tabular form by year. While BLM understands that CPAI may construct ice roads and ice pads within the footprint of the previously constructed ice infrastructure, there may also be practical, logistical, or permitting-agency reasons to not do so (e.g., allowing tundra to recover). Additionally, this would be inconsistent with how the action alternatives and other module delivery options are evaluated. The data provided by CPAI do not allow for the requested level of granular analysis to independently verify the commenter’s proposal, or for the ability to apply it consistently across all action alternatives or module delivery options.	N

Letter No.	Comment No.	Sender Last Name	Sender First Name	Org.	Primary Comment Code	Comment Text	Response	Text Change (Y/N)
717	76	Dunn	Connor	ConocoPhillips Alaska	Wetlands and Vegetation	32. 3.9.3. - Vegetation - Additional Suggested Best Management Practices or Mitigation “Provide wash stations to clean and inspect vehicles before allowed west of the Colville River; clean tires and wheel wells so they are free from soils, seeds, and plant parts.” ConocoPhillips already has an approved invasive species plan for the NPRA that will be followed for Willow, and complies with the existing 2013 NPRA IAP BMP M-2. Hence this additional BMP is redundant and unnecessary.	The suggested BMP has been removed from the text due to its redundancy with BMP M-2.	Y
520	42	Psarianos	Bridget	Trustees for Alaska	Wetlands and Vegetation	Wetlands mitigation is also inadequate and incomplete for this project as described in the SDEIS. Under the Clean Water Act Section 404, loss of wetlands must be avoided and mitigated, and, if avoidance and mitigation do not eliminate wetlands loss, wetlands loss must be compensated for. Compensation may take the form of creation, restoration, or preservation of wetlands, with ratios of lost wetlands to mitigated wetlands variable depending on the mechanism. The acres of different habitat types lost or altered captured in Table 3.11.2 and Table 3.11.3 would be a useful tally of wetlands lost for compensatory mitigation purposes. But the Willow projects 404 permit inexplicably does not include measures to compensate for wetlands loss. Birds use wetlands for foraging, nesting, raising chicks, and staging for migration. The wetlands in Alaska offer an opportunity to properly conduct wetlands mitigation, including compensatory mitigation. Here, the SDEIS documents the loss and alteration of a number of wetland habitats that birds are using, yet none of these acres will be compensated for. This is unacceptable and should be remedied in a revised draft EIS and wetlands plan.	Tables E.9.2 through E.9.8 quantify effects to wetlands by alternative. Except as required by law, BLM policy precludes imposition of compensatory mitigation on public land users (IM 2019-018, Compensatory Mitigation, DOI 2019). A compensatory mitigation plan is not required for NEPA or for the Section 404 permit application; only a compensatory mitigation statement is required. USACE determines compensatory mitigation requirements associated with Section 404 permits and provides a public comment opportunity upon issuance of the Public Notice for permit applications under Section 404.	N
26710	5	Smith	Louise	USFWS	Wetlands and Vegetation	In order to minimize the spread of invasive species, the Service recommends installation and use of strategically placed wash and inspection stations prior to use of vehicles within the project area.	Suggestion is included in Section 3.9.2.1.4, <i>Additional Suggested Avoidance, Minimization, or Mitigation</i> .	N

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Willow Master Development Plan

Appendix B.4

Supplemental Environmental Impact Statement Scoping Summary Report

June 2022

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List of Acronyms

ANILCA	Alaska National Interest Lands Conservation Act
BLM	Bureau of Land Management
BMP	best management practices
BT	Bear Tooth
EIS	Environmental Impact Statement
GHG	greenhouse gas
IAP	Integrated Activity Plan
NEPA	National Environmental Policy Act
NPR-A	National Petroleum Reserve in Alaska
ROD	Record of Decision
TAPS	Trans-Alaska Pipeline System
USACE	U.S. Army Corps of Engineers

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1.0 PUBLIC ENGAGEMENT AND SCOPING PROCESS

Public involvement is an integral part of the National Environmental Policy Act (NEPA) process and is required in the preparation and implementation of agencies' NEPA procedures. The Bureau of Land Management (BLM) published a Notice of Intent to prepare a Supplemental Environmental Impact Statement (EIS) on February 7, 2022. The supplemental analysis will address deficiencies identified in the August 2021 U.S. District Court of Alaska decision to vacate the earlier Record of Decision and Final EIS and ensure compliance with applicable law.

The scoping period was 30 days and ran from February 7, 2022, to March 9, 2022. The scoping period was announced in the *Federal Register*, a BLM news release, and the BLM Willow Master Development Plan ePlanning website. Public comments were received via email and through the BLM's ePlanning website.

2.0 COMMENT SUMMARY

In total, 125,146 respondents submitted comments during the scoping period. These comments were submitted via the ePlanning website, email, or mailed-in letters. Of the comment letters, the majority (97%) were submitted as form letters (i.e., letters containing identical content), while the remainder were either form letters with slight modifications (3%) (e.g., one or two unique sentences added, but otherwise identical to a form letter) or unique comment letters (>1%) (i.e., original letters that did not have identical or almost identical wording as another letter). The 124,687 form letter submissions all originated from a total of 16 unique form master letters, some of which shared overlapping phrases or bullet points.

Nearly all respondents were individuals (99%), with the exception of those listed below in Table B.4.1. Individuals who provided their business title or employer information in their letter but did not state that they were an official representative were counted as individuals as opposed to businesses or organizations.

Table B.4.1. Respondent Group Types

Respondent Group Type	Respondent Title
Tribes/Alaska Native Claims Settlement Act Corporations	Arctic Slope Regional Corporation Kuukpik Corporation Native Village of Barrow
Government Agencies	Alaska Congressional Delegation (Senators Murkowski and Sullivan and Congressman Young) Alaska Legislature (Representatives Bart LeBon, Steve Thompson, and Mike Prax) City of Atkasuk City of Wainwright House Natural Resources Committee North Slope Borough State of Alaska U.S. Environmental Protection Agency U.S. House of Representatives (Alan Lowenthal, Raúl Grijalva, Jared Huffman, Katie Porter, Earl Blumenauer, Rashida Tlaib, Betty McCollum, and Jan Schakowsky)
Businesses and Organizations	350 Humboldt 350 Juneau 350.Org AK District Council of Laborers Alaska AFL-CIO Alaska Chamber Alaska Federation of Natives Alaska Frontier Constructors Alaska Maritime Agencies Alaska Oil and Gas Association Alaska Port Services

Respondent Group Type	Respondent Title
	<p>Alaska Support Industry Alliance Alyeska Pipeline Services Company ANCSA Regional Association Arctic Controls, Inc. Bering Marine Corporation Centre for Indigenous Conservation and Development Alternatives Colville, Inc. ConocoPhillips Alaska, Inc. Cruz Construction, Inc. Defenders Of Wildlife Delta Constructors Fairbanks Building and Construction Trades Council Fairbanks Economic Development Corporation Flowline Alaska, Inc. Friends of the Earth General Steamship Agencies, Inc. Greater Fairbanks Chamber of Commerce Human Rights Action Movement ICE Services, Inc. International Union of Operating Engineers (IUOE) 302 The Juggernaut Project Knik Construction Laborers' International Union of North America Local 942 Laborers' Local 341 Lynden Incorporated and Affiliates Michael Baker International Natural Resources Defense Council North Star Equipment Services Northern Energy Services, LLC Our Children's Trust Petrotechnical Resources of Alaska Plumbers and Pipefitters Local 375 Protect the Arctic Public Employees Local 71 Resource Development Council for Alaska, Inc. Sovereign Inupiat for a Living Arctic STG Incorporated Teamsters Local 959 Voice of the Arctic Inupiat Vote Climate The Welding Shop, Inc.</p> <p>Combined comments from: Alaska Wilderness League, Center for Biological Diversity, Friends of the Earth, League of Conservation Voters, The Wilderness Society, Great Old Broads for Wilderness, Earthjustice, Greenpeace USA, and Northern Alaska Environmental Center</p> <p>Combined comments from: Trustees for Alaska, Alaska Wilderness League, Audubon Alaska, Conservation Lands Foundation, Center for Biological Diversity, Defenders of Wildlife, Earthjustice, Friends of the Earth, Great Old Broads for Wilderness, Northern Alaska Environmental Center, Sovereign Inupiat for a Living Arctic, Sierra Club, and The Wilderness Society</p>

Notes: ANCSA (Alaska Native Claims Settlement Act); IUOE (International Union of Operating Engineers).

Within each comment letter, individual comments (i.e., stand-alone comments that relate to a single issue, idea, or conclusion) were identified and grouped into one or more of the following categories listed in Table B.4.2. Comment categories are either defined by individual resources that may be affected by the project, individual elements of the proposed project, or specific phases and aspects of the EIS or NEPA

process (see Table B.4.2). Categories are intended to describe the main topic or resource that is discussed in the comment, regardless of whether the comment is expressing opposition or support for the project as it relates to that topic. Any comments identified within form letters were categorized only once and counted as a single comment no matter how many form letters with that same comment were submitted.

Table B.4.2. Comment Categories

Resource Topics	Project Element Topics	EIS/NEPA Process Topics
Reclamation	Endanger Species Act Consultation and Analysis	EIS Process/Timeline
Air Quality	Legal Compliance	Stakeholder Engagement
Birds	Integrated Activity Plan	Cumulative Effects
Climate Change	Mitigation or Minimization	Alternatives
Cultural Resources	Project Description	Request for Extended Scoping Period
Environmental Justice		Purpose and Need
General Economics		Tribal Engagement
Marine Mammals		ANILCA 810 Analysis
Public Health and Safety		Request to be Added to Mailing List
Soils or Permafrost		Request for Meeting with BLM
Domestic Oil Production/Trans-Alaska Pipeline System		Request for New Analysis
Teshekpuk Lake and other Special Areas		Request for New Alternative
Subsistence		Request for More Detail
Spills or Emergency Response		Permitting

Notes: ANILCA (Alaska National Interest Lands Conservation Act); BLM (Bureau of Land Management); EIS (Environmental Impact Statement).

BLM considered each comment and determined if they were substantive or non-substantive.

In performing this analysis, BLM relied on Section 6.9.2, *Comments*, in the BLM NEPA Handbook H-1790-1 (2008) to determine what constituted a substantive comment. Comments that are not considered substantive include the following:

- Comments in favor of or against the proposed action or alternatives without reasoning that meet the criteria listed above (such as “we disagree with Alternative Two and believe the BLM should select Alternative Three”)
- Comments that only agree or disagree with BLM policy or resource decisions without justification or supporting data that meet the criteria listed above (such as “more grazing should be permitted”)
- Comments that don’t pertain to the project area or the project (such as “the government should eliminate all dams,” when the project is about a grazing permit)
- Comments that take the form of vague, open-ended questions

In total, 506 individual substantive comments were identified and categorized, as shown in Table B.4.3. Half of all comments (50%) fell into the following five categories:

1. Climate Change
2. General Economics
3. EIS Process/Timeline
4. Request for More Detail
5. Domestic Oil Production/Trans-Alaska Pipeline System (TAPS)

Additional details concerning the content of comments and their key points are summarized in Table B.4.4.

Table B.4.3. Comments Received

Comment Category	No. Comments Received	% Total Comments
Climate Change	74	14.6%
General Economics	59	11.7%
EIS Process/Timeline	47	9.3%
Request for More Detail	31	6.1%
Domestic Oil Production/Trans-Alaska Pipeline System	31	6.1%
Caribou and General Wildlife	31	6.1%
Alternatives	29	5.7%
Mitigation or Minimization	20	4.0%
Stakeholder Engagement	19	3.8%
Cumulative Effects	16	3.2%
Environmental Justice	14	2.8%
Subsistence	14	2.8%
Public Health and Safety	12	2.4%
Purpose and Need	11	2.2%
Spills or Emergency Response	11	2.2%
Permitting	10	2.0%
Request for New Alternative	10	2.0%
Teshekpuk Lake and Other Special Areas	10	2.0%
Marine Mammals	8	1.6%
Endanger Species Act Consultation and Analysis	6	1.2%
Request for New Analysis	5	1.0%
Integrated Activity Plan	5	1.0%
Project Description	5	1.0%
ANILCA 810 Analysis	4	0.8%
Birds	4	0.8%
Tribal Engagement	4	0.8%
Legal Compliance	3	0.6%
Reclamation	3	0.6%
Nuiqsut Economics	3	0.6%
Air Quality	2	0.4%
Request to be Added to Mailing List and Response to Comments	1	0.2%
Request Meeting with BLM	1	0.2%
Request for Extended Scoping Period	1	0.2%
Cultural Resources	1	0.2%
Soil and Permafrost	1	0.2%
Sum	506	100%

Notes: ANILCA (Alaska National Interest Lands Conservation Act); BLM (Bureau of Land Management); EIS (Environmental Impact Statement).

Table B.4.4. Comment Summary

Comment Category	Summary of Key Points
Climate Change	Commenters stated that the project would have significant GHG emissions and larger consequences on the North Slope and the globe. Commenters requested that the EIS consider long-term and cumulative effects of climate change, and include an analysis of the social cost of carbon. Comments also requested that the MarketSim analysis use different assumptions than in prior iterations of the EIS, such as the use of a baseline scenario that assumes that the U.S. and other countries meet their commitments under the Paris Agreement and transition to clean, renewable energy. Many commenters suggested the project would not allow the U.S. to meet renewable energy goals and commitments to the Paris Agreement.

Comment Category	Summary of Key Points
General Economics	Commenters stated that the project is needed to support the economic development of the State of Alaska, the North Slope, and the communities in the vicinity of the project. Additional comments requested that the Supplemental EIS economic analysis be revised to account for other oil and gas activities that are occurring and planned on the North Slope.
EIS Process/Timeline	Comments in this category were split, with some comments encouraging BLM to complete the EIS analysis in a timely and efficient manner and focus on the issues identified as needing additional review by the court, and some comments encouraging BLM to take their time and expand on analyses completed in the Final EIS. Some commenters requested that BLM provide public scoping meetings, and one commenter requested that BLM and USACE have complete permit applications from ConocoPhillips before initiating the NEPA process.
Request for More Detail	Commenters requested more detail be provided on information presented in the Final EIS, such as site-specific information about the Colville River crossing, the impacts of vehicle traffic, the impacts of temporary ice infrastructure, the impacts from hydraulic fracturing (fracking) and other well stimulation techniques, wildlife movement, traffic associated with using the K Pad mud plant, and the rationale for eliminating the Constructed Freshwater Reservoir from one alternative.
Domestic Oil Production/TAPS	Commenters requested that the Supplemental EIS include an analysis of potential increases in domestic oil production and associated benefits to national energy and economic security, and the long-term viability and integrity of the TAPS.
Caribou and General Wildlife	Commenters stated the project would have substantial impacts on caribou migration and movement, and access to preferred habitat. Commenters also voiced concern about loss of wildlife habitat and biodiversity. Specifically, some respondents asked that the EIS evaluate potential impacts to special areas protected under the IAP, which have been set aside for their importance to caribou, including Teshekpuk Lake Special Area and Colville River Special Area; caribou migration patterns or avoidance effects; and shorebirds and waterfowl from habitat loss and disturbance.
Alternatives	Commenters suggested BLM expand on alternative elements evaluated in the Final EIS, such as: using the existing central processing facility and other infrastructure at Alpine instead of building new infrastructure; alternative drill site locations; a year-round roadless alternative (aircraft only) and a seasonal roadless alternative (provides for seasonal drilling); eliminating or minimizing the number of roads or other proposed facilities within Teshekpuk Lake Special Area and Colville River Special Areas (specifically, eliminating the approximately 7-mile north-south drill site access road through Teshekpuk Lake Special Area or eliminating drill sites BT2 and BT4 and the roads to them); or any other alternative design that reduces the footprint of the project and reduces the amount of new infrastructure being proposed.
Cumulative Effects	Commenters requested that the cumulative effects analysis include more details about future drill sites such as Greater Willow 1 and 2 and consider the cumulative impacts of Willow as a hub for future oil and gas activities (i.e., westward development spurred by Willow), which commenters felt would impact Special Areas and local communities. One commenter mentioned specific future actions that should be included in the analysis, such as the Peregrine Project, and other commenters requested a more robust cumulative analysis of climate change.
Mitigation and Minimization	Comments suggested BLM consider project-specific mitigation to protect resources and habitat, and not rely on general measures included in the IAP, particularly if BLM moves forward before a final decision is made on the IAP. Comments also requested that more rationale be provided for deviations from IAP measures and why those deviations are appropriate, and requested BLM explain how the objectives of those BMPs would be met through other means. Some comments suggested specific minimization measures such as use of drones in place of aircraft for pipeline monitoring, use of electric vehicles, use of insulation in roads and pads, higher vertical support members and horizontal support members, seasonal operation restrictions, etc.
Stakeholder Engagement	Commenters requested BLM hold public hearings or public meetings for scoping, especially in Nuiqsut. Commenters suggested BLM should listen to the communities regarding potential effects to them.

Comment Category	Summary of Key Points
Request for New Alternative	Commenters suggested BLM include new alternative elements that were not evaluated in the Final EIS, such as: constructing a diesel pipeline (several variations on this were suggested), relocating BT2 to the west, using alternative transportation to roadless drill sites, eliminating the barging of modules, and including Greater Willow 1 and 2 as drill sites.
Environmental Justice	Commenters expressed concern that the project would adversely impact Native communities by affecting subsistence resources and by releasing potential contamination and pollution that would affect the health of these communities. Two commenters noted that existing mitigation mechanisms, such as the NPR-A Impact Grant Program, would at least in part offset potential disproportionate impacts to Native communities.
Subsistence	Commenters stated that the project would significantly impact the Teshekpuk Caribou Herd, an important subsistence resource for communities on the North Slope. Comments expressed concern about food security and potential toxics and pollutants in subsistence food sources, and stated that the project would disrupt caribou migration. One comment described the potential benefits of new roads for increasing subsistence access and lowering the cost of goods and services in Nuiqsut.
Public Health and Safety	Commenters requested that the EIS consider potential impacts of the project on human health as a result of air pollution, water pollution, stress, or changes in traditional way of life and diet. Specific concerns expressed by respondents include asthma and other respiratory diseases, cancer, toxins in animals and food, general exposure to toxins in air and drinking water. Commenters noted the project's close proximity to Nuiqsut would result in impacts to public health.
Purpose and Need	Commenters requested that the Purpose and Need of the EIS be re-evaluated, and that it should account for and be consistent with current national climate change policy goals. One commenter suggested that BLM's claim in the Final EIS that the project would help offset declines in production from the North Slope oil fields should be viewed with climate commitments in mind, and that therefore declining emissions from the oil and gas sector is the goal to be accomplished, not a problem that needs fixing. That commenter also suggested that BLM should reassess the need for the project in terms of projected oil supply and demand, and that U.S. oil demand is expected to decline with the use of electric vehicles.
Permitting	A commenter suggested that the project would not protect the public interest and that USACE and BLM should assess whether there is a less environmentally damaging practicable alternative that was not fully considered in the prior permitting process.
Marine Mammals	Commenters requested that the EIS include a quantitative analysis of potential impacts to denning bears and cubs, and a more robust analysis of impacts of increased human-bear encounters. Commenters stated that the project would result in habitat loss for polar bears.
Teshekpuk Lake and Other Special Areas	Commenters requested that the EIS evaluate potential impacts to wildlife and bird species and habitats within the Teshekpuk Lake Special Area and the Colville River Special Area. Respondents stated that the EIS should also describe protections for the Teshekpuk Lake Special Area and how the project complies with applicable use or development restrictions. One commenter expressed concern about the project's impacts on the Pik Dunes area and its unique qualities.
Spills or Emergency Response	Commenters expressed concern about potential spills from the project, potential seismic risks, and the duration of recovery if a spill were to occur.
Request for New Analysis	Commenters requested additional baseline studies and analysis be completed regarding methane release and new requirements from the North Slope Borough's rezone ordinance for the project (passed in January 2021). One commenter suggested BLM complete a Health Impact Assessment for the local communities.
IAP	Commenters requested that the project should conform to BLM's 2013 IAP, since the 2020 IAP will be withdrawn. Some requests stated that any reconsideration of Willow should occur after BLM completes its evaluation of the 2020 IAP and determines whether to issue a ROD selecting a different alternative, so it is clear what measures apply to the Willow decision.

Comment Category	Summary of Key Points
Project Description	Commenters requested that the Supplemental EIS describe how the project complies with all laws and policies, include a discussion of the approvals and authorizations from federal, state, and local agencies. Further requests related to requests that ConocoPhillips provide site-specific information including (but not limited to) location, power generation, vehicle and aircraft traffic patterns, processing activities, and infrastructure needs.
ANILCA 810 Analysis	Commenters requested that BLM describe how Willow would comply with ANILCA and stated that BLM should take reasonable steps to minimize and address impacts to subsistence, and if significant impacts are unavoidable to consider if approval of the project complies with ANILCA.
ESA Consultation and Analysis	Commenters requested that the Supplemental EIS analyze the effects of the GHG pollution resulting from the Willow Project in isolation, and in combination with other oil and gas activities in the Arctic on the survival and recovery of polar bears. Commenters also requested that BLM utilize the Wilson and Durner model to quantify the impacts to denning polar bears and make the results of this model available for public review.
Birds	Commenters requested that the Supplemental EIS should consider any obligations and priorities that result from the East Asian-Australasian Flyway Partnership. Additional requests include that the Supplemental EIS explore the distribution and ecology of <i>arctica dunlin</i> in relation to possible development in the Willow Project area, including the cumulative impacts to the species. Commenters also requested that BLM review the existing annual reports to understand and disclose potential impacts to yellow-billed loon from the project.
Tribal Engagement	Commenters reiterated the importance of and requirements for working with the Alaska Native Corporations and expressed appreciation for how BLM has done that to date.
Legal Compliance	Commenters stated that BLM's previous EIS and ROD wrongly assumed that the agency lacked authority to limit ConocoPhillips' activities. Commenters further stated that BLM has clear, statutory obligations to condition or restrict oil and gas activity as it determines necessary to protect other resources and to mitigate adverse environmental effects, along with the authority to deny a project altogether if its impacts are too severe.
Reclamation	Commenters expressed concern that reclamation was not fully addressed in the Final EIS, that recovery could take time, and questioned who would clean up after the project was completed.
Nuiqsut Economics	Some commenters stated that the jobs would not benefit local communities, while others stated that Nuiqsut would benefit from mandated contributions to the NPR-A Impact Grant program.
Request to be Added to Mailing List and Requests for Response	One commenter requested to get further notifications on the project and requested that BLM send them a response to their comments.
Request Meeting with BLM	One commenter stated they would like to meet with BLM to discuss the constitutional use of the Department of Interior's statutory authority to redress the climate issue.
Request for Extended Scoping Period	One commenter requested an extension of the scoping period.
Air Quality	Commenters stated concerns that the project would significantly impact the air quality and result in subsequent health issues.
Cultural Resources	Commenters expressed concern that historic artifacts that could not be moved would be lost.
Soil and Permafrost	Commenters stated that the permafrost is rapidly thawing due to climate change and stated that the proponent has said that it will need to artificially chill the tundra to sustain infrastructure.

Notes: ANILCA (Alaska National Interest Lands Conservation Act); BLM (Bureau of Land Management); BMP (best management practices); BT (Bear Tooth); EIS (environmental impact statement); GHG (greenhouse gas); IAP (Integrated Activity Plan); NEPA (National Environmental Policy Act); NPR-A (National Petroleum Reserve in Alaska); ROD (Record of Decision); TAPS (Trans-Alaska Pipeline System); USACE (U.S. Army Corps of Engineers).

3.0 REFERENCES

BLM. 2008. *National Environmental Policy Act Handbook H-1790-1*. Washington, D.C.

Willow Master Development Plan

Appendix B.5

Draft Supplemental EIS Comments and BLM Responses

January 2023

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List of Acronyms

ANILCA	Alaska National Interest Lands Conservation Act
BLM	Bureau of Land Management
BT5	Bear Tooth drill site BT5
EA	Environmental Assessment
EIS	Environmental Impact Statement
GHG	greenhouse gas
IAP	Integrated Activity Plan
MDP	Master Development Plan
NEPA	National Environmental Policy Act
NPR-A	National Petroleum Reserve in Alaska
NSB	North Slope Borough
ROD	Record of Decision
ROP	required operating procedure
TLSA	Teshkepuk Lake Special Area
USACE	U.S. Army Corps of Engineers

1.0 DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT PUBLIC ENGAGEMENT PROCESS

Public involvement is an integral part of the National Environmental Policy Act (NEPA) process and is required in the preparation and implementation of agencies' NEPA procedures. The Bureau of Land Management (BLM) published a Notice of Availability for the Draft Supplemental Environmental Impact Statement (EIS) for the Willow Master Development Plan (MDP) in the *Federal Register* on July 15, 2022. This began a 45-day public comment period, which ended on August 29, 2022. The BLM held public meetings on the Draft Supplemental EIS in August 2022 (Table B.5.1). Meetings were held virtually and in person in Nuiqsut and Utqiagvik (Barrow). The Nuiqsut meeting included the public hearing for comments regarding the Project's potential impacts to subsistence resources and activities as per the Alaska National Interest Lands Conservation Act (ANILCA) Section 810.

Details concerning dates, times, and locations of the meetings were announced through local news media, newspapers, and the BLM Project ePlanning website. Verbal comments given at public meetings and the public hearing were documented in formal transcripts for each individual meeting. Comments on the Draft Supplemental EIS were received via email and mail, via the ePlanning website, and at public meetings.

Table B.5.1. Public Meeting Dates and Locations

Meeting	Date	Location
Public Meeting #1	August 8, 2022	Virtual
Public Meeting #2	August 15, 2022	Virtual
Public Meeting #3	August 16, 2022	Nuiqsut
Public Meeting #4	August 17, 2022	Virtual
Public Meeting #5	August 18, 2022	Virtual
Public Meeting #6	August 22, 2022	Utqiagvik
Public Meeting #7	August 24, 2022	Virtual

The presentation used during the meetings, transcripts of each meeting, public and agency input received during the public process, and a summary scoping report are available on the BLM Willow MDP ePlanning website: <https://eplanning.blm.gov/eplanning-ui/project/109410/510>.

2.0 COMMENT SUMMARY

The BLM received a total of 218,931 submissions during the public comment period.¹ (A submission is defined as a single email, letter, webform submission, or speaker in written transcripts.) These were received via email, online, or mailed-in letters, or comments submitted verbally at public meetings. Of the submissions, 4,440 were unique (i.e., original submissions that did not have identical or almost identical wording as another submission). The remaining submissions were form letters (i.e., submissions containing identical content), form letters with slight modifications (e.g., one or two unique sentences added, but otherwise identical to a form letter), or duplicate submissions (i.e., the sender submitted the same submission multiple times).

Not all respondents noted if they were affiliated with an organization or were providing comments as an individual. Of those that indicated an affiliation, nearly all respondents were individuals. Tribes/tribal corporations, organizations, and governmental agencies (or personnel that commented and provided this information) are shown in Table B.5.2. Individuals who provided their business title or employer information in their letter or testimony but did not state that they were an official representative were counted as individuals, not businesses or organizations.

Several organizations provided submissions with comments and/or signatures from their members. These are included in the submissions count discussed above.

Table B.5.2. Respondent Group Types

Respondent Group Type	Respondent Title	Respondent Title (continued)
Tribes/Alaska Native Claims Settlement Act Corporations	Native Village of Nuiqsut* Kuukpik Corporation Doyon Limited Iñupiat Community of the Arctic Slope (ICAS)* Arctic Slope Regional Corporation (ASRC) ANCSA Regional Association	ASRC Energy Services, LLC (subsidiary of ASRC) ASRC Consulting & Environmental Services, LLC (subsidiary of ASRC Energy Services)

¹ BLM received five additional submissions after the formal 45-day comment period had concluded on August 29, 2022. These submissions were received via email and were submitted by 1) Institute for Policy Integrity [October 19, 2022] 2) Voice of the Arctic Inupiat [November 22, 2022] 3) Alaska Soles Broadband, Great Old Broads for Wilderness et al. [December 19, 2022] 4) Arctic Slope Regional Corporation, Inupiat Community of the Arctic Slope, and the North Slope Borough [December 20, 2022] 5) and the Alaska Wilderness League [January 6, 2023]. Copies of all comments are included in the Project decision file. BLM considered these comments using the same process and parameters described in this appendix. All substantive comments identified were reviewed by subject matter experts and new information and citations were incorporated into the Final Supplemental EIS as appropriate.

Respondent Group Type	Respondent Title	Respondent Title (continued)
Businesses and Organizations	1000 Grandmothers for Future Generations	League of Conservation Voters
	Alaska Chamber	LiUNA
	Alaska District Council of Laborers	Lounsbury and Associates, Inc.
	Alaska Gasline Development Corporation	Lynden Transport, Inc.
	Alaska Oil & Gas Association	Maryland Ornithological Society
	Alaska West Express	NANA Management Services
	Alaska Wilderness League	National Association of Manufacturers
	Alyeska Pipeline Service Company	National Audubon Society
	American Petroleum Institute	Native Movement
	Armstrong Oil & Gas, Inc.	Natural Resources Defense Council
	Associated General Contractors of Alaska	Norgasco, Inc.
	Audubon Alaska	North America's Building Trades Unions
	Audubon Colorado Council	Northern Alaska Environmental Center
	B&N Clearing and Environmental	Northern Energy Services, LLC
	Center for American Progress	Oil Search (Alaska), LLC
	Colville, Inc.	Patagonia
	ConocoPhillips	People vs Fossil Fuels Coalition
	Conservation Lands Foundation	Protect Our Winters
	Council of Alaska Producers	Public Employees Local 71
	Cruz Construction, Inc.	Resource Development Council for Alaska, Inc.
	Defenders of Wildlife	Sierra Club
	Denver Audubon	Sovereign Inupiat for a Living Arctic
	Earthjustice	Student (Student Public Interest Research Groups) PIRGs
	EnerGeo Alliance	The Alaska Support Industry Alliance
	Environment America	The Climate Reality Project
	Evergreen Action	The Wilderness Society
	Fairbanks Climate Action Coalition	Thompson Metal Fab, Inc.
	Fairbanks Economic Development Corporation	Tidelines Institute
	Fairweather, LLC	Trustees for Alaska
	First Things First Alaska Foundation	United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry
	Flowline Alaska, Inc.	United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry - UA Local 290
	Food & Water Watch	United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry – UA Local 375
	Friends of the Earth	United States Chamber of Commerce – Global Energy Institute
	Furie Operating Alaska, LLC	Women's Earth & Climate Action Network – Tongass Forest
	Greater Fairbanks Chamber of Commerce	Yukon Fire Protection Services, Inc.
	Greater Juneau Chamber of Commerce	
	Greenpeace USA	
	Haas Consulting Group, LLC	
	ICE Services, Inc.	
	Institute for Policy Integrity at NYU School of Law	
	International Union of Operating Engineers	
	Knik Construction Co., Inc.	
	Laborers' Local 341	
	Laborers' Local 942	
	Law Office of James F. Clark	

Respondent Group Type	Respondent Title	Respondent Title (continued)
Government Agencies and Government Officials	State of Alaska DNR Office of Project Management and Permitting* Representative. Louise Stutes, Alaska State Legislature Senator Robert Myers, Alaska State Senate Senator Natasha von Imhof, Alaska State Senate Senator Lyman Hoffman, Alaska State Senate Senator Bert Stedman, Alaska State Senate Senator Click Bishop, Alaska State Senate Senator David Wilson, Alaska State Senate Senator Elvi Gray-Jackson, Alaska State Senate Senator Peter A. Micciche, Senate President, Alaska State Senate Senator Josh Revak, Alaska State Senate Senator Mia Costello, Alaska State Senate Senator Gary Stevens, Alaska State Senate Senator Shelley Hughes, Majority Leader, Alaska State Senate Senator Bill Wielechowski, Alaska State Senate Senator Scott Kawasaki, Alaska State Senate Senator Roger Holland, Alaska State Senate Senator Lora Reinbold, Alaska State Senate Senator Mike Shower, Alaska State Senate Senator Tom Begich, Minority Leader, Alaska State Senate	Alan Lowenthal, U.S. House of Representatives, House Energy and Mineral Resources Subcommittee Raul M. Grijalva, U.S. House of Representatives, House Natural Resources Committee Jared Huffman, U.S. House of Representatives, House Water, Oceans, and Wildlife Subcommittee City of Atkasuk City of Nuiqsut* City of Wainwright North Slope Borough* U.S. Environmental Protection Agency* U.S. Fish and Wildlife Service* U.S. Fish and Wildlife Service – Fairbanks Fish and Wildlife Conservation Office*

*Cooperating agency

Within each comment letter or verbal transcript, individual comments (i.e., stand-alone comments that relate to a single issue, idea, or conclusion) were identified and grouped into one or more of the following categories listed in Table B.5.3. Comment categories were either defined by individual resources that may be affected by the project, individual elements of the Project, or specific phases and aspects of the EIS or NEPA process (Table B.5.3). Categories are intended to describe the main topic or resource that is discussed in the comment, regardless of whether the comment is expressing opposition or support for the project as it relates to that topic. Any comments identified in form letters were categorized only once and counted as a single comment no matter how many form letters with that same comment were submitted.

Table B.5.3. Comment Categories

Resource Topics	Project Element Topics	EIS/NEPA Process Topics
Caribou and general wildlife	Mitigation or minimization	Freedom of Information Act request
Air quality	Project description	Request for new analysis
Birds	Reclamation	Request for new alternative
Climate change		Request for more detail
Cultural resources		Request for extension or for no extension of public comment period
Environmental justice		BLM's Authority
Fish		Alternatives
General economics		Cumulative effects
Land ownership and use		EIS process or timeline
Marine mammals		Permitting
Noise		Purpose and need
Nuiqsut economics		Stakeholder engagement
Public health and safety		Endangered Species Act consultation and analysis
Soils or permafrost		Legal or policy compliance
Teshkepuk Lake and other Special Areas		Tribal engagement
Visual resources		
Water resources		
Wetlands and vegetation		
Subsistence		
Spills or emergency response		
Subsistence		
ANILCA 810 analysis		

Note: ANILCA (Alaska National Interest Lands Conservation Act); BLM (Bureau of Land Management); EIS (Environmental Impact Statement); ESA (Endangered Species Act); NEPA (national Environmental Policy Act). Not all categories were used in coding and are therefore not summarized below.

In total, 812 individual substantive (further defined below) comments were identified from the various letters and verbal testimonies and categorized, as shown in Table B.5.4. Just over half of all comments (51%) fell into the following top seven categories: mitigation or minimization, climate change, request for extension or for no extension of public comment period, cumulative effects, alternatives, marine mammals, and birds.

Table B.5.4. Substantive Comments Received

Comment Category	No. Comments Received	% Total Comments
Climate change	80	9.9
Mitigation or minimization	80	9.9
Request for extension or for no extension of public comment period	67	8.3
Cumulative effects	56	6.9
Alternatives	55	6.8
Marine mammals	47	5.8
Birds	31	3.8
Project description	27	3.3
Subsistence	26	3.2
Water resources	24	3.0
Air quality	23	2.8
Fish	22	2.7
Request for new alternative	22	2.7
Environmental justice	21	2.6
BLM's authority	20	2.5
Caribou and general wildlife	16	2.0
Legal or policy compliance	16	2.0

Comment Category	No. Comments Received	% Total Comments
Public health and safety	15	1.8
EIS process or timeline	15	1.8
Spills or emergency response	14	1.7
ANILCA 810 analysis	13	1.6
General economics	13	1.6
Request for new analysis	13	1.6
Nuiqsut economics	12	1.5
Permitting	11	1.4
Soils or permafrost	11	1.4
Tribal engagement	11	1.4
Endangered Species Act consultation and analysis	10	1.2
Noise	10	1.2
Reclamation	7	0.9
Wetlands and vegetation	7	0.9
Purpose and need	4	0.5
Request for more detail	4	0.5
Stakeholder engagement	4	0.5
Teshkepuk Lake and other Special Areas	2	0.2
Freedom of Information Act request	1	0.1
Land ownership and use	1	0.1
Visual resources	1	0.1
Total	812	NA

Note: ANILCA (Alaska National Interest Lands Conservation Act); BLM (Bureau of Land Management); EIS (Environmental Impact Statement); NA (not applicable).

BLM diligently considered each comment letter and determined if a comment was substantive or non-substantive. In performing this analysis, BLM relied on Section 6.9.2, *Comments*, in the BLM NEPA Handbook H-1790-1 (2008) to determine what constituted a substantive comment. All substantive comments are responded to in this report.

Substantive comments do one or more of the following:

- Question, with reasonable basis, the accuracy of information in the EIS or environmental assessment (EA)
- Question, with reasonable basis, the adequacy of, methodology for, or assumptions used for the environmental analysis
- Present new information relevant to the analysis
- Present reasonable alternatives other than those analyzed in the EIS or EA
- Cause changes or revisions in one or more of the alternatives

Additionally, the BLM NEPA handbook identifies the following types of substantive comments:

- Comments on the Adequacy of the Analysis – Comments that express a professional disagreement with the conclusions of the analysis or assert that the analysis is inadequate are considered substantive; they may or may not lead to changes in the Final EIS. Interpretations of analyses should be based on professional expertise. Where there is disagreement within a professional discipline, a careful review of the various interpretations is warranted. In some cases, public comments may necessitate a reevaluation of analytical conclusions. If, after reevaluation, the BLM Authorized Officer responsible for preparing the EIS does not think that a change is warranted, the response should provide the rationale for that conclusion.

- Comments That Identify New Impacts, Alternatives, or Mitigation Measures – Public comments on a Draft EIS that identify impacts, alternatives, or mitigation measures that the draft did not address are considered substantive. This type of comment requires the BLM Authorized Officer to determine if it warrants further consideration; if so, he or she must determine if the new impacts, new alternatives, or new mitigation measures should be analyzed in the Final EIS, in a supplement to the Draft EIS, or in a completely revised and recirculated Draft EIS.
- Disagreements with Significance Determinations – Comments that directly or indirectly question, with a reasonable basis, determinations on the severity of impacts are considered substantive. A reevaluation of these determinations may be warranted and may lead to changes in the Final EIS. If, after reevaluation, the BLM Authorized Officer does not think that a change is warranted, the BLM’s response should provide the rationale for that conclusion.

Comments that are not considered substantive include the following:

- Comments in favor of or against the proposed action or alternatives without reasoning that meet the criteria listed above (such as “we disagree with Alternative B and believe the BLM should select Alternative A”)
- Comments that only agree or disagree with BLM policy or resource decisions without justification or supporting data that meet the criteria listed above (such as “more grazing should be permitted”)
- Comments that don’t pertain to the project area or the project (such as “the government should eliminate all dams,” when the project is about a grazing permit)
- Comments that take the form of vague, open-ended questions

In response to substantive comments, the BLM could do the following:

- Modify alternatives, including the proposed action
- Develop and evaluate alternatives not previously given detailed consideration by the agency
- Supplement, improve, or modify its analyses
- Make factual corrections
- Explain why the comments do not warrant further agency response, citing appropriate sources or authorities

Comments that merely express an opinion for or against the Project were not identified as requiring a response because they meet the BLM NEPA Handbook definition for a non-substantive comment. Though not substantive, there were 1,952 comments in opposition to the Project and 521 in support of the Project. Many comments received throughout the comment analysis process expressed personal opinions or preferences, had little relevance to the adequacy or accuracy of the Draft Supplemental EIS, or represented commentary on management actions that are outside the scope of the EIS. These commenters did not provide specific information to assist the BLM in making a change to the existing action alternatives, did not suggest new alternatives, and did not take issue with methods used in the Draft Supplemental EIS; the BLM did not address these comments further in this document.

The BLM read, analyzed, and considered all comments of a personal or philosophical nature and all opinions, feelings, and preferences for one element or one alternative over another. Because such comments were not substantive, the BLM did not respond to them. It is also important to note that, while the BLM reviewed and considered all comments, none were counted as votes. The NEPA public comment period is neither an election nor does it result in a representative sampling of the population. Therefore, public comments are not appropriate to be used as a democratic decision-making tool or as a scientific sampling mechanism.

Within the 4,440 unique submissions, 812 substantive comments were identified. Chapter 3.0, *Substantive Comment Summary*, provides a summary of the substantive comments received by comment category. Chapter 4.0, *Substantive Comments and Responses*, identifies the substantive comments received on the Draft Supplemental EIS and provides the BLM’s responses. Subject matter experts reviewed comments that recommended additional studies, data, or scientific literature to be incorporated into the analysis; new information and citations were incorporated into the Final Supplemental EIS as appropriate.

3.0 SUBSTANTIVE COMMENT SUMMARY

Air Quality

Commentors stated BLM's modeling for air quality is deficient and likely underestimates the impacts. Commentors requested clarification of data used in the analysis and background concentrations used in modeling. Comments questioned why Class II areas were included in discussion of the Prevention of Significant Deterioration Program and why a restrictive regulatory standard was applied to a non-Class-I area. Commentors requested additional analysis of air pollutants associated with fracking and flaring. They stated that the air pollutant impacts across the action alternatives are generally similar in magnitude, and that the range of alternatives did not consider project design factors and mitigations that would meaningfully affect air quality impacts. Commentors also requested modeling of new Alternative E in order to account for emissions from concurrent construction activities associated with the deferred Bear Tooth drill site 5 (BT5).

Alternatives

Commentors stated that the range of alternatives presented in the Draft Supplemental EIS is inadequate. Alternatives were suggested such as assessing roadless development, winter-only operations, using a different mine site, integrating airstrips with roads, and delaying or staging production until introducing more oil into the market would be consistent with climate goals. Commentors expressed concerns that the alternatives had nearly the same effects for air quality, climate, and subsistence, among other topics.

Comments questioned BLM's rationale for eliminating some alternatives or alternative components and requested clarification. They also questioned if the BLM had a preferred alternative. Commentors stated that BLM did not meaningfully consider the No Action Alternative. They expressed that BLM relied on ConocoPhillips to assess the feasibility of alternative components.

ANILCA 810 Analysis

Commentors stated that BLM's ANILCA 810 analysis is inadequate because it does not consider alternatives that would reduce impacts to subsistence. They found the analysis to be overly narrow in that it focused on Nuiqsut and did not adequately consider other communities. A commenter noted the analysis did not consider impacts to bowhead whale hunters in North Slope communities, and disagreed with BLM's conclusion regarding the cumulative case. Other commentors noted that Alternative E takes "reasonable steps" to minimize adverse impacts to subsistence uses and resources and supports BLM's findings.

Birds

Commentors expressed concerns that BLM has not fully analyzed impacts to all species with potential to use the habitat in the analysis area and requested other species be analyzed in further detail. Commentors also stated that specific mitigation measures should be more thoroughly described. They questioned why mitigation measures to protect bird habitat would be waived.

Commentors stated that the Draft Supplemental EIS does not adequately identify the importance of the North Slope, and in particular, the Teshekpuk Lake wetlands, to birds, and downplays the presence of special status species in the area. They requested additional analysis of freshwater withdrawal on birds and overall analysis of effects to special status bird species. A commenter also stated that the Draft Supplemental EIS downplays potential effects to marine and wintering species. Another commenter requested additional analysis of a potential oil spill on birds.

BLM's Authority

Commentors stated BLM should not be completing the NEPA analysis until ConocoPhillips resubmits its right-of-way application. Commentors also stated that the BLM's claim that it does not have the authority to select the No Action Alternative is inconsistent with BLM policy and with case precedent. Comments expressed that the Project is not in the public interest and therefore BLM is precluded from authorizing it.

Other commentors stated that BLM is not required or authorized to select the No Action Alternative because mitigation is possible.

Commenters stated that BLM's screening process for considering different alternatives and Project elements to minimize impacts reflects the agency taking too narrow of a view of its authority, contrary to the Naval Petroleum Reserves Production Act.

Caribou and General Wildlife

Commenters requested additional analysis regarding the potential effects of noise and fracking on caribou. They stated that the analysis area was too small, and that the cumulative analysis is not sufficient for describing the impacts from climate change on caribou. One commenter requested additional information be provided regarding analysis methods. Another suggested that mitigation measures are insufficient to protect caribou (particularly regarding air traffic) and that impacts from deviations from required operating procedures (ROPs) and lease stipulations were not analyzed. Commenters stated that the potential for habituation to the Project was overstated.

Climate Change

Commenters stated that the Project would have significant greenhouse gas (GHG) emissions and larger consequences on the North Slope and the globe. Commenters requested that the Final Supplemental EIS do more than quantify GHG emissions associated with the alternatives. They requested that the MarketSim analysis use different assumptions, such as the use of a baseline scenario that assumes that the U.S. and other countries meet their commitments under the Paris Agreement and transition to clean, renewable energy. Commenters both agreed and disagreed with BLM's inclusion of the social cost of carbon analysis.

Many commenters suggested the Project would not allow the U.S. to meet renewable energy goals and commitments to the Paris Agreement and thus would not align with President Biden's commitments.

Some commenters stated that the Draft Supplemental EIS addresses the Court's Order by including a thorough foreign GHG emissions evaluation as part of a broader climate change analysis. Others commented that even in a net-zero GHG scenario, the world will require more than 70 million barrels of oil per day in 2030.

Cumulative Effects

Commenters stated that the cumulative effects analysis does not adequately take into consideration other developments occurring across the arctic, including previous oil and gas development, future proposed projects, potential future plans for Willow development, and BLM's plans for expanding oil and gas leasing.

Commenters requested that BLM quantify the past and present actions.

Commenters requested that the cumulative effects analysis be revisited to include a more robust analysis of impacts to the Teshekpuk Lake Special Area (TLSA), caribou, and subsistence.

EIS Process or Timeline

Commenters stated that BLM is moving too quickly. Commenters also expressed concern that there was an extension to the comment period that was rescinded.

Commenters questioned BLM's decision that spatial data supporting the infrastructure locations for the Project are proprietary.

Environmental Justice

Commenters recommended that the environmental justice analysis be broadened to include other minority and low-income communities on the North Slope. Commenters expressed concerns that BLM has not met its obligations under Executive Order 12898.

Commenters stated that while the Draft Supplemental EIS correctly concludes that all of the action alternatives would significantly restrict Nuiqsut's subsistence activities, it does not fully analyze or contextualize the extent of impacts from such restrictions on Nuiqsut residents.

Commenters requested that the Draft Supplemental EIS be more robust to better address the air quality impacts that will affect Nuiqsut residents, address potential loss or increase of subsistence resources resulting from the Project, describe the meaningful engagement of the affected communities in identifying impacts and opportunities to mitigate those impacts, and describe measures to avoid and mitigate these impacts. Commenters also requested that BLM complete a focused Health Impact Analysis.

Endangered Species Act Consultation and Analysis

Commenters requested that the Final Supplemental EIS explain how BLM would ensure that the alternatives would or would not achieve the requirements of the ESA.

Commenters requested that the Final Supplemental EIS disclose how BLM and the U.S. Fish and Wildlife Service (USFWS) would address the issues identified with the prior Biological Opinion.

Fish

Commenters stated that the Draft Supplemental EIS does not contain adequate information regarding fish species, does not explain how the alternatives impact fish differently, and stated that additional analysis should be completed. Commenters also requested that mitigation measures be further discussed and analyzed.

Freedom of Information Act Request

A commenter requested the BLM make the Final Biological Assessment publicly available and that they had to obtain the Draft Biological Assessment via a Freedom of Information Act request.

General Economics

Commenters stated that some of the assumptions used in the analysis were speculative and that the BLM's estimates of economic benefits are likely inflated. Commenters stated that there are updated data that should be used for the analysis for economics. Comments provided additional information about the National Petroleum Reserve in Alaska (NPR-A) impact mitigation program and how the Project would affect it.

Land Ownership and Use

Commenters recommended that BLM include the North Slope Borough Ordinance (NSB) 75-06-75 in Appendix E.14 for completeness and convenience.

Legal or Policy Compliance

Commenters requested that BLM explain how the Project could be permitted when it appears to be in conflict with Executive Orders 13990 and 14008.

Commenters stated that the Draft Supplemental EIS lacks the information, including baseline conditions, mitigations, and analysis, that are required to evaluate effects of the action and potential alternatives to the action as required by NEPA, Clean Water Act, and per Federal Land Policy and Management Act obligations.

Marine Mammals

Commenters stated the analysis for polar bears is inadequate and provided pointed comments and supporting information regarding where the Draft Supplemental EIS is insufficient. They requested that BLM clarify whether it would require ConocoPhillips to obtain a Letter of Authorization with USFWS before commencing Project activities. If not, they asked that the Final Supplemental EIS clarify whether BLM would apply the Incidental Take Regulation requirements to the Project anyway.

Commenters also suggested that impacts to bowhead and beluga whales as well as bearded, ringed, and spotted seals were understated due to mischaracterization of their presence in and use of the Project area. They also stated that additional marine mammals may be affected by vessel strikes and the analysis of the vessel route should be expanded.

Mitigation or Minimization

Commenters stated the avoidance, minimization, and mitigation measures proposed for the Project are inadequate and provided suggestions for additional measures. Commenters requested that BLM create Project-specific mitigation to protect resources and habitat, and not rely on general measures included in the Integrated Activity Plan (IAP). Comments questioned BLM's authority to apply 2013 IAP ROPs and not those outlined in the 2022 Record of Decision (ROD) for the NPR-A IAP.

Commenters suggested that to fully mitigate the impacts to subsistence, additional measures are needed, and the Regional Mitigation Strategy (prepared as a result of the Greater Mooses Tooth 1 ROD) should be implemented. Commenters also suggested that in addition to the ROPs and design features that would be applied to the Project,

that BLM acknowledge the long list of stipulations and mitigation measures described in the NSB rezoning ordinance.

Comments requested that more rationale be provided for deviations from IAP measures and why those deviations are appropriate, and requested BLM explain how the objectives of those ROPs would be met through other means. Comments questioned who the responsible parties would be for implementing some of the additional mitigation measures listed in the Draft Supplemental EIS, such as a public health monitoring program.

Noise

Commenters requested that BLM use acoustic modeling to analyze the impacts of each alternative. Commenters also stated that the main study BLM used for noise analysis was conducted in 2016 and is no longer up to date. Commenters further stated that the analysis area for the noise analysis is too small and it should be clearly defined.

Commenters suggested that BLM include all the analysis of noise impacts in the noise section, or at a minimum, summarize the impacts to wildlife and subsistence in the noise section.

Commenters requested BLM describe why the noise levels for blasting at Willow are lower than was estimated for Greater Mooses Tooth 2.

Commenters requested BLM quantify impacts to areas where residents of Nuiqsut engage in subsistence activities.

Commenters questioned BLM's analysis that the impacts are short term when the Project would last for decades. In addition, commenters stated that there is potential for longer term impacts from noise such as long-term, permanent displacement.

Commenters stated there is little to no analysis of the listed mitigation measures, so it is not clear how they would reduce impacts from noise.

Nuiqsut Economics

Commenters noted that there is no mention or analysis of how many jobs would go to local residents from Nuiqsut. Commenters stated that some of the baseline data used to evaluate economics are dated and requested the use of more recent data.

Permitting

Commenters stated that the Clean Water Act Section 404 permit should not be segmented out from BLM's NEPA analysis in the Draft Supplemental EIS.

Commenters requested the U.S. Army Corps of Engineers (USACE) engage in a new analysis consistent with the Clean Water Act and NEPA and stated that USACE needs to redo its analysis and public process to ensure that both the NEPA analysis and its decision are based on complete information about the Project and its design, alternatives, and potential mitigation measures, and that the public can meaningfully weigh in on that decision.

Commenters stated that the prior compensatory mitigation plan for impacts to wetlands and waterways was deficient in identifying and offsetting Willow Project impacts and did not explain how it determined that impacts to these wetlands (a total of 237.8 acres) should be offset, while the impacts from fill in other wetlands (totaling 3,730.9 acres) should not. Commenters requested that the amount of required compensatory mitigation must be, to the extent practicable, sufficient to replace lost aquatic resource functions and requested that BLM work with USACE to remedy this failure, rather than repeat it in the current process.

Project Description

Commenters stated that the timing for development is unclear and too vague for the public to fully understand how ConocoPhillips' phased construction will actually move forward on the ground.

Commenters requested that BLM explain why Alternatives B and E would result in the same excavation footprint, given the fact that Alternative E purports to have a smaller gravel footprint than Alternative B. Commenters stated that BLM must assess the specific gravel needs of each alternative to ensure it is accurately representing the necessary size of the gravel mine and should not approve a larger than mine site than is necessary.

Commenters requested that the Draft Supplemental EIS be revised to clarify if the ground vehicle quantities listed include diesel deliveries and deliveries of needed chemicals for oil production such as corrosion inhibitors, biocides, defoaming agents, surfactants, methanol, etc.

Commenters requested that the Final Supplemental EIS further clarify if and how it will consider authorizations for BT5 in the future and stated that BLM should not use the deferral of that pad as a basis for downplaying the true impacts of Alternative E.

Commenters stated that the Draft Supplemental EIS relies on too low of an overall estimate for the Project's potential production levels. Commenters stated that BLM should accurately assess and estimate the Project's likely production before issuing a Final Supplemental EIS and any Project approvals and ensure the Final Supplemental EIS accounts for those potential increased production estimates in the impacts analysis.

Commenters stated that because BLM does not have a right-of-way or other permit application it is unclear if BLM has sufficient site-specific information to analyze the potential impacts from the projects. Commenters stated that the Draft Supplemental EIS does not adequately describe how major Project elements would be constructed or provide specific design information (including the locations) and this leads to inadequate analysis of the impacts from the Project.

Public Health and Safety

Commenters stated that BLM should prepare a Health Impact Assessment specific to Nuiqsut. Further, commenters stated that the geographic extent of the analysis is too narrow and suggested it be expanded to include the communities of Atkasuk, Anaktuvuk Pass, and Utqiagvik. Further, commenters stated that the temporal scale should be adjusted to begin at the beginning of the lease sale. Commenters also challenged BLM's finding on the No Action Alternative, impacts from construction, and the cumulative impacts conclusion. Commenters requested the analysis be revised and provided supporting documentation for BLM to review.

Purpose and Need

Commenters stated that the purpose and need is unreasonably narrow and should be revised to consider the statutory context of the proposed action.

Reclamation

Commenters expressed concerns that the Draft Supplemental EIS does not have adequate plans for reclamation of the Project and requested more detailed analysis and reclamation plans. Commenters requested clarification on what will happen to the module transfer island after it is abandoned and provide references or modeling to support the statement. Commenters also requested that the Draft Supplemental EIS be revised to accurately describe the difficulties of restoration and reclamation and explain where mitigation measures will or will not take place.

Request for Extension or for No Extension of Public Comment Period

Commenters requested an extension of the public comment period while other commenters stated that BLM should not extend the comment period.

Commenters expressed concern that the comment period was extended and then rescinded.

Request for More Detail

Commenters requested more detail around baseline data about water resources in the Project area, an assessment of wetland functions, background air quality data, information about the specific design of the Willow Project, and reliable information regarding future development that would rely on Willow as a hub, and a geological analysis of the Willow reservoir.

Request for New Alternative

Commenters requested new alternatives or alternative components be analyzed in the Final Supplemental EIS. Suggestions included the following:

- An alternative without modules being delivered via barge.
- A roadless alternative that provides for winter-only drilling.
- An alternative that would eliminate drill sites or avoid placing roads and pipelines in the TLSA.

- An alternative that does not involve construction of an ice bridge over the Colville River to transport modules.
- Different infrastructure configurations, such as burying pipelines at water crossings instead of placing pipelines either below the bridge decks or on vertical support members downstream from the bridge.
- Eliminating the operations center airstrip for Alternatives B, C, and E and eliminating all diesel pipelines and using natural gas and renewable energy sources such as wind for fuel with minimal amounts of diesel employed as backup.
- Alternatives that would reduce the amount of staff housed at Willow, along with their related housing and other support infrastructure.
- Alternative mining sites that would be farther from important subsistence areas and the community.
- An alternative that would reduce GHG emissions, including one that would assess whether and when ConocoPhillips may develop it leases consistently with the Biden Administration's commitments to address the climate crisis.
- An alternative designed to reduce impacts to subsistence, air quality, and migratory birds.
- An alternative that would minimize aircraft operations, and includes the use of low-impact drones where possible instead of helicopters and fixed-wing aircraft (e.g., for pipeline and methane emission inspections).
- An alternative that considers deferring pad development in the TSLA.
- An alternative that would evaluate if there is a low salinity formation below the permafrost that could be used to produce fresh water.

Request for New Analysis

BLM received many requests for new analysis or for additional details to be included in the Final Supplemental EIS. When comments were specific to a single resource topic, they were coded to that topic and provided in Section 4.2, *Comments and Responses*.

In addition to resource topics already described in the Draft Supplemental EIS, commenters requested BLM complete an analysis for wilderness values and characteristics and recreation.

Soils or Permafrost

Commenters suggested that the effects of the project, particularly the gravel mine, on soils and permafrost would be much larger than stated in the Draft Supplemental EIS and provided supporting rationale. Commenters stated that additional mitigation measures are insufficient to reduce impacts to permafrost. Comments requested that BLM analyze the risk of earthquakes from fracking and provide a clear mine reclamation plan in Final Supplemental EIS.

Spills or Emergency Response

Commenters stated that the Draft Supplemental EIS does not disclose the types, amounts, and probabilities of a wide variety of potential oil spills over the course of the Project and relies on qualitative descriptions of spill risk. Commenters provided quantifiable analysis of spill risk with supporting documentation and requested that BLM consider this information.

Commenters also requested additional analysis be completed for spill risk and its potential impacts on the Colville River and fish.

Stakeholder Engagement

Commenters requested public meetings be held in other communities in person and requested different meeting times for virtual meetings.

Subsistence

Commenters expressed concern that the Draft Supplemental EIS limits analysis of Willow's subsistence and sociocultural impacts to Nuiqsut and Utqiagvik and fails to acknowledge the interconnected nature of North Slope communities.

Commenters requested BLM consider subsistence in a broader context than just the use and harvest of wild resources and requested that the analysis expand to a broader Indigenous perspective including how hunting and

gathering activities are connected to history, culture, and tradition. Commenters further requested that BLM conduct a comprehensive study of the sociocultural and economic impacts from the Project and state that since there has been no such study, the Draft Supplemental EIS fails to fully consider the adverse impacts. Commenters also stated there are no robust mitigation measures proposed to address the impacts to subsistence.

Commenters requested a more robust analysis and discussion around the compounding adverse impacts of infrastructure development and the connected, and often sequential, actions of oil exploration and development impacts.

Commenters requested the Final Supplemental EIS use the replacement cost method and describe the monetary cost of replacing subsistence foods that may be lost due to the Project.

Teshkepuk Lake and Other Special Areas

Commenters stated it was unclear how the impacts of the project may impact Special Areas, including their purposes and their ability to maintain ecological functions to meet those purposes. Commenters encouraged BLM to include more detailed and comprehensive maps that clearly identify Special Areas and restrictions on activities or infrastructure in those areas. They asked BLM to clarify how facilities in Options 1 and 2 were minimized to protect the TLSA.

Tribal Engagement

Commenters expressed concerns that the public comment period occurred during the subsistence harvest period.

Commenters expressed concern that there has not been meaningful engagement with federally recognized Tribes.

One commenter expressed concerns with how the NPR-A Working Group has been operating and stated that it appears to be an advisory group formed and operated in violation of the Federal Advisory Committee Act and questioned if it has been a meaningful platform for the community of Nuiqsut to voice its concerns.

Commenters requested that the Final Supplemental EIS describe the issues raised during Tribal Consultation and how those issues were addressed.

Visual Resources

A commenter requested that BLM consider dark sky lighting.

Water Resources

Commenters questioned if the climate change information resulted in revising the projections for water consumption for the Project and stated that if available recharge waters are diminishing due to climate change, that the Final Supplemental EIS should address how the water would be replenished from the local freshwater sources that are being tapped for the Project's needs.

Commenters stated there is a new study regarding water management and that the Final Supplemental EIS should include this new information.

Commenters requested the Draft Supplemental EIS be updated to mention specific permits that would be needed.

Commenters requested a list of all ice road source lakes as well as all physical and biological information collected at each lake (including methodology) to determine suitability for water withdrawal.

Commenters stated that the Draft Supplemental EIS lacks sufficient baseline information and empirical data regarding how much streamflow will be present for the years that the ice bridge would be used and stated that climate-related changes will likely equate to shorter ice duration and increased winter streamflow. Commenters requested that BLM properly analyze and address these factors in the Final Supplemental EIS. Commenters further requested BLM obtain more recent data.

Commenters stated that the Draft Supplemental EIS fails to assess road impacts related to blocked surface water and groundwater flows.

Commenters stated that BLM should not permit ConocoPhillips to permanently locate infrastructure in the 50- or 100-year floodplains.

Commenters requested the Final Supplemental EIS fully describe the extended temporal scale of impacts to water resources after construction and infrastructure removal have been completed.

Commenters questioned a model used in the analysis of watershed degradation and suggested other ways to analyze it.

Wetlands and Vegetation

Commenters stated the BLM should complete a functional assessment for wetlands and that providing acres of wetland types is not sufficient to understand the impacts to wetlands. Commenters further stated that the Draft Supplemental EIS downplays the impacts to wetlands and vegetation and fails to adequately consider mitigation to avoid, minimize, and compensate for the loss of wetlands.

4.0 SUBSTANTIVE COMMENTS AND RESPONSES

4.1 How to Read This Volume

BLM assigned a letter number to every unique communication received during the Draft Supplemental EIS public comment period. The following tables contain all substantive comments with BLM's responses; they are organized by the comment topic. Commenter names and applicable organization or agency are provided for letter submissions. Complete transcripts of public meetings and copies of all comment letters are available on the BLM Willow MDP ePlanning website: <https://eplanning.blm.gov/eplanning-ui/project/109410/510>.

4.2 Comments and Responses

Tables B.5.4 through B.5.33 provide the substantive comments on the Draft Supplemental EIS and the BLM’s responses.

Table B.5.5. Air Quality Comments and Responses*

No.	Comment	Comment Response	Commenter
2878-22	Section 3.3.2.1.2, Air Quality, Page 56. BLM states that CPAI's design measures include using "hydraulic fracturing equipment that meet nonroad engine EPA Tier 4 emissions standards." As written, the hydraulic fracturing fleet appears limited to Tier 4 Final diesel-fired engines. To allow flexibility to use natural gas or electric fleets, but retain emissions protection standards, we recommend amending this statement to allow for Tier 4 Final "or equivalent technology." Similar language is used in Section 4.2.4.3 of Appendix D.1, which states: "Prior to WPF startup, drill rigs and hydraulic fracturing equipment would be powered with Tier 4 Final engines or similar emissions reduction technology."	Edited as suggested. The language in the Air Quality section regarding Tier 4 has been updated to make it consistent with language in Section 4.2.4.3 of Appendix D.1, <i>Alternatives Development</i> .	ConocoPhillips
2878-23	Section 3.3.2.4.5, Air Quality, Page 65. A sentence in the middle of the second paragraph reads "CAP impacts at Nuiqsut would be below the PSD increments". Please expand this sentence to make it clear that it applies to all development scenarios and all potential development timelines for BT5.	As described in more detail in the <i>Air Quality Technical Support Document</i> (Appendix E.3B), Project impacts were assessed relative to Prevention of Significant Deterioration (PSD) increments for informational purposes only. It is important to note that a PSD increment assessment is the jurisdiction of Alaska Department of Environmental Conservation and the analysis in the Final Supplemental EIS differs from a formal increment consumption assessment in several important ways, most notably it includes all Project sources that are anticipated to be active during routine operations, not just Project emissions that are required to be assessed. This approach results in a conservatively high estimate of potential increment consumption. It is anticipated that a formal PSD increment assessment would be conducted during the permitting process, if warranted. The text for Section 3.3.2.4.5 has been revised explicitly state that the PSD increment results include operations at BT5 and that, if BT5 is authorized at a later time, the PSD increment results presented are anticipated to be conservatively high.	ConocoPhillips
2878-51	Appendix E.3B, Air Quality Technical Support Documents. The Willow Central Processing Facility is referred to as the WCF in some places in the document and WPF in other places. Please refer to this facility in a consistent way. Please see an example on page 3- 65, Section 3.6.6.1, where it is referred to as the WPF in the second sentence of the first paragraph and the WCF in the second-to-the-last sentence of that same paragraph.	Edited as suggested. The Final Supplemental EIS text and appendices have been changed to consistently use the term Willow Processing Facility (WPF).	ConocoPhillips
2878-52	Appendix E.3B, Air Quality Technical Support Documents, Section 1.1.6, Page 1-6, Figure 1.1.1. Figure 1.1.1 refers to Alternative E as a "Four- Pad Alternative." Please update this title to be consistent with the way Alternative E is referred to elsewhere in the SEIS.	Edited as suggested. Figure 1.1.1 has been changed to refer to Alternative E consistently with other sections of the Supplemental EIS.	ConocoPhillips
2878-53	Appendix E.3B, Air Quality Technical Support Documents, Section 2.1.6, Page 2-47, Table 2.1-23. Please correct typographical errors in Table 2.1-23 as follows: Year 3 values should be zero for all pollutants, and NOx and CO and CO ₂ e should not have multiple values.	Edited as suggested. The typographical errors in Table 2.1-23 for Year 3 have been corrected to be consistent with the Willow Project emissions inventory.	ConocoPhillips
29597-6	<p>BLM should also consider an alternative which would have fewer impacts on air quality. Air quality is a major concern in the community of Nuiqsut.¹² These concerns have only been exacerbated by the recent gas blowout at Alpine, which the prior Willow EIS simply glossed over. BLM performed an air quality modeling analysis for the draft SEIS and this indicated, on its face, that significant adverse impacts on air quality could occur from the Willow Project. The SDEIS acknowledges that the Willow Project is quite close to meeting or exceeding the national air quality standards. SILA is concerned that given Willow’s potentially significant air quality impacts, BLM refused to model the impacts of Alternative E, which we understand is the agency’s preferred alternative. Without modeling, it is impossible for BLM to determine whether this alternative would result in more serious air quality impacts than the prior alternatives.</p> <p>BLM’s assertion that the air quality for Alternative E does not need to be modeled because its impacts would be so similar to Alternative B merely highlights that BLM did not consider a reasonable range of alternatives. In addition, all of the alternatives fail to set enforceable mitigation measures to ensure that no significant air quality impacts will occur in Nuiqsut or to hunters in the project area.</p>	<p>The Final Supplemental EIS has been revised to include a near-field modeling analysis of Alternative E consistent with the methods and development scenarios used to analyze air quality and hazardous air pollutant impacts from Alternatives B, C, and D. A summary of Alternative E impacts is presented in the Final Supplemental EIS Section 3.3.2.3. In Section 3.3.2.4, Alternative E impacts for all pollutants, averaging periods, and scenarios analyzed are presented. Results are compared with applicable thresholds including the National Ambient Air Quality Standards (NAAQS), and also compared to the other action alternatives. Criteria and hazardous air pollutant impacts are below applicable thresholds, including NAAQS, for all scenarios and pollutants.</p> <p>Regarding the comment on enforceable mitigation measures and permit stipulations, the applicant committed design features to avoid and minimize impacts are listed in Table I.2.1 (See Appendix I.1), In addition, mitigation measures suggested by cooperating agencies and the public are listed in Appendix I.1, Tables I.3.1 and I.4.1, respectively. The mitigation measures that are applicable to air quality are included in Section 3.3.2.1.3. Of relevance to the concerns raised in this comment, a cooperating agency suggested measure would monitor air quality.</p>	Sovereign Iñupiat for a Living Arctic

No.	Comment	Comment Response	Commenter
30962-62	We note that in one part of the analysis shows that some impacts would be slightly above the short-term National Ambient Air Quality Standards (NAAQS) for nitrogen dioxide (NO ₂). EPA finds the DSEIS used a highly conservative screening evaluation to estimate the effects of raising road speed limits from 25mph to 35mph; therefore, the analysis is so conservative that we anticipate the true impacts will not exceed the NAAQS.	The Final Supplemental EIS was revised to model the near-field air quality impacts from the Willow project, including road segments that have a speed limit of 35 miles per hour (mph), for Alternative E. Road segments were modeled in combination with other Project emissions sources. Details regarding the approach and model results are provided in the Attachment H to the <i>Air Quality Technical Support Document</i> (Appendix E.3B). Source locations on the roads and other supporting information including emission rates are provided in the Attachment I to the <i>Air Quality Technical Support Document</i> . The results of the modeling analysis for Alternative E demonstrate that air quality impacts would be below all applicable thresholds, including the short-term National Ambient Air Quality Standard (NAAQS) for nitrogen dioxide. Results are consistent with the semi-quantitative assessment of speed limit changes conducted in the Draft Supplemental EIS for Alternatives B, C, and D, which is documented in Section 3.9 of the <i>Air Quality Technical Support Document</i> (Appendix E.3B). Model results are also consistent with the U.S. Environmental Protection Agency's finding that the effects of raising the road speed limit from 25 mph to 35 mph would not cause a NAAQS exceedance.	U.S. Environmental Protection Agency
30964-18	We know that taking a snatch air sample once a month is not going to tell us, during an event, whether or not the emissions of concern are at an elevated level. You're only getting one grab of air that does not guide all the emissions that are occurring throughout the whole month and can greatly construe the data when you only have 12 days of data to average out the emissions with.	A cooperating agency suggested mitigation measure calls for collection of air quality monitoring data in the immediate area of development, between Nuiqsut and the Willow Project.	Unsigned
30965-27	From what I understand or what I've heard and dealt with is that we're not allowed to receive the results of the air quality or the air emissions or anything. Maybe we have to buy them. I don't know. Why aren't we able to get the results of the air quality or the air emissions or what have you? It's so political that we can't even get answers to -- you can't even give us answers.	Air quality monitoring data near Nuiqsut is available in near real time on the Alaska Department of Environmental Conservation's website: https://dec.alaska.gov/air/air-monitoring/alaska-air-quality-real-time-data . Annual trends reports for Nuiqsut air quality are also available on the North Slope Science Initiative website (https://northslopescience.org/).	Unsigned
30965-8	I want to know, if your air quality system is up to date, is it wrong? So many of us were sick in the blasting what happened last at Alpine. No answers were given.	Air quality monitoring data collected at the Nuiqsut station is audited regularly and results of the audit are included in the annual trend reports posted on the North Slope Science Initiative website (https://northslopescience.org/).	Unsigned
30969-29	I lived here in Nuiqsut my whole life, and throughout all the years I've been here I've seen (indiscernible) effects that drilling has produced and produces a lot of emissions. We do see in the sky sometimes as a green haze. It's -- it's a toxic green haze that hovers over the oil field all the way west to where you guys are (indiscernible) now.	<p>The air quality impacts from drilling activities have been assessed as described in Chapter 3 of the <i>Air Quality Technical Support Document</i> (Appendix E.3B) and results are presented in the Final Supplemental EIS in Section 3.3, Air Quality. In addition, hazardous air pollutant (air toxics) emissions from drilling were evaluated and compared with other phases of development. Routine operations are estimated to have more air toxics emissions than the drilling phase, so the hazardous air pollutant concentrations were assessed for the routine operations scenario. Modeled impacts are below applicable thresholds for all scenarios and pollutants.</p> <p>Cooperating agency suggested mitigation measure calls for collection of air quality monitoring data in the immediate area of development (i.e., drilling) and an additional suggested measure is intended to reduce air quality impacts during developmental drilling and well stimulation by using Tier 4 engines which are lower emission engines (prior to the electric power being available from the Willow processing facility).</p>	Unsigned
5228-16	Chapter 3, page 52. Paragraph five in this air quality section notes that the Prevention of Significant Deterioration (PSD) Program includes special protections for Class I areas and Class II areas. It is not clear why Class II areas are included in this statement. Although there was a memorandum of understanding (MOU) initiated in 2011 that allowed federal land managers to designate “Sensitive Class II areas” that MOU was rescinded in 2019. The federal land managers did have authority through the Clean Air Act section 164(d) to review national monuments, primitive areas and national preserves for redesignation to Class I areas, that ability expired in 1978. Please remove Class II areas from the sentence in paragraph five.	The statement refers to the fact that the Prevention of Significant Deterioration (PSD) provisions of the Clean Air Act (40 CFR 52.21) establishes maximum allowable increases in air quality (referred to as PSD increments) for Class I and Class II areas. Since the PSD increments are more restrictive for Class I and Class II areas, the PSD Program includes special protections for these areas. The text in Section 3.3.1.1. has been revised to clarify.	State of Alaska
5228-17	Chapter 3, page 55, Table 3.3.4. This table provides information on recommended operating procedures (ROPs) intended to mitigate impacts to air quality. ROP A-9 in this table requires all operations (vehicles and equipment) that burn diesel fuel must use “ultra-low sulfur diesel” as defined by the Department of Environmental Conservation, Division of Air Quality. This statement is incorrect. ULSD is defined by the Environmental Protection Agency. This correction was made in the 2020 NPR-A EIS, but the 2022 Record of Decision reverted back to the 2013 EIS which contained this error. Revise this sentence to note that ULSD is defined by the Environmental Protection Agency.	This required operating procedure description has been updated as suggested.	State of Alaska

No.	Comment	Comment Response	Commenter
5228-25	Vol. 6, Appendix E.3A, page 1, Table E.3.1. It is not clear why the NAAQS and AAAQS are reported using different unit of measure in this table, since table E.3.2 uses the same units of measure. This could confuse the non-technical reader into thinking that state standards differ substantively from federal standards. Please express NAAQS and AAAQS using the same units of measure.	The units are presented based on their form in the original regulatory reference, whether National Ambient Air Quality Standards (NAAQS), Alaska Ambient Air Quality Standards (AAAQS), or Prevention of Significant Deterioration (PSD) increment.	State of Alaska
5228-26	Vol. 6, Appendix E.3A, page 3. Paragraph one on this page notes that “The protected area is not a Class 1 area, but the Regional Haze Rule can be treated as a guideline for the project.” It is not clear how a restrictive regulatory standard can be considered to apply to an area that is not a Class 1 area. The Regional Haze Rule has a very bright line standard that cannot be flexibly applied to non-Class 1 areas. We disagree with the approach that the Regional Haze rule can applied to a non-Class 1 area. Please do not take this approach. In the alternative, please explain your approach in more detail so we can understand how you think it could apply.	The text in Appendix E.3A, <i>Air Quality Technical Appendix</i> , was revised to clarify how the Regional Haze Rule can inform current conditions and assessment of progress in visibility.	State of Alaska
5228-27	Vol. 6, Appendix E.3A, page 4. This page discusses flaring regulation and mentions AOGCC regulations and ADEC but does not cite any specific ADEC regulatory authority with respect to flaring. Please cite to Standard Permit Condition IX, July 22, 2020, adopted by reference in 18 AAC 50.346.	Appendix E.3A, <i>Air Quality Technical Appendix</i> , has been revised to cite the Alaska Department of Environmental Conservation's Standard Permit Condition IX regulations for flaring.	State of Alaska
5228-28	Vol. 6, Appendix E.3A, page 5, Figure E.3.2. This figure shows two meteorological monitoring stations for Nuiqsut, one operated by ConocoPhillips Alaska (CPAI)and the other operated by the National Weather Service (NWS). It is not clear what the relationship is between the two stations, since all the wind rose data is from the CPAI station. Please explain the relationship between the two meteorological stations in Nuiqsut.	The Nuiqsut monthly average precipitation and temperature data presented in Table E.3.3 of Appendix E.3A, <i>Air Quality Technical Appendix</i> , is from the National Weather Service while the wind speed and direction were sourced from the CPAI Nuiqsut station, which was used to generate the wind roses provided in Figures E.3.3 through E.3.7.	State of Alaska
6501-313	Air pollution associated with fracking and flaring is a serious concern with a range of impacts. A growing body of scientific research has documented adverse public health impacts from these practices, including studies showing air pollutants at levels associated with reproductive and developmental harms and the increased risk of morbidity and mortality. Researchers have documented more than 200 different air pollutants near drilling and fracking operations, including hazardous air pollutants with known health risks and endocrine disruptors... Scientists have concluded “with a high level of certainty” that living in close proximity to drilling and fracking is associated with adverse health outcomes. [Additional supporting information and references provided in the original comment letter.]	The EIS and associated modeling includes emissions associated with flaring and well completion activities. The Project and cumulative impacts are all anticipated to be below applicable thresholds (e.g., National Ambient Air Quality Standards). Of relevance to the concerns raised in this comment, cooperating agency suggested mitigation measures would reduce impacts from drill and well stimulation and reduce the concentration or intensity of flaring near Nuiqsut.	Trustees for Alaska
6501-317	BLM’s modeling analysis is deficient and likely underestimates impacts due, in part, to a lack of reliable baseline data in the area. As as explained in the attached report, the DSEIS relies on monitoring data collected in Nuiqsut by ConocoPhillips to represent background concentrations for the air quality analysis. Since these data are not publicly available (e.g., through EPA’s Air Quality System Data Mart), the BLM should confirm that the data have been reviewed and approved by EPA or the State in order to assure the public that the data have been properly collected and quality-assured. BLM should also require that the data be made publicly available if the agency is relying on it for its NEPA analysis. Further, the data may not be representative of background concentrations in areas nearer to the Willow project sources and therefore may not be sufficient to assess overall air quality impacts to exposed populations outside the village of Nuiqsut and closer to the project area, e.g., to subsistence hunters in the region. BLM should coordinate efforts with the State and/or EPA to secure additional monitoring around the Alpine Development Area surrounding Nuiqsut that would be made publicly available through the EPA’s Air Quality System. ⁸²³ Considering the substantial amount of oil and gas activity in this area, it would be reasonable for BLM to seek publicly supported data sources to monitor air quality in the Prudhoe Bay region.	The Nuiqsut monitoring site was reviewed for representativeness as described in Section 3.2.6 in the <i>Air Quality Technical Support Document</i> (Appendix E.3B) and the Nuiqsut site was selected as the most representative air monitoring station for the Willow Project area. Given that there are fewer emissions sources west of Nuiqsut in the vicinity of the Willow Project area than there are to the north of Nuiqsut, it is likely that the ambient air measurements collected at Nuiqsut are higher than current conditions in the vicinity of the Willow Project area. Therefore, the use of the Nuiqsut monitoring data as representative background concentrations for the Project impact assessment is likely to provide conservatively high estimates of future impacts for populations outside of the village of Nuiqsut and closer to the Willow Project area. Ambient air quality measurements collected at Nuiqsut are now publicly available in real-time on the Alaska Department of Environmental Conservation's website (https://dec.alaska.gov/air/air-monitoring/alaska-air-quality-real-time-data). The data are collected using equipment that meet or exceed U.S. Environmental Protection Agency (EPA) rigorous data quality requirements for Prevention of Significant Deterioration monitoring and include analyzers that have been designated by EPA as either a Federal Reference Method or a Federal Equivalent Method. Quality assurance measures, including independent audits of equipment performance, are conducted in accordance with a Quality Assurance Project Plan. An additional cooperating agency suggested mitigation measure calls for the collection of air quality monitoring data in the immediate area of development, between Nuiqsut and the Willow Project.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-318	<p>BLM removed PM₁₀ data from the monitoring dataset claiming high wind events that entrain silt from Nigliq Channel lead to elevated levels of PM₁₀ that are “not reasonably controllable or preventable and are a natural event.” ...</p> <p>EPA has established rigorous criteria and procedures for determining whether data are considered and treated as exceptional events and BLM must make a determination based on similar criteria and procedures prior to removing any data from the dataset used in determining representative background concentrations for the DSEIS.⁸²⁵ If high wind events are occurring year after year it would seem unlikely that the resulting pollutant concentrations would be considered to be exceptional. And if the analysis intends to assess impacts in Nuiqsut then it should consider these high wind events as representative of conditions there.</p>	<p>BLM has reviewed available, representative monitoring data for two different purposes: 1) evaluate current air quality conditions, and 2) add representative background concentrations to modeled near-field Project impacts to estimate cumulative air quality concentrations and compare results to applicable thresholds. Table 3.3.2 presents monitored PM₁₀ concentrations both with and without windblown dust to disclose current air quality conditions.</p> <p>The approach to estimate representative background concentrations for the near-field modeling analysis is consistent with the approach followed for previous EISs, including for GMT-1 and GMT-2, whereby periods influenced by high wind conditions that would entrain silt from Nigliq Channel were not included. This approach is documented in detail in Section 3.2.6 in the <i>Air Quality Technical Support Document</i> (Appendix E.3B). Importantly, BLM does not refer to these data as Exceptional Events, nor does it seek exclusion of these data under the Exceptional Events guidance. The federal Clean Air Act Section 319(b) allows for the exclusion of monitored data influenced by Exceptional Events when using the data for regulatory decisions, such as exceedances or violations of the National Ambient Air Quality Standards. The U.S. Environmental Protection Agency's Exceptional Event Demonstration guidance has been developed as an option for states if data collected by regulatory monitors are influenced by Exceptional Events and states would like to exclude these data from regulatory decisions. Since the Nuiqsut monitor is not a regulatory monitor, and the data collected by the monitor are not used for regulatory decisions, Exceptional Event Demonstrations would not be required or applicable for data collected at the Nuiqsut monitor.</p> <p>Related to the concern about high wind events occurring year after year, it is important to note that the Exceptional Events Rule defines “natural events,” such as high wind dust events, as an event which may recur at the same location provided that human activity plays little or no direct causal role. High wind events that loft silt from the Nigliq Channel into the air meet this definition of a natural event regardless of frequency of occurrence.</p>	Trustees for Alaska
6501-319	<p>The air pollutant impacts across the action alternatives considered in the DSEIS (B, C, D) are generally similar in magnitude, seemingly because the range of alternatives considered in the DSEIS fails to incorporate project design factors and mitigations that would meaningfully affect air quality impacts... Problematically, BLM entirely failed to model the air quality emissions from its new alternative E. BLM offers conclusory assertions that it need not model Alternative E because the project design is so similar to Alternative B.⁸²⁶ Though BLM provided estimates of alternative E’s emissions, without modeling, the agency cannot make an apples to apples comparison of impacts or ensure that the project as described in Alternative E would not violate the National Ambient Air Quality Standards (NAAQS). BLM’s claims that Alternatives B and E are so similar as to make modeling unnecessary are called into question by the emissions inventory the agency did provide...</p> <p>Moreover, by failing to model Alternative E, BLM cannot compare differences in air quality impacts from deferring infrastructure. BLM asserts that Alternative E would delay approval and construction of one pad for a period of time, and thus reduce the severity of impacts from Willow on resources. As described above, without any explanation or information on why this would be the case, BLM’s conclusory statements cannot withstand scrutiny.⁸²⁸ Air quality is one resource area where BLM undertook a quantitative analysis to consider differences among alternatives, and therefore it is perplexing that the agency would not assess the accuracy of its assumption for Alternative E that spreading out construction activity over time would reduce impacts...</p> <p>BLM’s failure to model the impacts of Alternative A means that the agency failed to disclose all potential additional impacts from the Alternative E development scenario to the public.</p>	<p>The Final Supplemental EIS has been revised to include a near-field modeling analysis of Alternative E consistent with the methods and development scenarios used to analyze air quality and hazardous air pollutant impacts from Alternatives B, C, and D. A summary of Alternative E impacts is presented in the Final Supplemental EIS Section 3.3.2.3. In Section 3.3.2.4, Alternative E impacts for all pollutants, averaging periods, and scenarios analyzed are presented. Results are compared with applicable thresholds including the National Ambient Air Quality Standards, and also compared to the other action alternatives.</p> <p>The Alternative E near-field modeling approach, input data, model configurations, emissions processing methods, and results are documented in Attachment H to the <i>Air Quality Technical Support Document</i> (Appendix E.3B).</p> <p>The modeling and analysis for Alternative E includes all four drill site pads for analysis; however, if BT5 pad construction occurs at a later date than evaluated, the impacts from construction of BT5 would be lower than reported in the construction scenario because other activities would not be occurring concurrently. Likewise, the estimated developmental drilling scenario impacts would be lower than reported because BT5 construction would not occur concurrent with drilling at BT2 and BT3 and routine operations.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-320	It is likely that air quality impacts from Alternative E could be more impactful than previously considered alternatives. ⁸²⁹ As described by Megan Williams in the attached report: Under Alternative E, emissions from drilling operations (which start in year 3) and emissions from routine operations (which start in year 2) would likely also need to account for emissions from concurrent construction activities associated with the deferred BT5 drill site at source locations that have the potential to impact the same areas impacted by emissions from drilling and routine operations activities. The magnitude of the criteria air pollutant impacts (e.g., NOx and PM) from concurrent emissions from construction, drilling, and operations activities under Alternative E cannot be known without a modeling analysis to determine ambient air concentrations. Depending on where and when emissions occur from the various project activities it is possible that resulting impacts could exceed the NAAQS, especially when considering the 1-hour average NAAQS for NOx and 24-hour average NAAQS for PM ₁₀ and PM _{2.5} .	The Final Supplemental EIS includes quantitative modeling and emissions for Alternative E, including a "Development Drilling" scenario that evaluated concurrent construction of BT5, drilling at BT2 and BT3, and routine operations. The Alternative E near-field modeling approach, input data, model configurations, emissions processing methods, and results are documented in Attachment H to the <i>Air Quality Technical Support Document</i> (Appendix E.3B). Modeled impacts for Alternative E are below applicable thresholds for all scenarios and pollutants. Deferred construction of BT5 would result in lower impacts than what is reported in the Supplemental EIS.	Trustees for Alaska
6501-321	<p>BLM’s failure to holistically consider Willow’s emissions in the context of construction, drilling, and operations occurring simultaneously, the agency further underestimates air quality impacts because it relies on seasonally-varying hourly background concentrations for NO₂ without justification, instead of adding a single representative background concentration to the modeled design value concentration, and its PM₁₀ analysis relies on monthly-varying background concentrations instead of adding a single representative background concentration to the modeled design value concentration, ⁸³¹ and relies on certain emissions controls and operating assumptions that may not be representative of actual operating scenarios and which are not enforceable requirements in the DSEIS.⁸³²</p> <p>BLM must use representative background concentrations and ensure that assumptions used as inputs to the modeling analysis are established as enforceable mitigation measures and implemented through permit stipulations. Otherwise, BLM should model emission sources under maximum possible operating conditions and assuming no controls.</p>	<p>The Final Supplemental EIS includes quantitative modeling and emissions for Alternative E, including concurrent activities. The modeling analysis evaluated a scenario with construction, development drilling, and routine operations occurring simultaneously. The scenario is a very conservative estimate of emissions that could occur. This scenario is referred to as “Developmental Drilling” in the Final Supplemental EIS and in the <i>Air Quality Technical Support Document</i> (Appendix E.3B). The analysis and procedures for use of the seasonal and hourly refinement of background NO₂ concentrations and monthly background PM₁₀ values used for the dispersion modeling were part of the initial Draft EIS technical approach discussion with federal land managers, U.S. Environmental Protection Agency (EPA), and Alaska Department of Environmental Conservation (ADEC). This approach is consistent EPA's March 1, 2011, Memorandum “Additional Clarification Regarding Application of Appendix W Modeling Guidance for the 1-hour NO₂ National Ambient Air Quality Standard”. The approach is anticipated to provide a conservatively high estimate of total pollutant concentrations given that the model is pairing maximum predicted concentrations with maximum background values for that month or season. Since air quality modeling results show impacts for all alternatives would be below all applicable Ambient Air Quality Standards and established thresholds for Air Quality Related Values, no significant air quality impacts would occur.</p> <p>Related to the comment on enforceable mitigation measures and permit stipulations, the applicant committed design features to avoid and minimize impacts are provided in Appendix I.1, Table I.2.1. Mitigation measures suggested by cooperating agencies and the public are provided in Appendix I.1, Tables I.3.1 and I.4.1, respectively. The mitigation measures that are applicable to air quality are included in Section 3.3.2.1.3. Applicable lease stipulations and required operating procedures that affect air quality are listed in Table 3.3.4. Importantly, as part of ADEC's air quality permitting process, the proponent would be required to conduct a Project-specific ambient air impact assessment for those pollutants and averaging periods that trigger permitting requirements.</p>	Trustees for Alaska

Table B.5.6. Alternatives Comments and Responses*

No.	Comment	Comment Response	Commenter
2420-2	No Need for Additional Leasing – 14 Million Acres of Unused Leases. Why drill for oil in this pristine area when 66% of the coastal plain of Alaska is open to leasing or already leased -- a total of 10.5 million acres? And since there are currently 14 million acres of unused leases on federal lands, and less than half of the leased areas on federal land are producing (The Hill May 25, 2017), why drill in the Reserve at all?	The BLM is not proposing to lease new areas in the NPR-A with this action.	Peg Rooney

No.	Comment	Comment Response	Commenter
2878-3	<p>The DSEIS appropriately addresses the "range of alternatives" issues identified by the Court... the Court ordered BLM to revisit its range of alternatives on two discrete bases... The DSEIS directly and transparently addresses both of these issues... It is helpful to consider the context in which the range of alternatives for this specific project was developed. That context includes the underlying statutory authority (NPRPA), the IAP, lease sales, exploration results, environmental constraints, pre-application concept development, consultation with cooperating agencies, input from stakeholders, practical limits on drilling reach, and other factors.</p> <p>ConocoPhillips believes the history of the Willow MDP creation provides important context that supports BLM's assessment and, accordingly, we encourage BLM to add a narrative describing this history in the final SEIS. Key elements of such a narrative would include: the planning process and the IAP; the leasing process and exploration; the project proponent's process to create a sound development proposal; and finally, the NEPA process and development of alternatives. Each layer of process involves different considerations and factors that contribute to the definition of a feasible proposal.</p>	Appendix D.1, <i>Alternatives Development</i> , was updated to better reflect each step of the alternatives development process.	ConocoPhillips
2878-39	Appendix D.1, Alternatives Development, Section 3.5.3, Page 28, Table 3.5.6. The maximum shippable weight by truck in Section 3.5.3.6 is inconsistent with Table D.3.6, which uses 150,000 lbs rather than 170,000 lbs as the maximum truckable weight limitations along the Dalton Highway. The correct number is 170,000 lbs. Please update Table D.3.6 for consistency.	Edited as suggested by commenter.	ConocoPhillips
2878-40	Appendix D.1, Alternatives Development, Sections 3.5.3 and 3.5.3.5, Pages 28 and 34, Table D.3.6. In the rationale for elimination of component number 39 (seasonal drilling), we recommend clarifying that infrastructure under the Seasonal Drilling concept would be the same as described for the Disconnected Drillsite Concept. We agree with BLM's conclusion that seasonal drilling or winter-only drilling would "create unacceptable hazards for safety and emergency response" and recommend that the hazards described apply to both the Disconnected Drillsite and Seasonal Drilling concepts, as outlined in CPAI's Response to RFI 239.	Appendix D.1 was updated to include more information about a seasonal drilling alternative concept.	ConocoPhillips
2878-41	Appendix D.1, Alternatives Development, Section 3.5.3.2, Page 31. This section makes multiple references to the "former CRSA." We recommend deleting "former" as the CRSA was reinstated by the 2022 NPR-A IAP ROD.	Edited as suggested by the commenter.	ConocoPhillips

No.	Comment	Comment Response	Commenter
2878-42	<p>Appendix D.1, Alternatives Development, Section 3.5, PDF Pages 57-68, Figures D.3.1 - D.3.12. CPAI appreciates the addition of Figures D.3.1 through D.3.12 to the Alternatives Development appendix, as these visuals help communicate key information that support the BLM's alternatives development and screening process. We offer the following suggestions to further improve these figures:</p> <ol style="list-style-type: none"> 1. In all figures, we recommend adding the current SEIS Alternative B: Proponent's Project to the background to provide a common spatial point of comparison for all alternative concepts and variations considered. Alternative B infrastructure should be clearly labeled in the legend and should be differentiated from evaluated concepts or variations. 2. Clearly symbolize alternative concepts in maps and label them in legends to make clear that they are not part of the "proposed" Willow Development Features. For example, Figure D.3.1 shows the Gravel Footprint (which we recommend relabeling as "Alternative B: Gravel Footprint" or similar) and then lists the alternative road concepts to avoid the CRSA as "Proposed Road Centerline." We recommend clearly indicating that the road centerlines shown on this figure are Evaluated Alternative Access Concepts and that they are not "Proposed." 3. Use the same scale for Figures D.3.2, D.3.7, D.3.8, D.3.9, and D.3.10 and use a scale that allows figures to depict the full extent of the BTU, using map insets or map extent indicators for zoomed-in maps where additional detail is needed in specific areas. As shown, these figures do not clearly communicate the extent of the BTU that can be accessed by the infrastructure under consideration as part of each Pad Concept. For example, Figure D.3.7 appears to show a concept that has the same north to south extent as Figure D.3.9, when in reality, the infrastructure in D.3.7 would access only about half of the spatial extent of the BTU as the concept shown in D.3.9. 4. "Sensitive Areas - Waiver not Required - additional considerations may apply" - This layer appears to possibly be sourcing the wrong dataset. The dataset appears to be identical to the "Drillsites Not Allowed" dataset and is missing swaths of coverage such as preferred eider nesting habitat and high-value wetlands. 5. We recommend that Figures D.3.1, D.3.3, D.3.4, D.3.5, D.3.6, D.3.11, and D.3.12 also include the environmental constraints layers (drillsites not allowed, drillsites allowed with waiver, sensitive areas-waiver not required), as these constraints were key considerations in drillsite siting at all scales. 	<p>Figures have been revised for the Final Supplemental EIS to address many of the issues noted by the commenter. Many of the suggested revisions have been incorporated.</p>	ConocoPhillips
2878-43	<p>Appendix D.1, Alternatives Development, Section 3.5, PDF Page 66, Figure D.3.10. Figure D.3.10 shows an undefined, unlabeled airport with other infrastructure east of GMT-2. These are not part of any alternative and should be removed.</p>	<p>This figure has been revised for the Final Supplemental EIS. (Note: This is now figure D.3.12)</p>	ConocoPhillips
2878-44	<p>Appendix D.1, Alternatives Development, Section 4.0, PDF Pages 75-81, Figures D.4.1 to D.4.7. CPAI recommends adding the BTU boundary to Figures D.4.1 through D.4.7 to provide a common spatial reference for comparison.</p>	<p>The Bear Tooth Unit boundary has been added as suggested.</p>	ConocoPhillips
2878-45	<p>Appendix D.1, Alternatives Development, Section 4.2.2.3, Page 74. Third paragraph, last sentence, reads: "A third casing would be installed between the seawater and diesel pipelines to convey an anode as part of the pipelines' cathodic protection system." The third HDD installation is not a casing to convey an anode; rather, it is a pipe anode (with no casing). We suggest revising this language to read: "A pipe anode would be installed between the seawater and diesel pipelines to convey an anode as part of the pipelines' cathodic protection system."</p>	<p>Edited as suggested by the commenter.</p>	ConocoPhillips
2878-46	<p>Appendix D.1, Alternatives Development, Section 4.2.6, PDF Pages 105-106, Figure D.4.9A and Figure D.4.9B. The legend for Figures D.4.9A and D.4.9B lists the K-1 River Setbacks, but it is not displayed in either map. We recommend that it be added to the map or be removed from the legend.</p>	<p>The K-1 lease stipulation has been removed from the legend.</p>	ConocoPhillips
2878-47	<p>Appendix D.1, Alternatives Development, Section 4.4.6, Page 133, Table D.4.26. The overburden volume for Alternative C should be updated to 387,000 cy for consistency with the larger gravel mine site reported to BLM in response to RFI 216. With that update, the total fill quantity for Alternative C would be 6,219,200 cy, and the total volume of native fill would be 412,000 cy. This same comment and overburden volume value applies to Alternative D (Table D.4.34, page 148).</p>	<p>Overburden values have been updated as noted by commenter.</p>	ConocoPhillips
2878-48	<p>Appendix D.1, Alternatives Development, Section 4.6, Page 173, Table D.4.50. Table D.4.50 incorrectly includes values for BT5 in the values reported for BT1, BT2 and BT3, which were intended to exclude BT5. The BT5 values are then reported again under the BT5 header. We recommend removing the BT5 values from those reported for BT1, BT2, and BT3. CPAI's perspective on the appropriate split of this data is available as part of CPAI's response to RFI 243.</p>	<p>Table D.4.50 has been updated as suggested by the commenter.</p>	ConocoPhillips

No.	Comment	Comment Response	Commenter
2955-4	In the recently released Draft SEIS, BLM proposed a range of ways this project could move forward. The proposed action alternatives differ slightly in terms of scale and levels of connectivity, but they would still produce approximately the same amount of oil and thus have nearly identical climate consequences to one another.14 BLM is obligated to consider all the known direct, indirect, and cumulative impacts of this proposal, including those that affect the climate.	The Supplemental EIS evaluates every alternative's direct, indirect and cumulative impacts to climate change. See Section 3.2, <i>Climate and Climate Change</i> , and Section 3.20, <i>Cumulative Effects</i> . Mitigation measures to reduce the Project's greenhouse gas emissions are also considered, see Appendix I.1.	Protect Our Winters
30958-8	<p>The Service has consistently stressed the regional and biological importance of the Colville River Delta and has advocated for a minimum loss of habitat because of its biologic richness and regional importance to fish, wildlife, and subsistence resources. The Colville River Delta is the largest and most complex delta in northern Alaska, draining approximately 29 percent of the North Slope (Walker 1983). The deltaic processes have created a unique mosaic of wetlands, deep channels, and tapped lakes, which supports approximately 70 percent of the overwintering fish habitat on the North Slope (Schmidt et al. 1989). In addition, the salt marshes and coastal tidal flats of the outer Colville River Delta, the most extensive found along Alaska’s Beaufort Sea, provides important staging habitat for up to 300,000 shorebirds on any given day during fall migration (Andres 1994). We continue to believe the unique biologic resources of the Delta warrant special consideration including a minimal footprint, and low vehicle and air traffic use.</p> <p>Alternative D (Disconnected Access) with Module Transfer Option 3 (Colville River Crossing), presented in the SDEIS, has the fewest potential impacts to Service trust resources. We believe this Alternative/Transfer Option will minimize impacts of well-field expansion as well as potential ancillary impacts to the Colville River Delta while still allowing for development of the National Petroleum Reserve-Alaska (NPR-A).</p> <p>Alternative D uses the same layout of infield infrastructure as Alternative B (CPAI’s Preferred Alternative), however with no year-round road connection to the Greater Mooses Tooth (GMT) or Alpine (Colville Delta) developments. The proposed Willow Development consists of infield roads to drill sites, a processing facility, operations center, and a 5,200-foot airstrip. Therefore, there is no reason to connect the development to the GMT road system, and hence the Alpine developments. There is no all-season road-access from the Alpine developments to the oilfields east of the Colville Delta (Kuparuk Development, Spine Road, or Dalton Highway). Hence, a connection from the proposed Willow Development to the Alpine development will not provide access to the eastern North Slope or the state highway system.</p> <p>Module Transfer Option 3, CPAI’s preferred option, would transport the sealift modules from Oliktok Point to DS2P on existing infield roads within the Kuparuk oil fields. This is more efficient than Module Transfer Option 1 (Module Transfer Island (MTI) adjacent to Atigaru Point). Option 1 would require constructing a temporary offshore island to offload the sealift modules with at least 397,000 cubic yards of gravel and approximately 2.3 million (one-way) haul trips from the Tiṇmiaqsiuḡvik mine site to construct the island.1 The island would be decommissioned after the last sealift and left to erode into the bay, a process that may take 10 to 20 years post-abandonment. As gravel is a very limited commodity within the NPR-A, the Service is concerned that constructing and then abandoning the MTI (within 3 to 5 years) is not the best use of this scarce resource, and its mining and transportation will significantly impact valuable habitat for our trust species. Therefore, we support Module Transfer Option 3, the applicant’s preferred option.</p>	The Willow Project's Record of Decision will identify the alternative selected by BLM as well as the rationale for BLM's decision.	U.S. Fish and Wildlife Service
30960-18	The BLM must evaluate an alternative that rigorously explores and evaluates the MBCP option (and actually reviews a draft of the MBCP and its potential impacts), provides for robust and ongoing consultation with state and federal wildlife agencies, and establishes a decision-making frame	BLM coordinated closely with eight cooperating agencies, including the U.S. Fish and Wildlife Service, State of Alaska Department of Fish and Game, and North Slope Borough Wildlife Department to develop and evaluate over 50 alternative concepts for consideration in the Supplemental EIS. BLM evaluates several mitigation measures that include protections for migratory birds, including measures that limit when construction can occur. See Section 3.11 (<i>Birds</i>) and Appendix I.1 for a list of measures that may reduce the impacts from the action alternatives to migratory birds.	Audubon Society
30962-23	EPA recommends the FSEIS disclose additional analysis regarding existing alternatives on the “demonstrated development potential” of the Willow reservoir (e.g., the geologic analysis that validates the locations of the drill sites based on the production potential).	The Final Supplemental EIS includes updated figures showing the Willow reservoir outline and drilling reach polygons that demonstrate how different alternative concepts could develop the Willow reservoir. See Appendix D.1, <i>Alternatives Development</i> .	U.S. Environmental Protection Agency

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30962-40	EPA is concerned about the environmental impacts associated with constructing up to two separate airstrips in the project area, given the existing availability of the Alpine airstrip that is not within a special protection area. The text of the DSEIS has not demonstrated why extending and improving the applicant’s existing airstrip is not a practicable alternative to the alternative of constructing up to two separate airstrips that would represent up to 87 acres of fill and impact to the existing landscape, including Waters of the United States (WOTUS). Impacts to wetlands, including WOTUS, would be limited by expanding and updating an existing facility. EPA notes there are discrepancies between the reported driving time in Table D.3.3. between the existing Alpine airport and the Willow development area (Google directions estimated drive time is about an hour (~31 miles); Table D.3.3 describes a 2-hour drive time).	BLM considered an alternative concept that would eliminate the Willow airstrip and use the Alpine airstrip for all Willow air traffic, see Appendix D.1, <i>Alternatives Development</i> . This alternative concept was eliminated because the Alpine airstrip is located within the Colville River Delta, and cooperating agencies including the U.S. Fish and Wildlife Service (USFWS), The Native Village of Nuiqsut (NVN), and City of Nuiqsut identified concerns with impacts to USFWS' trust resources and impacts to subsistence hunters (NVN and City of Nuiqsut).	U.S. Environmental Protection Agency
30962-41	EPA strongly encourages BLM to consider the selection of an alternative that either integrates airstrips with roads or uses existing airstrips to reduce impacts to surface resources.	Integrating roads and airstrips poses serious safety concerns and the Federal Aviation Administration has indicated they would not permit the use of instrument flight rules (IFR) for such an airstrip. The inability to use IFR approaches for aircraft landings would severely limit the times that aircraft can land at the airstrip due to local weather conditions, see Appendix D.1, <i>Alternatives Development</i> . Use of the existing Alpine airstrip is evaluated in Appendix D.1, Table D.3.3, and was eliminated from full analysis due to impacts to U.S. Fish and Wildlife Service trust species in the Colville River Delta and potential impacts to subsistence users.	U.S. Environmental Protection Agency
30965-3	When you look at the alternatives that you gave us to consider, you put them in ways that we could consider having decreased roads or decreased sites or the ways that it was put forward, but at the cost of lack of access for our community. When you're asking us to consider to discriminate our own village in that access, those are not acceptable considerations for alternatives. It's not fair for us that we had to look at these alternatives the way that you gave them to us.	The Supplemental EIS analyzes a range of action alternatives containing differing road configurations. Impacts associated with community access to roads for subsistence purposes are evaluated in Section 3.16, <i>Subsistence and Sociocultural Systems</i> , and Appendix G, <i>Alaska National Interest Lands Conservation Act Section 810 Analysis</i> , of the Supplemental EIS.	Unsigned
30969-12	The proposed action alternatives differ slightly, but would still produce approximately the same amount of oil and therefore have nearly identical climate consequences.	The Supplemental EIS includes evaluation of the No Action Alternative which would preclude oil production from the Willow development, and each action alternative includes a range of avoidance and minimization measures to reduce impacts of the development, including impacts related to climate change.	Unsigned
4583-5	CPAI also is open to allowing the seasonal Community Winter Access Trail (CWAT), which provides overland tundra access for community supply purposes, to use the gravel roads that CPAI constructs for Willow, which would reduce CWAT costs, improve safety, and eliminate the need for a separate snow trail on the tundra for that segment. In addition, road access to and within the Willow project area would reduce the volume of aircraft traffic in the area, which is a priority for Nuiqsut residents. Construction of gravel roads also will enable Nuiqsut to benefit from gravel cells opened by industry. This is a high priority for Nuiqsut. Access to gravel for community development would be cost prohibitive for Nuiqsut without industry involvement. If possible, we would encourage BLM to ensure that gravel is made available to the community if CPAI has any excess reserves within any active gravel cells.	BLM considered a mitigation measure regarding gravel access for the community of Nuiqsut in the Final Supplemental EIS, see Appendix I.1.	North Slope Borough, Arctic Slope Regional Corporation, and Inupiat Community of the Arctic Slope
5228-30	Figure 2.4.7. The ice road from DS2P to the Ocean Point area on the Colville River. This route is the traditional, safest, and environmentally preferred route between DS2P and the Colville River. The route is also used by the North Slope Borough for their Community Winter Access Trail (CWAT) project, and other contractors that need to travel west from the gravel road system on state land. Should this alternative and module delivery option be chosen, it would be beneficial to allow others to use the ice road to reduce impacts, provide the safest Colville River crossing location for all users, and share facilities.	BLM considered this mitigation measure in the Final Supplemental EIS, see Appendix I.1.	State of Alaska
5228-31	Section 4.8.3.2. Module delivery option 3 specifies that an ice pad will be constructed at DS2P for staging. DS2P is currently undergoing decommissioning and could be used for temporary module storage. The gravel pad could be extended with an ice pad to increase the acreage, if necessary. We suggest using existing gravel infrastructure on state land as much as possible to reduce impacts to the tundra.	The Drill Site 2P (DS2P) gravel footprint would be used to maximum extent practicable to store Project equipment during the module move. Although DS2P is being decommissioned, that process is not complete yet and space is still needed on the gravel pad to allow a drill rig access to plug existing wells. This may require some of the Willow Project equipment to be stored on an ice pad.	State of Alaska
6380-2	In the recently released Draft Supplemental Environmental Impact Statement, the Bureau of Land Management (BLM) proposed a range of ways this project could move forward. The proposed action alternatives differ slightly in terms of scale and levels of connectivity, but they would still produce approximately the same amount of oil and thus have nearly identical climate consequences to one another.	The Supplemental EIS includes evaluation of the No Action Alternative which would preclude oil production from the Willow development, and each action alternative includes a range of avoidance and minimization measures to reduce impacts of the development, including impacts related to climate change.	Ashley Davis

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6501-134	<p>The DSEIS was correct in concluding that “none of [the module delivery] options would change the alternatives’ economics impacts significantly”¹⁴³⁰ but this conclusion highlights the error of only analyzing one method of construction — prefabricated modules — for the Willow project. Oil and gas modules are often built overseas and deployed remotely, leaving few employment benefits to communities most impacted by project construction and operations. The agency should have analyzed and considered national and foreign job creation as a result of any action alternative in the draft being selected, and compared that to job creation if other construction methods were used. In evaluating a true range of alternatives, such construction methods should have also been analyzed for the full spectrum of benefits and drawbacks, not only for job creation and economics, but also impacts to the environment as well.</p>	<p>Onsite module assembly was considered as an alternative concept but eliminated from full analysis because it would be infeasible. The National Environmental Policy Act does not require an economic analysis of alternatives concepts that were eliminated, See Appendix D.1, <i>Alternatives Development</i>, Sections 3.5.3 and 3.5.5.</p> <p>An evaluation of the Project's impacts on the foreign job market are outside the scope of this analysis.</p>	Trustees for Alaska
6501-137	<p>Alaska oil and gas has proven to be highly lucrative to multinational oil and gas corporations. ConocoPhillips Alaska’s net income in Alaska was nearly \$1.4 billion in 2021 alone, with total production just shy of 72 million barrels of oil equivalent for the time period. Crude oil — averaging \$69.81 per barrel —accounted for over 90% of the company’s total Alaska production on an energy basis, with natural gas and natural gas liquids accounting for the rest of hydrocarbons extracted from the state. With natural gas averaging \$2.81 per mcf, it is fair to say that this net income was largely driven by crude oil production, which totaled 65 million barrels in 2021.¹⁴³⁴ Furthermore, through the first two quarters of 2022 this income trend for ConocoPhillips continued, with the company bringing in over \$1 billion from Alaska oil and gas production alone.¹⁴³⁵</p> <p>On roughly 10% of the total oil projected to be produced in the lifetime of the Willow project, ConocoPhillips — after subtracting the year’s operations costs and federal, state, and local government take — would still manage to net the company ~25% of the cost of developing the entire Willow project.¹⁴³⁶ Furthermore, net income from ConocoPhillips’s Alaska operations in 2021 was higher than the total anticipated 30-year tax revenue to the North Slope Borough or State of Alaska.¹⁴³⁷ The largest beneficiary of the Willow project economically would be the company itself, and yet the DSEIS does not consider this in any manner, while considering a range of action alternatives that all are just slight variations on the proponent’s project, and all of which anticipate near full development of the oil reservoir while guaranteeing impacts to surface values that could potentially be avoided through a broader range of alternatives.</p> <p>Comparing these recent returns to the company — in both income, and 2021 income and production combined — to the proposed Willow project suggests that a broader range of alternatives should have been considered by BLM, as there would have likely been an economically attractive and feasible project to the leaseholder...</p> <p>The omission of any consideration of the revenue that would be generated for private industry fails to answer whether a profitable project for the leaseholder could have been feasible with an action alternative that provides stronger surface area protections such as by avoiding roads and requiring seasonal drilling, reduces the climate impact of fuels produced, and/or considered alternate construction of facilities other than the modular delivery option analyzed.</p>	<p>Profitability was not used as a criterion to screen out alternatives concepts. BLM has no knowledge of and did not consider the applicant's potential profits when determining whether an alternative concept, such as seasonal drilling, was feasible and warranted full analysis. See Appendix D.1, <i>Alternatives Development</i>, for more details.</p>	Trustees for Alaska
6501-149	<p>The subsistence and sociocultural systems analysis is hampered by the lack of meaningful project alternatives. BLM must consider additional reasonable alternatives that incur far less impacts presently and over time on subsistence activities. Additionally, while air traffic is often cited as a potential impact, there is little discussion of or sufficiently robust mitigation measures regarding how air traffic impacts could be mitigated through differing flight paths¹⁴⁷¹ and the management of altitude, among other factors. Alternatives that avoid or minimize impacts to subsistence and sociocultural practices must be analyzed and considered. BLM should also explain how its decision to only consider alternatives which would streamline future development with Willow as a hub is consistent with considering any alternatives that might reduce impacts on the local community, given the agency’s prior acknowledgement that increased development in the region has significant determinantal sociocultural impacts.</p>	<p>The Supplemental EIS includes evaluation of the No Action Alternative, which would preclude oil production from the Willow development, and each action alternative includes a range of avoidance and minimization measures to reduce impacts from the development, including impacts related to aircraft traffic. Feasible alternatives concepts that would reduce impacts to subsistence users (e.g., eliminating drill site BT4, deferring development of drill site BT5) were incorporated into Alternative E.</p> <p>The ability to use Willow project infrastructure to support future developments was not used as a screening criterion to rule out alternatives concepts.</p>	Trustees for Alaska

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6501-150	The measures to mitigate1473 the deleterious and compounding impacts to subsistence activities and community health and well-being are starkly inadequate. While these mitigation measures may provide some minimization of adverse effects on subsistence, they presume that the massive impacts from Willow and the compounding impacts from planning future development (Greater Willow) in the Reserve are simply the status quo. Instead, BLM must seriously analyze reasonable alternatives that follow BLM’s own mitigation Manual and Handbook1474 and the mitigation hierarchy by providing an alternative that significantly avoids subsistence impacts.	Reasonable alternatives to the proposed action (Alternative B) were developed to reduce impacts to subsistence users. Alternatives C, D, and E looked at different project layouts that would meet the purpose and need and that may avoid some impacts to subsistence users and subsistence species.	Trustees for Alaska
6501-178	As an initial matter, BLM’s process lacks transparency due to the agency’s decision to obfuscate its selection of a preferred alternative — Alternative E — in the draft SEIS. BLM identified Alternative E in its biological assessment to FWS, seeking to consult on it as the agency’s preferred alternative. The language in states in relevant part: “[t]his BA describes the BLM’s preferred alternative and preferred module delivery option... this BA reflects the following changes to the proposed action...[description of alternative E].”).96 NEPA’s regulations make plain that “the draft environmental impact statement should identify the bureau’s preferred alternative or alternatives, if one or more exists.”97 Moreover, an initial version of the draft SEIS posted to BLM’s ePlanning website expressly identified Alternative E as BLM’s preferred alternative; this version was abruptly switched the same day with no explanation, with the preferred alternative language removed. Because BLM identified a preferred alternative, it was obligated under NEPA to make that preference clear in the draft SEIS. Its failure to do so violates NEPA and raises serious questions about why the agency would take such steps to suppress information regarding its selection of a preferred alternative.	A previous version of the Biological Assessment transmitted to the U.S. Fish and Wildlife Service and the preliminary Draft Supplemental EIS incorrectly identified Alternative E as the Preferred Alternative. The Department of the Interior did not have a preferred alternative when the Draft Supplemental EIS was published. This error was corrected on the day of publication.	Trustees for Alaska
6501-181	The draft EIS’s range of alternatives is inadequate for multiple reasons. The draft EIS fails to meaningfully consider the No Action alternative, as required by NEPA. Further, BLM failed to consider reasonable action alternatives that would mitigate GHG emissions, delay the project pending a plan to manage the Reserve consistently with meeting climate targets to avoid exceeding 1.5 degrees C, eliminate the use of modules for transporting project infrastructure, avoid impacts in Special Areas, avoid additional airstrips, or utilize seasonal roadless drilling to decrease impacts to important surface resources. Importantly, the new and revised alternatives that will be necessary to remedy these significant gaps will not be “minor variation[s]” of the existing alternatives that are “qualitatively within the spectrum of alternatives that were discussed in the draft.”	The No Action Alternative is fully analyzed in the Supplemental EIS. BLM considered over 50 alternative concepts in developing the range of alternatives included in the Draft Supplemental EIS, including eliminating module barging, avoiding infrastructure in the National Petroleum Reserve in Alaska Special Areas, eliminating the Project airstrip, and roadless concepts with seasonal drilling. Alternatives concepts that did not meet the screening criteria were eliminated from full analysis. See Appendix D.1, <i>Alternatives Development</i> , for more details.	Trustees for Alaska
6501-186	The alternatives should sharply define the significant impacts of ConocoPhillips’ proposed development plan.185 To do this, the alternatives should vary the development components that cause significant effects. For example, BLM could develop alternatives that assess roadless development, winter-only operations, and delaying or staging production until introducing more oil into the market would be consistent with climate goals. These alternatives would sharply define the impacts of the current proposal’s roads, year-round operations, and greenhouse gas emissions.	BLM considered disconnected development and winter-only drilling alternative concepts; see Appendix D.1, <i>Alternatives Development</i> . All action alternatives are evaluated against the goals outlined in the Paris Agreement, a global framework to address climate change, see Section 3.2, <i>Climate and Climate Change</i> .	Trustees for Alaska
6501-187	BLM assessed only a narrow range of action alternatives that are modest variations of ConocoPhillips’ preferred development design. All of the action alternatives involve essentially the same pad size and placement, the same road and/or pipeline alignments (where an infield road is proposed), the same amount of infrastructure at the new Willow processing facility, the use of modules delivered via barge, a new airport west of Nuiqsut, two gravel mines inside the Ublutuooh (Tiŋmiaqsiuġvik) River 0.5-mile setback; infrastructure within the Colville River Special Area; and infrastructure inside of the Teshekpuk Lake Special Area. BLM unreasonably limited its range of alternatives such that all of the action alternatives are predicted to have similar impacts as ConocoPhillips’ proposed action.	BLM considered over 50 alternative concepts in developing the range of alternatives included in the Draft Supplemental EIS; those that did not meet the screening criteria were eliminated from full analysis. See Appendix D.1, <i>Alternatives Development</i> , for more details.	Trustees for Alaska
6501-188	Given the opportunity to reassess ConocoPhillips’ proposal anew, BLM instead has largely adopted the alternatives analysis of the prior EIS, adding a single new alternative, and summarily rejecting newly proposed alternatives on similar, flawed bases as the prior EIS. It is not sufficient for BLM to simply add a single new alternative to the SEIS— the agency should have started from scratch to fully consider reasonable alternatives that would mitigate and protect the Reserve’s resources and values. This is particularly concerning since the new alternative still appears to leave the door open for functionally the same level of development as was previously proposed and authorized. The new alternative provides no guarantee that ConocoPhillips would not ultimately come back and ask to develop BT4 or the equivalent, and the deferral for the BT5 pad merely creates uncertainty about the scope and timing of that piece of the development — rather than being a mitigation measure that meaningfully reduces the impacts of ConocoPhillips’ overall proposal.	BLM considered over 50 alternative concepts in developing the range of alternatives included in the Draft Supplemental EIS; those that did not meet the screening criteria were eliminated from full analysis. See Appendix D.1, <i>Alternatives Development</i> , for more details. BLM cannot restrict future development outside of the Bear Tooth Unit as part of its Record of Decision for the Willow Project. BLM will evaluate proposals for development as they are received.	Trustees for Alaska

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6501-189	BLM failed to identify a preferred alternative in the draft SEIS despite the agency having identified Alternative E as its preferred alternative. “Unless another law prohibits the expression of a preference, the draft environmental impact statement should identify the bureau’s preferred alternative or alternatives, if one or more exists.”187 An initial version of the draft SEIS posted to BLM’s ePlanning website expressly identified Alternative E as BLM’s preferred alternative; this version was abruptly switched the same day with no explanation. More formally, BLM identified Alternative E in its biological assessment to FWS, seeking to consult on it as the agency’s preferred alternative.188 Because BLM identified a preferred alternative, it was obligated under NEPA to make that preference clear in the draft SEIS. Its failure to do so violates NEPA.	A previous version of the Biological Assessment transmitted to the U.S. Fish and Wildlife Service and the preliminary Draft Supplemental EIS incorrectly identified Alternative E as the Preferred Alternative. The Department of the Interior did not have a preferred alternative when the Draft Supplemental EIS was published. This error was corrected on the day of publication.	Trustees for Alaska
6501-193	Although it removed statements improperly alleging that it must allow ConocoPhillips to develop all the oil and gas on its leases, it has adopted a functionally indistinguishable position — that “BLM may not permit a development proposal that would strand an economically viable quantity of oil; however, this does not require 100% resource extraction.”202 BLM seems to be saying that it needs to let ConocoPhillips develop all the oil ConocoPhillips thinks is profitable to develop. As described above, this assertion is incorrect. BLM relied on this incorrect assertion to constrain the alternatives it considered. For example, BLM rejects a reduced-pad alternative on the basis that it would “not allow [ConocoPhillips] to exercise their rights under their leases to develop the oil and gas within the leased areas.”203 BLM summarily rejects several other alternatives based on this same flawed understanding of its authority.204 By relying on a flawed conclusion that ConocoPhillips has a right to develop economically viable oil on all its leases to reject reasonable alternatives, BLM’s alternatives analysis suffers from the same type of flaw as the original EIS.	In accordance with the District Court's decision, the Supplemental EIS does not assume that ConocoPhillips has the right to extract all possible oil and gas from its leases. BLM does not require 100% resource extraction and may condition Project approval to protect surface resources even if doing so reduces the amount of oil and gas that can be profitably produced. However, 43 CFR 3137.71(b)(1) requires lessees to "fully develop" the oil and gas field, meaning that a lessee may not strand such a large quantity of oil and gas that, standing alone, is economic to develop (i.e., that would warrant construction of an additional drill pad). Project profitability was not used as a criterion to screen out alternative concepts.	Trustees for Alaska
6501-194	Another of the screening criteria is whether an alternative is “feasible . . . from a technological or economic standpoint.”210 BLM mis-applied this criterion in several ways. In some instances, BLM relied substantially on ConocoPhillips’ self-interested representations of what it thinks is feasible without conducting and explaining its own analysis. A clear example of this improper approach is BLM’s decision to omit consideration of a roadless development plan.211 Its explanation for why it rejected this alternative without further consideration is that “[ConocoPhillips] conducted internal examinations of” this concept and they “were not further evaluated by the BLM or cooperating agencies as they had been sufficiently described and dismissed based on [ConocoPhillips’] initial evaluation.”212 This level of deference to the project proponent does not satisfy NEPA.213 More generally, BLM failed to describe the factors it considers in determining independently whether a proposed alternative is economically and technologically feasible.214 Without a description of the parameters BLM uses for making its independent judgment about feasibility, it is impossible for the public or decision-maker to assess the rationality of BLM’s conclusions.	<p>Appendix D.1, Section 3.2.10, <i>Additional Alternative Concepts Evaluated in Pre-Notice of Intent Meetings</i>, has been revised to reflect that BLM and cooperating agencies reviewed CPAI's examinations of additional alternative concepts and determined they were properly dismissed.</p> <p>An alternative concept that evaluates roadless development without an airstrip, which would only have access via ice road or tundra travel, was considered. This concept was dismissed for feasibility reasons, as described in Appendix D.1, <i>Alternatives Development</i>, Section 3.2.10.2. Roadless alternative concepts that would include an airstrip were considered; Alternatives C and D are based on this concept though others were eliminated (Sections 3.5.5.3 and 3.5.5.4).</p>	Trustees for Alaska
6501-195	<p>BLM screened alternatives based on whether they “have the potential to support reasonably foreseeable future development.”216 It is not at all clear why this is a factor or what the parameters of “reasonably foreseeable future development” actually encompass...</p> <p>BLM must be transparent in identifying what reasonably foreseeable future development the agency is considering when constraining its range of alternatives. It is not clear what reasonably foreseeable future development BLM is referring to, as Figure 3.19.1 only shows the Willow Project itself along with pads for Greater Willow 1 and 2, but does not show any further development west of Willow.217 It is unclear whether BLM solely considered Greater Willow 1 and 2 for purposes of screening out alternatives, or whether the agency is seeking to enable further expansion by ConocoPhillips’ or other companies...</p> <p>Various project elements indicate ConocoPhillips’ infrastructure is intended to accommodate development beyond just those two additional pads and its current proposal. It is unreasonable for BLM to screen out alternatives that may have environmental benefits simply because they do not grease the skids for ConocoPhillips’ or other companies to expand westward into the Reserve. Additionally, this screening criterion is no way tied to the federal purpose and need. Instead, it appears to be in direct conflict with BLM’s obligations under NEPA to consider a reasonable range of alternatives, BLM’s NPRPA obligations to provide maximum protections for surface values, BLM’s obligations under FLPMA to cause no unnecessary or undue degradation of public lands, and the Corps’ obligations under the CWA.</p>	No alternative concept was eliminated for failing to support reasonably foreseeable future development.	Trustees for Alaska

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6501-196	<p>Another criterion — relative environmental effects — raises serious questions about how the BLM evaluated the environmental impacts of potential alternatives outside of the NEPA process. We reiterate that differences in resource impacts among alternatives are meant to be considered in the NEPA analysis itself, not discussed behind closed doors by BLM in close coordination with the project applicant as a means to eliminate alternatives from consideration. There is no discussion as to how BLM quantified any of the differences for the alternatives it is still refusing to consider in the supplemental draft EIS, or why the BT2N alternative is the only new alternative component up for consideration. Section 3.1.5 of Appendix D describes Alternatives Screening Criteria used by BLM and the cooperating agencies in developing the draft EIS... SEIS states that BLM considered whether potential alternatives would achieve the following before considering them further:</p> <ul style="list-style-type: none">• Reduce the overall Project footprint (i.e., direct impacts from facilities)• Reduce potential human health impacts (especially those relating to air quality and subsistence)• Reduce impacts to wildlife, subsistence resources (especially caribou), and subsistence use areas• Reduce risks related to spills or other accidental releases• Reduce impacts to water resources and floodplains, including marine habitat²¹⁹ <p>There is no discussion as to how BLM quantified any of these differences, which is particularly relevant for issues related to the project footprint, air quality, and impacts to wetlands. Table D.3.2 in the draft SEIS appears to be the agency’s attempt to address some of these criteria; however, it only provides a few brief sentences that do not explain all of these bullet points. Nor is it clear where any of this information originated and there are no citations for the assertions. In short, the public cannot evaluate BLM’s decisions about which alternatives to consider and which to not carry forward.</p>	<p>No alternative concept was eliminated solely based on the environmental screening criteria. Screening criteria were used to identify infeasible alternative concepts and to aid in discussion and development of alternative concepts amongst the cooperating agencies.</p> <p>Note: The commenters' cited section and table present information from the 2020 Final EIS.</p>	Trustees for Alaska
6501-199	<p>The prior draft EIS characterized ConocoPhillips’ proposal to barge modules to Oliktok Dock for transport over the Colville River via ice routes and existing infrastructure “unfeasible” and stated that it “could not be implemented.”²²¹ But that is what is now proposed. The prior supplemental EIS and the current DSEIS offer no explanation as to how the safety concerns, allegedly egregious environmental consequences, and lack of economic feasibility outlined in the 2019 draft EIS are no longer at issue or have been mitigated to such an extent as to warrant inclusion of this alternative in the DSEIS. It is therefore deeply troubling that BLM did not take the time to parse through a new range of reasonable alternatives to independently determine which ones might be feasible and capable of implementation, rather than continuing to defer to ConocoPhillips’ assertions identify those in a transparent manner. Moreover, it is hard to see why the transportation of modules over the Colville River via ice bridge is a component in every action alternative given its environmental impacts and the shortening of the ice road season due to the climate change, if not for insistence by the project applicant.</p>	<p>BLM's screening of alternative concepts is based on the best available information at the time. Development of sealift module transport Option 3 was based on BLM's request to ConocoPhillips to continue to look for alternatives to constructing a module transfer island due to the significant stakeholder concerns. BLM reevaluated all proposed alternative concepts from the 2020 EIS process and any new ideas raised during the 2022 Supplemental EIS process.</p> <p>Details on the proposed Colville River ice bridge are included in Section 3.8, <i>Water Resources</i>, and Appendices E.8A and E.8B.</p>	Trustees for Alaska
6501-200	<p>BLM rejects the elimination of drill sites BT4 and BT5 on the basis that the alternative does not meet the project’s purpose and need, would be inconsistent with ConocoPhillips’ lease rights, and would strand oil.²²⁷ It rejects an alternative that would eliminate infrastructure from the Teshekpuk Lake Special Area and place BT2 south of Fish Creek on the basis that these alternatives would not allow enough access to economically viable resources on ConocoPhillips’ leases. These rationales are flawed for a number of reasons that highlight significant and fundamental problems with BLM’s approach to its alternatives development: BLM has mis-defined its purpose and need; ConocoPhillips’ leases subject its rights to develop oil to BLM regulations, and those regulations provide BLM the authority to limit activities on leases; and neither the NPRPA, nor BLM’s regulations, nor the leases obligate BLM to permit ConocoPhillips’ to develop all economically viable oil on its leases.</p>	<p>The purpose of a master development plan is to evaluate the impacts of full field development to ensure that the National Environmental Policy Act analyses are not segmented, to the extent that an alternative concept strands an economically viable quantity of oil, the BLM would expect to receive a future permit application to develop it. Such an alternative concept therefore does not disclose and analyze the impacts of full field development and is a false comparison to other action alternatives. 43 CFR 3137.71(b)(1) requires lessees to "fully develop" the oil and gas field, meaning that a lessee may not strand such a large quantity of oil and gas that, standing alone, is economic to develop (i.e., that would warrant construction of an additional drill pad).</p>	Trustees for Alaska
6501-201	<p>The DSEIS alternatives analysis is utterly lacking because it only presents ConocoPhillips’ proposed action with minor variations in the presence or absence of road connections and modest drill site variations, and the no action alternative. The only substantive difference between any of the action alternatives is the presence or absence of one of two drilling pads in the Teshekpuk Lake Special Area. This does not satisfy NEPA’s requirements for a reasonable range of alternatives.²²⁸ A reasonable range of alternatives must include more than just a few variations on where relatively short infield roads may be placed.</p>	<p>BLM considered over 50 alternative concepts in developing the range of alternatives included in the Draft Supplemental EIS; those that did not meet the screening criteria were eliminated from full analysis. See Appendix D.1, <i>Alternatives Development</i>, for additional details.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-202	Several of the above-listed options were improperly eliminated by BLM during the aforementioned screening process for the prior DEIS but were never subjected to an actual NEPA analysis by BLM. Other options were screened out during the current DSEIS process with minimal justification for avoiding their analysis and without out any support for doing so. This screening process, which purported to assess varying impacts from project changes absent input from the public, affected communities, and experts, does not fulfill NEPA’s requirement that BLM actually consider and evaluate alternatives. Evaluating proposed alternatives based on differing impacts is precisely the sort of analysis that is meant to be carried out during the NEPA process. BLM is not limited to the project descriptions described by ConocoPhillips and is legally obligated to explore and evaluate reasonable alternatives in its EIS beyond those identified by the project proponent. BLM has failed to do this.	BLM considered over 50 alternative concepts in developing the range of alternatives included in the Draft Supplemental EIS and consulted extensively with cooperating agencies and the local stakeholders in developing the range of alternatives. Alternatives concepts that did not meet the screening criteria were eliminated from full analysis. BLM did not eliminate any alternative concept based solely on the environmental screening criteria. See Appendix D.1, <i>Alternatives Development</i> , for additional details.	Trustees for Alaska
6501-203	Table D.3.6 in the draft SEIS and the text boxes that follow summarize BLM’s rationale for eliminating a host of alternatives without full consideration... there is no record basis for its conclusions. For BLM to reject alternatives, its basis must be explained and supported by the record.	BLM's rationale for eliminating alternative concepts is included in Appendix D.1, <i>Alternatives Development</i> (see Sections 3.3. and 3.5.5).	Trustees for Alaska
6501-22	Continued withdrawal of water from lakes or rivers as envisioned in the draft SEIS without more robust consideration of overall impacts could harm scarce over-wintering fish habitat.1006 BLM must more specifically and accurately consider within existing alternatives or in new reasonable alternatives locations and quantities of all water withdrawals by water body, both for ice roads, as well as water sources needed for drilling, water flooding, camp operations, and all other uses during the entire time of development and production.	<p>BLM evaluated specific water sources to support Willow operations in the Supplemental EIS (section 3.8, <i>Water Resources</i>). The Alaska Department of Natural Resources (ADNR) water withdrawal permits, and the Alaska Department of Fish and Game (ADF&G) fish habitat permits require applicants to work closely with both agencies to monitor the volume of water removed from lakes for ice road construction to avoid or minimize potential damage to the fish habitat and to make sure the lake is replenished during spring break-up.</p> <p>ADNR, ADF&G, and BLM have guidelines for water withdrawal from lakes on the North Slope that were designed to protect fish wintering habitat based on the fish species assemblage within each waterbody to be permitted for water withdrawal. Prior to authorizing agencies issuing permits for each proposed water source, the lakes must be sampled for fish species presence and detailed bathymetric data must be collected. Prior to permit issuance, all of the information is reviewed by agency staff to ensure that requests meet the criteria for the proper protection of fish and overwintering habitat as described in BLM's (2022) required operating procedures, which largely mirror State of Alaska requirements. Collected data is evaluated for available fish overwintering habitat and an assessment of fish species using the lake for rearing and overwintering. Once appropriate and permittable volumes for withdrawal are determined and permitted, permits require withdrawal tracking and submittal to state agencies for review to ensure operators adhere to permitted withdrawal limits. In addition, the design specifications for intake screens are reviewed to ensure they will prevent entrapment, impingement, and entrainment of fish during withdrawal activities.</p> <p>Periodic review of existing lake data during permitting also provides the opportunity to determine if a resurvey is needed based not only on methods used for sampling and bathymetric data collection in the past, but also based on changes in a lake based on scientist field observations. The distribution of lakes with adequate permittable volumes of winter water is part of the decision-making process when determining final ice road routes. When permittable water volumes are low along any particular route segment, routing is often modified towards areas with more available (permittable) water</p>	Trustees for Alaska
6501-239	We note at the outset that BLM cannot select Conoco’s Preferred Alternative, i.e., alternative B with two drilling pads in the Teshekpuk Lake Special Area, because BLM must ensure that maximum protection of Special Areas.421 These Special Areas were designated because of the importance of multiple biological resources and process at a landscape level, and are intended to protect the healthy functioning of resources, habitat, and wildlife populations.422 The agency can only select an alternative — or a component of an alternative — that it determines provides the maximum protection for Special Areas, consistent with the NPRPA.423 By identifying an alternative that it seems both more protective and feasible,424 BLM has disqualified ConocoPhillips’ preferred alternative from selection.	The Willow Project's Record of Decision will identify the alternative selected by BLM as well as the rationale for BLM's decision. The selected alternative will be consistent with the Naval Petroleum Reserves Production Act (NPRPA).	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-240	<p>ConocoPhillips’ proposal would result in significant industrial activity within and adjacent to the Teshekpuk Lake and Colville River Special Areas. The DSEIS purports to include a new alternative to lessen the impacts to the Special Areas, but the design and analysis fall short of what is required by the NPRPA to protect them and by NEPA to analyze the impacts of the Willow Project on the Special Areas resources, values, and purposes.⁴³⁷</p> <p>As EPA highlighted in their scoping comments on the DSEIS, BLM should have evaluated alternatives precluding any drill sites within the Teshekpuk Lake Special Area given current extended reach drilling technology.⁴³⁸</p> <p>Instead, all project alternatives involve the placement of infrastructure (temporary and permanent) in the Special Areas.</p>	<p>BLM considered an alternative concept that eliminated all infrastructure within the Teshekpuk Lake Special Area and Colville River Special Area (see Appendix D.1, <i>Alternatives Development</i>, Section 3.5). Designation as a special area does not preclude development within that special area.</p> <p>The Willow Project would employ extended reach drilling.</p>	Trustees for Alaska
6501-243	<p>BLM did not consider any potential alternative sites for gravel mines for this project, nor did BLM consider an alternative which would reduce the gravel footprint for the Willow project. BLM did not even consider an option where the gravel mine would be outside of the Ublutuooh (Tig̃m̃iaq̃siug̃vik) River 0.5-mile setback.⁴⁴⁹</p> <p>The DSEIS simply states that mine development is “allowed in the setback area” but the cited lease stipulation states that such development may be “authorized on a case-by-case basis.”⁴⁵⁰ Yet, BLM does not articulate why these particular gravel mines should be authorized on a case-by-case basis. BLM also failed to explain how these particular mines would be consistent with its objectives for protecting this waterway under Lease Stipulation/Best Management Practice K-1. In other words, while BLM’s K-1 stipulation does not prohibit authorization of these mines, it does not follow that BLM should simply approve them without further analysis or consideration. Instead, BLM has to base its waiver of the stipulation on some justification. That explanation is wholly absent in the draft SEIS.</p> <p>It is also troubling that BLM did not consider alternatives that would reduce the size of, or relocate, the proposed gravel mines. The potentially significant impact to water quality, wildlife habitat, and subsistence users within the setback area is essential to BLM’s alternatives review, as impacting water quality in a high-use subsistence area is a highly relevant factor BLM must consider in exercising its discretion to choose the no-action alternative in order to meet the FLPMA and Part 3600 public interest mandates. As described in more detail below, these gravel mines are detrimental to the public interest due to their short- and long-term damage to the environment.⁴⁵¹ As noted herein, BLM must undertake a full review of the impacts from these mines under FLPMA and NEPA, and include such an analysis in a revised or supplemental EIS.</p>	<p>BLM did consider potential alternative mine sites (see Appendix D.1, <i>Alternatives Development</i>, Sections 3.2.5, 3.2.10.1, and 3.3) and alternative concepts that might reduce the overall gravel footprint. Known gravel resources on the Arctic Coastal Plain are extremely limited and all three known gravel deposits were evaluated for use in the Willow Project. The proposed gravel mine site is included in the resource analyses found throughout Chapter 3 of the Supplemental EIS.</p>	Trustees for Alaska
6501-275	<p>The draft SEIS fails to adequately analyze and impose mitigation of Willow’s GHG emissions and resulting climate impacts consistent with NEPA and BLM’s current mitigation policy. Proper analysis and imposition of mitigation will show that BLM must consider an emissions reduction alternative and that it can and must choose the no-action alternative.</p>	<p>The Supplemental EIS includes evaluation of the No Action Alternative which would preclude oil production from the Willow development, and each action alternative includes a range of avoidance and minimization measures to reduce impacts of the development, including limiting the period of operations of the Project.</p> <p>BLM developed Alternative E (Three-Pad Alternative [Fourth Pad Deferred]) to reduce impacts in the Teshekpuk Lake Special Area and this alternative would produce less oil overall and reduce the Project's gross greenhouse gas emissions.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-301	<p>BLM should carefully evaluate whether construction of the Willow Processing Facility (WPF) is necessary. According to the DSEIS, “The Alpine central processing facility does not have capacity to process Project production (peak estimate of 200,000 barrels of oil per day, 175,000 barrels of water per day, and 300 million standard cubic feet of gas per day). The Alpine central processing facility is currently at gas handling capacity and the expected production from GMT-1 and GMT-2 will keep the facility at or near capacity for gas and water handling into the 2030s.”⁷³⁶ This is the primary, but not the only, rationale for not utilizing the Alpine central processing facility for this project.⁷³⁷</p> <p>What is missing from the above statement on Alpine central processing facility capacity is a data-driven analysis of the expected Alpine decline rates for gas, oil, and water along with an analysis of the ramp up projections for Willow production. It is important to analyze if Willow ramp up can be phased in over time, e.g., not producing from certain pads, to see if the Alpine central processing facility can be slightly reconfigured without major impacts to its Colville River Delta location to accommodate Willow production. Indeed, BLM is already considering deferring one pad, so if construction of the WPF could be avoided by deferring another one or two pads, that should be considered as an alternative. The DSEIS also notes that partial processing facility could potentially be constructed, which is another alternative component that should be considered. If the WPF does not need to be constructed, that could have significant environmental benefits for the Reserve.</p>	BLM evaluated alternatives to constructing a new processing facility for the Willow Project. The Alpine central processing facility, as noted by the commenter, does not have capacity to support the additional oil, gas, and water the Project would produce. Anticipated GMT-1 and GMT-2 production is expected to keep the Alpine central processing facility at or near capacity into the 2030s.	Trustees for Alaska
6501-302	<p>BLM should consider the necessity of the Constructed Freshwater Reservoir (CFWR) and should analyze the difference in impacts to waters and wetlands from continuous annual withdrawals without the reservoir as opposed to the significant impacts from building the reservoir in the first instance. The proposed 16.3-acre freshwater reservoir would provide a reliable, i.e., non-lake, year-round source of freshwater for ConocoPhillips’s proposed project...</p> <p>BLM should examine if there is a need at all for the proposed 16.3-acre CFWR as this acreage decreases wildlife habitat. Following construction, lakes can continue to provide freshwater without a freshwater reservoir, as they are expected to do prior to CFWR construction in Year 3. “The CFWR adjacent to Lake M0015 (also called R0056) would be the primary source of freshwater for domestic use under Alternatives B, C, and D (Table D.4.2) ...Additional freshwater sources include Lake L911 (Alternatives B, C, and E).”⁷⁴¹ Prior to CFWR construction, some ice roads, pipelines, the Willow Operations Center and the airstrip all would have been constructed without the CFWR.</p>	Alternative E (Three-Pad Alternative [Fourth Pad Deferred]) would use multiple Project area lakes as freshwater sources and would not require a constructed freshwater reservoir.	Trustees for Alaska
6501-304	<p>BLM must explain the need for the project airstrip, as identified elsewhere in these comments.⁷⁴⁷ ConocoPhillips’s proposed project includes 42.2 acres for the airstrip and its apron. An airstrip provides comparatively rapid access to Willow infrastructure, but that access is weather-dependent in contrast to the planned road which would provide virtually all-weather access. In case of emergencies where rapid access is important, helicopters may be used...</p> <p>The DSEIS analysis of why utilizing the Alpine airstrip rather than a new Willow airstrip in alternatives connected by roads was eliminated includes states that “This option would not support reasonably foreseeable future development within the Project area.”⁷⁴⁹ While the DSEIS provides three additional reasons to reject elimination of the Willow airstrip, i.e., avoiding additional environmental impacts in the Colville River Delta, increasing emergency response times, and fewer weather-related (e.g., fog) delays likely near Willow,⁷⁵⁰ these three reasons are not likely the key rationale driving ConocoPhillips’s decision to build a Willow airstrip. Rather, the main reason is “future development.”⁷⁵¹ BLM should reject ConocoPhillips’s decision to build the Willow airstrip in favor of increased protections for the Willow region from aircraft noise, visual landscape preservation, and disturbance and displacement of birds, caribou, and polar bears.</p>	The Alpine airstrip is located within the Colville River Delta. During the 2020 EIS process, the U.S. Fish and Wildlife Service (a cooperating agency) recommended that BLM reduce the use of the Alpine airstrip to support the Willow Project to reduce impacts to their trust resources within the Colville River Delta. Additionally, cooperating agencies and stakeholders in Nuiqsut stated use of the Alpine airstrip would increase impacts to subsistence hunters due to the increased vehicle traffic between Alpine and Willow. This alternative concept was re-evaluated in the 2022 Supplemental EIS process and the use of a Willow airstrip in future development was not used as a rationale for eliminating this alternative concept (see Appendix D.1, <i>Alternatives Development</i>).	Trustees for Alaska
6501-316	BLM also failed to consider any alternative that would mitigate the impacts from fracking and other well stimulations, such as prohibiting their use, or restricting the number of times such practices can be used per year.	Hydraulic fracturing cannot be eliminated as a Project component; it is technologically infeasible. Hydraulic fracturing has been used in oil and gas development on the North Slope for decades to support oil production and is very different than Lower 48 unconventional shale oil development. The Alaska Oil and Gas Conservation Commission (AOGCC) maintains jurisdiction over the subsurface fracturing process (20 AAC 25.283), and all hydraulic fracturing activities would comply with AOGCC regulations.	Trustees for Alaska
6501-324	BLM should consider an Alternative aimed at minimizing air quality impacts, e.g., one that would incorporate factors aimed at reducing short-term NOx emissions from drilling.	Alternative A (No Action alternative) would eliminate emissions from drilling.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
7218-2	The section on Social Determinants doesn't compare Alternative E with Alternative A, just the other development plans. Compared with Alternative A, Alternative E would destroy the wilderness and biological qualities of this public land, increase carbon emissions thereby exacerbating climate change, contribute to air pollution (which now includes CO ₂) and impact subsistence use.	Impacts from all alternatives are presented in the Supplemental EIS for readers and decision makers to compare their impacts.	Laurie Terwilliger
F18-2	Although SILA is a keep it in the ground group, we also want to uplift those comments for the least harm to the most affected community. Some of those asks are: Roadless work: only working during winter utilizing ice roads that would cause the least damage and disturbance using less gravel Seasonal work: only drilling during winter to stop disturbance of caribou, birds, fish, and the people during those seasons. No experimental icebridge over the Colville River. This is a main food source for fish that the community depends on and would be endangered with this plan. Building the project in Nuiqsut instead of prefabricated modules. These typically have to be barged up causing disturbance to the ocean floor and the migrating whales in that area that the community of Nuiqsut rely upon. Do not build a second gravel pit mine or allow a new gravel pit mine to become a “man made lake.”	BLM considered more than 50 alternative concepts including alternative mine sites, roadless development, seasonal drilling, and concepts that would eliminate the barging of modules (see Appendix D.1, <i>Alternatives Development</i>). Three alternative concepts for module delivery (i.e., Module Delivery Options) were carried forward for full analysis in the Supplemental EIS. Cooperating agencies and stakeholders from Nuiqsut have repeatedly stated that the largest impact to subsistence hunters is from aircraft traffic, which would be significantly higher in roadless development scenarios.	Unsigned

Table B.5.7. ANILCA 810 Analysis Comments and Responses*

No.	Comment	Comment Response	Commenter
2878-7	<p>BLM's revised ANILCA Section 810 analysis properly reflects the lower level of future development under the recently adopted IAP but should more clearly address the reduced potential for caribou impacts under Alternative E...</p> <p>BLM's conclusion that "the reduction in infrastructure within the TLSA would occur in an area that is not heavily used by Nuiqsut harvesters relative to the entire Project area" seems inconsistent with BLM's conclusion that the shortened road to BT2 is an adverse impact in the first place. If BLM finds that the road creates an adverse impact, then it should expressly address the fact that the shortened road length under Alternative E reduces the potential for caribou deflection and thereby reduces the possibility of an adverse impact on caribou availability for subsistence. BLM designed Alternative E in response to the Court Order and to address public comments. But the Section 810 analysis does not give BLM sufficient credit for the new infrastructure layout under Alternative E or for other changes intended to benefit subsistence, such as the North Slope Borough requirement to insulate roads where feasible to reduce the height and thereby reduce the potential for wildlife deflection. We recommend that BLM revisit these issues in the final ANILCA Section 810 analysis.</p>	<p>The ANILCA Section 810 analysis was updated for the Final Supplemental EIS to include additional proposed mitigation measures and address comments received during the subsistence hearing. Although Alternative E reduces impacts to caribou and subsistence hunters relative to other action alternative, it would not eliminate them.</p> <p>The reduced potential for caribou deflection due to the shortened road length is discussed in the ANILCA 810 analysis (Appendix G), including the statement that "The reduction in linear infrastructure could lessen the frequency or severity of deflection of caribou migrating toward Nuiqsut."</p>	ConocoPhillips

No.	Comment	Comment Response	Commenter
30959-6	<p>Kuukpik has repeatedly emphasized BLM's earlier ANILCA 810 findings that Willow will likely cause reductions in availability of resources and limitations on access for Nuiqsut's subsistence users. We didn't focus on that point because we opposed the Project, but merely to emphasize that BLM is obligated in light of its findings under ANILCA Section 810 to take additional steps to eliminate unnecessary impacts, decrease the size of the project to the "minimal" amount necessary to accomplish its purpose, and to take "reasonable steps" to minimize adverse impacts to subsistence uses and resources.</p> <p>Our point throughout this process has been that Alternative B didn't go far enough in fulfilling BLM's ANILCA 810 obligations because it contained impacts that were reasonably avoidable. The other previous alternatives suffered the same problem because they deferred too much to Conoco's proposed version of the project (particularly with respect to the proposed pad locations, which never meaningfully changed until Alternative E was developed) and failed to include more creative elements that, from Kuukpik's perspective, were "reasonable", would have "minimized" the amount of land needed for the project, and would have eliminated impacts that were not "necessary."</p> <p>But as a result of the changes, big and small, that have been introduced in Alternative E, this iteration of the Project is the first alternative that Kuukpik believes can support the findings that BLM is required to make under ANILCA 810. It bears repeating that there may be no version of the Willow Project that could avoid "significantly restricting" subsistence uses for Nuiqsut while still accessing a sufficient amount of the available oil, including Alternative E. But the measures that have been incorporated into Alternative E, in Kuukpik's view, are generally "reasonable" when compared to the prior alternatives. This isn't to say that Kuukpik still wouldn't prefer a smaller project or less infrastructure or operational changes to reduce impacts (like a diesel pipeline all the way to project site). But while we believe some such changes should also be considered "reasonable", we acknowledge that Alternative E contains enough measures intended to minimize adverse impacts to subsistence that BLM can safely make the required determinations under ANILCA 810.</p>	<p>The Willow MDP Record of Decision will document commitments to mitigation measures. The Final Supplemental EIS includes consideration of mitigation measures to reduce the Project's impacts to subsistence users and subsistence species (see Appendix I.1).</p>	<p>Kuukpik Corporation</p>
4490-2	<p>BLM’s section 810 analysis in the draft SEIS is inadequate because it does not consider alternatives that would reduce impacts to subsistence, along with other reasons discussed in the August 29, 2022, comments prepared and submitted by Trustees for Alaska, TWS, and other groups.</p>	<p>BLM developed Alternative E (Three-Pad Alternative [Fourth Pad Deferred]) to reduce impacts in the Teshekpuk Lake Special Area, which in turn may reduce impacts to subsistence users. Additionally, BLM considered over 50 alternative concepts in developing the range of alternatives considered in the Supplemental EIS.</p>	<p>The Wilderness Society</p>

No.	Comment	Comment Response	Commenter
6501-167	<p>Section 810 requires any federal agency “determining whether to withdraw, reserve, lease, or otherwise permit the use, occupancy, or disposition of public lands,” to consider “other alternatives which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes.”1509 An agency must consider all feasible alternatives that would “minimize the impact of a proposed project on resources which rural village residents of Alaska use for subsistence.”...</p> <p>Here, BLM considered a no-action alternative and three alternatives that do not differ in any meaningful way in terms of impacts to subsistence. All of the alternatives BLM considered result in a finding of significant restrictions to subsistence.1513 According to BLM, “[t]he long-term differences in direct impacts between Alternatives B and C are considered minimal because both alternatives would involve similar overall amounts of air and ground traffic, and both would include a year-round access road to the west of the Nuiqsut’s core caribou hunting grounds.”1514 For Alternative D, BLM states that “Alternative D may result in fewer impacts on caribou availability than Alternative B due to the lack of a year-round gravel access road connecting the Project to existing development (e.g., GMT-2, Alpine), however, the BLM still anticipates a major redistribution of resources would occur under this alternative.”1515 Further, “[m]any benefits of reduced deflection from the lack of an access road would be offset by the aircraft traffic (including take offs and landings of large fixed-wing aircraft) in addition to the combined effects of a linear pipeline along the route between GMT-2 and the Project, parallel pipeline racks between GMT-2 and Alpine facilities, Project infield roads, drill sites, and the WPF, the location of and activity at the gravel mine site, and other disturbances described above for Alternative B.”1516</p> <p>There is therefore no alternative other than the no action alternative—which BLM asserts it cannot choose—that reduces impacts to subsistence. Section 810 requires an agency to consider all feasible alternatives, not just those that satisfy all of the project proponent’s wishes.1517 Many of the alternatives suggested above in the Alternatives section of this comment letter would reduce impacts to subsistence. BLM must consider these alternatives as part of its ANILCA evaluation, as well as its NEPA analysis.</p>	<p>The Supplemental EIS does not state that BLM's legal authority to condition or reject the Willow Project is constrained, or that BLM cannot select Alternative A (No Action). BLM considered over 50 alternative concepts in the development of the range of alternatives for the Supplemental EIS, and each action alternative includes a range of avoidance and minimization measures to reduce impacts of the development. Although Alternative E (Three-Pad Alternative [Fourth Pad Deferred]) may result in a significant restriction of subsistence uses, the analysis found that it would also reduce impacts to caribou relative to Alternative B (Proponent's Project).</p>	Trustees for Alaska
6501-168	<p>In reaching the conclusion that Willow will significantly restrict subsistence activities in Nuiqsut alone, BLM failed to fully account for the project’s likely impacts to other subsistence communities. BLM’s finding regarding Nuiqsut is premised on analysis that, as explained throughout this letter, diminishes impacts to important subsistence species.1519 This underlying analytical failing is compounded by BLM’s overly narrow 810 analysis. Unlike the subsistence and sociocultural section which addresses Utqiagvik and Nuiqsut, BLM’s section 810 analysis is focused on Nuiqsut.1520 By limiting its analysis in this way, BLM failed to account for Willow’s likely ripple effects on other North Slope communities. Many subsistence resources that stand to be impacted by Willow are migratory species such as caribou and birds that are relied on by numerous North Slope communities.1521 Impacts to these species in the area immediately surrounding Willow will likely be transmitted to other North Slope communities as they travel throughout their range. In addition, reduced access or harvest success in one community is likely to be felt across the North Slope because Inupiat communities engage in “substantial sharing of traditional foods.”1522 Given the interconnected nature of Willow’s likely subsistence impacts, BLM’s analysis must be revised to consider the full range of communities across the North Slope that stand to be impacted by the project.</p>	<p>All potentially impacted communities on the North Slope were considered in the ANILCA Section 810 analysis (Appendix G). Changes in the management of the NPR-A since the publication of the 2020 Willow Final EIS changed the findings for the cumulative case for the 2022 Willow ANILCA 810 evaluation.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-169	One notable omission from BLM’s section 810 analysis is Willow’s impacts to bowhead whale hunters in North Slope communities. In its section 810 analysis, BLM concludes “impacts to bowhead whale hunting associated with the Project are unlikely” because Nuiqsut’s whale hunting activities occur outside the analysis area.1523 This passage, and BLM’s overall analysis — which does not mention bowhead whales further1524 — gives the incorrect impression that subsistence impacts to bowhead whales are unlikely for all North Slope communities. Yet, elsewhere in the DSEIS, BLM indicates impacts to whaling communities are likely. While Willow’s barging routes will not pass through Nuiqsut’s particular whaling grounds, whales are migratory and thus impacts to them elsewhere on the barge route would impact Nuiqsut whalers’ hunting success. Further, the DSEIS notes Willow’s barge routes “would traverse whaling grounds for other communities . . . including Utqiagvik.”1525 It is essential that impacts to bowhead whalers from these communities be thoroughly addressed as bowhead whales are a “key subsistence resource...Given the importance of bowhead whaling in the region, the DSEIS warns that “any disruption” to bowhead whaling activities could have “substantial subsistence and sociocultural impacts.”1527 Traditional knowledge outlined in the DSEIS makes clear that noise has “devastating” impacts for whalers.1528 BLM itself recognized that barging and noise associated with Willow may “displace bowhead whales and affect whale hunting success.”1529 However, the agency’s section 810 analysis reaches a contrary conclusion — that harvesters of marine mammals are unlikely to be impacted by Willow “in the absence of significant offshore oil and gas exploration and development.”1530 This ignores Willow’s direct impacts from the project’s proposed screeding, ballast water discharges, and barging activities altogether. BLM must explain this inconsistency in its findings, consider all of Willow’s impacts, and expand its section 810 analysis to account for subsistence impacts to all affected communities and resources.	<p>A brief discussion of bowhead whale deflection has been added to Section 3.20.11.5 and referenced Section 3.20.14 for additional discussion of cumulative impacts on the availability of subsistence resources.</p> <p>While whales are migratory, when Nuiqsut whaling crews are hunting them during the fall whale hunt, the whales are migrating from east to west, and therefore would be hunted by Nuiqsut whaling crews before they encounter any barges associated with the Project. Conflict Avoidance Agreements have been effective at reducing impacts to whaling crews. The ANILCA Section 810 analysis (Appendix G) and the Supplemental EIS (Section 3.16, <i>Subsistence</i>) have been revised to address potential impacts, and their likelihood, to other North Slope communities' bowhead whale harvesting activities resulting from increased barge traffic.</p>	Trustees for Alaska
6501-170	Industry’s “human corral” surrounding Nuiqsut and cutting off subsistence access may soon be complete.1533 However, BLM’s analysis of subsistence impacts to Nuiqsut fails to address impacts from ConocoPhillips’ proposed CD-8 well site which will be immediately adjacent to the community and likely add to these impacts.1534 In addition, the DSEIS suggests industrial roads may provide Nuiqsut’s residents access for subsistence hunting and that the Colville River Access Road could even “help to offset impacts resulting from increased development.”1535 The DSEIS does not square this statement with BLM’s finding elsewhere in the DSEIS that roads may not provide a “net benefit” for subsistence users.1536 These oversights and inconsistencies do not provide an adequate picture of the extent of Willow’s likely impacts on Nuiqsut.	The Colville River Access Road is not an industrial road, and it would help offset impacts by providing easier and more direct access to the Colville River and away from the area of development for hunting. The text has been edited for clarity. In addition, the cumulative effects section has been revised to include reference to the potential CD-8 development.	Trustees for Alaska
6501-171	BLM’s section 810 analysis adopts the flawed cumulative analysis set out in Section 3.19 of the DSEIS1540 for its conclusion that “the cumulative case is not expected to result in a large reduction in the abundance (population level) of caribou or any other subsistence resource.”1541 As previously explained, the DSEIS’s analysis of Willow’s cumulative effects to subsistence was deficient for numerous reasons including BLM’s failure to consider relevant RFFAs and communities beyond Nuiqsut and Utqiagvik.1542 Without considering Willow’s impact in conjunction with relevant RFFAs including plans for Willow’s future expansion, BLM’s conclusions regarding impacts to subsistence fail to meet the agency’s mandate under section 810 of ANILCA.	BLM considered all potentially impacted North Slope communities and reasonably foreseeable future actions in the Willow Project's ANILCA 810 analysis (Appendix G).	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-172	<p>The DSEIS draws the limited conclusion that Willow “may significantly restrict [subsistence] uses for the community of Nuiqsut” but will not have such impacts on other North Slope communities.¹⁵⁴³ This finding is not supported by BLM’s analysis in the DSEIS. For example, BLM acknowledges that “[i]f development continues westward into the core calving area for the TCH, or if it reduces access to key insect relief habitats . . . impacts related to the health and abundance of the TCH would likely extend to subsistence users of the herd including Nuiqsut, Utqiag̃vik, Anaktuvuk Pass, Atqasuk, and Wainwright.”¹⁵⁴⁴ The DSEIS suggests this outcome is unlikely because the Reserve’s IAP, which was recently revised, is “not expected to cause an overall decline in [the TCH’s] productivity and abundance.”¹⁵⁴⁵ This conclusion — pinning the continued health of the TCH on the Reserve’s land management plan alone rather than looking impacts from this project —contradicts BLM’s statements elsewhere in the DSEIS. For example, the DSEIS acknowledges:</p> <ul style="list-style-type: none">• under all alternatives “cumulative oil and gas activity, transportation projects, and climate change will increasingly restrict subsistence uses and affect the availability of subsistence resources such as caribou and marine mammals.”¹⁵⁴⁶• increasing North slope oil and gas infrastructure “would continue to cause alteration and degradation of habitats for key subsistence resources including caribou, furbearers, fish, and goose” and “over time, these changes could affect the health and abundance of different subsistence resources on the North Slope.”¹⁵⁴⁷• current development “could lead to additional future development in the BTU and elsewhere in the NPR-A that is within the core harvesting areas for Utqiag̃vik and Atqasuk, thus increasing the potential for direct impacts to subsistence users from other communities.”¹⁵⁴⁸ <p>BLM must explain its conclusion that these impacts, predicted to occur across the region despite adoption of the revised IAP, will be limited to Nuiqsut.</p>	<p>The positive findings for the community of Nuiqsut are based on potential impacts to localized availability of caribou and furbearers due to Willow Project activity. Other communities on the North Slope are not close enough to the Project area to see these same types of impacts on the availability of subsistence species. The Project, alone or in conjunction with past, present, and reasonably foreseeable future actions, is not expected to cause a decline in population for any subsistence species.</p>	<p>Trustees for Alaska</p>

No.	Comment	Comment Response	Commenter
6501-173	<p>The module delivery options — which involve acres of gravel fill, road widening, ice roads, pads, and screeing¹⁵⁴⁹ — will significantly impact subsistence activities and BLM’s contrary conclusion contradicts agency guidance.¹⁵⁵⁰ As BLM itself acknowledges, the analysis area for Module Delivery Option 1 is “heavily used by Nuiqsut residents for subsistence” hunting of “key” subsistence resources including caribou, wolf, and wolverine.¹⁵⁵¹ The area is used by up to 78% of Nuiqsut’s caribou harvesters.¹⁵⁵² BLM also predicts that the construction, noise, and traffic associated with Option 1 would reduce subsistence resource availability in this important subsistence area.¹⁵⁵³ Caribou are expected to be deflected from ice roads “affecting resource availability for caribou harvesters.”¹⁵⁵⁴ Wolf and wolverine hunting, which occurs primarily in the winter, would also be impacted as hunting for these species coincides with “peak ground traffic levels” that could “reach up to 121 trips per hour.”¹⁵⁵⁵ The Module Transfer Island (MTI) would also “reduced harvest success for Nuiqsut seal hunters in the MTI area during the summer months.”¹⁵⁵⁶ Option 2, which places the MTI near Point Lonely, is intended to reduce impacts to Nuiqsut’s high subsistence use area.¹⁵⁵⁷ However, Option 2 would increase caribou disturbance by encroaching on “critical calving, post-calving, and insect relief habitats for TCH caribou.”¹⁵⁵⁸</p> <p>The route selected for Option 2 is also a “key contemporary subsistence use area for many Utqiagvik families and hunters year-round.”¹⁵⁵⁹ As BLM recognizes, Option 2 would increase impacts to caribou and furbearer subsistence.¹⁵⁶⁰ Option 3 also involves concerning impacts for subsistence users, because it would cross through “areas of high winter subsistence use for Nuiqsut” resulting in the community “being completely encircled to the north, west, south, and east by gravel or ice roads for two winter seasons.”¹⁵⁶¹</p> <p>Despite these impacts, BLM determined the module delivery options would not cause significant restrictions on abundance, availability or access to subsistence resources because impacts are expected to be temporary and residents may adapt to disturbances.¹⁵⁶² For example, although construction of the MTI would displace seals and reduce harvest success¹⁵⁶³ BLM concluded this would not result in “overall impacts” to subsistence because “most” seal displacement would be temporary and because “residents would likely avoid areas where immediate disturbance in likely.”¹⁵⁶⁴ Overlooking the sheer magnitude of a subsistence restriction in a particularly important subsistence harvest area and within “critical” habitat for important resources simply because impacts are expected to be limited in time does not square with BLM’s guidance. According to BLM’s ANILCA guidance, managers must make significance findings with reference to the magnitude, duration, extent, likelihood, and intensity of subsistence impacts.¹⁵⁶⁵ In applying these criteria, managers are to “err on the side of protection” because the “ultimate goal” of section 810 is “identifying ways in which impacts to subsistence can be minimized.”¹⁵⁶⁶ The DSEIS conflicts with this guidance by brushing aside impacts of significant magnitude, extent, likelihood, and intensity because those impacts are not expected to be permanent.</p>	<p>The finding that the Module Delivery Options would not cause significant restrictions on abundance, availability, or access to subsistence resources is based not only on the fact that the impacts would be temporary, but also because the majority of activity would occur primarily during the winter months when overall subsistence activities for the community of Nuiqsut are relatively low. While caribou hunting does occur in the analysis areas for the Module Delivery Options, the vast majority of caribou harvests occur during the summer and fall months. The primary activity that would be affected by the Module Delivery Option ice roads would be furbearer hunting. Because furbearer hunting occurs over a large overland area, hunters are able to temporarily avoid certain areas of high activity without large impacts on their harvest success. Such impacts have occurred in the past without long-term effects to these activities. Module Delivery Option 1 is the only option with a module transfer island (MTI) that occurs on the periphery of high marine mammal use areas for Nuiqsut. While the presence of the MTI could affect distribution of marine mammals within the immediate area of the island during times of high activity, such impacts would not be likely to cause overall impacts to resource availability as displacement would be localized and other suitable seal habitat would be available nearby.</p>	Trustees for Alaska
6501-75	<p>There is need for additional discussion and analysis in the DSEIS regarding caribou responses to aircraft activity associated with the Willow Project. One important addition would be further analysis of the tradeoffs between impacts of air traffic and road traffic on caribou. The ANILCA 810 Analysis in Appendix G states that, “The increase in air traffic [under Alternative D] would likely not be enough to outweigh the benefits of reduced deflection of caribou as they migrate toward Nuiqsut’s core hunting grounds to the west of the community.”¹¹⁵² This, however, is stated, not demonstrated. No citations or clear rationale for this statement are given. The tradeoff between aircraft and road activity seems to be a key tradeoff between alternatives B and D or E in terms of their impacts to caribou, and thus resulting impacts for subsistence hunters. Better support is needed for the statements that are given to align with the best-available science and to allow the public adequate opportunity to compare between alternatives. Additionally, there is no mention of the compounding effects that caribou may experience when exposed to the additive stimuli of road traffic, air traffic, and human activity simultaneously, if or when this could occur.</p>	<p>The statement that the increase in air traffic would likely not be enough to outweigh the benefits of reduced deflection of caribou related to roads is supported and rationalized by the statement in the following sentence: "While air-traffic volumes would be somewhat higher, air traffic generally causes localized disturbances whereas roads can cause larger effects on caribou movement and distribution."</p>	Trustees for Alaska
6501-80	<p>The ANILCA 810 Analysis cites displacement distances of between 0.6–3.1 miles from roads for maternal caribou, referencing Chapter 3.¹¹⁶³ In reality, the text of Chapter 3 acknowledges a bigger range of displacement — up to 3.7 miles.¹¹⁶⁴ Appendix G should be updated to conform to the range listed in Chapter 3</p>	<p>Section 3.12, <i>Terrestrial Mammals</i>, reports that the analysis area for terrestrial mammals is within 3.7 miles of construction or operation activities but cites research that has documented displacement within 0.6 and 3.1 miles of active roads and pads for maternal caribou. The latter (0.6-to-3.1-mile displacement zone) is what the ANILCA Section 810 analysis is referencing.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6982-8	Evergreen Action expresses deep concern that the Willow Project, if approved, would threaten food security and traditional food sovereignty. Our organization would like to amplify the concerns laid out in the coalition comment letter, co-authored by Trustees for Alaska, which notes that BLM’s Alaska National Interest Lands Conservation Act (ANILCA) Section 810 analysis is flawed. In particular, the analysis does not consider alternatives that would reduce impacts to subsistence, and it omits impacts to North Slope subsistence communities, including whaling impacts. (For more substantial comments, please refer to p. 248 to 256 of coalition technical comments letter, co-authored by Trustees for Alaska and others).	Impacts to food security for Native communities on the North Slope were considered in both the Supplemental EIS and ANILCA Section 810 analysis (Appendix G). Alternative concepts to reduce impacts to subsistence users and subsistence species were considered during alternatives development, and were carried forward as part of Alternatives C, D, and E. All potentially impacted communities on the North Slope were considered in the ANILCA Section 810 analysis (Appendix G).	Evergreen Action

Table B.5.8. Birds Comments and Responses*

No.	Comment	Comment Response	Commenter
1810-4	Migratory Birds. Populations of migratory bird species have declined by an estimated 29% since 1970 (Rosenberg et al., Science 366, 120 -124 [4 October 2019]). The NPR-A is a breeding ground for a number of species that winter or migrate through Colorado, such as golden eagles, snow geese, and various shorebirds. The extent of the proposed Willow Project – an extensive permanent gravel road system, hundreds of miles of water-intensive ice roads, airstrips, hundreds of miles of pipelines, a gravel mine, up to five drill pads with up to 50 wells on each pad, and a Central Processing Facility – will fragment and/or obliterate habitat that supports the breeding activities of these migratory species. We are concerned that their populations will see even further declines, to the detriment of local and continental ecosystems and bird-based recreation in our area. BLM must: - estimate impacts on migratory bird populations - provide estimates of the impacts on the ecosystems in which these species play a role - prioritize avoidance of impacts. If mitigation is planned, we ask that specific mitigation measures be described	The Willow Supplemental EIS was developed in accordance with the requirements of the Migratory Bird Treaty Act (MBTA) and the MBTA Memorandum of Understanding put in place by EO 13186. This responsibility is included in Appendix C (Regulatory Authorities and Framework) and Section 3.11 (<i>Birds</i>). Many of the 90 species of birds that may occur in the Project area do not have abundance or density data available to use in impacts analysis. Instead, the amount of habitat lost directly from construction of infrastructure and indirectly by the effects of dust and disturbance are used to estimate impacts on migratory birds (see Section 3.11.2, <i>Environmental Consequences</i> , and summary in Table 3.11.2). BLM evaluates several mitigation measures that are designed to protect migratory birds, including measures that limit when construction could occur. See Section 3.11.2.1, <i>Avoidance, Minimization, and Mitigation (Birds)</i> , and Appendix I.1 for descriptions of measures to reduce the impacts of the action alternatives to migratory birds.	Pauline Reetz
2878-38	Appendix A.1, Birds, PDF Pages 54-56, Figures 3.11.5, 3.11.6A, and 3.11.6B include YBLO buffers labeled as E-9d. The E-9d reference, as it pertains to YBLO, is from the 2020 IAP ROD, which was retracted. These buffers are not applicable and should be removed and replaced with the 2022 IAP E-11 YBLO Buffers. Please also update reference to YBLO buffers throughout to match the language in the 2022 IAP ROD and update loon buffer- project footprint intersect calculations to the current 2022 buffers in effect.	The figures have 1-mile buffers around all nests and 1,625-foot buffers around all lakes used for breeding, which are the buffers specified in the 2022 NPR-A IAP Record of Decision (ROD). The references on the map have been updated to ROP E-11, as suggested. The 2022 ROD also states that lakes with evidence of yellow-billed loon occupancy must be buffered by 1,625 feet. These lakes and their buffers have been added to figures 3.11.5, 3.11.6A, and 3.11.6B. The loon buffer-project footprint intersect calculations in Section 3.11 (<i>Birds</i>) have been updated to match the 2022 ROD.	ConocoPhillips
30960-12	While the SEIS includes considerations for special status species, it seemingly ignores the full suite of migratory birds that use this area for essential breeding and nesting grounds, as well as their protected status under MBTA.	The Willow Supplemental EIS was developed in accordance with the requirements of the Migratory Bird Treaty Act (MBTA) and the MBTA Memorandum of Understanding put in place by EO 13186. Many of the 90 species of birds that may occur in the Willow Project area do not have abundance or density data available to use in impacts analysis. Instead, the amount of habitat lost directly from construction of infrastructure and indirectly by the effects of dust and disturbance are used to estimate impacts to migratory birds (see section 3.11.2, <i>Environmental Consequences</i> , and summary in Table 3.11.2). BLM evaluates several mitigation measures that are designed to protect migratory birds, including measures that limit when construction can occur. See Section 3.11.2.1, <i>Avoidance, Minimization, and Mitigation (Birds)</i> , and Appendix I for descriptions of measures to reduce the impacts of the action alternatives to migratory birds.	Audubon Society

No.	Comment	Comment Response	Commenter
30960-13	<p>The area provides important habitat for a wide range of migratory birds, many of which have been identified by federal and state agencies as requiring protection. Audubon's Migration Explorer suggests that 92 bird species migrate to the area, traveling from Alaska to 19 countries across the Western hemisphere (see list, Appendix A).24 The Willow Master Development Plan SEIS acknowledges:</p> <p>Between 80 and 90 bird species may occur in the analysis area and nearshore waters of the Beaufort Sea (BLM 2004a, 2012b); approximately 50 species regularly occur or are common (Appendix E.11, Birds Technical Appendix).</p> <p>Ground-nesting shorebirds are the most abundant breeding birds (in terms of number of species and number of breeding individuals) followed by passerines, waterfowl, loons, seabirds, ptarmigan, and raptors. Nearly all species are seasonal migrants using the ACP during the breeding season. The exceptions are rock and willow ptarmigan, gyrfalcon, snowy owl, and common raven, which can be year-round residents (Johnson and Herter 1989). [emphasis added]</p> <p>Despite this acknowledgement of the number of migratory bird species that use the area, the SEIS includes no mention of the BLM's obligations to protect these migratory birds under the MBTA.</p>	<p>The Willow Supplemental EIS was developed in accordance with the requirements of the Migratory Bird Treaty Act (MBTA) and the MBTA Memorandum of Understanding put in place by EO 13186. Many of the 90 species of birds that may occur in the Willow Project area do not have abundance or density data available to use in impacts analysis. Instead, the amount of habitat lost directly from construction of infrastructure and indirectly by the effects of dust and disturbance are used to estimate impacts to migratory birds (see section 3.11.2, <i>Environmental Consequences</i>, and summary in Table 3.11.2). BLM evaluates several mitigation measures that are designed to protect migratory birds, including measures that limit when construction can occur. See Section 3.11.2.1, <i>Avoidance, Minimization, and Mitigation (Birds)</i>, and Appendix I.1 for descriptions of measures to reduce the impacts of the action alternatives to migratory birds.</p>	Audubon Society
3927-10	<p>3.11. Birds. In ROP E-11 it states that 3 years of surveys will be conducted before the start of the construction to determine where the nests are located, and those surveys will be used to make infrastructure siting decisions. It does not take into account that preliminary project activities in the general vicinity, and the surveys themselves may result in disturbance of the nesting and foraging activity resulting in these birds modifying or abandoning their nesting activity. This in turn could show in the survey results that the birds are not using the site, thus opening it up for use of the project, as the birds have already been harassed off the site.</p>	<p>There has been no pre-construction activity during the snow-free period, beyond activity from surveyors, biologists, and engineers (e.g., hydrology, birds, fish). The hydrologists typically finish their work prior to the nesting season. Fish biologists limit activity near lakes with active yellow-billed loon nests. Required operating procedure E-11 states that BLM requires submittal of a minimum of 3 years of site-relevant survey data before authorization of construction, if such construction is within spectacled and Steller’s eider habitats or yellow-billed loon habitats. Surveys have taken place using two methods: aerial eider surveys during pre-breeding and during yellow-billed loon breeding, and ground-based eider nesting surveys. These aerial surveys cause minimal disturbance. The pre-breeding eider surveys generally use the same methods that the U.S. Fish and Wildlife Service (USFWS) uses during their annual pre-breeding survey on the Arctic Coastal Plain (Amundsen et al. 2019). The breeding loon surveys are conducted from a helicopter and have been conducted in the Willow area for 5 to 13 years, depending on the area. Aerial loon and eider surveys were first conducted in parts of the Willow area in 2001, prior to ground-based work associated with the Willow project. The aerial eider surveys were conducted intermittently in the Willow area from 2001 to 2017, and annually thereafter. The ground-based eider nest surveys use the same methods that similar studies conducted by USFWS, U.S. Geological Survey, and the University of Alaska Fairbanks, which limit observer effects as much as possible. Visiting king eider nests repeatedly throughout incubation has been shown to decrease nest survival (Bentzen et al. 2008), however, in that study nests were approached every 5 to 7 days, whereas the Willow eider study protocol has observers approaching the nest one time during incubation (at the initial discovery). Similarly, Uher-Koch et al (2015) showed that nest visits to yellow-billed loons biased daily survival rates downward 6%. However, disturbance to birds from either pre-construction activities or studies assessing bird presence and use of the area is minimal.</p> <p>Amundson, C. L., P. L. Flint, R. A. Stehn, R. M. Platte, H. M. Wilson, W. W. Larned and J. B. Fischer. 2019. Spatio-temporal population change of Arctic-breeding waterbirds on the Arctic Coastal Plain of Alaska. <i>Avian Conservation and Ecology</i> 14: 18. https://doi.org/10.5751/ACE-01383-140118.</p> <p>Bentzen RL., AN Powell & R Suydam. 2008. Factors influencing nesting success of king eiders on northern Alaska's coastal plain. <i>Journal of Wildlife Management</i> 72:1781-1789.</p> <p>Uher-Koch, B.D., Schmutz, J.A., and Wright, K.G. 2015. Nest visits and capture events affect breeding success of yellow-billed and Pacific loons. <i>Condor</i> 117: 121-129.</p>	Kathleen O'Reilly-Doyle

No.	Comment	Comment Response	Commenter
3927-12	<p>Another reason many of the birds from around our world nest in this habitat is the abundance of insects and invertebrates that are linked to the freshwater and wetlands on the North slope. This analysis does not address how the extraction of 1.6 billion gallons of freshwater may alter their lifecycles, which is directly linked to the nesting success of the birds that breed in this habitat. Will the lowering of water levels, change the depth, temperature or conditions which are required for the continued abundance of insects and invertebrates necessary to serve as an abundant food source? I find that any discussion of this is absent from this analysis.</p> <p>I also find that a discussion of how the depletion of volume in freshwater may effect waterfowl and other bird and mammal populations that are dependent upon certain water levels for their successful nesting and life cycle requirements, absent from this section. A few inches of change in the water level next to a nest on the water’s edge, could lead to nest failure. Changes in precipitation and snowfall already noted as effects of climate change are currently contributing changes or stressors to their breeding habitat. This analysis should include information on how further changes in available freshwater volumes, temperature and levels, will effect these species, and the habitats they are dependent upon. It should also address fisheries issues of the proposed freshwater extraction.</p>	<p>Water withdrawal would follow existing required operating procedure (ROP) B-2, as well as Alaska Department of Natural Resources (ADNR) and Alaska Department of Fish and Game permit stipulations, which limit water withdrawal during winter based on whether fish species sensitive to or resistant to the potential effects of water withdrawal are present, with some potential requests for exceptions. Exceptions to ROP B-2 may be requested under all action alternatives and module delivery options to allow for ice aggregate collection from bottom-fast waterbodies that exceeds regulatory withdrawal limits for liquid water and ice aggregate. Many of the lakes in the Project area are shallower than the 5-foot and 7-foot maximum depth criteria and have documented sensitive or resistant fish species, resulting in little or no liquid water availability during winter. Removal of water as ice from areas with grounded ice would not reduce the quantity of potential resistant overwintering fish habitat. Exception request would not exceed the ADNR water withdrawal criteria, which ensure that recharge will occur each spring. Specific waterbodies where exceptions may be required have not yet been identified. Habitat alterations in withdrawal lakes would be temporary and would last until spring breakup, when lakes recharge. Impacts to breeding birds by water withdrawal are discussed in section 3.11.2.3.1, <i>Habitat Loss or Alteration</i>. The Supplemental EIS correctly states that water withdrawal from lakes could lower water levels if lakes do not fully recharge in spring (Section 3.8, <i>Water Resources</i>). Decreased water levels would alter lake and shoreline habitats for small numbers of nesting waterbirds and shorebirds, and could reduce suitability for nesting or expose nests to predation, particularly at small islands and low-lying shoreline areas. Although water withdrawal for ice infrastructure can alter habitat by reducing the quantity of water and changing water quality parameters such as dissolved oxygen, pH, and conductivity, there are few relevant studies to draw from to evaluate any impact on insect abundance. A description of how the state regulates water withdrawal with restrictions on volumes of water removed, and how fish may be impacted is covered in Section 3.10 (<i>Fish</i>). ROP B-2 restricts water withdrawal based on depth and types of fish present, which should minimize some or all of the effects of water withdrawals to yellow-billed loons and other waterbirds.</p>	Kathleen O'Reilly-Doyle

No.	Comment	Comment Response	Commenter
3927-13	<p>3.11. Birds. This section mentions that birds along the nearshore barge and support vessel route could be temporarily disturbed or displaced due to slow-moving vessels. Effects would occur during four open-water seasons (July7-September 30). A total of 9 barge trips, 16 tugboat trips, and 259 support vessel trips would be needed. The disturbance described here is during the period when these birds are foraging and nesting in the area. The analysis does not describe how the wakes of the boat may effect nesting habitat nor where the birds would find alternative suitable habitat, as the disturbances listed here would cause the birds to expend additional energy to avoid what sounds to be a very active waterway, previously used by the birds.</p>	<p>There may be some disturbance and displacement to foraging and nesting birds due to vessel wakes during the open-water season (July 7 through September 30) in the nearshore area. Foraging birds in the nearshore waters of the Beaufort Sea are likely the most vulnerable during the post-breeding molt when their movements are restricted. Longtailed ducks are the most abundant foraging bird in these areas, accounting for nearly 80% of all birds present (Noel et al. 2001; Fischer et al. 2002), and they have been shown not to be impacted by seismic exploration during molt (Lacroix et al. 2003, Flint et al. 2009). This lack of an impact to molting long-tailed ducks by sesimic testing and associated marine traffic is likely to be similar to the potential impact from barges and support vessels. Breeding birds on the barrier islands are almost entirely comprised of long-tailed ducks and common eiders which may be vulnerable to wakes as the barrier islands are very low and nests are vulnerable to storm surges (Liebezeit et al. 2012); however, there is limited information on the wake height of slow-moving barges and support vessels in Arctic waters. The common eider incubation period in the Beaufort Sea overlaps with the first two weeks of the open-water season (July 7 to September 30) with most eggs hatching by mid to late July (Noel et al. 2005), so impacts will be low depending on timing of marine traffic and wake height. The Supplemental EIS correctly states, "Birds along the nearshore barge and support vessel route (foraging long-tailed ducks, scoters, eiders, loons, geese) could be temporarily disturbed or displaced due to slow-moving vessels."</p> <p>The sentence referenced by the commenter "A total of 9 barge trips, 16 tugboat trips, and 259 support vessel trips would be needed." applies Module Delivery Option 1: Atigaru Point Module Transfer Island. All action alternatives evaluated in this Supplemental EIS would also use Oliktok Dock to support sealift delivery of construction materials; Module Delivery Option 3 would also deliver the large sealift modules to Oliktok Dock. In addition to Oliktok Dock use, an existing industrial site, Module Delivery Option 3 would require half the number of sealift delivery years and the least number of support vessel trips compared with Options 1 and 2 (see Table 3.11.3). Although the number of sealift barges and seasonality of use are the same as Options 1 and 2, the support vessels under Option 3 would originate from Oliktok Point and thus have the shortest route to travel. The combination of fewer vessels, fewer seasons, and shorter routes would cause the least disturbance and displacement to birds using nearshore waters among the three module delivery options.</p> <p>Fischer, J.B., Tiplady, T.J., and Larned, W.W. 2002. Monitoring Beaufort Sea waterfowl and marine birds, aerial survey component. Minerals Management Service Report 2002-002, U.S. Fish and Wildlife Service, Division of Migratory Bird Management, Anchorage, Alaska.</p> <p>Flint, P., Lacroix, D., Reed, J., and Lanctot, R. 2009. Movements of Flightless Long-tailed Ducks During Wing Molt. Waterbirds. 27. 35-40.</p> <p>Lacroix, D.L., Lanctot, R.B., Reed, J.A., and McDonald, T.L. 2003. Effect of underwater seismic surveys on molting male Long-tailed ducks in the Beaufort Sea, Alaska. Canadian Journal of Zoology 81: 1862-1875.</p> <p>Cross, M., and S. Zack. 2012. Assessing Climate Change Vulnerability of Breeding Birds in Arctic Alaska. A report prepared for the Arctic Landscape Conservation Cooperative. Wildlife Conservation Society, North America Program, Bozeman, MT., 167pp.</p> <p>Noel, L.E., Johnson, S.R., and Rodrigues, R. 2001. Aerial surveys of molting waterfowl in the barrier island–lagoon systems between Spy Island and Brownlow Point, Alaska, 2000. Report by LGL Alaska Research Associates, Inc., for BP Exploration (Alaska) Inc., Anchorage, Alaska.</p> <p>Noel, L., Johnson, S., O'Doherty, G., Butcher, M. 2005. Common eider (<i>Somateria mollissima v-nigrum</i>) nest cover and depredation on central Alaskan Beaufort Sea barrier islands. Arctic 58: 129-136.</p>	Kathleen O'Reilly-Doyle

No.	Comment	Comment Response	Commenter
3927-15	<p>3.11.3. Unavoidable Adverse, Irretrievable, and Irreplaceable Effects. This section states that: “Onshore impacts would be irretrievable throughout the life of the Project but would not be irreversible or affect the Long-term sustainability of wildlife in the analysis area IF (emphasis added) reclamation of permanent infrastructure occurred....</p> <p>Habitat alteration from the CFWR and mine site would be irreversible because the mine pit and the reservoir would fill with water and would permanently change the thermal regime of the underlying soils.” WOW! ... Could you also please explain the wording “IF reclamation of permanent infrastructure occurred.” Where in this analysis does it describe what reclamation will be required and how it will be conducted? Or could you clarify if the “IF” is referring to the fact that reclamation may not be required? Please explain this in more detail as it is vague and possibly misleading.</p>	<p>The 2022 NPR-A Integrated Activity Plan Record of Decision requires reclamation of mineral materials sites under required operating procedure (ROP) E-8 and the Willow Mine Site Mining and Reclamation Plan is included as Appendix D.2. Reclamation of lands used for oil and gas infrastructure is required under ROP G-1, although exceptions may be granted to satisfy environmental or public purposes.</p>	Kathleen O'Reilly-Doyle
3927-9	<p>3.11. Birds. The wetland habitat on the North slope of Alaska is critical breeding habitat for birds throughout our world... if as this analysis states, it will take 20-30 years to restore this habitat after the project is complete, where will these birds breed in the interim?</p> <p>I think this analysis is lacking in that it does not identify that the Teshekpuk Lake Wetlands are one of the most ecologically important wetlands in the entire arctic. Other wetland habitat on the North Slope also serve as important seasonal breeding habitat. The birds can’t simply relocate to another area during the duration of this project. If breeding habitat is compromised, so is the survival of these species. If the analysis has identified suitable alternative habitat for these species which will be displaced during the life of this project, those locations should be identified in this analysis.</p>	<p>Potential effects of disturbance are discussed in Section 3.11.2.3.2, <i>Disturbance or Displacement</i>. The numbers of birds impacted by each action alternative are estimated for three special status species: yellow-billed loons, spectacled eiders, and Steller's eiders, and estimated impacts do not approach the population level affects for any of special status species. Habitat loss could displace 158 nests, primarily of shorebirds and Lapland longspurs, based on average densities of 209.8 nests per square mile from breeding bird plots (Johnson, Burgess et al. 2005), which will not approach population level effects for any species. The text has been revised to remove the statement that most displaced birds could relocate to similar habitats available in the analysis area (Section 3.11.2.3.1).</p> <p>Johnson, C. B., R. M. Burgess, A. M. Wildman, A. A. Stickney, P. E. Seiser, B. E. Lawhead, T. J. Mabee, J. R. Rose, and J. K. Shook. 2005. Wildlife Studies for the Alpine Satellite Development Project, 2004. Fairbanks, AK. Prepared by ABR, Inc. for ConocoPhillips Alaska, Inc., and Anadarko Petroleum Corporation.</p>	Kathleen O'Reilly-Doyle
6501-13	<p>BLM lists ROP E-11 as a mitigation measure to protect birds but then notes that ConocoPhillips would need a deviation from this mitigation measure because all action alternatives would encroach on the buffer for yellow-billed loon nesting sites.</p>	<p>Action alternatives and module delivery options have been designed to minimize impacts to resources in alignment with all NPR-A required operating procedures (ROPs). However, it is not possible to avoid all yellow-billed loon buffers. Exceptions to ROP E-11 are described in Section 3.11, <i>Birds</i>, and Appendix D.1, <i>Alternatives Development</i>.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-45	<p>The DSEIS uses the number of present bird species (species richness) to rank the importance of the various habitat designations.1050 This is incomplete, because species richness is only one metric with which habitat value can be quantified. Habitats with lower species richness can and do support highly specialized species, which are often the most acutely effected by climate change.1051 Furthermore, many species that are ranked by the DSEIS within the most commonly used habitats are also shown as using the habitat types associated with lower species richness during portions of their life history, making these less commonly used areas still important for a species life cycle. These species displaying this pattern include yellow-billed loons and Spectacled Eiders, which are recognized by BLM as Species of Special Status. The agency should describe habitat use more fully.</p> <p>We also note that a substantial portion of the analysis area is categorized as unknown and unmapped, presumably because the analyses conducted did not investigate these regions.1052 Without more information about the analyses conducted, it is possible that there will be more permanent loss, alteration, and damage and displacement acreages for unmapped habitat than is presently reported in the DSEIS.1053 We urge the agency to provide more information on how the area was mapped.</p>	<p>With about 80 species of birds potentially in the analysis area, many of which do not have abundance or density data to describe their distribution in the NPR-A or the analysis area, the task of describing spatially explicit effects in the analysis area is constrained by what data are available. Detailed habitat mapping is available for the area where permanent infrastructure would be located. Summarizing individual species use of habitat types and aggregating for each habitat type to species richness provides a useful measure of the potential importance of each habitat type within the analysis area to the overall bird community. It does not factor in species abundance or the probability of a species occurring in the analysis area, because for most species, those data are not available. Relative abundance described in Appendix E.11, Table E.11.1, is based on the best-available information. Appendix E.11, Table E.11.2, summarizes the number of species using each habitat type, which was used to rank the habitats by species richness. This ranking is better than descriptive evaluations, as it is quantitative and based on a broad synthesis of the literature and field studies. Previous studies in the vicinity indicate that there is a correspondence between species richness and abundance of nests and broods (Tables 7, 9, 10, and 11 in Burgess, Johnson et al. 2003; Tables 14 and 15 in Johnson, Burgess et al. 2005; Table 5 in Rozell, Johnson et al. 2020; Johnson, Lanctot et al. 2007; Bart, Brown et al. 2012; Bart, Platte et al. 2013). The habitats with most species of birds using them are Patterned Wet Meadow, Nonpatterned Wet Meadow, Moist Sedge-Shrub Meadow, Tall, Low, or Dwarf Shrub, Old Basin Wetland Complex, and Open Nearshore Water. The other habitats with high species diversity were either not very common in the analysis area (e.g., Sedge Marsh, Deep Polygon Complex, Young Basin Wetland Complex, Salt Marsh) or they were used by shorebirds and passerines, which use a broad range of habitats. We point out that many of the habitat types with low species richness (less than 10 species) occupy small portions of the analysis area and comprise minor amounts (less than 1%) of the area lost to direct and indirect effects (Appendix E.11, Tables E.11.4, E.11.5, and E.11.6). Many are not very abundant due to the location of the analysis area, which includes very little of the coast, or as in the case of rivers, streams, and associated habitat types, are narrow strips of habitat types without much areal extent. However, these habitat types are not necessarily rare in the Arctic Coastal Plain, nor would they be appreciably diminished or affected by the Project. All but two habitat types are used by at least one special status species, so use by special status species alone is not helpful to identify relative importance to the bird community as a whole. The examples from the commenter (spectacled eiders and yellow-billed loons) actually do not prefer or use many of the habitat types with low species richness (less than 10 species); only one habitat type (Salt-killed Tundra, preferred by spectacled eiders) is used by less than 10 species. Tapped Lake with High Water Connection habitat, which is preferred by spectacled eiders during breeding and preferred by yellow-billed loons for nesting and brood-rearing, is used by 10 species. Neither habitat type occurs in the Project footprint, and none are intersected by the 200-meter disturbance zone (Tables E.11.4 through E.11.6). However, those habitat types are no more, or less, important to these species than the other habitat types they prefer or use as listed in Table E.11.1; these habitats are examples of the breadth of habitat use, not examples of specific types critical to sustain the species. Although the analysis area was not completely mapped for habitat, all of the Project footprint, the area of indirect effects from dust and other gravel impacts, and the disturbance zone were in mapped areas (Tables E.11.4 through E.11.6). The unmapped habitat is in the area where an ice-road, and multi-year ice pads, would be constructed for the module delivery option at Pt. Lonely (Option 2), and the module delivery option at Oliktok Point (Option 3). Direct and indirect habitat impacts would be minor in unmapped areas; furthermore, indirect impacts in unmapped areas would be limited to the construction phase. Mapping is described in Section 3.9, <i>Wetlands and Vegetation</i>. Habitat use by Spectacled Eiders is described in detail in the Supplemental EIS (Appendix E.11, Table E.11.3), as well as habitat use for all birds that may occur in the area (Table E.11.1). Habitat use by yellow-billed loons is described in the Appendix E.11, Section 1.1.1, <i>Special Status Species</i>: "Yellow-billed loons maintain territories on the same lakes for several decades (Johnson, Parrett et al. 2019) and are habitat specialists, preferring deep, clear, open lakes and deep lakes with emergent vegetation containing fish (Earnst, Platte et al. 2006; Haynes, Schmutz et al. 2014); they nest most often on islands, peninsulas, and shorelines protected from wave action (Haynes, Schmutz et al. 2014; North and Ryan 1989)."</p> <p>[Comment response continues]</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-45 Continued	[Comment is the same as previous]	<p>[Comment response continues]</p> <p>Bart, J., S. Brown, B. A. Andres, R. M. Platte, and A. Manning. 2012. North Slope of Alaska. In Arctic Shorebirds in North America: A Decade of Monitoring, edited by J. Bart and V. Johnston, 37–96. Berkley, CA: Cooper Ornithological Society and University of California Press.</p> <p>Bart, Jonathan, Robert M Platte, Brad Andres, Stephen Brown, James A Johnson, and William Larned. 2013. Importance of the National Petroleum Reserve–Alaska for Aquatic Birds. Conservation Biology 27 (6):1304–1312.</p> <p>Earnst, S. L., R. Platte, and L. Bond. 2006. A landscape-scale model of yellow-billed loon (<i>Gavia adamsii</i>) habitat preferences in northern alaska. Hydrobiologia 567:227–236. <http://link.springer.com/10.1007/s10750-006-0042-2>. Accessed 1 Dec 2014.</p> <p>Haynes, T.B., J.A. Schmutz, K.G. Lindberg, B.D. Wright, B.D. Uher-Koch, and A.E. Rosenberger. 2014. Occupancy of Yellow-Billed and Pacific Loons: Evidence for Interspecific Competition and Habitat Mediated Co-Occurrence. Journal of Avian Biology 45 (3):296–304.</p> <p>Johnson, C. B., R. M. Burgess, B. E. Lawhead, J. Neville, J. P. Parrett, A. K. Prichard, J. R. Rose, A. A. Stickney, and A. M. Wildman. 2003. Alpine Avian Monitoring Program, 2001: Fourth Annual and Synthesis Report. Fairbanks, AK. Prepared by ABR, Inc. for ConocoPhillips Alaska, Inc., and Anadarko Petroleum Corp.</p> <p>Johnson, C. B., R. M. Burgess, A. M. Wildman, A. A. Stickney, P. E. Seiser, B. E. Lawhead, T. J. Mabee, J. R. Rose, and J. K. Shook. 2005. Wildlife Studies for the Alpine Satellite Development Project, 2004. Fairbanks, AK. Prepared by ABR, Inc. for ConocoPhillips Alaska, Inc., and Anadarko Petroleum Corporation.</p> <p>Johnson, C. B., J. P. Parrett, P. E. Seiser, and J. K. Shook. 2019. Avian Studies in the Willow Project Area, 2018. Fairbanks, AK. Prepared by ABR, Inc. for ConocoPhillips Alaska, Inc.</p> <p>Johnson, James A, Richard B Lanctot, Brad A Andres, Jonathan R Bart, Stephen C Brown, Steven J Kendall, and David C Payer. 2007. Distribution of Breeding Shorebirds on the Arctic Coastal Plain of Alaska. Arctic 60 (3):277–293.</p> <p>North, M.R. and M.R. Ryan. 1989. Characteristics of Lakes and Nest Sites Used by Yellow-Billed Loons in Arctic Alaska. Journal of Field Ornithology 60 (3):296–304.</p> <p>Rozell, K. B., and C. B. Johnson. 2020. Nesting Greater White-Fronted Goose Study at CD-5, National Petroleum Reserve-Alaska: a Synthesis Report, 2013–2019. Draft Report. Fairbanks, AK. Prepared by ABR, Inc. for ConocoPhillips Alaska, Inc</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-46	<p>The DSEIS downplays the presence of special status species in the project area. The DSEIS states, “Steller’s eiders, whimbrels, buff-breasted sandpipers, and red knots are unlikely to be affected by habitat loss, or disturbance or displacement, because they are rare in the vicinity of the Project.”¹⁰⁵⁴ The DSEIS elsewhere states, “Nine species of birds listed as special status species by the Bureau of Land Management (BLM) may occur in the analysis area: spectacled eider, Steller’s eider, yellow-billed loon, red-throated loon, dunlin (arcticola subspecies), bar-tailed godwit, whimbrel, buff-breasted sandpiper, and red knot.”¹⁰⁵⁵ This is either unnecessarily vague or misinformed, as there is substantial evidence to confirm that all listed species indeed occur within the analysis area.¹⁰⁵⁶ The fact that a species may be rare in the study area does not ensure that it will not be affected; indeed it likely increases the chances that any effects experienced would be more significant. For instance, Buff-breasted Sandpipers are a special concern, because they are rare to begin with.¹⁰⁵⁷ This rarity is exacerbated by the fact that additional important nesting habitats to the east are either developed (within the Prudhoe complex) or are at risk of being developed (within the Arctic National Wildlife Refuge). The DSEIS must correctly describe the presence of special status species in the area and note that these species may be more affected by habitat loss because of their rarity.</p>	<p>The text has been edited to substitute "can" for "may." All of these species can and may occur in this area, although they have not all been recorded breeding in the study area. Rare species will only be more affected by habitat loss if they are habitat limited. In the case of buff-breasted sandpipers, this is unlikely to be the case. Buff-breasted sandpipers are not site-faithful and breeding densities are highly variable among years (McCarty, et al. 2020). They have not been recorded breeding in the Willow area (Attanas et al. 2021). The best known and most regularly used breeding area on the North Slope is within the Prudhoe Bay Oilfield to the east and has been since the 1990s (Lanctot and Weatherhead 1997). At the other end of the spectrum, yellow-billed loons may be habitat-limited during the breeding season, and they breed every year in the Willow area. The breeding habitat requirements of yellow-billed loons and the fact that they are likely habitat-limited are addressed in depth in this Supplemental EIS and specific estimates of numbers of yellow-billed loons impacted are shown.</p> <p>Attanas, L.B., Orion, K., Bankert, A., Prichard, A., McKown, R. 2021. Shorebird monitoring in the Willow project area, National Petroleum Reserve-Alaska, 2021. Fairbanks, AK: Prepared by ABR, Inc. for ConocoPhillips Alaska, Inc.</p> <p>McCarty, J. P., L. L. Wolfenbarger, C. D. Laredo, P. Pyle, and R. B. Lanctot (2020). Buff-breasted Sandpiper (<i>Calidris subruficollis</i>), version 1.0. In <i>Birds of the World</i> (P. G. Rodewald, Editor). Cornell Lab of Ornithology, Ithaca, NY, USA. https://doi.org/10.2173/bow.bubsan.01</p> <p>Lanctot, R.B., P.J. Weatherhead. 1997. Ephemeral lekking behaviour in the buff-breasted sandpiper, <i>Tryngites subruficollis</i>. <i>Behavioral Ecology</i> 8: 268-278.</p>	Trustees for Alaska
6501-47	<p>The scope of BLM’s analysis for the full range of species present in the area is too limited. BLM felt it only necessary to consider the Project’s impact on three species of birds (Stellar and Spectacled Eiders and yellow-billed loons) in more depth, but the fact remains that over 0.5 million shorebirds of 13 species (and potentially up to 17 species) breed each year in the Arctic Coastal Plain and will be at greater risk of population declines if this project is approved.</p>	<p>The Willow Supplemental EIS was developed in accordance with the requirements of the Migratory Bird Treaty Act (MBTA) and the MBTA Memorandum of Understanding put in place by EO 13186. This responsibility is included in Appendix C (<i>Regulatory Authorities and Framework</i>) and Section 3.11 (<i>Birds</i>).</p> <p>Many of the 90 species of birds that may occur in the Project area do not have abundance or density data available to use in impacts analysis. Instead, the amount of habitat lost directly from construction of infrastructure and indirectly by the effects of dust and disturbance are used to estimate impacts on migratory birds (see Section 3.11.2, <i>Environmental Consequences</i>, and summary in Table 3.11.2). BLM evaluates several mitigation measures that are designed to protect migratory birds, including measures that limit when construction could occur. See Section 3.11.2.1, <i>Avoidance, Minimization, and Mitigation (Birds)</i>, and Appendix I.1 for descriptions of measures to reduce the impacts of the action alternatives to migratory birds.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-48	<p>The DSEIS also downplays the potential for impact to wintering and marine species. The statement that “[f]ew species winter on the [Arctic Coastal Plain]”¹⁰⁶⁰ is dismissive and reflects the lack of actual analyses performed regarding over-wintering species, which includes three Audubon Alaska WatchList species: the Snowy Owl, Rock Ptarmigan, and Willow Ptarmigan.¹⁰⁶¹ Their inclusion in the WatchList is due to precipitous population declines due in large part to climate change. The importance of marine habitat to avian species in the proposed development area is not addressed. While there is a brief mention of Harrison Bay in the DSEIS, there is no analysis of Harrison Bay’s exceptional value for birds, especially sea ducks, loons, and shorebirds, or how those birds would be impacted by Willow.</p>	<p>The statement that few species winter in the Arctic Coastal Plain (ACP) is accurate. The comment that there are few studies of wintering birds in the ACP is also accurate. Impacts to wintering birds are primarily related to disturbance from ice road construction and subsequent traffic and construction activities. The species wintering in the analysis area are foraging and sheltering. All species are highly mobile at this time and able to move to alternative areas if disturbed. Willow ptarmigan are tolerant of human activity (Hannon, Eason et al. 1998), as are rock ptarmigan (Montgomerie and Holder 2008). The subspecies of willow and rock ptarmigan that achieved Audubon’s Yellow List status do not occur in the ACP, and none that do occur in the ACP are known to be in decline (Warnock 2017). Snowy owl numbers in the ACP are highly variable and track small-mammal abundance and population growth rates over 32 years (1986 to 2017). The latest 10 years do not differ significantly from equilibrium (Wilson, Larned et al. 2018). The marine habitat is very important, especially the lagoon areas; Open Nearshore Water is in the top tier of habitat types for species richness (22 species rely on it, mostly for post-breeding, migration, and foraging; Appendix E.11, Table E.11.1). While the marine environment is crucial to many bird species, birds in nearshore areas are very mobile after nesting and can move if disturbed or if foraging areas are temporarily altered. See research on long-tailed ducks and common eiders for a summary of impacts observed in the Prudhoe Bay area (Fischer, Tiplady et al. 2002; Flint, Reed et al. 2003).</p> <p>Hannon, S.J., P.K. Eason, and K. Martin. 1998. Willow Ptarmigan (<i>Lagopus lagopus</i>), Version 2.0. In <i>The Birds of North America</i>, edited by A. Poole and F. B. Gill. Ithaca, NY, USA: Cornell Lab of Ornithology.</p> <p>Montgomerie, R. and K. Holder. 2008. Rock Ptarmigan (<i>Lagopus muta</i>). In <i>The Birds of North America</i>, edited by A. Poole. Ithaca, NY: Cornell Lab of Ornithology.</p> <p>Wilson, H., W. Larned, and M. Swaim. 2018. Abundance and Trends of Waterbird Breeding Populations on the Arctic Coastal Plain, Alaska, 1986–2017. Anchorage, AK: USFWS and MBM, Arctic Coastal Plain Breeding Waterbird Survey.</p> <p>Fischer, J.B., T.J. Tiplady, and W.W. Larned. 2002. Monitoring Beaufort Sea Waterfowl and Marine Birds: Aerial Survey Component Vol. Alaska OCS Study MMS 2002-002. Anchorage: MMS.</p> <p>Flint, P.L., J.A. Reed, J.C. Franson, J.B. Hollmén, J.B. Grand, R.B. Howell, R.B. Lanctot, D.L. Lacroix, and C.P. Dau. 2003. Monitoring Beaufort Sea Waterfowl and Marine Birds. Alaska OCS Study MMS 2003-037. Anchorage, AK: MMS.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-49	<p>The DSEIS does not accurately describe Spectacled Eider usage of the analysis area. The DSEIS states, “Low densities of spectacled eiders occur throughout most of the analysis area annually during pre-breeding . . . , but nesting is only known to occur near the coast.”1064 One study denotes areas of especially high importance to Spectacled Eiders.1065 That study includes a substantial portion of the analysis area, which lies within the Western Beaufort Sea Important Area, which is defined by that study as areas “where [satellite-transmitted] locations occurred in greater density as defined by 95% Gaussian kernel density isopleths.”1066 Additionally, it is misleading to suggest that nesting has not been confirmed, when many recent studies have indeed confirmed nesting, including by implanting satellite transmitters on nesting Spectacled Eiders, surveying specifically for nesting Spectacled Eiders at Point Lonely and the Colville Delta, and in broader survey efforts across the Arctic Coastal Plain.1067 Similarly, the statement that “[Spectacled Eider] nesting has not been confirmed” is misleading.1068 That suggests that there are no known examples of breeding Spectacled Eiders, which is clearly not the position of the authors, as portions of Appendix E.11 attempt to quantify the impact of each alternative to Spectacled Eider nests.1069 By underestimating and downplaying the potential impact of this development to Spectacled Eiders, substantial detriment to an Endangered Species Act-listed species is more likely.</p>	<p>The Supplemental EIS accurately describes spectacled eider usage. "Low densities of spectacled eiders occur throughout most of the analysis area annually during pre-breeding (Figure 3.11.2) (Shook et al. 2020), but nesting is only known to occur near the coast (including near the module delivery options) (Sexson et al. 2014; Frost et al. 2007; Morgan and Attanas 2018)". The commenter has confused statements in the Supplemental EIS for two different species, Steller's and spectacled Eiders. As the Supplemental EIS states, "No breeding records for Steller’s eiders have been confirmed in the Willow, CRD, and Kuparuk areas for more than 3 decades (Johnson et al. 2018)." An additional statement clearly referencing spectacled eiders reads, "Nest searches have been conducted but nesting has not been confirmed within 3 miles of where the majority of new gravel infrastructure is proposed (Rozell, Shook et al. 2021)."</p> <p>Frost, G. V., R. J. Ritchie, and T. Obritschkewitsch. 2007. Spectacled and Stellar's Eiders Surveys at U.S. Air Force Radar Sites in Northern Alaska, 2006. Fairbanks, AK. Report for U.S. Air Force, Elmendorf AFB, Anchorage by ABR, Inc.</p> <p>Johnson, C. B., J. E. Shook, and R. M. Burgess. 2018. Biological Assessment for the Polar Bear, Spectacled Eider, and Steller's Eider in the GMT-2 Project Area. Fairbanks, AK. Prepared by ABR, Inc. for ConocoPhillips Alaska, Inc.</p> <p>Morgan and Attanas 2018; Rozell, K.B., J.E. Shook, J.P. Parrett, L.B. Attanas, and T. Obritschkewitsch. 2021. King eider studies for the Greater Mooses Tooth Project, National Petroleum Reserve-Alaska, 2020. Fairbanks, AK: Prepared by ABR, Inc. for ConocoPhillips Alaska, Inc.</p> <p>Sexson, MG, JM Pearce, and MR Petersen. 2014. Spatiotemporal Distribution and Migratory Patterns of Spectacled Eiders. Anchorage, AK. BOEM.</p>	Trustees for Alaska
6501-50	<p>The description of the importance of the analysis area to Steller’s Eiders is similarly incomplete. Steller’s Eiders are known to have regularly nested in the analysis area1070 before substantial declines reduced their breeding population westward, warranting their listing as Threatened under the Endangered Species Act. Because the purpose of the Endangered Species Act is to protect and recover imperiled species and the ecosystems upon which they depend, any development action that would further impede the ability of the Steller’s Eider to recolonize previously used habitat is incongruous with its ESA designation.</p>	<p>Debbie Nigro - Can a number or range of numbers be substituted for "handful" in this response? Only a handful of Steller’s eiders have been seen in the Willow area, CRD, and Kuparuk oil field in 28 years of aerial surveys.</p> <p>The U.S. Fish and Wildlife Service (USFWS) has concluded that the last 3 oil fields (CD5, GMT-1, GMT-2) constructed in the NPR-A would not likely adversely affect the Steller’s eider because the species occurs in those areas sporadically, there are no records of breeding, and BLM's required operating procedures would mitigate many of the Project's impacts. Only two Steller’s eiders have been seen in the Willow area, CRD, and Kuparuk oil field in 30 years of aerial surveys (Johnson and Stickney 2001, Johnson et al. 2008). In compliance with the Endangered Species Act (ESA), the responsible agency must designate critical habitat for each species under its jurisdiction listed under the ESA. The critical habitat for Alaska-breeding Steller’s eiders encompasses breeding habitat on the Yukon-Kuskokwim Delta and Kuskokwim Shoals, Sea Islands, Nelson Lagoon, and Izembek Lagoon in western Alaska, not northern Alaska. When Steller's eiders were listed as Threatened under the ESA, it was specifically noted that "destruction or modification of habitat did not appear to have played a major role in the decline in the Steller’s eider." Additionally, BLM is undergoing ESA Section 7 consultation with USFWS concurrent to the NEPA process for effects to ESA bird species (spectacled and Steller’s eider) and their critical habitat.</p> <p>Johnson, C.B., and Stickney, A.A. 2001. Avian surveys of exploration sites within the National Petroleum Reserve–Alaska, 2001. Report for PHILLIPS Alaska, Inc., Anchorage, by ABR, Inc., Fairbanks, AK.</p> <p>Johnson, C.B., Wildman, A.M., Parrett, J.P., Rose, J.R., Obritschkewitsch, T., and Shook, J.E. 2008. Avian studies for the Alpine Satellite Development Project, 2007. Fifth annual report for ConocoPhillips Alaska, Inc., and Anadarko Petroleum Corporation, Anchorage, by ABR, Inc., Fairbanks, AK.</p>	Trustees for Alaska

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6501-51	<p>The DSEIS also fails to address the conservation of the Arctic-nesting subspecies of Dunlin (<i>Calidris alpina articola</i>)—a U.S. Fish and Wildlife Bird of Conservation Concern—which has exhibited population declines in the last decade.¹⁰⁷¹ The Willow development is in important nesting habitat for this subspecies population. The BLM-designated Teshekpuk Lake Special Area encompasses the lake and the wetland complex extending northeast to the coast, and <i>articola Dunlin</i> are one of the core nesting species. Liebezeit et al. (2011) describes shorebird nesting in the Teshekpuk Special Area by saying, “Overall nest densities at the Teshekpuk Lake site far exceeded those found at six other sites on the Arctic Coastal Plain, including the Prudhoe Bay oilfield site.”¹⁰⁷² A revised DSEIS should address this subspecies, analyze the impacts from the development, and articulate mitigation measures.</p>	<p>Arctic-nesting dunlin (<i>c. a. articola</i>) is one of the most numerous shorebirds nesting in the NPR-A, the Teshekpuk Lake Special Area (TLSA), and the Arctic Coastal Plain (Andres, Johnson et al. 2012; Bart, Brown et al. 2012). However, it is almost five times more abundant on the outer coastal plain than the inner coastal plain (Andres, Johnson et al. 2012), and the majority of permanent infrastructure for the Willow MDP Project is inland from that inner coastal plain location. The gravel infrastructure and pipelines associated with the Willow Project would not include important nesting habitat for dunlin: no nests were found during two years of surveys for shorebirds breeding in the Willow area (Attanas et al. 2021). Liebezeit et al. (2009) found no difference in shorebird nest survival around development and Liebezeit, White et al. (2011) found no difference in nest survival between Prudhoe Bay and undeveloped Teshekpuk Lake. Bart, Platte et al. (2013) concluded that there was no conclusive evidence that oil development in Prudhoe Bay had caused declines in shorebird density or productivity. However, McGuire et al. (In press) found decreased nest survival in areas closer to infrastructure at Prudhoe Bay. Declines in the <i>c. a. arcticola</i> population appear to be related to degradation and loss of wintering habitat (Warnock 2017; Warnock and Gill 1996). Direct habitat loss from gravel placement and habitat alteration from dust, gravel spray, impoundments, and thermokarsting would affect nests within 100 meters (328 feet) of roads, just as those habitat effects would impact other ground-nesting species. Impacts and mitigation would be the same as for other species of birds.</p> <p>Andres, B.A., A.J. Johnson, S.C. Brown, and R.B. Lanctot. 2012. Shorebirds Breed in Unusually High Densities in the Teshekpuk Lake Special Area, Alaska. <i>Arctic</i> 65 (4):411–420.</p> <p>Attanas, L.B., Orion, K., Bankert, A., Prichard, A., McKown, R. 2021. Shorebird monitoring in the Willow project area, National Petroleum Reserve-Alaska, 2021. Fairbanks, AK: Prepared by ABR, Inc. for ConocoPhillips Alaska, Inc.</p> <p>Bart, J., S. Brown, B.A. Andres, R.M. Platte, and A. Manning. 2012. North Slope of Alaska. In <i>Arctic Shorebirds in North America: A Decade of Monitoring</i>, edited by J. Bart and V. Johnston, 37–96. Berkley, CA: Cooper Ornithological Society and University of California Press.</p> <p>Bart, J., R.M. Platte, B. Andres, S. Brown, J.A. Johnson, and W. Larned. 2013. Importance of the National Petroleum Reserve–Alaska for Aquatic Birds. <i>Conservation Biology</i> 27 (6):1304–1312.</p> <p>Liebezeit, J.R., S.J. Kendall, S. Brown, C.B. Johnson, P.D. Martin, T.L. McDonald, D.C. Payer, C.L. Rea, B. Streever, A.M. Wildman, and S. Zack. 2009. Influence of Human Development and Predators on Nest Survival of Tundra Birds, Arctic Coastal Plain, Alaska. <i>Ecological Applications</i> 19 (6):1628–1644.</p> <p>Warnock, N. 2017. The Alaska Watch List 2017. Anchorage, AK: Audubon Alaska.</p> <p>Warnock, N.D. and R.E. Gill. 1996. Dunlin (<i>Calidris alpina</i>), version 2.0. In <i>The Birds of North America</i>, edited by A. F. Poole and F. B. Gill. Ithaca, NY: Cornell Lab of Ornithology.</p>	Trustees for Alaska
6501-52	<p>The temporal scale for analysis of impacts to birds is described as the life of the Project and reclamation. However, bird populations are likely to impacted for long after the Project and reclamation conclude. This is particularly true for long-lived species such as yellow-billed loon, which take a long time to recover from reduced productivity and/or survival.</p>	<p>It is true that impacts may last after the life of the Project and reclamation, if we assume population level effects. However, the number of yellow-billed loons expected to be impacted under all alternatives is 6 to 7 individuals, or at most, 4 pairs. The population of yellow-billed loons estimated to breed on the North Slope is 1,000 pairs (Earnst et al. 2005), which makes population level effects unlikely.</p> <p>Earnst, S.L. Stehn R.A., Platte, R.M., Larned, W.W., and Mallek, E.J. 2005. Population size and trend of Yellow-billed Loons in northern Alaska. <i>Condor</i> 107: 289-304.</p>	Trustees for Alaska

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6501-53	<p>The data used to analyze impacts to yellow-billed loons appear inadequate, resulting in an inadequate impacts analysis. The nest location data and the associated lake/nest buffers in Figure 3.11.5 seem to be focused on areas of new development,1073 but do not include a substantial portion of proposed ice road construction in the vicinity of Teshekpuk Lake. Ice roads are known to cause impacts that persist beyond the winter. Ice roads compress and can damage tundra vegetation, alter timing of snowmelt, and can block streams during critical times such as spring flooding. We therefore expect nonresident birds, including loons, to also be impacted by ice roads. Moreover, it is difficult to tell whether the relatively fewer loon nests near the proposed Willow development may be due to due to lower survey intensity, or another artifact of data collection. Without access to the ABR reports containing the referenced data, it is impossible to find more information. The DSEIS should be revised to explain these issues in its analysis and also provide the referenced studies in an appendix or on BLM’s Willow eplanning website.</p>	<p>Ice roads are not considered "permanent infrastructure" (see the 2022 NPR-A Integrated Activity Plan Record of Decision page A-3), thus ice roads are exempt from yellow-billed loon buffer considerations. The proposed ice roads associated with the module transport options would only be used during the construction phase of the Willow Project and would not exist thereafter. Any potential effects on loon lakes from ice roads are expected to be temporary. Over the short-term, ice roads can affect vegetation and block streams, but operators are required to cut or slot ice roads for all cross-drainage areas, mitigating that problem. Vegetation compaction has not affected nest sites in other locations in the GMT, Alpine CD5, or Colville River Delta areas. Nonetheless, Section 3.11.2.1.4, lists the following additional suggested mitigation measure: "Route ice roads around identified yellow-billed loon nest sites and nesting lakes to avoid vegetation compaction at nest sites and delayed melt-out of nesting lakes. Survey criteria for yellow-billed loons included all lakes 10 hectares or larger until 2008, when the minimum survey lake size was reduced to 5 hectares (12 acres), which is smaller than the 20-acre standard required to be surveyed for nests and broods by NPR-A required operating procedure E-11. This reduction in lake size was implemented to increase nest detection because Johnson et al. (2019) found that 7% of territories identified on the Colville River Delta were on lakes less than 10 hectares. The 5-hectare lake size criterion was applied to the Willow project area so the survey effort in the Project area is comparable to other survey areas. The extent of loon surveys is shown in figure 3.11.5. and the survey reports are publicly available at www.northslopescience.org and show which lakes were included in loon surveys.</p> <p>Johnson, C.B., A.M. Wildman, A.K. Prichard, and C.L. Rea. 2019. Territory Occupancy by Yellow-Billed Loons near Oil Development. <i>Journal of Wildlife Management</i> 83 (2):410–425.</p>	Trustees for Alaska
6501-54	<p>There are also numerous inconsistencies and omissions in the description of ROPs relating to yellow-billed loons. ROP B-2 fails to mention protection of fish-bearing lakes where yellow-billed loons are known to nest. While the proposed project appears to limit water withdrawal to only those lakes without sensitive fish or breeding yellow-billed loons, elsewhere the DSEIS also states, “Winter water withdrawals for ice infrastructure could occur from any permitted lake in the Willow area during construction.”1074</p> <p>The DSEIS acknowledges that, “[b]ecause yellow-billed loons have high nest lake fidelity . . . they could be impacted by withdrawals or human disturbance that occurs at nesting lakes.”1075 A revised DSEIS should explain this contradiction, and correct the ROP to protect loon lakes.</p>	<p>Required operating procedure (ROP) B-2 specifically regulates water withdrawal from lakes with sensitive fish (i.e., any fish except ninespine stickleback or Alaska blackfish). Because of their habitat preferences, this ROP would pertain to most lakes where yellow-billed loons nest and rear young. Yellow-billed loons prefer deep lakes that do not freeze to the bottom, which provide overwintering habitat for sensitive fish (Uher-Koch et al. 2020, Earnst et al, 2006). ROP B-2 limits sets specific water withdrawal limits on lakes based on lake volume, depth, and the waterbody's fish community and is aimed at preserving the waterbody's fish community. If water use is permitted to occur on a fish-bearing lake or lake of special concern, the ROP states that additional monitoring of water levels and quality may be required before, during, and after water use. This mitigation for monitoring lake recharge is not required, but for water-source lakes that are used by sensitive species (e.g., yellow-billed loons, spectacled eiders), this mitigation would help protect these nesting species from habitat alteration. Allowing water withdrawal from permitted lakes is not inconsistent with ROP B-2 if the lakes satisfy restrictions described and meet State of Alaska water withdrawal guidelines. Exceptions to ROP B-2 may be requested under all action alternatives and module delivery options to allow for ice aggregate collection from bottom-fast waterbodies that exceeds regulatory withdrawal limits for liquid water and ice aggregate. Many of the lakes in the Project area are shallower than the 5-foot and 7-foot maximum depth criteria and have documented sensitive or resistant fish species, resulting in little or no liquid water availability during winter. Removal of water as ice from areas with bottom-fast ice would not reduce the quantity of potential resistant overwintering fish habitat. Exception request(s) would not exceed the Alaska Department of Natural Resources water withdrawal criteria which ensure that recharge will occur each spring. Specific waterbodies where exceptions may be required have not yet been identified. ROP E-11 specifically protects yellow-billed loon nest sites and lakes, and all action alternatives would require exceptions for infrastructure within buffers around specific nest sites and breeding lakes; a separate exception would be required to withdraw water from those lakes.</p> <p>There is a separate NEPA process for establishing the ROPs listed in BLM's NPR-A Integrated Activity Plan and tt is outside the scope of the Willow Supplemental EIS to change the ROPs.</p> <p>Earnst, S. L., R. Platte, and L. Bond. 2006. A landscape-scale model of yellow-billed loon (<i>Gavia adamsii</i>) habitat preferences in northern Alaska. <i>Hydrobiologia</i> 567:227–236.</p> <p>Uher-Koch, B. D., K. G. Wright, H. R. Uher-Koch, and J. A. Schmutz. 2020. Effects of fish populations on pacific loon (<i>gavia pacifica</i>) and yellow-billed loon (<i>G. adamsii</i>) lake occupancy and chick production in Northern Alaska. <i>Arctic</i> 73:450–460.</p>	Trustees for Alaska

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6501-55	<p>All alternatives waive the requirement to keep roads and infrastructure away from loon nests and nesting lakes and the DSEIS fails to provide any meaningful mitigation for this impact. ROP E-11 indicates that, “[i]f spectacled and/or Steller’s eiders are determined to be present within the proposed development area, the applicant shall work with USFWS and BLM early in the design process to site roads and facilities in order to minimize impacts to nesting and brood-rearing eiders and their habitats.”1076 Spectacled Eiders have been documented within the proposed development area (Shook et al. 2019) and the FWS offered its biological opinion that the Project was likely to adversely affect Spectacled Eiders in the development region. Despite this, BLM has not incorporated mitigation efforts into the design process of site roads and facilities beforehand. BLM must uphold its role to assist in the recovery of federal-listed species. BLM is required under the Endangered Species Act to protect and restore the habitats upon which the listed species depend and to take action that will foster recovery of listed species...</p> <p>ROP E-11 indicates infrastructure should adhere to a minimum 0.5-mile buffer around recorded yellow-billed loon nest sites and up to 1 mile, and there should be a minimum 1625-foot (500 m) buffer around the remaining shoreline of yellow-billed loon nest lakes.1081 However, BLM waives these requirements: “All action alternatives would also cross the standard disturbance setback of 1 mile around recorded yellow-billed loon nest sites and 500-meters (1,625-feet) around the shoreline of nest lakes.”1082 These waivers come without any meaningful mitigation or added conservation for yellow-billed loons. By waiving ROPs intended to protect loons and failing to adopt or consider mitigation measures to address the impacts that will occur, the agency has failed to provide meaningful conservation for loons.</p>	<p>The exceptions for loon buffers are not granted ahead of time. Instead, required operating procedure (ROP) E-11 states that BLM would consider exceptions to the buffer requirement if no other feasible option exists. It is possible that the current design may be adjusted to reduce or eliminate the need for exceptions. Additional mitigation measures for birds are presented in section 3.11.2.1.4, Additional Suggested Avoidance, Minimization, or Mitigation. (See Appendix I.1 for all existing and proposed mitigation measures.) They include limiting water withdrawal to lakes without breeding yellow-billed loons, routing ice roads around yellow-billed loon nesting lakes and sites, and minimizing noise impacts between 1 June and 15 July when birds are on nests. The U.S. Fish and Wildlife Service's 2020 Biological Opinion states "Thus, collectively, we estimate effects of the Proposed Action would cause the loss of production of up to 26 spectacled eider nests and collisions causing injury or death of 10 adult or fledged juvenile spectacled eiders", but "we would not anticipate population- or species-level responses to result" and these losses "are not reasonably likely to jeopardize the continued existence of spectacled eiders by reducing appreciably the likelihood of survival and recovery of the species in the wild by reducing their reproduction, numbers, or distribution." (USFWS 2020, page 129).</p> <p>USFWS. 2020. "Biological Opinion for Willow Master Development Plan" Fairbanks, AK.</p>	Trustees for Alaska
6501-56	<p>The ice road that is planned to run from the drill site to Point Lonely runs through the Teshekpuk Lake Special Area. The Biological Opinion for Coastal Plain Oil and Gas Leasing Program Arctic National Wildlife Refuge shows that one of the greatest breeding densities of Spectacled Eiders on the Arctic Coastal Plain occurs in the Kogru area through which the ice road runs.1079 This area is also an important movement corridor for caribou, as discussed below. The Biological Opinion also states that long-term habitat loss, as a result of winter travel on ice roads, could “damage tundra vegetation and indirectly affect nesting habitat for spectacled eiders.”1080 The ice road has the potential to cause considerable habitat degradation in this region and should not be constructed.</p>	<p>The Supplemental EIS describes impacts from ice roads specifically for birds in Section 3.11.2.2, <i>Habitat Loss or Alteration</i>: "Compressed snow and ice from ice infrastructure and snowdrifts from snow cleared off gravel infrastructure might delay snow and ice melt until after birds have initiated nesting, causing an annual temporary loss of nesting habitat for small numbers of birds in these areas. Effects would likely occur in years of late snow and ice thaw. Ice roads across nesting lakes for yellow-billed loons could prolong ice cover on the lake, making them less suitable for nesting or delaying the onset of nesting. Ice infrastructure could compress vegetation, especially standing dead vegetation used for concealment by some nesting birds and alter habitats. Greater white-fronted goose nests were less likely to occur in the footprints of ice roads or pads from the previous winter at the CD5 development in NPR-A (Rozell, Johnson et al. 2020)."</p> <p>Rozell, K. B., and C. B. Johnson. 2020. "Nesting Greater White-Fronted Goose Study at CD-5, National Petroleum Reserve-Alaska: A Synthesis Report, 2013–2019. Draft Report." Fairbanks, AK. Prepared by ABR, Inc. for ConocoPhillips Alaska, Inc.</p>	Trustees for Alaska

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6501-57	<p>The minimum buffer around recorded nesting sites should be 1 mile. The 0.5-mile buffer suggested here has not been determined to be an adequate distance for preventing disturbance of nesting loons in this region.1083 One study found the mean median territory radius for yellow-billed loons in the Arctic Coastal Plain was 0.43 miles, which means the 0.5-mile buffer would allow construction activities to directly abut most loon territories and surpass the territory boundaries of many others.1084 The buffer distance from a breeding lake should also be at least 1 mile in order to ensure disturbance to breeding yellow-billed loons is minimized, given their high nest-site and -lake fidelity.</p> <p>It is critical that the breeding habitat of yellow-billed loons within the Reserve is preserved and is not degraded. The yellow-billed loon is among the 10 rarest bird species in the United States and more than 91% of the U.S. population breeds in the Reserve.1085 The Willow Project development area, with a minimum disturbance area of 17,418 acres, lies in the heart of the yellow-billed loon’s Alaskan breeding range. If this project is approved for construction and subsequent drilling operations, it will reduce the already-restricted breeding habitat available for yellow-billed loons and disrupt this population’s nesting activities in what remains. Nesting yellow-billed loons are highly sensitive to all types of disturbance during the breeding season and disturbed nests have been found to have up to 30% lower nest survival compared to nests where adults are not disturbed.1086 Disturbance levels described in the DSEIS will certainly have a negative impact on loon productivity in the region, particularly with the lack of mitigation measures incorporated into the document. High-quality breeding territories for yellow-billed loons are a limited resource on the Arctic Coastal Plain and a limiting factor for population growth in this region.1087 Furthermore, unoccupied lakes with suitable nesting habitat are scarce in this region;1088 therefore, there will be no opportunity for this population of yellow-billed loons to regain habitat lost to the Project elsewhere.</p>	<p>Required operating procedure (ROP) E-11 was updated in 2022 and specifies a 0.5-mile buffer around all yellow-billed loon nest sites and states that the buffer shall be up to 1.0 mile where feasible. A 0.5-mile buffer may be considered appropriate mitigation under this ROP and is intended to reduce the possibility of disturbance or displacement of yellow-billed loons from breeding habitat. Yellow-billed loons appear to be tolerant to some oilfield activities as nests and broods have not been displaced from traditional lakes on the Colville River Delta where oilfield activities have occurred since 1998 (Johnson, Wildman, et al. 2019). That study compared nest and brood occupancy of territories within 1.0 mile of infrastructure and territories 1 to 2 miles from infrastructure. Patterns of occupancy were not explained by distance category leading the study's authors to conclude that 1.0-mile buffers may be conservative. However, the authors acknowledged that they were unable to evaluate smaller buffers due to small sample sizes so while a 1.0-mile buffer may be larger than needed, the minimum buffer size that would be effective is unknown. Most research on disturbance to breeding yellow-billed loons has involved humans approaching nests, which typically causes loons to leave nests. Repeated nest visits by researchers have been shown to lower nest survival by 6% (Uher-Koch, Schmutz, et al. 2015), underscoring that any disturbance that results in loons leaving nests unattended should be avoided. However, not all activities associated with the Project would be expected to have a negative impact yellow-billed loon productivity. In general, pedestrians elicit stronger reactions from nesting birds than do vehicles and reactions are stronger at closer distances (Johnson et al. 2003). People on foot are also more likely to elicit flight responses and at farther distances than vehicles (Klein 1993, Rodgers and Smith 1995, Johnson et al. 2003, McLeod et al. 2013). The commenter cites a 30% decrease in nest survival when loons are disturbed but those birds were captured with nets and fitted with transmitters (Uher-Koch, Schmutz, et al. 2015), which is a level of disturbance that would not occur under Project activities. Although ROP E-18 is motivated by the need to avoid disturbance to eider nests, it protects loon nests from disturbance as well by restricting ground-level activity to roads and pads between 1 June and 15 August.</p> <p>Klein. M. L. 1993. Waterbird behavioral responses to human disturbances. Wildlife Society Bulletin 21:31–49.; Johnson, C.B., A.M. Wildman, A.K. Prichard, and C.L. Rea. 2019. Territory Occupancy by Yellow-Billed Loons near Oil Development. Journal of Wildlife Management 83 (2):410–425.</p> <p>Rodgers, J. A., and H. T. Smith. 1995. Set-back distances to protect nesting bird colonies from human disturbance in Florida. Conservation Biology 9:89–99.</p> <p>Johnson, C. B., R. M. Burgess, B. E. Lawhead, J. A. Neville, J. P. Parrett, A. K. Prichard, J. R. Rose, A. A. Stickney, and A. M Wildman. 2003. Alpine avian monitoring program, 2001. Report for ConocoPhillips Alaska, Inc., and Anadarko Petroleum Corporation, Anchorage, by ABR, Inc., Fairbanks, Alaska, USA.</p> <p>McLeod, E. M., P. Guay, A. J. Taysom, R. W. Robinson, M. A. Weston. 2013. Buses, cars, bicycles and walkers: the influence of the type of human transport on the flight responses of waterbirds. PLoS ONE 8(12):e82008.</p> <p>Uher-Koch, B.D., J.A. Schmutz, and K.G. Wright. 2015. Nest Visits and Capture Events Affect Breeding Success of Yellow-Billed and Pacific Loons. Condor 117 (1):121–129.</p>	Trustees for Alaska
6501-58	<p>ROP E-11 contains a requirement that BLM will require submittal of a minimum of 3 years of site-relevant survey data of lakes greater than 25 acres within 1 mile of the proposed infrastructure. This will vastly underestimate the number of nesting yellow-billed loons in the study area. It has been found that yellow-billed loon breeding lakes can be as small as 0.07ha for nesting and 1.3ha for brood-rearing on the Colville River Delta, and that 7% of nests they found within the region were on lakes less than 10ha.1091 Additional survey data that is not limited to only yellow-billed loon nesting lakes that are greater than 25 acres should be required.</p>	<p>The required 3 years of site-relevant data collection for lakes greater than 25 acres has been surpassed for the Willow Project. Previous surveys recognized the use of small lakes for yellow-billed loon nesting and lakes greater than 12 acres for yellow-billed loon nests and broods. The Willow Project area has been surveyed for a minimum of 5 years as of the 2022 breeding season.</p> <p>It is outside the scope of the Willow Supplemental EIS to change the required operating procedure (ROP). There is a separate National Environmental Policy Act process for establishing the ROPs listed in BLM's NPR-A Integrated Activity Plan.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-59	<p>The analysis related to ROP E-18 is also inadequate. ROP E-18 is intended to “[a]void and reduce temporary impacts to productivity from disturbance near Steller’s and/or spectacled eider nests.”¹⁰⁹² The provision indicates that “[c]onstruction of permanent facilities, placement of fill, alteration of habitat, and introduction of high noise levels within 656 feet of occupied Steller’s and/or spectacled eider nests will be prohibited.”¹⁰⁹³ The Recovery Plan for Spectacled Eiders uses a 200-meter buffer around nest sites and contains measures related to the “[i]ntroduction of high noise levels within 200m of nest sites (from activities at potentially greater distances), 20 May through 1 August” that “may include but are not limited to: airports, blasting, and compressor stations.” There is no indication BLM evaluated the potential for disturbance to nesting Spectacled Eiders that may be associated with construction, aircraft, vehicle and drilling operations activities as is required under the recovery plan. The Recovery Plan states that the 200m buffer around nesting birds is a suggested distance that should be “reviewed on a case-by-case basis.” Further, the 200m distance is a consensus among biologists and no formal studies have been conducted to determine the minimum distance at which the majority of birds do not flush their nests when disturbed by human activities within the area.</p> <p>It is also unclear if this buffer zone refers to nest sites within the vicinity of the project’s airstrips. The total area for the airstrip(s) ranges from 42.2 acres (Alternatives B and E) to 87.6 acres (Alternative C), and the FWS provided a larger buffer zone than the 200-meter buffer zone they recommended for other disturbance types. The FWS Biological Opinion estimated that “potential effects of aircraft and human disturbance on spectacled eider nest success would occur within a 600-m radius, or 1.13km² area, at each landing site.” There needs to be a different, greater buffer zone for the planned airstrips and whatever location is selected should be designed in a way that impacts the least number of Spectacled Eider nests.</p>	<p>Bird responses to disturbances vary by disturbance source and bird species, with some raptors reacting at the farthest distances (Livezey et al. 2016). The U.S. Fish and Wildlife Service (USFWS) established a 656-foot (200-meter) zone around nesting spectacled eiders from June 1 to July 31 (USFWS 2018) or June 1 to August 15 (USFWS 2015) where human activities off gravel pads and roads are prohibited. This zone encompasses all effective disturbance distances (i.e., flushing distances) summarized for related species and families of nesting and non-nesting birds (with the exception of the Falconiformes) in the analysis area. The 200-meter (656-foot) buffer is conservative. Data collected on spectacled eiders on the Colville River and Northeast NPR-A found that nesting spectacled eiders rarely (8%, or 7 of 84 hens on nests) flush at distances greater than 82 feet (25 meters) from people on foot, and the greatest distance at which flushing occurred was 131 feet (40 meters) (ABR unpublished data 2018). Responses to aircraft traffic, by species, are detailed in section 3.11.2.3.2, <i>Disturbance or Displacement</i>, and traffic rates are detailed in Tables D.5.5 through D.5.18 in Appendix D.1, <i>Alternatives Development</i>. Thirty years of aerial surveys over the Project area have found no pre-breeding spectacled eiders within 3 miles of proposed permanent infrastructure, including proposed airstrip locations. The Endangered Species Act Section 7 consultation with the USFWS has been reinitiated and is ongoing.</p> <p>Livezey, K. B., Juricic E. Fernandez, and D. T. Blumstein. 2016. Database of Bird Flight Initiation Distances to Assist in Estimating Effects from Human Disturbance and Delineating Buffer Areas. <i>Journal of Fish and Wildlife Management</i> 7:181–191.</p> <p>USFWS. 2015. Amendment to the Biological Opinion Regarding the Permitting, Construction, and Operation of GMT1. In <i>Final Supplemental Environmental Impact Statement: Alpine Satellite Development Plan for the Proposed Greater Mooses Tooth One Development Project</i>. Record of Decision, Appendix F. Anchorage, AK: BLM.</p> <p>USFWS 2018. Biological opinion on the effects of Greater Moose's Tooth 2 oil and gas development in the National Petroleum Reserve-Alaska on the Spectacled Eider, Alaska-breeding Steller's Eider, polar bear, and polar bear critical habitat. U. S. Fish and Wildlife Service, Fairbanks, AK.</p>	Trustees for Alaska
6501-60	<p>The impacts to molting geese are poorly described and mitigation of the impacts is unclear. ROP F-1 charges lessees to “[m]inimize the effects of low-flying aircraft on wildlife, subsistence activities, and local communities;” with an accompanying requirement to stating that “[a]ircraft use shall be restricted from June 15 through August 20.”¹⁰⁹⁴ It is impossible to know from these measures whether flights over the Goose Molting Area are actually minimized, restricted, or prohibited; if there is a minimum altitude during these flyovers; and when they will or will not occur. This is concerning, as there is significant evidence that aircraft overflights have negative impacts on molting geese.¹⁰⁹⁵ The DSEIS should reconcile these contradictions and clearly describe the aircraft activity prohibited in the Goose Molting Area.</p>	<p>Module Delivery Option 2 (Point Lonely Module Transfer Island) would overlap the Goose Molting Area (GMA). Module Delivery Options 1 and 3 would avoid the GMA. There would be 28 total fixed-wing trips over two summer seasons under Option 2. If these flights stayed along the coast (not overland), they would not need exceptions to either required operating procedure (ROP) F-1 or lease stipulation K-6 to land at the Point Lonely airstrip. ROP F-1(g) requires: "Aircraft used for permitted activities shall maintain an altitude of at least 2,000 feet above ground level over the Teshekpuk Lake Caribou Habitat Area from May 20 through August 20. Aircraft use by oil and gas lessees in the Goose Molting Area should be minimized from May 20 through August 20." The 2,000-feet above ground level requirement applies to the GMA as well as the caribou area. The May 20 through August 20 time period is the nesting and molting period for geese. In summary, the GMA has a 2,000 feet above ground level restriction and an aircraft minimization requirement during the nesting and molting period.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-62	<p>The DSEIS downplays habitat loss that would occur due to activities beyond construction. The DSEIS describes habitat loss due to gravel fill, but does not relate those losses to actual loss in avian productivity — an analysis that is particularly important for sensitive species.1099 The DSEIS also states, “Habitat loss could displace 158 nests . . .; most displaced birds could relocate to similar habitats available in the analysis area.”1100</p> <p>There is no justification or citation supporting that assertion. Much of the habitat loss consequential to the proposed development actions would occur during the decades and centuries following construction, much of which is immitigable and effectively permanent. The DSEIS does not analyze this longer-term habitat loss concern. Once a site is operational, overflight-related disturbance may also displace birds (particularly molting waterfowl) from previously used habitat for the lifetime of the drilling pad. More long-term factors such as melted permafrost, impeded drainage patterns, and dust-covered vegetation cause geophysical damage that proves permanent in many cases.1101 The DSEIS should accurately account for habitat loss in both the short-term and long-term.</p>	<p>The temporal scale of potential reclamation is described in Section 3.9, <i>Wetlands and Vegetation</i>. Though the life of the Project is stated as 30 years, much of the gravel infrastructure on the North Slope has lasted longer than its initial intended lifespan. Very little gravel has been reclaimed because it is still in use (i.e., not abandoned). The Supplemental EIS describes acres of habitat lost from gravel placement and does not imply that is only a construction-period effect. It will last the life of the Project and may be permanent. The acres of habitat altered indirectly by dust, gravel spray, thermokarsting, impoundments, and snow berms is described as long term and lasting the life of the Project or longer. The acres of disturbance and displacement is accounted for, and although greatest impacts would be during construction, they would continue as long as there is traffic and human activity, and thus would be long-term for the life of the Project. Overflights under required operating procedure F-1 restrictions would be at an altitude that does not disturb or displace birds, except in landing and take-off areas. There is not much information relating habitat loss to loss of avian productivity. Studies of geese (Johnson, Burgess, Lawhead, Neville et al. 2003) at Alpine and shorebirds in Prudhoe Bay (Troy and Carpenter 1990) have found displacement of nesting birds from new gravel pads. Other studies of geese and spectacled eiders in the Arctic Coastal Plain have found no displacement or decline in productivity (i.e., nesting success) with vehicular or air traffic and human activity (Johnson, Parrett et al. 2008; Meixell and Flint 2017; Rozell and Johnson 2020). Territorial birds, such as yellow-billed loons, with specific habitat requirements and who are possibly habitat limited, may not have the same flexibility to move to unoccupied habitat. The 158 total nests of all species combined predicted to be lost through habitat loss would not approach population level effects for any species.</p> <p>Johnson, C. B., R. M. Burgess, B. E. Lawhead, J. Neville, J. P. Parrett, A. K. Prichard, J. R. Rose, A. A. Stickney, and A. M. Wildman. 2003. ""Alpine Avian Monitoring Program, 2001: Fourth Annual and Synthesis Report."" Fairbanks, AK. Prepared by ABR, Inc. for ConocoPhillips Alaska, Inc., and Anadarko Petroleum Corp.</p> <p>Troy, D.M. and T.A. Carpenter. 1990. The fate of birds displaced by the Prudhoe Bay oil field: The distribution of nesting birds before and after P-pad construction: Troy Ecological Research Associates.</p> <p>Johnson, C.B., J.P. Parrett, and P.E. Seiser. 2008. Spectacled Eider Monitoring at the CD-3 Development, 2007. Fairbanks, AK: Prepared by ABR, Inc. for ConocoPhillips Alaska, Inc., and Anadarko Petroleum Corporation.</p> <p>Meixell, B.W. and P.L. Flint. 2017. Effects of Industrial and Investigator Disturbance on Arctic-Nesting Geese. The Journal of Wildlife Management 81 (8):1372–1385. doi: 10.1002/jwmg.21312.</p> <p>Rozell, K.B. and C.B. Johnson. 2020. Nesting Greater White-Fronted Goose Study at CD-5, National Petroleum Reserve-Alaska: a Synthesis Report, 2013–2019. Draft Report. Fairbanks, AK: Prepared by ABR, Inc. for ConocoPhillips Alaska, Inc.</p>	Trustees for Alaska
6501-63	<p>The SDEIS discusses the potential impacts of oil spills to birds.1102 However, it only evaluates direct impacts of light or heavy oiling, which can cause mortality or reduce survival or reproduction. However, oil spills have sublethal impacts to birds that last long after spills have been contained and remediated. Following the Exxon Valdez spill in 1989, populations of fish-eating birds continued to experience chronic effects for over two decades. These long-term effects ultimately had a larger negative effect on population size and trend than the immediate impacts from direct contact with oil.</p>	<p>The text of the Supplemental EIS Section 3.11.2.11, <i>Oil Spills or Other Accidental Releases</i>, has been edited to state that sublethal effects of light oiling of birds has been documented and that there are long-term impacts from heavy oiling.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-64	The DSEIS fails to accurately analyze the effects of the Modular Transport Island (MTI), which would include the use of screeding.1104 In many instances, the DSEIS describes process of screeding as having a substantial impact on the sea floor, benthic and epibenthic species, and the species that rely on them for food. For example, the DSEIS states, “irreversible direct mortality to fish and benthic organisms would occur as a result of screeding for any action alternative or module delivery option and as a result of the gravel fill required for the MTI (Options 1 and 2). Both the fill footprint and the screeding footprint would be small in relation to the amount of available habitat of similar type and quality.”1105 On that basis, the DSEIS concludes those “irreversible impacts would be relatively small and would not impact the population viability of impacted species.”1106 But the DSEIS does not provide any quantification or reference for the claim that the impact would be relatively small. The DSEIS should quantify the impacts of terraforming and provide evidence that the impact is small.	All action alternatives and module delivery options would result in some habitat loss from screeding activity. This is detailed in the Supplemental EIS; all action alternatives would have 12.1 acres of habitat lost through screeding at Oliktok Dock and the barge lightering area; Module Delivery Option 1 (Atigaru Point Module Transfer Island) would have 14.5 additional acres of habitat lost to screeding and the MTI would add 12.8 additional acres; Module Delivery Option 2 (Point Lonely Module Transfer Island) would have 14.5 acres of habitat lost to screeding and a 13.0 additional acres for the MTI. The Supplemental EIS does not state that screeding would have substantial impacts; to the contrary, all sections in which screeding is listed as a potential impact describe it as minor, temporary, and limited to the screeding footprint, which is quantified and varies by action alternative and module delivery option. The minor, temporary, and limited effects to fish that would be entrained in the screeding footprint would be irreversible because mortality is irreversible. Effects on the screeding area are further described in Section 3.10.3, <i>Unavoidable Adverse, Irretrievable, and Irreplaceable Effects</i> , to demonstrate that few individuals would be irreversibly killed.	Trustees for Alaska
6501-66	There is little mention in the DSEIS of the potential for human development to attract increased numbers of predators, thereby impacting the breeding success of ground nesting birds.1108 There is research that suggests a substantial increase in common ravens associated with infrastructure.1109 An increase in Common Ravens can have disastrous effects on bird communities, as 19% of the common raven summer diet consists of birds. Additionally, the impact this development action will have on lemmings is poorly described, as is the effect this impact will have on breeding bird populations. There is substantial evidence that lemming populations are closely associated with many ground nesting bird species.1110 This needs to be analyzed in more depth in a revised DSEIS.	The study that found that 19% of the twenty birds dissected had some eggshells in their stomachs occurred in California (Gibble et al. 2021), not northern Alaska. The text has been revised to show that ravens are likely important egg predators across the Arctic Coastal Plain and that their numbers are increasing. Nonetheless, numbers of common ravens did not increase at Alpine post-development, which is the closest model of the proposed Willow Project. There is little information on how development impacts lemming populations, however, Liebezeit (et al. 2009) found no difference in lemming abundance between developed sites (Prudhoe Bay and Kuparuk) and an undeveloped site near Teshekpuk Lake. Gibble, C., Neuman, K., and Beck., J. 2021. Note: Demography, morphometrics, and stomach contents of common ravens examined as a result of controlled take. Human-Wildlife Interactions: 15: Early Online Liebezeit, J.R., S.J. Kendall, S. Brown, C.B. Johnson, P.D. Martin, T.L. McDonald, D.C. Payer, C.L. Rea, B. Streever, A.M. Wildman, and S. Zack. 2009. Influence of Human Development and Predators on Nest Survival of Tundra Birds, Arctic Coastal Plain, Alaska. Ecological Applications 19 (6):1628–1644.	Trustees for Alaska
6501-8	The EIS should catalogue the existing noise in the project area, explain the changes in noise that will occur with the Willow Plan development, describe impacts that will occur for birds and the subsistence harvest of birds, and provide a method for addressing and monitoring this issue.	Section 3.11, Table 3.11.2, details the potential impacts to birds by each action alternative, including noise. Required operating procedure (ROP) E-18 prohibits the introduction of high noise levels within 656 feet (200 meters) of occupied Steller's and spectacled eider nests. Section 3.11.2.1.4, <i>Additional Suggested Avoidance, Minimization, or Mitigation</i> , includes minimizing noise impacts between June 1 and July 15, when birds are on the nest, and also suggests avoiding the routine use of helicopters during drilling and and operations to minimize noise and impacts related to birds. Additionally, section 3.6, Noise, addresses the noise levels associated with the Project's alternatives in detail, including the ROPs intended to mitigate impacts from noise (Section 3.6, <i>Noise</i> , Table 3.6.2). ROP E-11 specifically addresses birds and ROP F-1 addresses birds and subsistence users.	Trustees for Alaska

Table B.5.9. BLM’s Authority Comments and Responses*

No.	Comment	Comment Response	Commenter
18238-1	I am very disturbed because the BLM also continues to take the same constricted view of its legal authority, arbitrarily assuming it must approve the project in some form, despite ample legal authority to reject it.	The Supplemental EIS does not state that BLM's legal authority to condition or reject the Willow Project is constrained, or that BLM cannot select Alternative A (No Action).	Jean Naples

No.	Comment	Comment Response	Commenter
2522-2	BLM states that “[a]lternative A is included in the analysis for baseline comparison, but BLM does not have the authority to select this alternative because CPAI’s leases are valid and provide the right to develop the oil and gas resources therein.” ¹¹ This claim is inconsistent with BLM’s own regulations ¹² and case precedent. As the 9th Circuit has stated, “[t]he government can condition permits for drilling on implementation of environmentally protective measures, and we assume it can deny a specific application altogether if a particularly sensitive area is sought to be developed and mitigation measures are not available.” ¹³ So while the court found that BLM could not later completely preclude all oil and gas activities throughout the Reserve because of the National Petroleum Reserve Production Act’s direction to implement an oil and gas program in general, it made clear that the agency could restrict or deny any particular proposal. ¹⁴ The Alaska district court cited the same regulation and the Kempthorne decision in a later case, for the same proposition. ¹⁵ By the terms of its own regulations and case law in the 9th Circuit, BLM unequivocally retains the authority to not approve a given proposed development on any particular lease. It can condition its approval on environmentally protective measures, it can select an action alternative that differs in important respects from what the applicant may want, and it can select the No Action alternative.	The Supplemental EIS does not state that BLM's legal authority to condition or reject the Willow Project is constrained, or that BLM cannot select Alternative A (No Action).	Defenders of Wildlife
2878-5	<p>The no-action alternative (Alternative A) is not a viable alternative for selection...</p> <p>Although the no-action alternative is used as a tool for comparison, NEPA itself provides no authority to the federal action agency to select the no-action alternative. Whether a no-action alternative can be selected as the agency's preferred alternative depends on the purpose of the proposed action and the underlying statutory basis for the proposed action, among other things.³⁴</p> <p>Here, the no-action alternative does not meet the purpose for the proposed action, which is "to construct the infrastructure necessary to allow the production and transportation to market of federal oil and gas resources in the Willow reservoir located in the Bear Tooth Unit (BTU), consistent with the proponent's federal oil and gas lease and unit obligations." The no-action alternative is also inconsistent with the NPRPA, which is the primary statutory basis for the proposed action...</p> <p>The NPRPA grants BLM the authority to include "conditions, restrictions, and prohibitions" on activities that BLM "deems necessary or appropriate to mitigate reasonably foreseeable and significantly adverse effects on the surface resources of the National Petroleum Reserve in Alaska."³⁹ The implementing regulations consequently allow BLM to impose special stipulations that it deems necessary and appropriate to mitigate reasonably foreseeable and significant adverse impacts on the surface resources of the NPR-A.⁴⁰ The purpose of "conditions, restrictions, and prohibitions" is to mitigate, or lessen the severity of, adverse effects. BLM is not required, and is not authorized, to deny activity where mitigation is possible.</p> <p>...mitigation measures plainly are available and are comprehensively detailed in the DSEIS... the project design and the numerous additional mitigation measures applicable to the project, comprehensively address the "reasonably foreseeable and significantly adverse effects on the surface resources" from the project. Accordingly, BLM should proceed to approve the project via selection of one of the action alternatives.</p>	The Willow Project's Record of Decision will identify the alternative selected by BLM as well as the rationale for BLM's decision.	ConocoPhillips
3-2	We understand that ConocoPhillips has still not reapplied for the right-of-way permits or applications for permits to drill that were vacated by the U.S. District Court. Nonetheless, BLM is moving ahead and releasing this draft SEIS. We are not aware of any authority that mandates BLM immediately undertake a NEPA analysis based on industry interest where permit applications have not been submitted. It makes no sense for BLM to proceed with a NEPA process when it does not have necessary permit applications. BLM should stop the supplemental NEPA process until after ConocoPhillips submits new applications.	The purpose of a master development plan is to evaluate the full development of an oil prospect to disclose all impacts related to the proposed project and prevent segmentation of the National Environmental Policy Act analysis; this necessarily requires that the analysis will begin before all permit applications are filed for the Willow Project.	Trustees for Alaska, Earthjustice, and Sovereign Iñupiat for a Living Arctic
4973-3	The BLM also continues to take the same constricted view of its legal authority— arbitrarily assuming it must approve the project in some form, despite ample legal authority to reject it.	The Supplemental EIS does not state that BLM's legal authority to condition or reject the Willow Project is constrained, or that BLM cannot select Alternative A (No Action).	Christopher Lish
4973-5	Approving this massive oil project would also fly in the face of the Biden administration’s pledges to address the climate emergency, promote environmental justice, and follow science. It would also disregard the BLM’s legal obligation to protect the Western Arctic’s surface resources. The BLM must therefore adopt the no-action alternative and reject the Willow project.	The Record of Decision will identify the alternative selected by BLM as well as the rationale for BLM's decision.	Christopher Lish

No.	Comment	Comment Response	Commenter
5804-1	<p>BLM has authority under the Reserves Act to select the no action alternative.</p> <p>The Reserves Act provides that BLM “shall include or provide for such conditions, restrictions, and prohibitions as the Secretary [of the Interior] deems necessary or appropriate to mitigate reasonably foreseeable and significantly adverse effects on the surface resources of the [Reserve].” Moreover, the statute gives BLM unfettered discretion to suspend all operations on existing leases or units. These provisions create an obligation to protect the environment in the Reserve, and provide the agency with broad authority and discretion to fulfill that obligation by conditioning, restricting, or even prohibiting oil and gas development activities.</p> <p>Contrary to several statements in the DSEIS, the Reserves Act’s requirement to “conduct an expeditious program of competitive leasing of oil and gas in the Reserve” has no bearing on the decision now before the agency. BLM has already held a leasing program in the Reserve, many times over, since the statute was passed. Regardless, the provision does not address, much less require that the agency permit projects proposed on existing leases. Instead, as discussed, the relevant Reserves Act provisions provide BLM with the authority to limit or reject a development proposal.</p> <p>BLM’s regulations implementing the Reserves Act do not limit the scope of BLM’s discretion to restrict or prohibit oil and gas development proposals. To the contrary, the regulations support the agency’s broad authority and discretion to avoid environmental harm, including by denying approval of a development proposal. Indeed, denying approval of an individual project does not approach the outer limits of BLM’s authority, which includes the authority to suspend operations and production “in the interest of conservation of natural resources” or to mitigate “reasonably foreseeable and significantly adverse effects on surface resources.”</p> <p>Courts have further confirmed that BLM’s authority under the Reserves Act is broad and extends to significantly limiting or rejecting a development proposal if impacts are too significant and cannot be mitigated. As the district court explained in its decision vacating BLM’s previous Willow authorization, BLM’s assertion that it lacked authority to limit ConocoPhillips’ activities is “inconsistent with [the agency’s] statutory responsibility to mitigate adverse effects.” Instead, ConocoPhillips’ rights to develop oil and gas on the leases it holds are “subject to certain conditions, including applicable regulations in effect as of lease issuance and lease stipulations.” As explained above, the applicable regulations provide BLM with considerable authority to restrict or prohibit development activities. The Ninth Circuit has explained, in even clearer terms, that “[t]he government can condition permits for drilling on implementation of environmentally protective measures, and we assume it can deny a specific application altogether if a particularly sensitive area is sought to be developed and mitigation measures are not available.” The court relied on this conclusion to hold that a decision to offer areas for lease did not require a parcel-by-parcel analysis of the effects of exploration and development since BLM did not, by leasing, commit to permitting any particular exploration or development.</p>	<p>The Supplemental EIS does not state that BLM's legal authority to condition or reject the Willow Project is constrained, or that BLM cannot select Alternative A (No Action).</p>	Earthjustice
5804-2	<p>ConocoPhillips’ lease rights cannot and do not negate BLM’s authority to restrict or prohibit oil and gas development; instead, the leases reinforce BLM’s authority. [see letter for supporting information]</p>	<p>BLM has the authority to condition the development of the Willow Project. Each action alternative includes a range of avoidance and minimization measures to reduce impacts from the proposed development. Under Alternative A (No Action alternative), development would be precluded.</p>	Earthjustice
5804-3	<p>ConocoPhillips’ obligation to develop its leases is not a right to develop and also does not negate BLM’s authority to protect surface resources. [see letter for additional supporting information]</p>	<p>BLM has the authority to condition the development of the Willow Project. Each action alternative includes a range of avoidance and minimization measures to reduce impacts from the proposed development. Under Alternative A (No Action alternative), development would be precluded.</p>	Earthjustice
6501-174	<p>Approving Willow would be contrary both to the science, which clearly demonstrates there is no room for developing and burning new sources of fossil fuels, and to this administration’s promises to take urgent action consistent with that science to lead the world in transitioning away from fossil fuels.⁵² BLM can and should reach a decision that is in accordance with the science, the federal government’s commitment to respond to the climate crisis, and, importantly, the agency’s statutory authority to conserve resources in the Reserve by selecting the no action alternative.</p>	<p>The Supplemental EIS includes evaluation of the No Action Alternative (Alternative A) which would preclude oil production from the Willow development, and each action alternative includes a range of avoidance and minimization measures to reduce impacts from the proposed development, including impacts related to climate change.</p> <p>The Record of Decision will identify the alternative selected by BLM as well as the rationale for BLM's decision.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-179	<p>BLM cannot predetermine that future applications associated with Willow will be sufficiently analyzed before applications are submitted, or presume that no new circumstances or information will arise in the interim, such that approving future applications now would be appropriate. The DSEIS obfuscates what the true purpose of the Willow MDP process is, given the agency states in the DSEIS that it is not meant to issue permit approvals.⁹⁹ The document states that through this process, BLM and cooperating agencies would “decide whether to approve subsequent individual applications for permits to drill and rights-of-way” for Willow.¹⁰⁰ This in essence appears to admit that BLM is making a decision now to approve permits later without having the actual permit applications in hand. BLM must be transparent about this process and clearly describe the agency’s future intent and why the agency is not simply requiring the submission and review of the permit applications as part of the current process.</p> <p>BLM must also identify the source of its authority to issue an EIS for such a “master development plan” absent any permit applications, as no such authority is apparent under applicable statutes and regulations.</p>	<p>The purpose of a master development plan is to evaluate the full development of an oil prospect to disclose all impacts related to the project and prevent segmentation of the National Environmental Policy Act (NEPA) analysis; this necessarily requires that the analysis will begin before all permit applications are filed for the Willow Project. The Willow Master Development Plan EIS will be used to process future permit applications so long as the permit proposal was adequately analyzed in the Willow MDP. If a future permit application is submitted that deviates significantly from what was proposed and analyzed in the EIS, or if significant new information arises bearing on impacts, additional NEPA analysis will be required prior to approval of that application.</p>	Trustees for Alaska
6501-190	<p>While BLM removed language asserting that it cannot choose the no action alternative, it still fails to treat the alternative as a viable option. For example, the only purpose it identifies for the alternative is “for baseline comparison.”¹⁹³ BLM also plainly states that “[a]lternative A is included in the analysis for baseline comparison, but BLM does not have the authority to select this alternative because CPAI’s leases are valid and provide the right to develop the oil and gas resources therein.”¹⁹⁴ BLM’s repeated statements that it must allow development of economically viable oil on each lease also belie its view that selecting the no action alternative is not a serious option. The agency’s initial release of a draft DSEIS that retained additional statements that it could not choose the no action alternative underscores the problem further, as does the agency’s statements regarding its limited authority to delay or restrict development found in appendices to the EIS. BLM states that it could not delay permitting Willow because “BLM is required by the NPRPA to administer an ‘expeditious’ program of oil and gas leasing (42 USC 6506a(a)) and may not deny development.”¹⁹⁵ BLM further asserts that restrictions on development are inconsistent with the company’s leases and “BLM may not categorically prohibit development of other leases as a condition of the developing the Willow reservoir.”¹⁹⁶ Such statements are unsupported by the language in applicable law and regulations, and ConocoPhillips’ leases.</p>	<p>The Supplemental EIS does not state that BLM's legal authority to condition or reject the Willow Project is constrained, or that BLM cannot select Alternative A (No Action).</p>	Trustees for Alaska
6501-191	<p>BLM is interpreting its authority too narrowly when it comes to protecting the Reserve’s environment and people in its analysis of the Willow project. BLM has broad authority under the Reserve’s statutory and regulatory authorities to condition, restrict, or altogether prohibit activities and is obligated to protect the Reserve’s surface values.¹⁹⁷</p> <p>ConocoPhillips’ rights under their leases are still subject to and cabined by BLM’s authority to restrict or prohibit activities.¹⁹⁸ ConocoPhillips’ rights as a lessee cannot and do not limit BLM’s own statutory and regulatory obligation to protect the Reserve’s surface resources, and ConocoPhillips has fair warning of BLM’s authority to limit their activities on Willow, which is clear in the applicable regulations and reiterated in the company’s leases.</p> <p>The Alaska District Court made this point clear in its Willow decision. There, the court found that BLM improperly deferred to ConocoPhillips and concluded — contrary to what BLM argued — the agency can restrict ConocoPhillips’ Willow proposal. The Court specifically rejected BLM’s assumption in the prior Willow EIS that ConocoPhillips’ leases grant it “the unfettered right to drill wherever it chooses” and that BLM’s interpretation of its authority was “inconsistent with its own statutory responsibility to mitigate adverse effects on the surface resources.”¹⁹⁹ BLM should not repeat this mistake in its new decision. BLM has the authority to adopt the no action alternative and an obligation to condition, restrict, and prohibit oil and gas activity as necessary to protect other resources.</p>	<p>The Supplemental EIS does not state that BLM's legal authority to condition or reject the Willow Project is constrained, or that BLM cannot select Alternative A (No Action).</p>	Trustees for Alaska
6501-192	<p>BLM did not conduct a site-specific analysis when issuing ConocoPhillips’ leases under the 2013 IAP EIS.²⁰¹ The 2013 IAP EIS is programmatic, not site-specific, meaning BLM could not make an irretrievable commitment of resources when issuing those leases. Thus, BLM cannot be precluded from selecting the no action alternative at this site-specific stage of its NEPA analysis.</p>	<p>The Supplemental EIS does not state that BLM's legal authority to condition or reject the Willow Project is constrained, or that BLM cannot select Alternative A (No Action).</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-237	<p>The NPRPA sets out independent legal requirements for the Reserve.³⁹⁸ While the NPRPA allows for the exploration and development of oil and gas resources, it also mandates the protection of the Reserve’s extraordinary subsistence, recreational, fish, wildlife, historical, and scenic values... BLM is required to “develop measures to mitigate adverse impacts, including lease stipulations and information to lessees.”⁴⁰⁸ BLM can impose additional stipulations to protect surface resources and special areas when approving a lessee’s surface use plan and permit to drill...</p> <p>As the District Court explained, BLM’s assertion that it lacked authority to limit ConocoPhillips’ activities was “inconsistent with [the agency’s] statutory responsibility to mitigate adverse effects.”⁴¹⁰ The NPRPA provides that BLM “shall include or provide for such conditions, restrictions, and prohibitions” on activities within the Reserve as it determines necessary to protect the Reserve’s surface resources.⁴¹¹ The statute places no limitation or conditions on this authority. Indeed, BLM has considerable discretion to suspend all operations on existing leases or units.⁴¹² Under the NPRPA, BLM may suspend operations and production “in the interest of conservation of natural resources” or to mitigate “reasonably foreseeable and significantly adverse effects on surface resources.”⁴¹³</p> <p>BLM also has authority to deny or delay an application for permit to drill (APD),⁴¹⁴ and ConocoPhillips’ leases reflect BLM’s authority to condition, restrict, or prohibit activities... BLM’s addition of one new alternative does not rectify the problems identified by the District Court. This is particularly true because that alternative appears to be targeted at ConocoPhillips’s own “optimizations” for the project and a narrow reading of the NPRPA’s mandates regarding Special Areas, not on BLM’s obligations to protect areas from the harmful impacts of this project. That alternative also leaves the door wide open for Conoco Phillips to continue expanding the footprint of Willow in the future — making any promises to defer or limit development in a meaningful way hollow.</p>	<p>The Supplemental Environmental Impact Statement (EIS) does not state that BLM's legal authority to condition or reject the Willow Project is constrained, or that BLM cannot select Alternative A (No Action). BLM considered over 50 alternative concepts in developing the range of alternatives for the Supplemental EIS, see Appendix D.1, <i>Alternatives Development</i>.</p>	Trustees for Alaksa
6501-238	<p>BLM’s screening process for considering different alternatives and project elements to minimize impacts also still reflects the agency is taking too narrow of a view of its authority, contrary to the NPRPA. BLM’s screening criteria for the alternatives indicates the agency is still focused on any options being “consistent with CPAI’s lease rights” and still needing to allow ConocoPhillips to “fully develop” the oil and gas field.⁴¹⁶ While the DSEIS clarifies “fully develop” does not require 100% extraction, BLM assumes it cannot permit a development proposal that would strand an economically viable quantity of oil.⁴¹⁷ This still flies in the face of BLM’s obligations under the NPRPA and the District Court’s decision since it indicates the agency is limiting the scope of its consideration to options that would allow for nearly full field development, despite the serious impacts and its obligations under the NPRPA.⁴¹⁸ These screening criteria, which do not reflect the full scope of BLM’s authority under the NPRPA, severely curtailed the agency’s ability to look more broadly at ways to address the impacts of this project. Similar to the last EIS, BLM’s screening criteria and purported restrictions on its authority are “inconsistent with its own statutory responsibility to mitigate adverse effects on the surface resources” of the Reserve.⁴¹⁹</p> <p>BLM needs to revise and rerelease the SEIS with alternatives and other mitigation measures that reflect the full scope of the agency’s authority under the NPRPA, that do not rule out options based on these inappropriate screening criteria and unduly narrow interpretations of its statutory obligations.</p>	<p>In accordance with the District Court's decision, the Supplemental EIS does not assume that ConocoPhillips has the right to extract all possible oil and gas from its leases. BLM does not require 100% resource extraction and may condition Project approval to protect surface resources even if doing so reduces the amount of oil and gas that can be profitably produced. However, 43 CFR 3137.71(b)(1) requires lessees to "fully develop" the oil and gas field, meaning that a lessee may not strand such a large quantity of oil and gas that, standing alone, is economic to develop (e.g., that would warrant construction of an additional drill pad).</p> <p>The Supplemental EIS does not state that BLM's legal authority to condition or reject the Willow Project is constrained, or that BLM cannot select Alternative A (No Action).</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-242	These gravel mines and material sales contracts are governed by 43 C.F.R. Part 3600. Under these Mineral Material Disposal regulations, no disposal is authorized by the statute where it would be “detrimental to the public interest.”446 In addition, the regulations preclude BLM from disposing of mineral materials if it determines “that the aggregate damage to public lands and resources would exceed the public benefits that BLM expects from the proposed disposition.”447 These Part 3600 rules, unlike the Part 3809 rules governing locatable/hardrock minerals, preclude BLM from authorizing any activity/sale without meeting the “public interest” standard at 43 C.F.R. § 3601... Even the limited information available regarding these proposed gravel mines demonstrates that mining these sites would fail the public interest test. Indeed, the U.S. District Court in Alaska and the Ninth Circuit Court of Appeals found that the likelihood of irreparable impacts to subsistence users resulting from a single winter season of gravel mining area warranted a preliminary injunction stopping Willow’s construction.	BLM considered potential alternative mine sites (see Appendix D.1, <i>Alternatives Development</i> , Sections 3.2.5, 3.2.10.1, 3.3, and 3.6) and alternative concepts that might reduce the overall gravel footprint. Known gravel resources on the Arctic Coastal Plain are extremely limited and all three known gravel deposits were evaluated for use in the Willow Project. BLM will not issue an approval that is inconsistent with applicable law.	Trustees for Alaska
6501-281	As is apparent from the draft SEIS, under any of the action alternatives, the project’s GHG emissions will be unreasonably and unsustainably massive. None of the draft SEIS’s proposed mitigation measures will seriously reduce projected GHG emissions. BLM must rectify this harmful error by analyzing concrete mitigation measures that will meaningfully reduce or eliminate GHG emissions. Given the reality that if Willow produces oil and gas, it will result in substantial GHG emissions, BLM must recognize that it has the authority to choose the no action alternative. Indeed, based on the project’s GHG emissions and resulting climate impacts, including directly to the Reserve from, among other things, significant loss of sea ice, BLM must avoid Willow’s GHG emissions by choosing the no-action alternative.	<p>The Supplemental EIS does not state that BLM's legal authority to condition or reject the Willow Project is constrained, or that BLM cannot select Alternative A (No Action).</p> <p>The Final Supplemental EIS included consideration of mitigation measures to reduce the Project's impacts to climate change (see Appendix I.1 for more details).</p> <p>The Record of Decision will identify the alternative selected by BLM as well as the rationale for BLM's decision.</p>	Trustees for Alaska
6501-283	FLPMA requires BLM to protect “air and atmospheric” values, in addition to accounting for “the long-term needs of future generations,” preventing “permanent impairment of the productivity of the land and quality of the environment,” and taking “any action necessary to prevent unnecessary or undue degradation of the lands.”668 In particular, FLPMA’s “unnecessary or undue degradation” mandate endows BLM with unmistakable authority to take action required to mitigate adverse impacts — including adverse climate impacts — to the Reserve. To ensure no unnecessary or undue degradation occurs, BLM has considerable discretion, including to suspend all operations and production on existing leases or units.669 The agency has the authority to deny or delay an application for permit to drill (APD).670 And ConocoPhillips’ leases explicitly contain BLM’s authority to condition, restrict, or prohibit activities.	The Supplemental EIS does not state that BLM's legal authority to condition or reject the Willow Project is constrained, or that BLM cannot select Alternative A (No Action).	Trustees for Alaska
6501-286	<p>BLM is at the apex of its authority in making management decisions about federal public lands within its purview.683 In particular, FLPMA’s directive and delegation to the Department of the Interior to “take any action necessary to prevent unnecessary or undue degradation of the lands”684 endows BLM with the authority and discretion to enact broad measures to uphold this antidegradation mandate...</p> <p>Taking those actions — be they imposing needed mitigation or deciding to choose the no-action alternative and not permit Willow — does not raise major questions as defined in <i>West Virginia v. EPA</i>.685 Neither the Willow Project, nor a decision not to permit Willow implicates a decision of “vast economic and political significant.”686 To be sure, the Willow is a consequential oil and gas project with detrimental impacts to the resources of the Reserve and the people who depend on it. But it would not impose the type of economy-wide energy shifting or monetary implications on wide swaths of industry and consumers, nor seek “to regulate a significant portion of the American economy.”687 Therefore, decision making regarding Willow invokes neither the major questions doctrine, nor the non-delegation doctrine.</p> <p>Because of the clear degrading impacts to resources in the Reserve from climate impacts resulting from GHG emissions, including, for example, direct loss of sea-ice, along with the clear scientific consensus that continued development of oil and gas resources is causing and will continue to cause catastrophic climate damages, to comply with FLPMA, BLM must examine alternatives that seriously constrain the project from emitting greenhouse gases. Ultimately, avoidance of GHG emissions to the greatest extent practicable is required to satisfy BLM’s obligation to prevent unnecessary or undue degradation under FLPMA. Because permitting will lead to sizeable emissions, proper analysis will demonstrate that BLM must choose the no-action alternative.</p>	<p>The Supplemental EIS includes evaluation of the No Action Alternative which would preclude oil production from the Willow development, and each action alternative includes a range of avoidance and minimization measures to reduce impacts from the proposed development, including impacts related to climate change.</p> <p>The Record of Decision will identify the alternative selected by BLM as well as the rationale for BLM's decision.</p>	Trustees for Alaska

Table B.5.10. Caribou and General Wildlife Comments and Responses*

No.	Comment	Comment Response	Commenter
30959-10	Kuukpik has also argued that none of the prior alternatives went far enough in implementing BLM's legal obligation to assure the maximum protection of caribou within the TLSA. The TLSA (and Teshekpuk Lake Caribou Habitat Area, the "TLCHA") were set aside because of the importance of these northern coastal areas to migrating caribou. Although development in these areas is not prohibited, Kuukpik continues to believe that the burden should always be on the applicant to justify building permanent facilities in these extremely sensitive and important areas. If placement within the Special Areas so is truly unavoidable, the applicant can still be required to make significant project changes in order to provide "maximum protection" for caribou and the subsistence users who depend on them. Alternative E is the first formal alternative that makes real strides towards that goal. By consolidating BT4 and BT2 into a single drill site, the day-to-day impacts that come with constructing and then operating a drill site in the TLSA will be cut in half. The change also eliminates 45.37 acres of gravel fill (43% of the total) in the TLSA compared to what was proposed under Alternative A, which is significant by itself, but even more so because the avoided impacts are farther north, closer to the coast, where the impacts would be most severe. These changes make Alternative E vastly preferable to Alternative B.	Comment noted.	Kuukpik Corporation
3927-16	3.16.2.3.1 Caribou. This section does not provide analysis on how fracking activities may effect caribou nor subsistence activities.	Hydraulic fracturing is described in Appendix D.1, <i>Alternatives Development</i> , Section 4.2.10.2.1, <i>Hydraulic Fracturing</i> . Fracking activity is not anticipated to have any greater impacts on noise or wildlife than other routine operations.	Kathleen O'Reilly-Doyle
6501-269	climate change is predicted to affect caribou through increased wildfire, summer insect harassment, and icing events, as well as changes to forage quality and quantity, spring phenology, and distribution and migratory behavior.624 BLM acknowledges that “additional development could interact with climate change by limiting the availability of alternative calving areas as conditions change” and that “impacts on caribou body condition resulting from climate change may also make caribou more susceptible to potential impacts from developments.”625 However, BLM fails to explain how the impacts from development, such as disturbance, will affect climate-stressed caribou 30 years from now. The agency should explain the significance of these impacts.	Climate change is expected to have multiple impacts on caribou in Arctic Alaska. These impacts will be both positive and negative and complex. The overall net impacts of climate change are likely to be negative, but it is difficult to predict exactly what the net impacts will be in 30 years based on currently available data. Additional text was added to 3.20.11.4 (<i>Cumulative Effects, Terrestrial Mammals</i>) explaining that if climate change results in poor body condition, that could be exacerbated by impacts from development.	Trustees for Alaska
6501-67	While the calving period is indeed a critical time for caribou, it is not the only time the Willow Project will affect caribou. As the DSEIS cites, over half the Teshekpuk Caribou Herd (TCH) overwinters on or near proposed project grounds and uses the area for overwintering, migration, calving, post-calving, and insect relief. Because no other caribou herd overwinters on the coastal plain, where Arctic oil and gas development has historically occurred in Alaska, no herd has previously been exposed to intensive development in its year-round range. Consequently, impacts need to be considered across the full annual cycle of the TCH.	It is true that approximately 70% of Teshekpuk Caribou Herd females and a larger percentage of males overwinter on the Arctic Coastal Plain. This is unusual behavior for caribou in northern Alaska and there is little information available to assess the potential impacts. Text describing this uncertainty has been added to Section 3.12.2.3.2, <i>Disturbance and Displacement</i> . Caribou are most sedentary during the winter season, so the number of caribou encountering the development is likely to be lower than during seasons when caribou move regularly.	Trustees for Alaska
6501-68	The analysis area for terrestrial mammals is too small to adequately represent the full suite of potential impacts to caribou. The analysis area is defined as that “within 3.7 miles of construction or operation activities and structures...based on research that documented decreased density of maternal caribou within 0.6 to 3.7 miles (1 to 6 km) of active roads and pads during a 2- to 3-week calving period when cows are giving birth or have young calves with lower mobility.”1112 This distance is too small to reflect the full array of annual impacts on a highly mobile species that can travel up to 50 miles per day.1113 For example, the DSEIS describes 3.7 miles as the distance in which there is decreased density of caribou, but there are also potential ecological effects of increased caribou density beyond this distance, such as forage depletion,1114 or an increase in predation pressure via newly constructed roads, neither of which appears to be considered in the DSEIS. There may also be impacts at greater distances in other seasons. For example, studies of road responses by caribou have found winter effects at distances up to 15 kilometers.1115 The DSEIS itself indicates the insufficiency of the analysis area when it states that development of the Willow Project would also increase road traffic along existing Alpine and Greater Mooses Tooth roads, such that “impacts related to roads would extend beyond the alternatives analysis area.”1116 Such statements raise questions as to why the analysis area was not defined to be larger. The analysis area should be expanded to encompass the full scope of potential impacts to caribou across all seasons.	The largest direct and indirect impacts to caribou and other terrestrial mammals are expected to occur near the development with decreasing magnitude of impacts with distance to development based on other studies major impacts such as road avoidance are expected to be within 3.7 miles. Some potential indirect impacts, such as potential changes in herd size, could have some level of impact extending as far as the annual range of a herd and has been noted in the text.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-69	The DSEIS aligns with current scientific understanding1117 in acknowledging that hunter pressure could increase caribou displacement from roads beyond what is seen in places without hunting.1118 However, it does not incorporate this recognition into calculation of acres and percentages of potential displacement,1119 relying instead on studies from the Central Arctic Herd (CAH) in Prudhoe Bay and Kuparuk where hunting is not allowed. At the least, the DSEIS should explicitly acknowledge that stated acreages are minimums and should take this into account when assessing potential impacts on the TCH. It further does not account for the increase in predation likely to befall caribou as temperatures warm and more roads can increase predator access to caribou calves. This is a severe oversight to herd survival as it is well documented that the primary cause of mortality in TCH calves is predation and predators (e.g., brown bears, wolves, and wolverines). Studies have documented that these types of predators take advantage of road infrastructure to use as an improved travel corridor.	<p>The Supplemental EIS does acknowledge that the potential impacts could be increased by the presence of hunting along Willow Project roads. The magnitude of the increase will partially depend on how much hunting occurs and how far from the road hunting activity takes place. The research on predator use of roads and other linear corridors is largely from forested landscapes where roads provide easier movements. Predators are less likely to preferentially select roads in tundra landscapes where the advantages of traveling on roads is lower and roads are associated with human activity.</p> <p>The Supplemental EIS also acknowledges some of these concerns in 3.20.11.4, <i>Cumulative Effects on Terrestrial Mammals</i>, including the potential increase in predator densities and associated increases in other prey species (e.g., moose) due to changing climate conditions. BLM required operating procedure H-3 prohibits hunting by permittee employees in work status, which will help to reduce regional hunting pressure.</p>	Trustees for Alaska
6501-7	Noise effects on caribou should also be described and analyzed. Experiments testing the response of wild woodland caribou to simulated seismic exploration found that caribou responded to noise disturbance by increasing movement rates, displacement distances, and energy expenditure, though effects were relatively short-lived.966 A study of response to simulated drilling noise by white tailed deer found that deer avoided areas near loud noise sources but did not increase their home range sizes or movement rates relative to control animals.967 BLM must carefully evaluate the impacts of noise from fixed-wing aircraft and helicopters on caribou. A variety of studies have also shown that caribou respond to aircraft overflights, with cows with young calves reacting most strongly, especially during calving and post-calving seasons.968 Alaska Native communities have long voiced concerns regarding the effects of aircraft noise and activity on caribou, given corresponding impacts to subsistence.969 The Willow Plan should account for the noise disturbances on caribou when considering the development and operation of Willow, not limit its consideration to only impacts from gravel mining.	The Supplemental EIS addresses the potential impacts of aircraft noise on caribou, including consideration of flight restrictions found under BLM's required operating procedure F-1.	Trustees for Alaska
6501-70	Option 2, which places the MTI near Point Lonely, is intended to reduce impacts to Nuiqsut’s high subsistence use area.1121 However, it is likely to have stronger impacts on caribou, affecting subsistence opportunities for Nuiqsut. As the DSEIS recognizes, TCH caribou pass repeatedly through narrow corridors on either side of Teshekpuk Lake to access critical insect relief and foraging habitat during the summer.1122 While the ice road proposed to support Option 2 likely would be gone by this time, other activity would still take place, such as helicopter landings to support stick picking. These would occur at a crucial time for caribou, right in a highly trafficked, narrow, and essential movement corridor. More specific description is needed of these potential impacts and their expected effects, beyond just the recognition that “air traffic for Option 2 would cause markedly more disturbance of caribou than Option 1.”1123 In addition, greater emphasis is needed on the winter activity associated with the MTI and its potential impacts on caribou. The DSEIS states that “[p]eak ground traffic levels associated with the MTI would reach up to 8,900 trips daily.”1124 The statement that this “could have a high potential for disturbance”1125 vastly underestimates the true magnitude of such levels of traffic on caribou. Such a traffic volume equates to just over six trips per minute. This would result in a constant stream of vehicles. There is no way caribou or other species, let alone subsistence hunters, could cross ice roads with such traffic levels. In addition, while it is true that reducing human activity can likely lessen the impact on caribou disturbance,1126 limited data are available on the effectiveness of using vehicle convoying1127 or traffic reduction to reduce responses of maternal caribou to inactive infrastructure during calving periods. Based on this lack of data, it is unclear why the DSEIS cites convoying as a viable mitigation measure for impacts to caribou. Ultimately, it appears that the roads will present themselves as major barriers to movement for caribou. 1128 As roads (and activity) create habitat fragmentation to seasonal ranges, caribou will lose preferred habitat and be forced into suboptimal habitat.	<p>The Supplemental EIS acknowledges that "this level of traffic may make it difficult for caribou to cross the ice road during periods of peak traffic levels. This could limit the available winter habitat for some caribou."</p> <p>Stick picking under Module Delivery Option 2 (Point Lonely Module Transfer Island) would start no earlier than July 7, during insect relief season, the period of the year when caribou are most mobile, making them somewhat less susceptible to disturbance from landings. Additional protections are provided by BLM's required operating procedure F-1.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-71	Populations of migratory caribou and wild reindeer have declined by 56% across the Arctic over the last two decades with climate change events cited as a plausible hypothesis for the overwhelming decline.1129 For example, the Western Arctic Caribou Herd had a population estimate of 188,000 in 2021, which is down from 244,000 in 2019. The last time the herd was estimated to be this low was in the 1970s.1130 Similarly, the TCH population is on the decline. This will only be exacerbated by impending climate change rapidly initiating landscape-level changes to their arctic habitat. Changing weather, as cited in the DSEIS, will bring increased rain-on-snow events; increased standing water duration, depth, and presence; more severe insect harassment; longer snow-free seasons; and changes in vegetation composition and availability. The DSEIS does not expound on this information, however; nor does it connect that these climatic changes will limit the options caribou have to adapt to their changing world, especially if these climatic issues are compounded all at once. This is especially noteworthy if caribou are forced into an already suboptimal habitat because of habitat-connectivity issues due to roads and infrastructure avoidance. BLM needs to assess if it is even possible for caribou to exist in the proposed future landscape of the Arctic, given expected changes resulting from climate change, and the added impacts of this project. This analysis is completely absent from the DSEIS.	<p>Climate change is expected to have multiple impacts on caribou in Arctic Alaska. These impacts will be both positive and negative and complex. The overall net impacts of climate change are likely to be negative, but it is difficult to predict exactly what the net impacts will be based on currently available data. The Supplemental EIS acknowledges that development may make it more difficult for caribou to respond to climate change. The Supplemental EIS states "additional development could interact with climate change by limiting the availability of alternative calving areas as conditions change. Impacts on caribou body condition resulting from climate change may also make caribou more susceptible to potential impacts from developments."</p> <p>Additional text was added to Section 3.20.11.4, <i>Cumulative Effects on Terrestrial Mammals</i>, explaining that potential development impacts could exacerbate poor body condition that could result from climate change impacts.</p>	Trustees for Alaska
6501-72	Winter is a critical time for caribou. Anthropogenic and industrial disturbances further stress caribou activity budgets during a time when foraging opportunities are limited and caribou are already relying on body stores of energy for survival and gestation. [Additional information and supporting references provided in the original comment letter.] It is thus crucial that BLM fully analyze the potential consequences to caribou of winter disturbances as intense as those described associated with the MTI.	The Supplemental EIS acknowledged that Module Delivery Option 2 (Point Lonely Module Transfer Island) could result in impacts to caribou during winter, including potentially limiting access to some foraging areas. Section 3.12.2.8 has been revised to acknowledge that some level of displacement is likely, especially with high traffic levels, but it unlikely to be as strong as during the calving season.	Trustees for Alaska
6501-73	<p>In addition to the impacts of body condition on decreased parturition, the Alaska Department of Fish and Game (ADFG) has observed a notable increase in mortality in TCH caribou...</p> <p>As a result, ADFG biologists consequently prioritized a photo census (previously performed 5 years ago in 2017) on the TCH. This photo census was completed in July 2022 and population estimates from the census should be available in September 2022. Once these updated population estimates are available, BLM must incorporate this pertinent new information into its NEPA analysis. The ultimate concern is that body condition is being affected by reduced forage quality as climate change continues to exacerbate forage timing and quality for TCH...</p> <p>The mechanisms for decline were cited as most likely related to poor summer and winter nutrition, high levels of calf predation in winter, and nutritionally mediated risk of predation...</p> <p>These reduced calf weights put the TCH at a baseline disadvantage energetically as compared to other Alaskan herds and any threat to its food security is significant cause for concern that BLM must consider in the DSEIS.</p>	The 2022 photocensus results will be incorporated if they are available prior to publication of the Final Supplemental EIS. The potential effect of climate change and infrastructure were discussed in the Supplemental EIS and additional text was added to Section 3.20.11.4.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-74	<p>When considering direct and indirect impacts, it is important that the potential for habituation to disturbance not be overstated, but that a realistic and science-based view be taken. Treatment of the potential for habituation by caribou to infrastructure and human activity was inadequate in the DSEIS. We appreciate BLM’s recognition, in line with the best available science, that “except perhaps for a small proportion of the most tolerant females, maternal caribou with young calves do not habituate to road traffic.”¹¹⁴⁵ However, BLM insufficiently applies this information and asserts contradictory or unsupported statements at other points in the DSEIS. For example, the DSEIS states that “TCH animals have already been exposed to winter ice roads in this area and may have habituated to some degree.”¹¹⁴⁶ While it cannot be denied that TCH animals have been exposed to winter ice roads, there is currently no evidence of habituation. Notably, no citations are provided for this statement. Similarly, BLM asserts that “[t]he lack of subsistence hunter road access to infield roads between BT1 and BT4 may allow caribou to habituate to linear infrastructure more readily and allow caribou to establish a pattern of movement through (gravel) roadless corridor along Judy (Iqalliqpik) Creek. Ground traffic rates on these infield road would likely be reduced during the summer. ... [T]he reduced ground traffic may allow caribou to habituate to linear infrastructure” without any citations provided to support this claim of potential habituation.¹¹⁴⁷ This needs to be justified with references from scientific literature or removed. There is not clear evidence for habituation of caribou to infrastructure. Recent work with migratory caribou in Canada showed that caribou continued to avoid even well-established infrastructure, leading the authors to suggest that long-term habituation was unlikely.¹¹⁴⁸ Similarly, recent studies of the Central Arctic Herd, just to the east of the Reserve, found continued avoidance of infrastructure over a 40-year period, despite use of technology and infrastructure design intended to reduce impacts to caribou.¹¹⁴⁹ This avoidance occurs not only during the calving and post-calving seasons, but also during mosquito harassment, when female caribou continue to avoid infrastructure more than expected by chance, despite insect effects.¹¹⁵⁰ The DSEIS continues to misstate the potential habituation. For example, the analysis for all alternatives states that caribou may be attracted to gravel infrastructure to for oestrid fly relief and travel, suggesting that thousands of animals may use gravel roads and pads.¹¹⁵¹ This discussion needs to be updated to accurately reflect the science.</p>	<p>While it is true that caribou of the Central Arctic Herd continue to be displaced from active roads and infrastructure by about 1.2 to 3.1 miles (2 to 5 kilometers [km]) for about 3 weeks during and immediately after calving, this displacement declines after calves become mobile. Some recent research has shown that caribou use areas within 0.6 to 1.2 miles (1 to 2 km) of roads less than expected during the post-calving and mosquito season, respectively (Johnson, Golden et al. 2020); however, caribou use the Kuparuk oilfield extensively during the mosquito season, crossing roads and pads more than once per day when in the area (Prichard, Lawhead, et al. 2020, Prichard, Welch, et al. 2022). Once oestrid flies emerge in mid-July, caribou behavior changes and many caribou select gravel roads and pads for fly-relief habitat (Pollard, Ballard et al. 1996, Noel, Pollard et al. 1998, Prichard, Lawhead et al. 2020).</p>	Trustees for Alaska
6501-76	<p>Questions also remain about the ability of proposed aircraft restrictions to protect caribou. BMP F-1 sets aircraft restrictions over caribou winter range from Dec 1 – May 1 and over the Teshekpuk Lake Caribou Habitat Area from May 20 – Aug 20.¹¹⁵³ It is unclear whether any restrictions on aircraft altitude will exist from May 2 – 19 and Aug 21 – Nov 30 in these important caribou areas. Caribou can be present in the area throughout the entire year, making it important for protections from aircraft disturbance to likewise cover the whole year and all of the northeastern Reserve. BLM should expand upon existing BMPs to better protect caribou year-round. Further, it is unclear in the DSEIS whether proposed protections really will be effective for protecting caribou. While the DSEIS claims that “aircraft would maintain minimum altitudes consistent with best management practice ROP F-1, F-2, and F-3,” the project design features provided by ConocoPhillips say that they will comply with BMP F-1 “when feasible.”¹¹⁵⁶ Among the potential reasons for deviation, ConocoPhillips says “[s]ome air traffic would be required to support the Project,” as well as for regulatory compliance and post-ice road cleanup. ConocoPhillips does not specify what ‘Project support’ elements would be included here, but this could be interpreted broadly, questioning whether impacts really will be avoided. Additionally, ROP F-1 states that the use of aircraft “should be kept to a minimum” with no clear definition of what this means in practice.¹¹⁵⁷</p>	<p>The 2022 National Petroleum Reserve in Alaska Integrated Activity Plan Record of Decision is in effect for the Willow Project and only required operating procedure (ROP) F-1 would apply. (ROPs F-1, F-2, and F-3 cited by the commenter related to the 2020 Record of Decision).</p> <p>The ROPs have more restrictions during times of year when caribou are thought to be more sensitive to disturbance, but ROP F-1 requires an aircraft use plan and states that proposed aircraft use plans should be reviewed by appropriate federal, State, and borough agencies. Adjustments, including suspension of all flights, may be required by the BLM Authorized Officer if resulting disturbance is determined to be unacceptable.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-77	Another example of the lack of analysis of mitigation effectiveness is the failure of the DSEIS to quantify impacts of anticipated deviations to stipulations and BMPs. For example, the DSEIS lists that deviations to BMP E-7 about minimum distances between pipelines would be needed “where roads and pipelines converge on a drill site pad or at narrow land corridors between lakes where it is not possible to maintain 500 feet of separation between pipelines and roads without increasing potential impacts to waterbodies.”1158 To better demonstrate the potential impacts of such deviations, the DSEIS should quantify how often this will occur in terms of both number of expected deviations based on project design and miles of deviation out of total miles of pipeline for each alternative. Similar quantification should be done for other expected deviations. Quantification details are provided for other deviations to standard project infrastructure throughout the DSEIS (such as the total miles of pipeline without a parallel road, total number and types of water crossing (specifying bridges or types of culverts), total number of turnouts necessary on stretches roads, etc.1159), and is notably absent to deviations in the pipeline/road plans.	Quantified values describing the Willow Project's footprint and deviations to lease stipulations (LSs) and required operating procedures (ROPs) are included throughout the EIS. Exceptions to ROP E-7 (maintain 500 feet of separation between roads and pipelines) are quantified in Section 3.12 of the Supplemental EIS; the following miles of pipelines that would require a ROP exception are provided (values revised for Final SEIS): Alternative B (24.0 miles), Alternative C (22.7 miles), Alternative D (23.0 miles), and Alternative E (21.6 miles). Reasons for exceptions to LSs and ROPs are described in Appendix D.1, <i>Alternatives Development</i> , Section 4.2.12, <i>Compliance with BLM LSs, ROPs, and Supplemental Practices</i> .	Trustees for Alaska
6501-78	Additional information is needed for Figure 3.12.4, which depicts seasonal movements of the TCH.1160 The current figure does not give any description of what data or methods were used to produce the maps beyond reference to an industry report that does not appear to be publicly available online. This is insufficient to allow interpretation and public review of the DSEIS.	The cited reference is now online, and additional detail was added to the caption.	Trustees for Alaska
6501-79	Figure E.12.2. depicts seasonal distributions of the CAH.1161 However, it appears that the same kernel is shown for each season. This was most likely a simple error but should be corrected to provide an accurate picture of seasonal variability for the CAH. Third, multiple citations are given for Reimers and Colman 2009, however the appropriate year for this citation, given the information in the References section, is 2006 not 2009.1162	This error has been addressed in the Supplemental EIS.	Trustees for Alaska

Table B.5.11. Climate Change Comments and Responses*

No.	Comment	Comment Response	Commenter
2878-17	Section 3.2, Climate Change. To address suggestions that Willow should not be authorized because of GHG emissions, we recommend referencing the International Energy Agency's 2021 World Energy Outlook report in this section. The IEA analysis predicts continued global consumption of oil in a net-zero GHG scenario. In the net-zero scenario, the world will require more than 70 million barrels of oil per day in 2030, and oil will remain a significant source of liquid fuel in 2050. Willow can support this need by providing environmentally and socially responsible barrels. https://www.iea.org/reports/world-energy-outlook-2021/fuels-old-and-new	The Willow Project is evaluated in the Supplemental EIS by comparing it to commitments the U.S. has made regarding greenhouse gas emissions and climate change.	ConocoPhillips
2878-18	Section 3.2.2.3, Climate and Climate Change, Page 42, Table 3.2.5, Table 3.2.6. The values in Tables 3.2.5 and 3.2.6 show the net emissions for each alternative as compared the Alternative A baseline. We recommend that BLM state this comparison in both tables for clarity.	The Final Supplemental EIS has been revised to include tables of the greenhouse gas (GHG) emissions and social costs under Alternative A (No Action) instead of applying a baseline value of zero to the No Action Alternative. A footnote was added to Table 3.2.8 (previously Table 3.2.6) to clarify that the indirect net domestic emissions included in the totals are calculated as the difference between the gross indirect GHG emissions under each action alternative and the emissions from substitute domestic energy sources under Alternative A (No Action). The title of Table 3.2.7 (previously Table 3.2.5) was updated to provide additional clarity.	ConocoPhillips
2878-19	Section 3.2.2.3, Climate Change, Page 43. The third paragraph on this page states, "Black carbon is a component of the PM _{2.5} emissions presented for each action alternative in Section 3.2.3, Effects of Climate Change on the Project." This reference should be corrected to Section 3.3.2, Environmental Consequences.	The text was revised to correct this typographical error.	ConocoPhillips

No.	Comment	Comment Response	Commenter
2878-2	<p>The DSEIS addresses the Court's Order by including a thorough foreign GHG emissions evaluation as part of a broader climate change analysis...we briefly address BLM's decision to go beyond the scope of the Court's Order and include a Social Cost of Greenhouse Gas ("SC-GHG") assessment... the results appear to be the consequence of extraordinarily conservative assumptions that cause more "social costs" to be projected by the model than will actually occur.</p> <p>As explained in the narrative of the SC-GHG analysis: "These numbers were monetized; however, they do not constitute a complete cost-benefit analysis, nor do the SC-GHG numbers present a direct comparison with other impacts analyzed in this document." We recommend that BLM retain and emphasize this explanation in the final SEIS. The SC-GHG analysis based on the interim guidance is highly uncertain and is not intended to be used to weigh against comparable project benefits. Indeed, the DSEIS does not present a comparable monetization for the benefits of having a reliable domestic source of environmentally responsible conventional oil production that benefits local communities. No such analysis is required, and any number presented as the result of such an analysis would be subject to a wide uncertainty band. We encourage BLM to consider stating even more clearly in the final SEIS that the SC-GHG analysis numbers are not a component of a cost-benefit analysis.</p>	<p>The quoted language from the Draft Supplemental EIS makes clear that the Social Cost of Greenhouse Gas (SC-GHG) analysis is not intended to serve as a typical cost-benefit analysis.</p>	ConocoPhillips
2878-20	<p>Section 3.2.2.3.1, Climate and Climate Change, Page 45, Table 3.2.7. The GHG emissions type for each alternative labeled "Energy Sources Displaced by Project" should be corrected to "Domestic Energy Sources Displaced by Project." Also, since this is a displacement, all values associated with these lines should be negative numbers to help the reader understand the math behind what is happening in the table. Similarly, the "Net Change from Baseline SC-GHG" should be corrected to say "Domestic Net Change from Baseline SC-GHG."</p>	<p>The substitute energy sources include both domestic energy sources and imported oil from foreign production. Negative numbers are not needed to understand the analysis because this can be interpreted from the table and column descriptions. Additionally, the column titles in this table have been updated to clarify that the change is calculated from the No Action Alternative.</p>	ConocoPhillips
2878-21	<p>Section 3.2.2.4.1, Climate and Climate Change, Page 47. BLM states: "The social cost of greenhouse gases under Alternative C is higher than those under Alternative B due to higher oil production under the former." This statement should be clarified, as production is the same for Alternatives B and C, leading to identical indirect gross GHG emissions types as shown in Table 3.2.7. We recommend revising to state: "The social cost of greenhouse gases under Alternative C is higher than those under Alternative B due to higher direct emissions from more emitting units." The same comment applies to similar text in Section 3.2.2.3.1 (page 45).</p>	<p>The discussion of social costs of greenhouse gases under Alternative C was clarified to explain that costs are higher than Alternative B due to higher direct emissions.</p>	ConocoPhillips
2878-49	<p>Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i>, Section 2.3.1, page 8. This section is titled: "Transport of Project Oil to Refineries via the Trans-Alaska Pipeline System and ConocoPhillips Alaska, Inc. Polar Tankers*" and repeatedly refers to "CPAI polar tankers." Polar Tankers is not owned by CPAI; rather, it is an entirely different wholly-owned subsidiary of ConocoPhillips Company. We recommend changing the reference to "Polar Tankers, Inc."</p>	<p>References to tankers were updated in Section 3.2 and Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i>.</p>	ConocoPhillips
2878-50	<p>Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i>, Section 3.1.2.2, Page 10. BLM states: "Natural gas extracted from the Project would be reinjected into the well and would not be transported for consumption." We recommend revising this statement to be more complete by stating: "Natural gas extracted from the Project would be either beneficially used onsite or reinjected into the well"</p>	<p>The use of natural gas on site was clarified in Appendix E.2A, <i>Climate and Climate Change Technical Appendix</i>.</p>	ConocoPhillips
2878-57	<p>Appendix I.1, Climate Change, Pages 32, 47, and 48, Table I.2.1 and Table I.4.1. Reducing methane emissions is 25 times more effective than reducing CO₂ emissions. Therefore, it is important to highlight measures that have been incorporated into the project design specifically targeted at reducing fugitive and vented emissions of methane. Those mitigation measures include, but are not limited to, capturing, processing, and compressing produced gas for use in Enhanced Oil Recovery and purging depressurized lines with nitrogen before opening them to the atmosphere. Because of the importance of these measures in mitigating the impacts of climate change, we ask that Climate Change be included as a Primary Affected Resource or Subject for the following measures listed in the tables noted: Measures #119 and #129 in Table I.2.1; and Measures #74, #75, #76, and #77 in Table I.4.1.</p>	<p>Measures related to greenhouse gases and climate change have been clarified in Appendix I.1, Table I.2.1. Note: measures 74, 75, 76, and 77 were relocated to Table I.2.1 for the Final Supplemental EIS.</p>	ConocoPhillips

No.	Comment	Comment Response	Commenter
2884-3	BLM must do more than merely quantify GHG emissions associated with the various alternatives. [See letter for supporting materials and additional analysis]	The Willow Project's direct and indirect greenhouse gas (GHG) emissions are analyzed in the Final Supplemental EIS for each alternative. The U.S. Environmental Protection Agency has not established quantifiable significance standards (such as National Ambient Air Quality Standards) for GHGs, and the Final Supplemental EIS evaluates GHG emissions under each alternative in terms of its contribution to State and National totals. The Project's proportion of the U.S. 2030 target under the Paris Agreement is also evaluated, as well as the social cost of greenhouse gas emissions under each alternative. As suggested by commenters, the results of the climate test tool for the U.S. 2050 net-zero scenario are incorporated in the Final Supplemental EIS, see Section 3.2.2 and Appendix E.2A.	Earthjustice, Natural Resources Defense Council, and The Wilderness Society
2884-4	The climate test is an available tool that BLM can and should use to assess the significance of quantified project GHG emissions. [See letter for supporting materials and additional analysis]	The results of the climate test tool for the U.S. 2050 net-zero scenario are incorporated in the Final Supplemental EIS (see Section 3.2.2 and Appendix E.2A).	Earthjustice, Natural Resources Defense Council, and The Wilderness Society
2884-5	The climate test as applied to the Willow project demonstrates that the Willow project is highly significant and inconsistent with the goal of a 1.5°C warming-limited world. [See letter for supporting materials and additional analysis]	The results of the climate test tool for the U.S. 2050 net-zero scenario are incorporated in the Final Supplemental EIS (see Section 3.2.2 and Appendix E.2A).	Earthjustice, Natural Resources Defense Council, and The Wilderness Society
2884-6	Results – gross emission regime... Notably, none of the alternatives, except for the no action alternative, would result in a less than significant impact as measured with respect to either climate goal. [See letter for supporting materials and additional analysis]	The results of the climate test tool for the U.S. 2050 net-zero scenario are incorporated in the Final Supplemental EIS (see Section 3.2.2 and Appendix E.2A).	Earthjustice, Natural Resources Defense Council, and The Wilderness Society
2884-7	Statistical results – taming uncertainty with Monte Carlo analysis. [See letter for supporting materials and additional analysis]	The results of the climate test tool for the U.S. 2050 net-zero scenario, including information about the uncertainty of its results, have been incorporated into the Final Supplemental EIS (see Section 3.2.2 and Appendix E.2A).	Earthjustice, Natural Resources Defense Council, and The Wilderness Society
2884-8	Results – “net” emission regime accounting for displacement in climate test metrics. [See letter for supporting materials and additional analysis]	The results of the climate test tool for the U.S. 2050 net-zero scenario are now incorporated in the Final Supplemental EIS (see Section 3.2.2 and Appendix E.2A).	Earthjustice, Natural Resources Defense Council, and The Wilderness Society
2884-9	Willow’s significant climate impacts justify denying the project. [See letter for supporting materials and additional analysis]	The Supplemental EIS includes evaluation of the No Action Alternative, which would preclude oil production from the Willow development, and each action alternative includes a range of avoidance and minimization measures to reduce impacts from the development.	Earthjustice, Natural Resources Defense Council, and The Wilderness Society

No.	Comment	Comment Response	Commenter
30939-1	<p>Section 3.2 of the new Draft Supplemental EIS provides comparison of direct and indirect greenhouse gas emissions for all the project options as well as Alternative A - No Action. The calculations of GHG emissions by category and by option appear very robust. Section 3.2.2.3 and 3.2.2.7 discusses and estimates the Social Cost of Green House Gas (SC-GHG) emissions for the alternatives. The Interagency Working Group SC-GHG clearly states that the social cost is a global perspective and includes "climate impacts occurring outside the U.S. Borders." I do believe that provides a fair comparison of the Development Alternatives, however it should not be used in the comparison to Alternative A- No Action for the reasons below.</p> <p>The No Action Alternative does not mean that other projects will not be built to meet t demand for energy. Extending the BLM's stated mission "to sustain the health, diversity, and productivity of public lands" to include protection from climate change caused by GHG emissio1 through development denial may result in worse outcomes with greater SC-GHG. Should the F4 Government elect to suppress energy developments, like Willow, on federal lands, then alternate projects will be build in more development friendly jurisdictions. These replacement projects b would likely be built on State, Private or Foreign lands with little or no consideration of GHG or, even worse, without consideration of habitat protection, public health or wildlife preservation.</p> <p>Denying a project based on SC-GHG abdicates the federal government's control of GHG whichever authority, domestic or foreign, who will allow development projects to meet energy We will just end up importing the energy we need and importing even greater social costs of the projects built to replace denied domestic developments on federal land, such as Willow.</p> <p>Do not ignore the direct and indirect environmental impacts of the projects that replace if this development is denied based on SC-GHG. Alternative A- No Action is not a viable option address climate change. An escalating Carbon Tax would drive true reductions in GHG from all</p>	<p>The Supplemental EIS analyzes the No Action Alternative (Alternative A), including the Social Cost of Greenhouse Gases associated with the substituted energy sources that would be used if Alternative A were selected.</p>	<p>Michael Timmcke</p>
30956-14	<p>The climate emergency is already impacting our lands and waters as well as important subsistence resources like caribou, fish, and birds. Alaska, and in particular Arctic Alaska and the Indigenous people who live there, are feeling these impacts more intensely than the rest of the Nation. However, the DSEIS again diminished the significant impacts posed by oil and gas activities and skirted necessary analysis regarding cumulative impacts to local communities from climate change. Willow would produce a significant amount of greenhouse gas emissions both directly and from later combustion of fossil fuels after extraction. The analysis of these climate impacts must include local traditional Indigenous knowledge33 and observations about the impacts of the climate crisis on subsistence resources, e.g., increasingly warmer summer temperatures, increased storm surges, impacts of rain on snow events and associated caribou mortality, increased seasonal mass unknown mortality events of birds and fish, and negative impacts of thawing permafrost causing soil thermal degradation of the tundra, thereby destroying important habitat for subsistence resources.</p>	<p>The Willow Project's incremental contribution to global climate change is analyzed in Section 3.2, <i>Climate and Climate Change</i>, and the impacts of climate change to surface resources in the Project area are analyzed in each resource section. Traditional knowledge is incorporated throughout the analysis and can be found in the Appendix J, <i>Traditional Knowledge</i>.</p>	<p>Sovereign Iñupiat for a Living Arctic</p>
30957-1	<p>Global warming will exceed 1.5°C without an immediate end to new fossil fuel production and infrastructure and a phase-out of much existing production and infrastructure. [see letter for additional information supporting this comment]</p>	<p>The Supplemental EIS includes evaluation of the No Action Alternative, which would preclude oil production from the Willow development, and each action alternative includes a range of avoidance and minimization measures to reduce impacts from the development.</p>	<p>Center for Biological Diversity</p>
30957-2	<p>Alaska’s Arctic Is on the Frontlines of the Climate Crisis [see letter for additional information supporting this comment]</p>	<p>The effects of climate change on resources in the Project area are discussed in each resource section.</p>	<p>Center for Biological Diversity</p>
30962-10	<p>Additionally, EPA recommends the FSEIS include a discussion on the potential impacts of stranded resources, including reserves, due to impeded access caused by thawing permafrost may be useful to the public’s understanding of this project. EPA recommends the Purpose and Need discussion identify that the Supplemental EIS has been developed to address the environmental impacts associated with climate change. [see letter for additional information]</p>	<p>The impacts of thawing permafrost are addressed in Section 3.4, <i>Soils, Permafrost, and Gravel Resources</i>. Stranded resources in the Bear Tooth Unit due to thawing permafrost are not anticipated over the life of the Project.</p>	<p>U.S. Environmental Protection Agency</p>

No.	Comment	Comment Response	Commenter
30962-11	<p>The analysis calculates the net GHG emissions from the proposal and each action alternative when compared to a no-action baseline and discloses the impacts of the net emissions applying SC-GHG for each project, separating it into several different categories. However, EPA has concerns with the DSEIS’s approach, particularly in terms of its replicability and transparency.³⁰</p> <p>The SC-GHG analysis contains two tables with monetized impacts across the different alternatives. Each is separated into direct and indirect emissions, foreign emissions, and “energy sources displaced by project.” The analysis does not present annual emissions of each GHG (CO₂, CH₄, and N₂O) for the 30- or 31-year project time period. EPA found annual average emissions in Appendix E.2A for the gross direct and indirect emissions of each GHG for each alternative. Using the estimates from Appendix E2 of direct and indirect emissions, EPA got similar, but not identical, estimates of the SC-GHG at each discount rate presented in Table 3.2.7 and 3.2.8. EPA was unable to find the estimates of foreign GHG emissions displaced from other energy sources; Tables 3.2.2, 3.2.3, and 3.2.4 in the main contain the gross and net CO₂ equivalent (CO₂e) totals over the life of the project but not estimates of individual GHG emissions. [see letter for additional information]</p>	<p>This information is now also included in Appendix E.2A, <i>Climate Change Technical Appendix</i>, with tables of annual emissions of individual greenhouse gases (GHG) (e.g., CO₂, CH₄, and N₂O) under each action alternative. This includes direct, indirect gross, and energy sources displaced by the Willow Project, and annual estimates of the foreign GHG emissions resulting from changes in foreign oil consumption are also provided.</p>	U.S. Environmental Protection Agency
30962-12	<p>Section 3.2.2.2 states “The BLM EnergySub Report (Appendix E.2B, The BLM Energy Substitution Model) presents an estimate of the amount of the project’s crude oil production that would be substituted by replacement (“displaced substitute”) energy sources in the No Action Alternative.” That information is not in Appendix E.2B.</p>	<p>Additional information on the results from the energy substitution modeling was added to Appendix E.2B of the Final Supplemental EIS.</p>	U.S. Environmental Protection Agency
30962-13	<p>EPA recommends including information and data regarding the displaced emissions estimates, as well as the foreign estimates. While Appendix E.2B contains an explanation of the methodology used in the energy modelling, it does not contain anything about the outputs of that exercise. The results only appear as monetized impacts in the final tables, with no previous details. While several types of upstream emissions are quantified with the Bureau of Ocean Energy Management’s Greenhouse Gas Life Cycle Energy Emissions Model (GLEEM) model, such as those associated with refining, transport, and usage, it is not clear if emissions associated with production are also quantified. Without this information, it is difficult to verify the accuracy of the estimates and inform decisions about the project. [see letter for additional information]</p>	<p>Spreadsheets providing annual greenhouse gas (GHG) emissions from displaced energy sources and estimates of foreign GHG from changes in oil consumption were submitted as part of the administrative record of the Draft SEIS on July 24, 2022.</p> <p>This information is now also included in Appendix E.2A, <i>Climate Change Technical Appendix</i>, with tables of annual emissions of individual GHG (e.g., CO₂, CH₄ and N₂O) under each action alternative. This includes direct, indirect gross, and energy sources displaced by the project, and annual estimates of the foreign GHG emissions resulting from changes in foreign oil consumption are also provided.</p> <p>Emissions from production are the direct emissions of the Project and were provided in Table 3.2.2 to Table 3.2.4 of the Draft Supplemental EIS. Language has been added to the discussion of GLEEM (Section 3.2.2.3 of the Supplemental EIS and Section 2.3 of Appendix E.2A) to note that direct (production) emissions were quantified separately.</p> <p>More information on the outputs of the energy modeling have been added to Appendix E.2B.</p>	U.S. Environmental Protection Agency
30962-14	<p>Importantly, the executive summary of the DSEIS summarizes the impact of the project’s GHG emissions using emissions totals without disclosing the impacts of those emissions.³¹ The SC-GHG is the appropriate tool for this disclosure and the executive summary of the FSEIS should include the impact of the net emissions as estimated by the SC-GHG. The DSEIS currently calculates the social costs caused by the project to be \$2 to \$18 billion.³² Information on impacts is required by NEPA and essential for BLM decision makers and the public.³³ [see letter for additional information]</p>	<p>The social cost of greenhouse gases associated with the Project is disclosed in Section 3.2, <i>Climate and Climate Change</i>.</p>	U.S. Environmental Protection Agency
30962-15	<p>EPA further recommends the FSEIS remove references to GHG emissions as a proxy or surrogate for the effects or impacts of the project on climate change,³⁴ as the SC-GHGs included in the analysis are a more appropriate estimate of climate damages.³⁵ [see letter for additional information]</p>	<p>References to greenhouse gas emissions as a proxy or surrogate for the effects or impacts of the Willow Project on climate change have been removed from Section 3.2.2 of the Supplemental EIS and Section 2.1 of Appendix E.2A, <i>Climate Change Technical Appendix</i>.</p>	U.S. Environmental Protection Agency

No.	Comment	Comment Response	Commenter
30962-16	In addition, EPA recommends the FSEIS include net emissions estimates not only based on market analysis reflecting business as usual inputs, but also a scenario that assumes GHG-reduction policies are achieved —the analysis should take into account, as well, the effect of the recently passed Inflation Reduction Act, which is projected to result in development of substantial new clean energy and storage over the life of the proposed project. This is necessary to reflect both the effect on the project of federal policies that will reduce demand for fossil fuels and the impact of the Project in the context of urgent and necessary actions currently being undertaken by the federal government to avoid the worse consequences of climate change. [see letter for additional information]	<p>The analysis in the Final Supplemental EIS is based on the best available information at the time the EIS was developed. Net emissions are estimated using estimates of alternative energy sources that may be displaced by oil from the Project, and the modeling of these energy substitutes relied on long-term energy projections produced by the U.S. Energy Information Administration (EIA) for the 2022 Annual Energy Outlook (AEO 2022). EIA is the statistical and analytical branch of the Department of Energy and operates within the U.S. Federal statistical system as the single federal government authority on energy statistics. Energy statistics developed by EIA are considered the best available data and AEO 2022 are the most up-to-date long-run projections available from EIA. EIA does not generally include potential effects of proposed or hypothetical federal and state legislation, regulations, and standards in AEO projections, and AEO 2022 was released prior to the passage of the Inflation Reduction Act. A new annual energy outlook has not yet been produced for 2023. AEO projections will continue to be updated and BLM will continue to use best available data for its modeling and will incorporate new market projections from EIA when they become available.</p> <p>A discussion of the uncertainties in both the EIA's reference case and the BLM's EnergySub model is included in Appendix E.2B.</p>	U.S. Environmental Protection Agency
30962-17	To improve overall transparency and replicability, EPA recommends presenting a more accurate time path of emissions for each GHG; more details about assumptions (including on Net Present Value calculations); and a description of individual GHG emissions from energy sources displaced by the Project.	Appendix E.2A, <i>Climate Change Technical Appendix</i> , has been updated with tables of annual emissions of each greenhouse gas (GHG) (e.g., CO ₂ , CH ₄ , and N ₂ O) under each action alternative including direct emissions, indirect gross emissions, emissions from energy sources displaced by the Project, and change in foreign GHG emissions.	U.S. Environmental Protection Agency
30962-2	<p>Executive Order (EO) 13990 “directs all executive departments and agencies... to immediately commence work to confront the climate crisis.”¹¹ Responding effectively to the climate crisis will require both significant short-term global reductions in greenhouse gas (GHG) emissions and net-zero global emissions by mid-century or before. These and other policies reflect science based GHG emissions reduction goals to avoid the worst impacts of climate change. The most recent scientific reports by the Intergovernmental Panel on Climate Change (IPCC) reinforce the urgent need to take climate action.</p> <p>Considering the extensive scientific information about the climate crisis, the climate impacts to Alaska, and information on how oil and gas development impacts GHG emissions, EPA recommends the Final Supplemental EIS (FSEIS) prioritize the EO 13990 directive to immediately confront the climate crisis and apply continued effort to identify means to further reduce GHG emissions from the proposed project. [see letter for additional information]</p>	The Willow Supplemental EIS incorporated all new guidance and direction issued by the Biden Administration, including EO 13990. A robust evaluation of how Willow will contribute to global climate change is included in the Supplemental EIS.	U.S. Environmental Protection Agency
30962-21	While Arctic wetlands typically have thinner soils and store less carbon than their temperate counterparts, their carbon sequestration rates range between 19 and 603 mass of carbon per unit area per year. Biological carbon sequestration is a valuable wetland function, especially considering the climate crisis. Over the proposed life of the project, this indicates that up to 40,361 tons of carbon would not be sequestered by wetlands as a result of proposed development. ³⁹ This number does not account for the temporal lag of the wetlands to resume carbon sequestration associated with the abandonment and reclamation of the developed sites after the project has ended. [see letter for additional information]	The North Slope Rapid Assessment Method was used to determine the Willow Project's debits and credits for the U.S. Army Corps of Engineers (USACE) required compensatory mitigation plan. The North Slope Rapid Assessment Method is a USACE approved functional assessment method that includes analysis of carbon sequestration. A discussion of this function has been added to Section 3.9, <i>Wetlands and Vegetation</i> .	U.S. Environmental Protection Agency
30962-38	Protection of wetlands has been a key concern for EPA regarding the proposed project and provides the following recommendations to address our ongoing concerns. EPA recommends that FSEIS evaluate the impacts due to the loss of wetland functions, including but not limited to, carbon storage and sequestration, water quality improvement, biodiversity, and ecosystem services. In particular, wetlands in the Arctic can also be a source of GHG emissions, which should be discussed and estimated in the FSEIS. ⁶¹ [see letter for additional information]	The North Slope Rapid Assessment Method (NSRAM) was used to determine the Project’s compensatory mitigation debits for its U.S. Army Corps of Engineers Section-404 permit. The NSRAM assesses wetland functions, including habitat, hydrology, and biogeochemical cycling. The Supplemental EIS has been updated to include the U.S. Environmental Protection Agency's suggested carbon sequestration potential loss calculations for all action alternatives.	U.S. Environmental Protection Agency

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30962-4	EPA recommends the FSEIS discuss the project-level GHG emissions over time in the context of GHG emissions reduction goals, including the U.S. economy-wide target under the Paris Agreement to achieve a 50 to 52 percent reduction from 2005 levels by 2030. ¹⁸ EPA also recommends the FSEIS evaluate the alternatives by discussing measures to better align the project with the national 2050 net-zero GHG emissions goal, consistent with the Long-Term Strategy of the United States. ¹⁹ EPA recommends the FSEIS discuss carbon lock-in concerns and challenges the project poses for achieving climate policy goals, as well as opportunities to advance these goals. Considering science-driven GHG emission reduction policies is necessary to provide the public and decision-makers with critical context regarding the project locking in long-term GHG emissions, and essential emissions reduction policies to avoid the worst impacts of climate change. [see letter for additional information]	A robust evaluation of how the Willow Project would contribute to global climate change is included in Section 3.2 and determined that the annual average gross emissions of the Project would account for approximately 0.3% of the U.S. 2030 net greenhouse gas (GHG) emissions target. A suggested mitigation measure that would reduce the operational time period of the Project is included in the Final Supplemental EIS and would end the Project prior to 2050, and a mitigation measure to offset 50% of the net GHG emissions of the Project is also included.	U.S. Environmental Protection Agency
30962-6	<p>Under section 102(2)(C) of NEPA, BLM must disclose and consider the environmental impacts of the proposed action, including whether and to what extent the proposed project and any of the alternatives would result in reasonably foreseeable GHG emissions that contribute to climate change.²¹ Failure to fully disclose and consider impacts from GHG emissions increases the risk that a Court could find that the NEPA analysis is deficient.²²</p> <p>Consistent with prior EPA comments,²³ the GHG emissions from the proposed project are reasonably foreseeable direct and indirect effects of authorizing the project. We recommend the FSEIS evaluate the indirect effect, as well as the incremental impact, of the proposed action when added to other past, present, and reasonably foreseeable future actions.²⁴ EPA also recommends the FSEIS monetize the impacts and include a discussion of the “significance” of the social cost of these impacts when added to other past, present, and reasonably foreseeable future actions.²⁵ [see letter for additional information]</p>	The direct, indirect domestic, and indirect foreign greenhouse gas (GHG) emissions under each action alternative are disclosed and evaluated in Section 3.2, <i>Climate and Climate Change</i> , along with estimated Social Cost of GHGs. Cumulative GHG emissions and impacts are disclosed in Section 3.20 (<i>Cumulative Effects</i>), including cumulative GHG emissions of existing and reasonably foreseeable future developments on the North Slope.	U.S. Environmental Protection Agency
30962-7	EPA previously noted in its October 29, 2019, Draft EIS comment letter that the “[t]he Draft EIS projects that the annual average direct GHG emissions under Alternative B would be approximately 2% of the 2015 Alaska GHG inventory and would contribute to climate change impacts.” EPA recommends that the FSEIS avoid expressing the overall project-level GHG emissions as a percentage of the state or national GHG emissions, as such comparisons tend to minimize project-level emissions impacts. Section 3.19.4 of the EIS indicates the cumulative annual average gross GHG emissions from the Project, the Coastal Plain, NPR-A, and other North Slope emissions would constitute approximately 3% of the U.S. net GHG emissions target for 2030 “and therefore cumulatively constitute a relatively small fraction of total impacts from U.S. GHG emissions.” Given the current 30-year timeframe of the proposed Project and the challenge for all U.S. sectors to achieve economy-wide reductions aligning with the U.S. 2030 target and net-zero emissions by 2050, EPA recommends the FSEIS not characterize 3% of total U.S. emissions as being a relatively small fraction, and the FSEIS discuss how emissions beyond 2030 can be reconciled with a net-zero 2050 pathway. This “percentage” approach diminishes the significance of the notable climate damages caused by substantial project-scale GHG emissions and is misleading given the nature of the climate policy challenge to reduce incremental GHG emissions from a multitude of sources. [see letter for additional information]	Presenting emissions from the Willow Project as a percentage of U.S. targets and commitments is one way to present impacts for the reader; this does not replace disclosure of gross CO ₂ e or the Social Cost of Greenhouse Gases, both of which are included in Section 3.2, <i>Climate and Climate Change</i> .	U.S. Environmental Protection Agency
30962-8	EPA recommends the FSEIS also evaluate local Alaska climate policies and plans to determine appropriate opportunities to achieve GHG emission reduction and climate change goals. In Alaska, there are approximately 23 examples of local climate policies in the form of plans and assessments, as well as additional task forces, resolutions, and strategies. ²⁶ Over 19 climate action efforts (i.e., plans and strategies) have emerged from Indigenous communities and seven were developed at the scale of Tribal government. Although these actions overwhelmingly focus on assessing and adapting to the current impacts of climate change that are already harming traditional Indigenous ways of life, inconsistencies with state or local policies aimed at addressing the causes or impacts of climate change should be considered. [see letter for additional information]	The State of Alaska does not have a climate policy or emissions reduction goal, and local plans focus primarily on adaptation to the impacts of climate change. BLM considered local climate plans and policies when crafting mitigation measures aimed at helping the community of Nuiqsut adapt to climate change. These measures are provided in Appendix I.1.	U.S. Environmental Protection Agency
30962-9	As disclosed in the DSEIS, Arctic regions are already rapidly experiencing the effects of global climate change. ²⁷ According to the document, Alaska’s North Slope has experienced increased average temperatures, decreased sea ice and snow cover extent, an expanded growing season, and thawing permafrost. EPA recommends the FSEIS include additional discussions and references to case studies and lessons learned regarding actual documented incidents of climate change effects to North Slope oil and gas related infrastructure, and outline steps that will be taken to mitigate or avoid similar incidences from occurring for the lifetime of the Willow Project. [see letter for additional information]	The Willow Project includes many design features to "harden" Project infrastructure against the impacts of climate change to prevent spills and accidents. These design features are discussed in Section 3.2.3, <i>Effects of Climate Change on the Project</i> , and relevant resource sections.	U.S. Environmental Protection Agency

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30968-14	<p>Willow Project is the largest oil extraction project proposed on federal lands today. The single project will add millions of tons of carbon dioxide to the atmosphere and would produce nearly double the planet-warming emissions that President Biden's entire clean energy plan on public lands and waters is meant to prevent in the next decade.</p> <p>Allowing this project to go forward under any of the alternatives presented would block in at least three decades of fossil fuel production at a time when scientists say we need to be rapidly transitioning in the other direction, and banks and insurance companies around the world are walking away from investment in Arctic fossil fuel projects.</p> <p>Our window to act during the current climate emergency is rapidly closing, and public lands must be part of our country's climate solution, not part of the problem. The science is clear. We cannot continue to be reliant on fossil fuels, and the range of alternatives in this EIS would produce really similar amounts of oil and thus have very similar emissions and climate consequences. I believe the only environmentally responsible decision here is to not allow the Willow Project to move forward, and I urge you to select the no-action alternative.</p>	<p>The Supplemental EIS includes evaluation of the No Action Alternative, which would preclude oil production from the Willow Project, and each action alternative includes a range of avoidance and minimization measures to reduce impacts from the development.</p>	Unsigned
30968-15	<p>So -- and I would like to just note that the CO₂ that this project would release in its proposed 30-year lifespan is equivalent to the annual admissions of nearly a third of all U.S. coal-fired -- fired -- coal-fired power plants.</p>	<p>To enable an appropriate comparison of Project emissions to other energy emissions (e.g., coal-fired power plants), greenhouse gas (GHG) equivalencies from the U.S. Environmental Protection Agency GHG Equivalencies Calculator are reported in Section 3.2.2 of the Supplemental EIS. These indicate that the Project's annual total net GHG emissions are equivalent to the annual emissions of approximately 1.2 coal-fired power plants.</p>	Unsigned
30968-3	<p>The most recent IPCC report makes it extremely clear. The emissions caused by this project will fast track use to 2 degrees of warming and beyond with unacceptable consequences for life on this planet.</p>	<p>A careful evaluation of how the Willow Project would contribute to global climate change is included in Section 3.2, <i>Climate and Climate Change</i>, and determined that the annual average gross emissions of the Willow Project would account for approximately 0.3% of the U.S. 2030 net greenhouse gas emissions target.</p> <p>The Supplemental EIS includes evaluation of the No Action Alternative which would preclude oil production from the Willow development, and each action alternative includes a range of avoidance and minimization measures to reduce impacts of the development.</p>	Unsigned
3927-3	<p>3.2.1.1. Observed Climate Trends and Impacts in the Arctic and on the North Slope</p> <p>Although this section is titled “in the Arctic” it provides a rather myopic view of what the “Arctic” area includes. It should for analysis of Climate Trends include all waters and land above the Arctic Circle, the entire circumpolar area (see map below), if it is to adequately address climate change concerns in the polar region, of which this project is a part of. This analysis appears to focus more narrowly on just a small section of the Alaskan “Arctic,” and an even smaller portion of the total area in the NPR-A. I am suggesting a more comprehensive approach which could provide for a more meaningful analysis in the impacts and cumulative effects sections, as Arctic warming is not contained within the geo/political boundaries of the State of Alaska nor to the boundaries of the NPR-A nor the project site.</p> <p>[See associated map and references in letter]</p>	<p>The Supplemental EIS evaluates the impacts of global climate change on resources in the Project area and the Project's contributions to global climate change, this analysis is included in each resource section in Chapter 3. Observed climate trends and impacts in the Arctic, Alaska, and North Slope are discussed in Section 3.2.1.1. This includes data from the recent Arctic Report Cards from the National Oceanic and Atmospheric Administration, the Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report and the U.S. Fourth National Climate Assessment. Additional information on observed and future climate change impacts in the Arctic has been added from the IPCC 2019 Polar Regions Report.</p>	Kathleen O'Reilly-Doyle
3927-4	<p>3.2.1.1. Observed Climate Trends and Impacts in the Arctic and on the North Slope. This section also fails to mention how the methane is monitored and what the challenges are to getting accurate readings, and should be incorporated in this DSEIS. I reference the following article in Inside Climate News and cannot find reference to anything resembling an analysis of this type of impact or an environmental analysis of the methane that that is projected to be released on this project site, in this DSEIS. [See associated map and references in letter]</p>	<p>Section 3.2.2.1.2, <i>Proponent's Design Measures to Avoid and Minimize Effects</i>, has been expanded to include additional measures to reduce and monitor methane emissions at the Project site. This includes CPAI voluntarily complying with the Oil and Gas Methane Partnership, administered by the United Nations, which aims to improve methane measurements and drastically reduce methane emissions. As part of the program, the Willow Project would develop and implement a methane measurement, reporting, and reduction plan, which would be subject to verification under the Oil and Gas Methane Partnership.</p>	Kathleen O'Reilly-Doyle

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3927-5	<p>3.2.1.1. Observed Climate Trends and Impacts in the Arctic and on the North Slope. This section also does not come close to addressing the potential impacts of this project on the projections for short term and long-term thawing of permafrost and the potential short term and long-term release of methane gas as a result of that thawing. Paragraph three references permafrost thawing but does nothing more than introduce it as a concept to be considered.</p> <p>The last paragraph in this section states: “Models predict permafrost thawing will continue, with some modes predicting that near-surface permafrost will likely disappear on 16%-24% of the landscape of Alaska by the end of the 21st Century (USGCRP 2018).” ... Why is that not introduced and discussed in this section as a climate trends and impact? It is hard to believe with a number as staggeringly significant as that one, there is need for any additional consideration of allowing this proposal to move forward, given that oil development and climate warming, is at the core of melting permafrost!</p>	<p>Observed and projected trends in permafrost thawing in the Arctic and Alaska are discussed as an impact of climate change in the Draft Supplemental EIS in Sections 3.2.1.1, Observed Climate Trends and Impacts in the Arctic and on the North Slope, and 3.2.1.2, <i>Projected Climate Trends and Impacts in the Arctic and on the North Slope</i>. Additional discussion of the projected greenhouse gas (GHG) emissions from permafrost thawing from the Sixth Assessment Report of the Intergovernmental Panel on Climate Change was added to Section 3.2.1.2. Section 3.2.2, <i>Environmental Consequences: Effects of the Project on Climate Change</i>, states that the GHG emissions from the Project would incrementally contribute to global climate impacts, and this includes permafrost thawing.</p> <p>The Supplemental EIS includes evaluation of the No Action Alternative which would preclude oil production from the Willow Project.</p>	Kathleen O'Reilly-Doyle
3927-7	<p>3.2.2.3.1. Social Costs of Greenhouse Gases. I can appreciate the work that went into to attempting to qualify the “cost” of greenhouse gas in this section, but I think it misses the point by diving into the weeds. If you look at the global, overarching “cost” of further increasing greenhouse gas, I believe this analysis needs to look at rising temperatures, shifting weather patterns, increasing storm events and other effects that are altering our economy, food production, disaster response and health. This section’s discussion of how “global damages” are calculated and applied to this project proposal, seem to come across as blowing smoke, as there are (as this section states) “Multiple sources of uncertainly inherent in the estimates.” Please improve this section in the Final EIS.</p>	<p>The social cost of the greenhouse gas (SC-GHG) emissions from the Project were quantified in Section 3.2.2 using the most recent estimates developed by the Interagency Working Group (IWG) on SC-GHG under EO 13990. The IWG states that the interim SC-GHG estimates published in February 2021 currently "represent the most appropriate estimate of the SC-GHG." The SC-GHG are the estimated monetary value of global climate change impacts (e.g., changes in temperatures, weather patterns, storm events) including, but not limited to, changes in human health effects, net agricultural productivity, property damage from increased flood risk from natural disasters, disruption of energy systems, risk of conflict, environmental migration, and the value of ecosystem services.</p>	Kathleen O'Reilly-Doyle
4293-1	<p>BLM’s substitution analysis disregards several important considerations that could substantially increase the agency’s estimate of net greenhouse gas emissions attributable to the Project. First, the analysis is predicated on a baseline of current policies (as of late 2020 or early 2021) and disregards the likelihood that the United States and foreign nations will implement new policies to align with their international commitments to reduce their carbon footprints. And second, the analysis disregards the potential for foreign reciprocity—that is, that other nations will reduce their fossil-fuel development if the United States does. As Interior has acknowledged in another ongoing proceeding, these key omissions likely result in an underestimate of net greenhouse gas emissions.</p>	<p>The analysis in the Final Supplemental EIS is based on the best available information at the time the EIS is developed. Net emissions are estimated using estimates of alternative energy sources that may be displaced by oil from the Project, and the modeling of these energy substitutes relied on long-term energy projections produced by the U.S. Energy Information Administration (EIA) for the 2022 Annual Energy Outlook (AEO 2022). EIA is the statistical and analytical branch of the Department of Energy and operates within the U.S. Federal statistical system as the single federal government authority on energy statistics. Energy statistics developed by EIA are considered best available data and AEO 2022 are the most up-to-date long-run projections available from EIA. EIA does not generally include potential effects of proposed or hypothetical federal and state legislation, regulations, and standards in AEO projections, and AEO 2022 was released prior to the passage of the Inflation Reduction Act. A new annual energy outlook has not yet been produced for 2023. AEO projections will continue to be updated and BLM will continue to use best available data for its modeling and will incorporate new market projections from EIA when they become available.</p> <p>A discussion of the uncertainties in both the EIA's reference case and the BLM's EnergySub model is included in Appendix E.2B.</p>	Max Sarinsky, Minhong Xu, Jeremy Lieb, Ben Tettlebaum
4293-2	<p>BLM appropriately applies the interim social cost of greenhouse gases values developed by the Interagency Working Group on the Social Cost of Greenhouse Gases. But the Working Group has recognized that those values “likely underestimate societal damages” from greenhouse gas emissions due to omitted damages and the selection of discount rates, and has encouraged agencies to perform additional analysis applying higher climate-damage valuations. Accordingly, BLM should consider its climate-damage valuations to be conservative estimates and, consistent with the Working Group’s recommendation, should conduct additional analysis using higher valuations.</p>	<p>The social cost of the GHG (SC-GHG) emissions from the Project were quantified in Section 3.2.2 using the most recent estimates developed by the Interagency Working Group (IWG) on SC-GHG under EO 13990. The IWG states that the interim SC-GHG estimates published in February 2021 "represent the most appropriate estimate of the SC-GHG until the revised estimates have been developed." As the revised final estimates have not yet been published, the interim estimates are used in the SC-GHG calculations for the Supplemental EIS. Section 3.2.2 has been updated to state that the IWG notes that the interim SC-GHG estimates likely underestimate societal damages from GHG emissions due to limitations in the approaches used and that new data and evidence suggest that a lower discount rate may be appropriate. Section 3.2.2 of the Supplemental EIS has clarified that the use of lower or higher discount rates would correspondingly increase or decrease the SC-GHG estimates.</p>	Max Sarinsky, Minhong Xu, Jeremy Lieb, Ben Tettlebaum

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4293-5	<p>But even that substantial total is very likely an underestimate, due to omissions and assumptions in BLM’s substitution analysis that bias the estimate downward. In fact, the Bureau of Ocean Energy Management—BLM’s sister agency at the Department of the Interior—has acknowledged that limitations in Interior’s substitution modeling cause it to very likely underestimate net greenhouse gas emissions. In particular, BLM’s analysis underestimates emissions by:</p> <p>1) ignoring the possibility that countries will bolster their efforts to combat climate change, thereby shifting the energy grid (and thus likely energy substitutes should the Project not proceed) toward low-carbon energies and away from fossil fuels; and</p> <p>2) failing to consider international reciprocity effects.</p> <p>BLM should work to address these issues as it continues to assess the Project’s climate impacts. At a minimum, it should recognize these limitations and acknowledge that the agency’s emission projections are likely underestimates—perhaps severely so.</p>	<p>The analysis in the Final Supplemental EIS is based on the best available information at the time the EIS was developed. Net emissions are estimated using estimates of alternative energy sources that may be displaced by oil from the Project, and the modeling of these energy substitutes relied on long-term energy projections produced by the U.S. Energy Information Administration (EIA) for the 2022 Annual Energy Outlook (AEO 2022). EIA is the statistical and analytical branch of the Department of Energy and operates within the U.S. Federal statistical system as the single federal government authority on energy statistics. Energy statistics developed by EIA are considered best available data and AEO 2022 are the most up-to-date long-run projections available from EIA. EIA does not generally include potential effects of proposed or hypothetical federal and state legislation, regulations, and standards in AEO projections, and AEO 2022 was released prior to the passage of the Inflation Reduction Act. A new annual energy outlook has not yet been produced for 2023. AEO projections will continue to be updated and BLM will continue to use best available data for its modeling and will incorporate new market projections from EIA when they become available.</p> <p>A discussion of the uncertainties in both the EIA's reference case and the BLM's EnergySub model is included in Appendix E.2B.</p>	<p>Max Sarinsky, Minhong Xu, Jeremy Lieb, Ben Tettlebaum</p>

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4293-6	<p>BLM rests its substitution analysis on the U.S. Energy Information Administration’s 2021 “reference case”—a forecast of energy supply and demand that assumes current policies (as of late 2020 or early 2021) and does not consider the possibility that countries will enact new policies to further transition away from fossil fuels. In fact, the 2021 reference case assumes that oil and gas consumption will increase over the coming decades—a projection that is largely incompatible with international goals and commitments to mitigate global warming. Because it disregards the potential for a substantial global transition away from fossil fuels, BLM’s analysis determines that the Project will largely displace other fossil-fuel energy sources—a finding that may no longer hold true under decarbonization scenarios and thus results in a potentially severe underestimate of the Project’s contribution to climate change.</p> <p>At a minimum, BLM should update its model to include more recent laws that have shifted the long-term energy trajectory. This past February, the Energy Information Administration released its most recent version of the reference case calibrated to current policies as of November 2021. EIA expects to release an updated forecast by March 2023 that will include more recent policies—including the Inflation Reduction Act (which is expected to cause a substantial increase in renewable-energy demand) and motor-vehicle fuel-economy and emission regulations from the Environmental Protection Agency and Department of Transportation (which are expected to significantly reduce vehicle gasoline usage). At a minimum, BLM should await the updated EIA forecast to ensure that its analysis of the Project’s substitute energy sources and greenhouse gas emissions accounts for the latest energy policies.</p> <p>But even that substantial step would disregard the likelihood that the United States and foreign countries take considerable action in the ensuing years to further transition toward renewables and away from oil and gas. This is because the EIA reference case assumes current policies, and as a result, projects (in its latest forecast) increasing demand for oil and gas for the next 70 years. Yet there are strong reasons to doubt that current policies will remain unchanged, and the global energy system will remain so heavily reliant on fossil fuels. For one, current policies would spell devastating levels of global warming. Second, there is a wide gap between existing policies and the international commitments that many countries have made to reduce their emissions. And third, climate policies have gotten much stronger over time. While the global community might remain reliant on fossil fuels, it could very plausibly substantially reduce its long-term use of fossil fuels. A recent elicitation by Resources for the Future found that experts place just a 5% probability that current global climate policies will not improve.</p> <p>BLM should thus incorporate a range of future trajectories into its analysis and not bias the results by assuming that current policies will remain in place for the indefinite future. In fact, the Bureau of Ocean Energy Management (BOEM)—BLM’s sister agency whose MarketSim substitution model forms the basis for BLM’s analysis here—recently recognized as much in its proposed five-year offshore leasing program. In that proposal, BOEM explained that “substitutions could vary dramatically based on the future energy scenario and pathway,” and recognized that “a net-zero or similar pathway” could make “the impact of substitutions in the absence of [the proposed] production ... look very different.” Although BOEM did not quantitatively integrate a decarbonization pathway into its substitution analysis, it performed a qualitative analysis in which it recognized that such a pathway would likely decrease substitution and thereby increase the agency’s estimate of the project’s net emissions. BOEM also requested suggestions on modeling decarbonization pathways through its substitution analysis, and expressed an openness to improve upon its modeling to incorporate a range of potential climate mitigation pathways. As this recognition demonstrates, BLM should not rely exclusively on the assumption of long-term fossil fuel reliance that reduces the Project’s forecasted climate impacts.</p> <p>[COMMENT CONTINUES ON NEXT ROW]</p>	<p>The analysis in the Final Supplemental EIS is based on the best available information at the time the EIS is developed. Net emissions are estimated using estimates of alternative energy sources that may be displaced by oil from the Project, and the modeling of these energy substitutes relied on long-term energy projections produced by the U.S. Energy Information Administration (EIA) for the 2022 Annual Energy Outlook (AEO 2022). EIA is the statistical and analytical branch of the Department of Energy and operates within the U.S. Federal statistical system as the single federal government authority on energy statistics. Energy statistics developed by EIA are considered best available data and AEO 2022 are the most up-to-date long-run projections available from EIA. EIA acknowledges that future changes in technologies, demographics, resources, and regulations may affect future market conditions, but they avoid speculating about unknown events when developing market forecasts, including the Annual Energy Outlook (AEO). The EIA cautions that AEO projections are not predictions of what will happen, but instead are modeled estimates of what may happen given certain assumptions and methodologies. EIA does not generally include potential effects of proposed or hypothetical federal and state legislation, regulations, and standards in AEO projections, and AEO 2022 was released prior to the passage of the Inflation Reduction Act. A new AEO has not yet been produced for 2023. AEO projections will continue to be updated and BLM will continue to use best available data for its modeling and will incorporate new market projections from EIA when they become available.</p>	<p>Max Sarinsky, Minhong Xu, Jeremy Lieb, Ben Tettlebaum</p>

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4293-6 (Continued)	<p>[Comment continues from previous page]</p> <p>Instead, BLM should work with BOEM to update Interior’s substitution modeling to reflect long-term policy uncertainty. One potential approach would be for Interior to calibrate its model to alternative NEMS cases and not rely exclusively on the reference case. In particular, the Low Oil and Gas Supply Case and the Low Renewables Cost cases reflect some of the changes to the energy market that will shift under decarbonization pathways. As NEMS is a domestically focused energy model, Interior would also need to modify and adjust EIA’s World Energy Projection System (WEPS) module—which is also incorporated into MarketSim—to capture the global scope of climate action necessary to reach emission targets (i.e., replicate potential global emission paths). Results from these different scenarios could then be used to calibrate the new baseline quantities and prices in BLM’s substitution model. As supply elasticities are conditional on the emissions target, some elasticities such as electricity supply elasticities would need to be recalibrated to the model run using the approach laid out previously by BOEM.</p> <p>However, the NEMS cases are somewhat limited in their variability, and if Interior intends to model more ambitious decarbonization scenarios, it must modify NEMS to achieve wider geographic and greenhouse gas coverage. For instance, Interior could incorporate the quantity estimates for oil, gas, coal, nuclear, and renewables from the Intergovernmental Panel on Climate Change reflecting different potential mitigation pathway scenarios. Interior could also use expert elicitation to update the model’s elasticities to reflect a range of future trajectories. Currently, the model is based on backward-looking and often dated elasticities. In the future, under decarbonization trajectories, many of these elasticities can be expected to shift, potentially dramatically. For instance, the cross-price demand elasticity between natural gas and renewables is likely to be much higher if and when electric-powered cars become more prevalent, as consumers can more easily switch between these alternative sources in response to price changes. Interior should adjust its elasticities to reflect these types of long-term possibilities, once again recognizing that these values are uncertain over the long-term and should not be presented as single point estimates. As noted above, this could potentially be done through NEMS itself, but expert elicitation provides an alternative possibility to help forecast future elasticities that are uncertain.</p> <p>While BLM would ideally make these modeling adjustments before completing its analysis of the Project’s environmental impacts, it should at a minimum recognize the limitations in its substitution modeling and observe that these limitations very likely result in an underestimate of the Project’s resulting greenhouse gas emissions. As noted above, BOEM has recently done this in its proposed five-year offshore leasing program.</p>	<p>See previous row above for comment response.</p>	<p>Max Sarinsky, Minhong Xu, Jeremy Lieb, Ben Tettlebaum</p>
4293-8	<p>In short, both economic theory and empirical evidence suggest that U.S. emission reductions spur other countries to take reciprocal action. Yet this reciprocity effect is absent in BLM’s modeling and analysis, which concludes that if the Project is not approved, then market forces will supply most of the fossil-fuel energy that the Project would have provided. BLM should perform sensitivity analysis that assesses how the Project would affect global greenhouse gas emissions under reasonable assumptions about global reciprocity, potentially starting with empirical estimates in the literature such as those discussed above. And once again, even if BLM does not model this effect quantitatively, it should recognize that reciprocity offers another explanation that its emission figures are underestimates and consider reciprocity effects when it assesses whether to approve the Project. [see letter for additional information]</p>	<p>The analysis in the Final Supplemental EIS is based on the best available information at the time the EIS was developed. Net emissions are estimated using estimates of alternative energy sources that may be displaced by oil from the Project, and the modeling of these energy substitutes relied on long-term energy projections produced by the U.S. Energy Information Administration (EIA) for the 2022 Annual Energy Outlook (AEO 2022). EIA is the statistical and analytical branch of the Department of Energy and operates within the U.S. Federal statistical system as the single federal government authority on energy statistics. Energy statistics developed by EIA are considered best available data and AEO 2022 are the most up-to-date long-run projections available from EIA. EIA acknowledges that future changes in technologies, demographics, resources, and regulations may affect future market conditions, but they avoid speculating about unknown events when developing market forecasts, including the Annual Energy Outlook (AEO). The EIA cautions that AEO projections are not predictions of what will happen, but instead, they are modeled estimates of what may happen given certain assumptions and methodologies. EIA does not generally include potential effects of proposed or hypothetical federal and state legislation, regulations, and standards in AEO projections, and AEO 2022 was released prior to the passage of the Inflation Reduction Act. A new annual energy outlook has not yet been produced for 2023. AEO projections will continue to be updated and BLM will continue to use best available data for its modeling and will incorporate new market projections from EIA when they become available. A discussion of the uncertainties in both the EIA's reference case and the BLM's EnergySub model is included in Appendix E.2B.</p>	<p>Max Sarinsky, Minhong Xu, Jeremy Lieb, Ben Tettlebaum</p>

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5228-12	Chapter 3, page 37. Paragraph one on this page discusses the EPA’s greenhouse gas inventory. These numbers are misleading due to the way that EPA characterizes reinjection of natural gas back into the reservoirs on the North Slope as being emitted into the atmosphere. The EPA’s explanation is that the natural gas will eventually be released, but that conclusion is remote and speculative in the context of NEPA. Please add a footnote that the greenhouse gas inventory numbers for North Slope operations do not acknowledge that natural gas is being reinjected into the reservoir to preserve reservoir pressure. The current Department of Energy draft SEIS for the Alaska LNG project describes the reinjection of natural gas on the North Slope more accurately. Please cite to this information instead.	Text was added to Section 3.2.1.3, <i>Trends in Greenhouse Gas Emissions</i> , to clarify that U.S. Environmental Protection Agency generally assumes that the CO ₂ captured from natural and industrial sites for enhanced oil recovery applications is emitted and not sequestered in the geological formation it is injected into.	State of Alaska
5228-13	Chapter 3, page 37. Paragraph four on this page discusses greenhouse gas emissions and carbon sequestration on federal lands. It is not clear why this information is being included in the context of the NEPA document, especially because it does not recognize natural gas reinjection of the North Slope as being another form of carbon sequestration. The current Department of Energy draft SEIS for the Alaska LNG project describes the reinjection of natural gas on the North Slope more accurately. Please cite to this information instead.	The discussion of carbon sequestration on federal lands in Section 3.2.1.3, <i>Trends in Greenhouse Gas Emissions</i> , was revised to state that the U.S. Geological Survey (USGS) considers industrial injection of greenhouse gases (GHG) into the subsurface for enhanced hydrocarbon production or for GHG storage as forms of geologic sequestration and that the USGS did not include geologic industrial sequestration in their estimates of total sequestration due to the limited amount of this type of sequestration and insufficient data at the time the report was prepared.	State of Alaska
5228-15	Chapter 3, pages 43-44. The final paragraph on this page discusses the social cost and the rest of the next page discuss the social cost of greenhouse gases. It is not clear why this is being discussed in this document. There is a lengthy discussion of the executive order history of the topic and the litigation surround the social cost of carbon, and then paragraph four notes that the social cost of greenhouse gases will be discussed in this SEIS “pursuant to EO13990. The State of Alaska disagrees that the guidance regarding the social cost of greenhouse gases is proper.	Consistent with Secretarial Order 3399, <i>Department-Wide Approach to the Climate Crisis and Restoring Transparency and Integrity to the Decision-Making Process</i> , the social cost of greenhouse gas analysis is included to provide context for the reader and decisionmaker and to evaluate the Willow Project's indirect impacts on resources outside the Project area.	State of Alaska
595-1	The Willow project will directly and indirectly negatively impact climate change across the globe and impact local ecosystems. Below are a few issues that should be consider and reasons why we should not develop the Willow Project: 1) Major climate threat as this massive oil and gas extractive project would only increase our current climate crisis. 2) The Arctic is warming at 4x the rate of the rest of the world, with an increasing risk of possibility of sea level rise and catastrophic flooding worldwide. 3) Willow will undeniably contribute to the global 1.5°C rise in temperature. As a result, the average temperature of the Arctic could raise to between 1.5°C-10°C. (IPCC Special Report of Global Warming of 1.5°C) 4) Doesn’t align with President Biden’s promise to mitigate the climate crisis and prevent further global rise in temperature. 5) Ecological values. The Western Arctic supports robust wild ecosystems that include caribou, geese, loons, salmon, polar bears and bowhead whales, and its lands, waters and animals support a number of communities within and adjacent to the Reserve.	The Supplemental EIS includes evaluation of the No Action Alternative, which would preclude oil production from the Willow Project. The impact of climate change on resources in the Project area is evaluated in each resource section.	Mathew Sorum
6501-259	Reducing fossil fuel production on federal public lands is essential to meeting climate goals. In 2018, the U.S. Geological Survey and Interior estimated that carbon emissions released from extraction and end-use combustion of fossil fuels produced on federal lands alone accounted for approximately one quarter of total U.S. carbon emissions during 2005 to 2014. ⁵⁶⁷ A 2015 analysis of U.S. fossil fuel resources shows that the potential carbon emissions from already leased fossil fuel resources on federal lands would essentially exhaust the remaining U.S. carbon budget consistent with the 1.5°C target... The Biden administration has committed the government to taking decisive action to reduce GHG emissions by 50–52 percent below 2005 levels in 2030, and to reaching net-zero emissions by 2050. Approving Willow would be contrary to the science demonstrating there is no room for developing and burning new sources of fossil fuels in the Arctic, and to this administration’s promises to take urgent action consistent with that science to lead the world in transitioning away from fossil fuels.	The Supplemental EIS includes evaluation of the No Action Alternative, which would preclude oil production from the Willow Project. The Project's proportion of the U.S. 2030 goals under the Paris Agreement is evaluated, as well as the social cost of greenhouse gas emissions under each alternative.	Trustees for Alaska

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6501-260	<p>The draft SEIS uses the quantification of GHG emissions as a proxy for determining climate impacts from Willow.⁵⁸² It estimates that Willow itself would result in gross emissions of approximately 346 MMT CO₂e over the roughly 30-year life of the project⁵⁸³ and annual average gross GHG emissions of about 9.6 MMT CO₂e.⁵⁸⁴ BLM then compares the project’s annual average gross GHG emissions to total annual U.S. GHG emissions (~0.145%) and the project’s annual average direct GHG emissions to annual Alaska GHG emissions (~1.97%).⁵⁸⁵ This tranche of different numbers and comparisons is confusing. What BLM fails to compare are the project’s annual average gross GHG emissions to annual Alaska GHG emissions, which would yield a more productive and illuminating analysis of the project’s emissions than comparing to total U.S. GHG emissions. BLM must rectify this omission... in the cumulative impacts to climate change analysis...</p> <p>The draft SEIS compares projected GHG emissions that would result from Willow and other North Slope projects to total U.S. GHG emissions (0.39%).⁵⁸⁶ BLM also assesses a “higher end” projected emissions scenario comparing Willow and other North Slope projects to total U.S. GHG emissions (1.457% of the 2019 U.S. GHG inventory and 2.880% to 3% of U.S. net GHG emissions target for 2030). The draft SEIS unhelpfully concludes that these GHG emissions “constitute a relatively small fraction of total impacts from U.S. GHG emissions.”⁵⁸⁷</p> <p>Outsized comparisons, such as comparing Willow or Willow plus North Slope emissions to total U.S. GHG emissions, are inadequate under NEPA.⁵⁸⁸ Moreover, BLM does not offer or explain what amount of emissions would constitute anything other than a “relatively small fraction of total impacts from U.S. GHG emissions.” If, as the draft SEIS incorrectly asserts,⁵⁸⁹ there is no way presently to determine thresholds for GHG emissions, it is arbitrary and capricious to assign Willow’s GHG emissions or total Arctic GHG emissions the designation of being a “small fraction.”</p>	<p>The direct emissions from the Willow Project under each alternative are compared to the annual Alaska greenhouse gas (GHG) emissions in Section 3.2.2 as the direct emissions occur within the state of Alaska. The total (direct + indirect) gross and net emissions from the Project are not compared to the annual Alaska GHG emissions as the majority of the total emissions are indirect emissions from downstream combustion occurring outside the Alaska. The total emissions are therefore compared to the U.S. emissions. The characterization of Project and cumulative emissions as a relatively small fraction of total U.S. emissions was removed from the Supplemental EIS.</p> <p>Presenting emissions from the Willow Project as a percentage of U.S. emissions is one way to present impacts for the reader; this does not replace disclosure of gross CO₂e or the Social Cost of Greenhouse Gases, both of which are included in Section 3.2, <i>Climate and Climate Change</i>.</p>	Trustees for Alaska
6501-261	<p>BLM claims that the cumulative impacts calculations include those emissions from “Greater Willow drill sites 1 and 2.”⁵⁹⁰ But its actual numerical analysis of CO₂e does not appear to do so.⁵⁹¹ This is despite Volume 6 estimating annual GHG emissions from Greater Willow to be about 48.5 MMT/yr.⁵⁹² The draft SEIS, however, does not indicate the projected lifespan of the Greater Willow 1 and 2. Assuming 30 years, Greater Willow would result in roughly 1.45 billion metric tons of additional GHG emissions — a substantial quantity of emissions. BLM must reconsider and include the GHG emissions from Greater Willow in its cumulative impacts analysis... these comparisons are insufficient under NEPA for contextualizing Willow’s projected emissions and informing the public about the project’s climate impacts.</p> <p>While BLM does compare the project’s GHG emissions (though not cumulative emissions) to national emissions and statewide GHG emissions, BLM must further analyze, discuss, and make decisions based on a comparison of Willow’s GHG emissions to those within its relevant decisional space and authority, i.e., Alaska’s Arctic. Otherwise, comparisons and analysis such as that in the draft SEIS tell BLM and the public little “beyond the nature of the climate change challenge itself.”⁵⁹⁵</p> <p>For example, to adequately inform BLM’s decision making on Willow and the public’s understanding of the project’s magnitude, it should compare and evaluate the project’s GHG emissions to all Alaska federal onshore GHG emissions over which BLM has permitting authority. This comparison will reveal that Willow’s approximately 9.6 MMT CO₂e annual emissions are more than triple the annual GHG emissions from all estimated Alaska federal onshore production on existing leases,</p>	<p>The Draft Supplemental EIS estimates the annual greenhouse gas (GHG) emissions from Greater Willow 1 and 2 to be 48.5 thousand metric tons and not 48.5 million metric tons. Direct emissions from Greater Willow Sites 1 and 2 are included in cumulative effects analysis in Section 3.20, <i>Cumulative Effects</i>.</p> <p>The GHG analysis for the Willow Project is focused on regional, national, and global comparisons to put the Willow emissions in the context of global climate change. GHG emissions resulting from BLM actions in the US are discussed in Section 3.20, <i>Cumulative Effects</i>.</p>	Trustees for Alaska
6501-262	<p>As the single largest fossil fuel extraction project currently proposed on federal public land in the nation, Willow would not only contribute more GHG emissions than any other project in the nation over which BLM retains authority, but it would also emit on average more greenhouses gases every year than nearly every other single point source (power plants) of GHG emissions in the United States.⁵⁹⁶ Only 13 out of 5,194 single point sources would contribute more emissions, meaning Willow would add more GHG emissions annually than over 99.7% of all single point sources in the country.⁵⁹⁷ In light of this single project’s outsized contribution to the climate problem, it is arbitrary to conclude that nothing can be done to meaningfully mitigate its GHG emissions.</p>	<p>Section 3.2.2 of the Supplemental EIS notes that Willow greenhouse gas (GHG) emissions represent approximately 0.14% of the 2019 annual total U.S. GHG emissions. Project design features to reduce GHG emissions as well as suggested mitigation measures are provided in Section 3.2.2.1.</p>	Trustees for Alaska

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6501-263	<p>The draft SEIS also fails to offer useful contextualization of what this sizeable quantity of emissions means. Unlike the context BLM has provided in other recent NEPA review documents, including environmental assessments,⁵⁹⁸ the draft SEIS contains no comparison to emissions sources the public can more readily comprehend. For example, the Environmental Protection Agency’s Greenhouse Gas Equivalencies Calculator⁵⁹⁹ reveals that Willow’s average annual GHG emissions are equivalent to the emissions from over 24 natural gas-fired power plants or over 2 million gasoline-powered cars driven for one year. And the lifetime GHG emissions from Willow are equal to the emissions from 869 natural gas-fired power plants or over 92 coal-fired power plants in one year, or the same as 74.5 million gasoline-powered cars driven for an entire year. Such comparisons are essential (though standing alone still not sufficient) for the public and decision makers to grasp more fully the significance of the project’s climate impacts.</p>	<p>Comparisons of the total average annual Project greenhouse gas (GHG) emissions (including direct, net domestic indirect, foreign indirect) to other emission sources that the public can more readily comprehend have been added to the analysis of each action alternative in Section 3.2.2 using the U.S. Environmental Protection Agency's GHG Equivalencies Calculator.</p>	Trustees for Alaska
6501-264	<p>We appreciate that BLM provides the social cost of greenhouse gas emissions estimates (SC-GHG) to help understand Willow’s considerable and costly impact to the Reserve, North Slope communities, and society and the environment more broadly. However, the draft SEIS relies on the interim SC-GHG estimates from the Interagency Working Group.⁶⁰¹ The IWG itself acknowledged that the interim values are likely an underestimate of the true social costs.⁶⁰²</p> <p>The IWG’s pending final updated estimates will make a substantial difference in accurately accounting for the social costs of climate disruption. There is projected to be a roughly 20% increase in the new 3% discount rate value (and that is before updating the costs of sectoral damages).⁶⁰³ That would add over \$1 billion to the net estimated cost of Alternative B under the 3% discount rate. Moreover, using at least a 2% discount rate is more likely to accurately account for the damages to society and future generations.⁶⁰⁴ The updated cost per tonnage would amount to \$168/ton at a 2% discount rate.⁶⁰⁵ The updated IWG estimates are certain to increase the SC-GHG values because this will better and more accurately account for the actual damages to society from climate change disruption. With the final update to the SC-GHG estimates scheduled to be released in the near future,⁶⁰⁷ BLM should strongly consider waiting to finalize the draft SEIS until the updated estimates are released and can be incorporated.</p>	<p>The Interagency Working Group (IWG) states that the interim social cost of greenhouse gases (SC-GHG) estimates published in February 2021 "represent the most appropriate estimate of the SC-GHG until the revised estimates have been developed." As the revised final estimates have not yet been published, the interim estimates are used in the SC-GHG calculations in the Supplemental EIS. Section 3.2.2 has been updated to state that the IWG notes that the interim SC-GHG estimates likely underestimate societal damages from GHG emissions due to limitations in the approaches used and that new data and evidence suggest that a lower discount rate may be appropriate. We have clarified in Section 3.2.2 of the Supplemental EIS that the use of lower or higher discount rates would correspondingly increase or decrease the SC-GHG estimates.</p>	Trustees for Alaska

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6501-265	<p>The insufficient quantitative (and, as discussed elsewhere, qualitative) analysis and consideration of climate change impacts are all the more problematic given the amount of GHG emissions resulting from Willow is so staggering. Yet, in the face of this gargantuan source of climate pollution, BLM appears to claim, on the one hand, that it is incapable of evaluating the significance of the project’s emissions and, on the other hand, doing just that by contending the total emissions are insignificant in relation to nationwide emissions.⁶⁰⁸ This contradictory, arbitrary conclusion and failure to properly account for and consider the significance of the GHG emissions is a violation of NEPA, and, as discussed below, the failure to discuss actions to mitigate release of the emissions and their adverse climate impacts is a violation of NEPA, FLPMA, and the NPRPA.⁶⁰⁹</p> <p>The draft SEIS demurs grappling with whether Willow’s GHG emissions will significantly and adversely impact the Reserve’s resources based on a lack of “specific thresholds for GHG emissions” established by the EPA.⁶¹⁰ Just as uncertainty about the effects of any project does not absolve BLM from its duty to attempt to analyze those effects,⁶¹¹ uncertainty about a GHG threshold, the United States’ equitable share of the remaining carbon budget, or variability in carbon budgeting methods and social cost metrics do not justify failing to meaningfully address Willow’s contribution to climate impacts in the Reserve...</p> <p>BLM has discussed the catastrophic nature of climate change and stated Willow’s estimated contribution of GHG emissions, but it has failed to connect the project’s massive carbon load to climate impacts on the Reserve and analyze those impacts.</p> <p>BLM need not and must not wait for some yet-to-be-determined GHG emissions threshold from the EPA to conduct this analysis. Indeed, the draft SEIS explains that “future global CO₂ emissions anticipated from existing and proposed energy infrastructure already exceed the carbon emissions budget needed to limit global warming to 1.5°C . . . [and] other studies suggest that attaining a 1.5°C warming limit is possible by replacing existing infrastructure with zero-carbon alternatives at the end of their life spans.”⁶¹³ This analysis already provides the needed standard to determine that, indeed, the substantial, additive GHG emissions from a new fossil fuel infrastructure project such as Willow are significant and must be avoided.</p>	<p>A detailed quantitative analysis of greenhouse gas (GHG) emissions is included in Section 3.2, <i>Climate and Climate Change</i>. The U.S. Environmental Protection Agency has not established quantifiable significance standards (such as National Ambient Air Quality Standards) for GHG's, and the Final Supplemental EIS evaluates GHG emissions under each alternative in terms of its contribution to State and national totals. The Project's proportion of the U.S. 2030 goals under the Paris Agreement is also evaluated, as well as the social cost of GHG emissions under each alternative.</p>	Trustees for Alaska
6501-266	<p>The draft SEIS fails to analyze how Willow’s particular GHG emissions will add to the severe impacts of climate change on and near the Reserve. BLM must also consider the latest high-quality climate science connecting each metric ton of carbon emissions to sea-ice loss in the Arctic. Research demonstrates an “observed linear relationship” of about 3m² of sea-ice loss per metric ton of CO₂ emissions.⁶¹⁴ As such, “any measure taken to mitigate CO₂ emissions will directly slow the ongoing loss of Arctic summer sea ice.”⁶¹⁵ Willow’s projected annual GHG emissions of 9.6 MMT CO₂e would result in approximately 28.8 million m² of summer sea-ice loss. Failing to properly analyze and base decision-making on this significant direct impact to resources and communities in and near the Reserve is arbitrary and capricious.</p> <p>BLM should also consider the significance of emissions from Willow in light of the relatively small quantities of emissions necessary to trigger the disappearance of arctic sea ice and the severity of impacts should that occur. For example, whether polar bears are present in the Reserve in the summer will depend on whether global warming can be kept below 2 degrees Celsius.⁶¹⁶ The approval of additional development projects, especially projects the size of Willow, makes staying within this threshold vastly more difficult to achieve.</p>	<p>Section 3.2.1 has been updated to include the finding from the referenced study that observed sea-ice loss in the Arctic is linearly related to CO₂ emissions with an estimated a sensitivity of 3.0 ± 0.3 square meters of September Arctic sea-ice loss per metric ton of anthropogenic CO₂ emissions during the period 1953 to 2015.</p> <p>The Supplemental EIS includes evaluation of the No Action Alternative, which would preclude oil production from the Willow Project, and each action alternative includes a range of avoidance and minimization measures to reduce impacts of the development.</p>	Trustees for Alaska
6501-267	<p>While it is true that BLM cannot control all GHG emissions and no single project alone is the sole cause of climate disruption, the draft SEIS’s conclusion that, as a result, BLM’s hands are tied is arbitrary. This flawed rationale would justify broad, perverse inaction based on the assumption that stopping GHG emissions from any single country — let alone any single project — in isolation would not halt climate change.⁶¹⁸ The law demands more. Additionally, the best available scientific research now can tie specific tonnage of GHG emissions to direct resource impacts in the Arctic. Thus, BLM has the legal authority, mandate, and responsibility to consider and mitigate Willow’s massive GHG emissions and their climate impacts.</p>	<p>The Supplemental EIS includes evaluation of the No Action Alternative, which would preclude oil production from the Willow Project, and each action alternative includes a range of avoidance and minimization measures to reduce impacts of the development.</p>	Trustees for Alaska

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6501-270	To fully analyze potential climate change impacts, BLM should consider impacts from tipping points, or critical threshold at which a tiny perturbation can qualitatively alter the state or development of a system.627 Two particularly relevant tipping points are summer Arctic sea-ice disappearance adjacent to the Reserve and permafrost loss.628 BLM should consider the impacts of Willow on the environment if either of these or other tipping points are reached.	<p>The Intergovernmental Panel on Climate Change (IPCC) stated with "high confidence" in its Sixth Assessment Report (AR6) that the approximately linear relationship between Arctic summer sea ice and global surface temperature implies that there is no tipping point for sea ice and that sea ice losses are potentially reversible.</p> <p>Observed and projected future permafrost thawing in the Arctic was discussed in Section 3.2.2 of the Draft Supplemental EIS, and additional discussion has been added from the IPCC's AR6 report.</p>	Trustees for Alaska
6501-271	The DSEIS omits important information about projected changes to the Reserve’s physical environment during the life of the project. BLM relies primarily on three studies to provide quantified mid-century projections for air temperature and precipitation and end-of-century projections for permafrost thaw in northern Alaska.	The current description of the Arctic Coastal Plain (ACP) physiographic sub-province is described in section 3.4.1, <i>Affected Environment</i> , and discussions on physical environmental changes are described in section 3.4.2, <i>Environmental Consequences</i> . Section 3.4.2.3.1 <i>Thawing and Thermokarsting</i> , discusses physical environmental impacts as a result of permafrost thaw within this region. Thawing, ice-rich, permafrost soils create thermokarst features (periglacial topography resembling karst due to the selective melting of permafrost) that transform the landscape by subsidence, erosion, and changes in drainages, including channelization and ponding. Changes in landforms due to erosion and thermokarst, such as slumping and channelization, affect the vegetation and water characteristics of the area. Additionally, long-term permafrost temperature monitoring shows a warming trend over the past 25 years, with the greatest warming near the coast. Available climate data indicates warming trends in soils across the ACP with a 0.15-degree Celsius increase per year approximately 1 meter (3.3 feet) below the ground surface; soil warming trends based on long-term permafrost temperature monitoring on are provided in section 3.4.1, <i>Affected Environment</i> .	Trustees for Alaska
6501-274	Because ice-rich soils and permafrost beneath the Willow project will continue to warm throughout the proposed 30 year project, the underlying subsurface will thaw and melt regardless of project infrastructure. If inadequately designed or operated, however, project infrastructure would increase subsurface thawing and melting. Additionally, because subsurface thawing and melting creates unstable landforms that could impact surface infrastructure, the risks of unexpected oil and gas releases increases if the infrastructure is not designed to address the subsurface instability. 636 Moreover, subsurface thawing and melting makes it difficult if not impossible for operators to return areas to their predevelopment states following project abandonment. These considerations all need to be analyzed in the draft SEIS.	A description of how the Willow Project would be engineered to adapt to a changing climate is included in Appendix D.1. and Section 3.2.3 describes Project design features intended to avoid or minimize impacts from climate change on the Project.	Trustees for Alaska
6501-277	<p>The draft SEIS details the calamitous present and future impacts of climate change.658 However, information about impacts is much too scant, basic, and high level. It is mostly focused on broad observed and predicted changes for physical science such as air temperature, precipitation, permafrost extent, or snowfall, but is not specific to the Alaska Western Arctic region and therefore of questionable accuracy for describing and understanding specific climate change impacts.</p> <p>A 2018 IPCC polar regions report demonstrates an example of critical information at a much greater level of detail that reflects the complexity and uncertainty of current knowledge and future predictions in polar regions.659 To really understand the impacts of climate change it is necessary to look at the topic in much more detail. The 2018 IPCC report on polar regions has information summarized for these regions across physical, biological, and social topics with specific studies in Alaska. This is the best available scientific information for polar regions and must be analyzed in the SEIS. Still, on the ground impacts will be quite different in certain places. For example, changes in air temperature could vary seasonally between coastal, foothill, or mountainous regions, which would cause a spectrum of differential impacts to physical processes, ecosystems, and species. BLM must acknowledge and account for this reality in the SEIS.</p>	Projected climate trends and impacts in the Arctic, Alaska, and North Slope are discussed in Section 3.2.1.2. This includes data from the most recent National Oceanic and Atmospheric Administration's Arctic Report Cards, the recent Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report, and the U.S. Fourth National Climate Assessment. Additional information on observed and projected climate trends in the Arctic has been added from the IPCC 2019 Polar Regions Report.	Trustees for Alaska
6501-278	<p>Regarding climate change impacts on ecosystems specific to the Reserve, the draft SEIS is severely deficient. The document focuses on changes in climate and physical components but fails to describe impacts to the Arctic ecosystems and biological communities. These impacts are known, and BLM must incorporate them into its analysis.</p> <p>The draft SEIS does explain how the IPCC “estimates with high confidence that in order to limit global warming to 1.5°C, global GHG emissions in 2030 would need to be 40% to 50%” and, under more recent estimates, up to 55% “lower than 2010 emissions” and “estimated that current pledges for 2030 reduce the projected 2030 emissions by only 7.5%.”660 The draft SEIS then recounts various adverse climate change impacts.</p>	The Draft Supplemental EIS addresses the potential impacts of climate change on biological resources in the Project area (see Sections 3.9 through 3.13).	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-287	<p>BLM must, in its baseline, properly account for current methane levels and update its analysis of the greenhouse gas emissions and climate impacts of permitting Willow based on the best available science. BLM has improperly quantified methane emissions because of flaws with its methane emissions analysis in the draft SEIS. The draft SEIS does not account for any methane emissions that would result from venting. BLM must remedy this omission. For projected flaring of gas from operations, the draft SEIS assumes certain maximum flowrates for year-round high-pressure and low-pressure flares.⁶⁹³ BLM provides no citations and fails to explain on what it bases these flowrates and according to what time period.</p> <p>Even more concerning is the comparison of assumed flare volumes at the Willow Processing Facility (WPF) to those conducted at the Alpine Central Processing Facility. The draft SEIS analyzed flaring at Alpine only over a two-year period: 2020 and 2021.⁶⁹⁴ And there is a sizeable difference in the amount flared in each of those years: 176.2 MMSCF/yr in 2020 and 304.0 MMSCF/yr in 2021.⁶⁹⁵</p> <p>There is no explanation for looking solely at these two years at Alpine, and BLM should provide flaring data for additional previous years at the facility. Moreover, the draft SEIS fails to explain why the year 6 total flaring estimate for the WPF of 197.1 MMSCF/yr is much closer to the Alpine year 2020 (lower) than year 2021 (higher). BLM also assumes, without explanation, that 197.1 MMSCF/yr will remain the flaring quantify for all future years.⁶⁹⁶ It provides no basis for this assumption, particularly when seeing the vast disparity between flaring totals at Alpine for 2020 and 2021, and considering the fact that the WPF and related infrastructure (pipelines and VSMs) are being constructed to support much higher throughput than just Willow production.</p>	<p>Detailed and robust methane emissions inventories, including those from venting, were assessed in the Draft Supplemental EIS. This has been clarified in Section 2.2 of Appendix E.2A (<i>Climate and Climate Change Technical Appendix</i>) in the Final Supplemental EIS. The Willow Project would not vent methane to enhance production. Additional information on the basis for flare volumes and time periods has been added to Section 3.3.2.2, <i>Air Emissions Inventory</i>, of the Final Supplemental EIS, as well as Chapter 2.0 of Appendix E.3B, <i>Air Quality Technical Support Document</i>.</p> <p>Briefly, the flaring volumes at Willow are based on representative volumes at Alpine. The pilot light and purge assist flaring emissions are developed based on the annual average flow rate of the Alpine Central Facility (ACF) low-pressure and high-pressure flares from 2009-2018. The flare events emissions were determined based on an analysis of the amount of gas flared at Alpine from 2015 to 2017 during large safety events. Details on these flaring volumes are provided in Appendix E.3B, Section 2.1.3, <i>Alternative B (Proponent’s Project)</i>. As noted in that section, this background information is applicable to the other action alternatives. The volume of gas flared at the ACF in 2021 was higher than 2020 due to facility upgrades which resulted in multiple startups and shutdowns of the gas compression turbine and required depressurization and gas flaring. This type of upgrade is an infrequent event over Alpine’s field of life. Thus, the 2021 flaring at the ACF is not anticipated to be representative of potential future flaring activities at Willow.</p>	Trustees for Alaska
6501-288	<p>Specific to the “Year 6+” assumptions in Volume 6, Table 2.1-10, the draft SEIS must explain why the high-pressure flare pilot/purge for the WPF is lower than Alpine, while the low-pressure flare pilot/purse is nearly identical.⁶⁹⁸ Additionally, there is no explanation or justification for why the total low-pressure flare for the WPF is projected to be so much lower (88.3 MMSCF/yr) than Alpine in 2021 (260.1 MMSCF/yr). For all numbers provided in Table 2.1-10, BLM must provide the assumptions and calculations supporting these projections.</p>	<p>Additional information on the basis for flare volumes and time periods has been added to Section 3.3.2.2, <i>Air Emissions Inventory of the Final Supplemental EIS</i>, as well as Chapter 2.0 of Appendix E.3B, <i>Air Quality Technical Support Document</i>. Briefly, the flaring volumes at Willow are based on representative volumes at Alpine. The pilot light and purge assist flaring emissions are developed based on the annual average flow rate of the Alpine Central Facility (ACF) low-pressure and high-pressure flares from 2009-2018. Details on these flaring volumes are provided in Appendix E.3B, Section 2.1.3, <i>Alternative B (Proponent’s Project)</i>. As noted in that section, this background information is applicable to the other action alternatives. The volume of gas flared at ACF in 2021 was not a representative year due to facility upgrades which resulted in multiple startups and shutdowns of the gas compression turbine requiring depressurization and gas flaring. This type of upgrade is an infrequent event over Alpine’s field of life.</p>	Trustees for Alaska
6501-290	<p>While BLM’s evaluation of energy substitution and its resulting estimate of “net emissions” avoids the errors that rendered its previous analysis unlawful, BLM should not rely on this inherently uncertain estimate as the sole metric by which to judge the project’s climate consequences. It is critical that BLM highlight the uncertainty in its substitution analysis and not present this speculative estimate as equal in kind to the more certain estimate of total lifecycle GHG emissions...</p> <p>The analysis relies on an untenable business-as-usual assumption that under a no-action alternative, fossil fuel production will continue unabated. In this case, BLM’s analysis is tied to the Energy Information Administration’s (EIA) 2021 reference case, which assumes near constant oil consumption through 2050.⁷⁰⁵ This ignores the national and international commitments — and indeed existential necessity — to rapidly phase out production and consumption of fossil fuels to near zero in the next several decades. “Centering an EIS analysis on the assumption that ‘if we don’t produce or move this fossil fuel, someone else will’ ignores both these pledges and the science that motivated them.”⁷⁰⁶ It also ignores that the transition away from fossil fuels is well under way as a result of both market forces and government policies,⁷⁰⁷ a trend that should accelerate as a result of the recently passed Inflation Reduction Act (IRA), which includes hundreds of millions of dollars in federal investment aimed at speeding the transition to clean energy. BLM must consider the impact of the IRA on fossil fuel production and consumption.</p>	<p>The analysis in the Final Supplemental EIS is based on the best available information. BLM uses its EnergySub model and the most up to date reference case produced by the Energy Information Administration (EIA) to estimate quantitatively how the oil produced by the Willow Project would be replaced under the No Action alternative. BLM's EnergySub model is calibrated to the EIA reference case and the EIA is the agency with specialized expertise in energy forecasting. The 2022 reference case represents the best available information.</p> <p>A discussion of the uncertainties in both the EIA's reference case and BLM's EnergySub model is included in Appendix E.2B.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-291	This analysis compares a relatively straightforward calculation of the lifecycle emissions from fossil fuel production — determined by tallying up the GHG emission that occur at each stage of fossil fuel extraction, processing, refining, transport, and end-use — with a highly uncertain and very complicated analysis of what will happen if the project is not approved. ⁷⁰⁸ The effect of a single new project on complex global fossil fuel markets is highly uncertain and “requires extremely careful handling in order to provide clear and useful information instead of misleading conclusions.”	The analysis in the Final Supplemental EIS is based on the best available information. BLM uses its EnergySub model and the most up to date reference case produced by the Energy Information Administration (EIA) to estimate quantitatively how the oil produced by the Willow Project would be replaced under the No Action alternative. A discussion of the uncertainties in both the EIA's reference case and BLM's EnergySub model is included in Appendix E.2B.	Trustees for Alaska
6501-292	The substitution analysis ignores that new fossil fuel infrastructure locks in long term emissions and creates barriers to decarbonization. The very high, privately financed costs of oil production facilities, especially in the Arctic, creates pressure to recoup the investment by operating for many decades into the future. Additionally, such projects incentivize investment other new exploration and production projects with their own long-term investment horizons. ⁷¹¹ ConocoPhillips’ has made clear that is precisely the plan for Willow, which the company has touted as a “hub” for future development. ⁷¹² This must be analyzed.	The growth inducing impacts of the Willow Project are evaluated in Section 3.20, <i>Cumulative Effects</i> .	Trustees for Alaska
6501-293	Focusing solely on an energy substitution estimate deflects the agency’s responsibility to analyze concrete harms caused by its actions on the basis that someone else will probably cause the same harms anyway. BLM has authority over, and responsibility for, the impacts that will be caused by its decisions, and NEPA requires it to assess and be accountable for those impacts.	The Final Supplemental EIS evaluates potential impacts of the Willow Project, including its potential contribution to climate change (see Section 3.2, <i>Climate and Climate Change</i>). The National Environmental Policy Act requires analysis of a no action alternative, which is evaluated using BLM's energy substitution model (EnergySub).	Trustees for Alaska
6575-1	I am writing about the cumulative impacts to climate change described in the DSEIS for the Willow Project... This analysis does not include the potential synergistic effect on global climate from the release of methane gas stored in the permafrost (tundra) that the DSEIS proposes could be "greened" due to warmer atmospheric temperatures... Allowing the Willow Project to move forward without fully assessing the potential cumulative impacts from this project on climate change from methane release could lead to significant harm to the global climate through the irreversible methane release from the Arctic tundra including from "greened tundra" within the Willow Project area. Please consider the full impacts to climate change and include analysis of potential methane release from tundra (permafrost) as a result of increased global warming over various atmospheric temperature scenarios as done in IPCC reports. [data sources cited and quoted within letter]	Projected greenhouse gas emissions and their impact to global temperatures are calculated using RCP 2.6 scenario of the Intergovernmental Panel on Climate Change fifth assessment report and are presented in Section 3.20.5, <i>Cumulative Impacts to Climate Change</i> . An increased release of methane due to thawing permafrost within the majority of the Project footprint is not anticipated due to preventative measures to ensure permafrost does not thaw within the Project footprint. Methods for preventing permafrost thaw include appropriate gravel pad thickness, use of insulation, and installation of thermosyphons, which are discussed in section 3.4.2.3.1, <i>Thawing and Thermokarsting</i> . Preventing permafrost thaw within the Project's footprint is essential for most of the proposed infrastructure, and therefore prevents additional release of methane from the Project footprint. Additionally, long-term permafrost temperature monitoring shows a warming trend over the past 25 years, with the greatest warming near the coast. Available climate data indicates warming trends in soils across the Arctic Coastal Plain with a 0.15-degree Celsius increase per year approximately 1 meter (3.3 feet) below the ground surface; soil warming trends based on long-term permafrost temperature monitoring on are provided in section 3.4.1, <i>Affected Environment</i> .	Jeffery Barrett
6982-3	Evergreen Action notes with serious concern that Section 3.2 of the Draft SEIS (“Climate and Climate Change”) omits well-established scientific context: that new fossil fuel exploration, development, and production must be immediately halted, and existing fossil fuel production must rapidly decline to limit warming to 1.5 degrees Celsius.... As such, we note with serious concern that the Draft Supplemental EIS does not adequately analyze the Willow Project against global and national fossil fuel production decline pathways that are necessary to keep our climate below 1.5 degrees Celsius. The Draft Supplemental EIS must not only acknowledge the growing scientific consensus that new fossil fuel infrastructure or production is not needed, or is incompatible, with a 1.5C compliant pathway – but also analyze whether the Willow Project is compatible with a 1.5C future. [see letter for additional information]	Section 3.2.1.3, <i>Trends in Greenhouse Gas Emissions</i> , discusses the global and national greenhouse gas decline pathways to limit warming to 1.5 degrees Celsius. The Project's proportion of the U.S. 2030 goals under the Paris Agreement is also evaluated, as well as the social cost of greenhouse gas emissions under each alternative.	Evergreen Action
6982-4	The Draft SEIS estimates that the Willow Project would result in the annual average total gross GHG emissions to 9.6 MMT CO ₂ e. Using these estimates, BLM compares the project’s annual average gross GHG emissions to the annual GHG emissions of the United States (~0.145%) and the project’s annual average direct GHG emissions to annual Alaska GHG emissions (~1.97%) (see: p. 42). Here, BLM fails to compare the project’s annual average gross GHG gas emissions to the annual Alaska GHG emissions. As pointed out in the coalition technical comments compiled by Trustees for Alaska, this added comparison would provide a more productive analysis of the project’s emissions than total U.S. GHG emissions. BLM must correct this omission.	The annual average direct emissions from the Willow Project are compared to the annual Alaska greenhouse gas (GHG) emissions in Section 3.2.2 as the direct emissions would occur within the state of Alaska. The total (direct + indirect) gross and net emissions from the Project are not compared to the annual Alaska GHG emissions as the majority of the total emissions would be indirect emissions from downstream combustion that are expected to largely occur outside the Alaska. The total Project emissions are therefore compared to the U.S. emissions. Presenting emissions from the Willow Project as a percentage of U.S. emissions is one way to present impacts for the reader; this does not replace disclosure of gross CO ₂ e or the Social Cost of GHG, both of which are included in Section 3.2.	Evergreen Action

No.	Comment	Comment Response	Commenter
6982-5	In Section 3.19.4 (“Cumulative Impacts to Climate Change”), BLM contrasts the projected GHG emissions stemming from Willow and other North Slope projects to total U.S. GHG emissions (~0.39%). The Draft SEIS then concludes that the GHG emissions from the Willow Project and other North Slope projects “cumulatively constitute a relatively small fraction of the total impacts from U.S. GHG emissions” (p. 324). Here, BLM fails to explain what emissions figure would constitute a significant amount of GHG emissions, and instead arbitrarily diminishes the magnitude these planet-warming fossil fuel projects that are incompatible with a 1.5C pathway.	Presenting emissions from the Willow Project as a percentage of U.S. emissions is one way to present impacts for the reader; this does not replace disclosure of gross CO ₂ e or the Social Cost of Greenhouse Gases as a measure of climate impacts, both of which are included in Section 3.2. The characterization of Project and cumulative emissions as a relatively small fraction of total U.S. emissions was removed from the Supplemental EIS.	Evergreen Action
6982-6	The Draft SEIS provides incomplete analysis of projected methane emissions from the Willow Project. Methane is a powerful greenhouse gas that contributes to climate change, over 25 times as potent than CO ₂ in trapping heat in our atmosphere. (Measured over a 20-year period, this ratio balloons to 84-86 times as potent.) In the cumulative impacts analysis, BLM fails to properly account for the compounding release of methane due to increased permafrost melting caused by climate change. Rather concerningly, BLM also does not account for any methane emissions that would result from venting. BLM must rectify these omissions.	Detailed methane emissions inventories were assessed in the Draft Supplemental EIS, including those from venting. This has been further clarified in Section 2.2 of Appendix E.2A (<i>Climate and Climate Change Technical Appendix</i>) in the Final Supplemental EIS. The Project would also be subject to the proposed rule, 40 CFR Part 60, Subpart OOOOb which aims to reduce methane emissions by implementing expanded performance standards, methane limits, and rigorous monitoring. The Project would not use methane venting to enhance production.	Evergreen Action
7047-3	The new environmental analysis offers alternatives to the original proposal and includes a “corrected and expanded analysis of potential climate impacts”. However, it fails to account for the fact that virtually all climate scientists agree that we cannot have any new oil and natural gas development and meet the goals of the Paris Agreement and avoid even more costly environmental disasters.	The Supplemental EIS includes evaluation of the No Action Alternative, which would preclude oil production from the Willow Project, and each action alternative includes a range of avoidance and minimization measures to reduce impacts of the development.	Shenandoah Marr
7218-3	Additional greenhouse gases from the extraction, transport, and use of the oil over the thirty-year lifespan of this development has not been compared with the No Action alternative.	Greenhouse gas emissions under each action alternative from the extraction (direct) and transport and downstream combustion (indirect) of produced oil over the Project life were presented and compared to the No Action Alternative in Section 3.2.2 of the Draft Supplemental EIS.	Laurie Terwilliger
F7-1	The Willow Plan is the single largest oil extraction project proposed on federal lands and is estimated to contribute between 278 million and 284 million metric tons of CO ₂ over the next 30 years. This is an enormous contribution to emissions from a single project, equivalent to more than 4% of current annual emissions for the entire country, and nearly one third the annual output of U.S. coal-fired power plants. A study by the Center for American Progress found that the Biden Administrations goal of deploying 129 million metric tons of carbon dioxide-negating renewable energy on public lands by 2030 would be eclipsed completely by the carbon emissions from the Willow project. The Willow projects carbon emissions alone would double the Administrations planned emissions reductions on public lands, with a projected carbon output of 260 million metric tons over the lifecycle of the project. BLM should not rush forward to approve this proposal without undertaking careful studies of the project area in light of the changing climate and understanding the significance of the projects emissions.	The Supplemental EIS includes evaluation of the No Action Alternative, which would preclude oil production from the Willow Project, and each action alternative includes a range of avoidance and minimization measures to reduce impacts of the development.	Unsigned

Table B.5.12. Cumulative Effects Comments and Responses*

No.	Comment	Comment Response	Commenter
1-3	ConocoPhillips executives told investors that Willow is just the first step to "industrialize the Western Arctic." However, the recently released Environmental Impact Statement fails to take into account the plans of expanding the project. There have been conversations of over 3 billion barrels of oil to be produced from Willow, far larger than the expected 692 million barrels. On its own, Willow would make any efforts to combat the climate crisis negligible	The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which are defined as actions for which there are existing decisions, funding, formal proposals, or which are highly probable based on known opportunities or trends. The Supplemental EIS includes potential future developments that may use proposed Willow infrastructure, such as Greater Willow 1 and 2 (see Section 3.20.3). RFFA's are analyzed using the best available information to evaluate potential impacts.	Danett Abbott-Wicker
13-2	The proposed Central Processing Facility Center creates a future hub of industrialization for the area. 1. The supplement does not consider the potential cumulative impacts of creating a major industrial hub which serves as a catalyst for more fossil fuel development. 2. This supplement does NOT consider the cumulative impacts of this project along with other oil and gas developments. In particular, the cumulative impacts of the Willow project along with the Greater Mosses Tooth 1 and 2 and the Peregrine Prospect. These cumulative impacts are taking place in a rapidly melting arctic ecosystem that is changing fast.	The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions, including potential projects that may use proposed Willow infrastructure, as well as the growth inducing impacts of the Willow Project. The Supplemental EIS includes GMT-1, GMT-2, and the Peregrine Prospect in its analysis.	Becky Long

No.	Comment	Comment Response	Commenter
2-1	The Willow Project will provide ConocoPhillips the master hub needed for future industrialization of the fragile Arctic.3 While ConocoPhillips may try to appease the administration by seeking a permit for a smaller-scale version of the project, for now, even a scaled-down Willow Project will have catastrophic climate implications and both history and ConocoPhillips’ own plans indicate it will only continue to expand development even further.	The cumulative effects analysis includes reasonably foreseeable future actions, including potential projects that may use Willow infrastructure (see Section 3.20, <i>Cumulative Effects</i>).	Enei Begaye; Peter Windsor; Jamie Williams; Wendy Wendlandt; Brian Sybert; Jamal Raad; Erich Pica; Mario Molina; Siquñiq Maupin; Ebony Martin; Gene Karpinski; Patrick Kelly-Fisher; Marshall Johnson; Abigail Dillen; Elizabeth Balster Dabney; Victoria Clark; Jamie Rappaport Clark; Dan Chu
23-2	ConocoPhillips executives told investors that Willow is just the first step to "industrialize the Western Arctic." However, the recently released Environmental Impact Statement fails to take into account the plans of expanding the project. There have been conversations of over 3 billion barrels of oil to be produced from Willow, far larger than the expected 692 million barrels. On its own, Willow would make any efforts to combat the climate crisis negligible.	<p>The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the National Environmental Policy Act process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs.</p> <p>The annual average total gross greenhouse gas (GHG) emissions of 9,588 thousand metric tons of CO₂e per year (estimated using annual emission under Alternative C, the highest emitting alternative, and using Sixth Assessment Report 20-year Global Warming Potentials) represent approximately 0.3% of the U.S. 2030 net GHG emissions target as discussed in Section 3.2.2, <i>Environmental Consequences: Effects of the Project on Climate Change</i>.</p>	Annie Perkins
26-26	While mitigation is mentioned in the EIS, it lacks nearly any assessment of how compounding effects of climate disruption from this project will seriously impact not only the ecosystem and wildlife for decades to come, it will also have a global climate implication.	The Supplemental EIS evaluates how climate change will impact resources in the Willow Project area. This analysis is located in each Chapter 3 resource section. The Supplemental EIS also evaluates how the Willow Project will contribute to global climate change (see Section 3.2).	John Sonin; Rosemary Ahtuanguaruak; Dyani Chapman; Christi Heun; Andy Moderow; Doug Woodby; Liam Zsolt; Pamela Miller; Barbara Brease; Danielle Stickman; Chris Warner; Lauren Hendricks; Ellen Montgomery; Sara Hersh; Dorcas Nashoalook; Sam Kunaknana; Joe Evans; Sonia Ahkiygak
26-35	This proposal is far less in terms of the total number of pads and roads and pipelines than they proposed then. I remember when Alpine was proposed initially. They said we'll have one small footprint with no roads. We all know that no roads doesn't mean no roads. What we're looking at is not a matter of moving one pad or pipeline, and that being a meaningful alternative. We have a chance to really consider the carbon impacts, which have not been addressed so far in any of these processes for any of these EIS’s on the north slope of Alaska, and also take a much harder look at the cumulative impacts of roads and pads and pipelines and flaring the spills, emissions, and the gas flaring is very significant and has human health consequences as well as impacts for our global climate. I would like to know what Prudhoe Bay oil fields, all of the oil fields this will connect to have produced in terms of impacts.	Cumulative effects of past, present, and reasonably foreseeable future actions are analyzed in the Willow Supplemental EIS (see Section 3.20). Willow's contribution to global climate change is evaluated in Section 3.2.	John Sonin; Rosemary Ahtuanguaruak; Dyani Chapman; Christi Heun; Andy Moderow; Doug Woodby; Liam Zsolt; Pamela Miller; Barbara Brease; Danielle Stickman; Chris Warner; Lauren Hendricks; Ellen Montgomery; Sara Hersh; Dorcas Nashoalook; Sam Kunaknana; Joe Evans; Sonia Ahkiygak

No.	Comment	Comment Response	Commenter
2872-2	It is clear from comments made by ConocoPhillips executives to their shareholders that the current proposed Willow Project is just the start of their plans for the site, and that they would expect to expand the site after initial construction - something that is not considered in the current EIS. It would be dangerous and shortsighted to allow the Willow Project to proceed under any of the alternatives of the EIS, knowing that ConocoPhillips will likely seek to expand the project in the future.	The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the National Environmental Policy Act process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs. BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists.	Anna Brose
2878-36	Section 3.19.13, Cumulative Effects, Pages 338-339. BLM states: "If oil and gas development continues westward into the core calving area for the TCH, or if it reduces access to key insect-relief habitats and the herd experiences a decline in productivity and abundance, subsistence users of this herd (including those in Nuiqsut, Utqiagvik, Anaktuvuk Pass, Atkasuk and Wainwright) could be affected." This statement appears not to have been updated to reflect leasing decisions in the 2022 NPR-A IAP ROD. We recommend that BLM consider updating this statement in alignment with updates that have been made to the ANILCA Section 810 analysis, reflecting a lower level of anticipated cumulative impacts in light of changes to the IAP.	The Final Supplemental EIS has been updated to remove language about potential westward development into the core calving area for the Teshekpuk Caribou Herd (TCH), in light of the updated 2022 NPR-A Integrated Activity Plan/Environmental Impact Statement Record of Decision, which makes this area unavailable to leasing and development.	ConocoPhillips
2878-6	The DSEIS transparently documents and assesses reasonably foreseeable indirect and cumulative effects... Based on comments presented during public meetings on the DSEIS, we understand the BLM's analysis of potential future impacts has been criticized. We support BLM's approach, however, because it appropriately distinguishes a specific development proposal from potential, but uncertain, future action. ConocoPhillips holds additional oil and gas leases inside the Petroleum Reserve but outside the Willow area, and each of those leases reflects a potential for future development. However, none of those leases is presently part of a development proposal or exploration drilling activity. Any future development proposal will be subject to a NEPA process based on its specific facts. The likelihood, timing, and scope of any such development are uncertain.	The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the NEPA process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs. BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists.	ConocoPhillips
29597-11	At a minimum, BLM should closely analyze future development in conjunction with Willow to fully and accurately assess impacts to the community. Yet, BLM’s cumulative analysis does not address the impact of specific reasonably foreseeable future actions such as ConocoPhillips’ CD-8 pad — which is slated for construction immediately adjacent to Nuiqsut. ²⁷ Instead, the DSEIS concludes all future oil and gas activities “would have similar impacts to subsistence.” ²⁸ SILA is concerned that overgeneralizing Willow’s impacts combined with specific future oil and gas activities, diminishes the extent of Willow’s impacts on Nuiqsut.	The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the National Environmental Policy Act process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 and the proposed CD-8 project in its analysis of RFFAs. BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists.	Sovereign Iñupiat for a Living Arctic
3040-2	<p>BLM has, so far, failed to require ConocoPhillips to disclose the full extent of its plans and instead has approved each new development in isolation, failing to consider the overall picture and impact. Over the past decade, ConocoPhillips has developed a string of projects in Western Alaska, each dependent on the previous one, as the company progressively encroaches toward and into the Teshekpuk Lake Special Area, fragmenting the habitat and contributing to noise, disturbance, and air pollution for the mostly Indigenous community of Nuiqsut, turning their traditional land into an industrial zone. Public comments from the Kuukpik Village Corporation in Nuiqsut recognize this fact, noting: “Conoco has already indicated it intends to expand from Willow to access oil that won’t be reachable from the drill sites it’s currently proposing ... So even Conoco acknowledges that they expect to be back in a few years asking BLM to approve more drill sites in this area.”</p> <p>The project currently under review represents only a fraction of what ConocoPhillips has planned for the region, and the analysis does not consider the impacts from the full scale of the project that ConocoPhillips executives have sold to their shareholders. While an honest assessment may take more time to complete, the administration cannot approve what is known to be just a snippet of something bigger</p>	The purpose of the Willow Master Development Plan is to look at the full development of the Willow reservoir; each action alternative evaluates the infrastructure and activity necessary to accomplish this. Analysis of the development of other prospects are considered in the cumulative effects analysis if they meet the definition of a reasonably foreseeable future action, which is defined as a project for which there is an existing proposal, a project currently in the National Environmental Policy Act process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of reasonably foreseeable future actions BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists.	Center for American Progress
30956-11	BLM should closely analyze future development in conjunction with Willow to fully and accurately assess impacts to the community. Yet, BLM’s cumulative analysis does not address the impact of specific reasonably foreseeable future actions such as ConocoPhillips’ CD-8 pad — which is slated for construction immediately adjacent to Nuiqsut. ²⁷ Instead, the DSEIS concludes all future oil and gas activities “would have similar impacts to subsistence.” ²⁸ SILA is concerned that overgeneralizing Willow’s impacts combined with specific future oil and gas activities, diminishes the extent of Willow’s impacts on Nuiqsut.	The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the National Environmental Policy Act process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs, and the proposed CD-8 development. BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists.	Sovereign Iñupiat for a Living Arctic

No.	Comment	Comment Response	Commenter
30956-12	BLM also acknowledges that Willow’s cumulative impacts to subsistence and sociocultural systems could spread beyond the immediate project area, but these impacts are not analyzed in the DSEIS. The DSEIS states that Willow’s cumulative impacts could extend to communities beyond Nuiqsut and Utqiagvik if the cumulative case results in “large-scale changes in the abundance or availability of subsistence resources.”29 SILA agrees that Willow, in combination with ever-increasing industrial expansion in the Northeastern Reserve, presents a regional threat to subsistence resources and Indigenous communities. However, it is imperative that this threat be fully evaluated prior to Willow’s approval. The DSEIS does not do so. BLM’s cumulative analysis of subsistence and sociocultural systems merely states future development “could affect the health and abundance of different subsistence resources on the North Slope.”30 Analysis is needed to determine whether Willow along with other future industrialization will constitute a regional tipping point with cascading impacts for subsistence.	Cumulative impacts to subsistence users and species are evaluated in the Supplemental EIS, see Section 3.20, <i>Cumulative Effects</i> .	Sovereign Iñupiat for a Living Arctic
30956-13	Analysis of Willow’s potential cumulative impacts to subsistence and sociocultural systems must also include the full extent of ConocoPhillips’ expansive development plans. ConocoPhillips recently advertised that Willow will be the “new infrastructure hub [that] unlocks the west.”31 In fact, the company has “identified up to 3 billion [barrels of oil equivalent]” close to Willow that can be developed by connecting back to Willow’s infrastructure.32 We are concerned that — despite ConocoPhillips’ public statements that Willow was designed for and is poised to spur further westward expansion — the DSEIS does not acknowledge this reality. The company’s plans for Willow and its surrounding discoveries are not listed or discussed in the DSEIS. Given BLM’s prediction that Willow and ongoing industrial development may result in large-scale subsistence impacts, SILA is highly concerned that the agency is inaccurately analyzing Willow as a stand-alone development. The DSEIS must be revised to acknowledge and analyze the full extent of ConocoPhillips’ development plans.	The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the National Environmental Policy Act process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs. BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists.	Sovereign Iñupiat for a Living Arctic
30957-4	Similarly, the “action area” is equally broadly defined as “all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action.”,, As such, BLM and the Services cannot continue to arbitrarily define the action area narrowly as it has done in the past, such as defining the onshore action area to include only the area within one mile of project activities, or the buffer used by FWS for den disturbance; and defining the offshore action area to include only the area within 1.5 miles of offshore project components. For this proposed action, it is clear that the anticipated greenhouse gas pollution from oil and gas activity under Willow will harm listed species far beyond the immediate area of the proposed activity in a manner that is attributable to the agency action. [see letter for additional information supporting this comment]	The impacts of the Willow Project's incremental contribution to climate change are analyzed using the social cost of greenhouse gas emissions (SC-GHG). The SC-GHG is the monetary value of the net harm to society associated with adding a small amount of that GHG to the atmosphere in a given year. It includes the value of all climate change impacts, including (but not limited to) changes in the value of ecosystem services. The Willow Project's contributions to climate change, including the social cost associated with its GHG emissions, are analyzed and described in Section 3.2, and impacts to listed species are described in Section 3.11 (<i>Birds</i>) and Section 3.13 (<i>Marine Mammals</i>). It is speculative to state that the approval of Willow will directly cause impacts to listed species outside the Project area due to its GHG emissions, or that denying approval of the Willow Project will prevent those impacts.	Center for Biological Diversity
30962-35	EPA is concerned these future developments will further exacerbate the indirect impacts on the availability of caribou, as these projects would result in additional significant infrastructure that would further block or divert caribou movement into residents’ hunting areas west of the community.60 Including this information in the cumulative impacts can be applied to better understand the cumulative impacts to the TLSA, caribou that use this resource, and impacts to subsistence users of Nuiqsut, as well as identifying mitigation measures from these potential cumulative impacts, including moratoria on further development to avoid destruction of irreplaceable cultural resources. [see letter for additional information]	The cumulative effects analysis includes reasonably foreseeable future actions (RFFA), including Greater Willow 1 and 2 and the proposed CD-8 project. The impacts of past, present, and RFFAs on subsistence species and users is evaluated in the Supplemental EIS (see Section 3.20, <i>Cumulative Effects</i>). BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists. BLM is considering adoption of supplemental required operating procedures to reduce impacts to subsistence users; however, establishing limitations on potential future development outside the Bear Tooth Unit is beyond the scope of the decision to be made for the Willow Project and instead is appropriate to be addressed in BLM's development of programmatic integrated activity plans.	U.S. Environmental Protection Agency

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30962-5	<p>This is all the more important given the reasonably foreseeable, large-scale GHG emissions associated with proposed future developments of West Willow and Greater Willow 1 and 2. These developments are relevant to the discussion of the proposed plan’s alignment with GHG emission reduction policies and should also be discussed in detail as part of the SEIS cumulative impacts analysis. Specifically, EPA recommends that the FSEIS include more robust analysis of the project proponent’s adjacent oil prospects and the reasonably foreseeable actions related to these prospects, as ConocoPhillips envisions future developments of these prospects will be potential satellite locations that tie into the proposed Willow development. EPA notes there are 10 undrilled prospects west of the Willow reservoir, and that ConocoPhillips planned in 2019 to appraise the Greater Willow Area and optimize future development plans. ConocoPhillips stated that since the Willow discovery, it has discovered an additional 500 million barrels of oil equivalent (MMBOE) to 1.1 BBOE since 2016.20 [see letter for additional information]</p>	<p>The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the National Environmental Policy Act process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 (including West Willow) in its analysis of RFFAs.</p> <p>BLM cannot quantitatively evaluate impacts of speculative projects for which no detailed proposal exists. Although ConocoPhillips has published estimates for the oil potential in its leases west of Willow, the GHG emissions associated with producing them are highly dependent on if and when these leases are developed and how much oil can be technologically and economically feasible to recover. BLM cannot speculate on the timing of these developments to produce a quantitative analysis of their potential GHG emissions for use in the cumulative effects section.</p>	U.S. Environmental Protection Agency
30962-60	<p>EPA recommends that FSEIS include more robust analysis of the West Willow, and Greater Willow 1 and 2 oil prospects, as ConocoPhillips envisions future developments of these prospects will be potential satellite locations that tie into the proposed Willow development. EPA notes there are 10 undrilled prospects west of the Willow reservoir, and that ConocoPhillips planned in 2019 to appraise the Greater Willow Area and optimize future development plans. ConocoPhillips stated that since the Willow discovery, it has discovered an additional 500 MMBOE to 1.1 BBOE since 2016.69</p> <p>It is important to understand the cumulative impacts to the TLSA, and caribou that use this resource, as well as identifying mitigation measures from these potential cumulative impacts to subsistence users of Nuiqsut, including restricting or prohibiting additional drilling.</p>	<p>The cumulative effects analysis includes reasonably foreseeable future actions (RFFA), including Greater Willow 1 and 2. The impacts of past, present and RFFA on subsistence species and users is evaluated in the Supplemental EIS, see Section 3.20, <i>Cumulative Effects</i>. BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists.</p> <p>BLM is considering adoption of supplemental required operating procedures to reduce impacts to subsistence users; however, establishing limitations on potential future development outside the Bear Tooth Unit is beyond the scope of the decision to be made for the Willow Project and instead is appropriate to be addressed in BLM's development of programmatic integrated activity plans.</p>	U.S. Environmental Protection Agency
30964-7	<p>I was around when the Alpine development was first proposed, and the oil industry's talking points were all about isolated development, no roads, limited impacts, et cetera. And then along came the Greater Mooses Tooth, and, once again, the oil industry message was isolated development, limited impacts, limited impacts to the tundra. And now we're hearing the same pitch about Willow: don't worry, these impacts are limited.</p> <p>Well, in early June of this year, I spent a week at Teshekpuk Lake looking at birds and caribou, and when we left, we flew direct from the south shore of the lake to Deadhorse.</p> <p>And along -- and long before we reached the Colville River, we began to see oil-industry sprawl: roads, buildings, pipelines, drill pads. You could see the sprawl stretching for miles, both on the left and the right side of the plane as we flew. And this sprawl continued from before the Colville River to well past the Colville River.</p> <p>The Willow Project will inevitably be a steppingstone to future proposals to move sprawl further to the west, and this should be considered in the EIS.</p>	<p>The cumulative effects analysis includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the National Environmental Policy Act process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes analysis of potential development west of Willow. BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists.</p>	Unsigned
30965-18	<p>We've had meetings after meetings with Alpine. They said it was going to be a small footprint. And because of the core of the earth and the technology they didn't have yet, they weren't able to go and reach eight miles like they told us they would. So now you see all these satellites come up. Accumulative impacts that we don't even pay. Social impacts that we don't even look at.</p>	<p>BLM uses the best available information about project design and potential future developments to evaluate direct, indirect, and cumulative impacts. If the Willow Project proposal changes significantly from what is evaluated in the 2022 Supplemental EIS, an additional environmental review and public process would be required before any new approvals could be issued.</p>	Unsigned
30969-13	<p>ConocoPhillips has told investors that they've identified 3 billion barrels of oil in nearby prospects, nearly five times the amount reflected in the EIS. And that Willow's design was intended for expansion. The EIS does not analyze the direct impacts from these future pads even though it explicitly recognizes ConocoPhillips' intention. This piecemeal approach downplays the true impacts to the region and climate implications more broadly.</p>	<p>The purpose of the Willow Master Development Plan is to evaluate the full development of the Willow reservoir. Development of other prospects are considered in the cumulative effects analysis (Section 3.20) if they meet the definition of a reasonably foreseeable future action, which is defined as a project for which there is an existing proposal, a project currently in the National Environmental Policy Act process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends.</p> <p>BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists and the Final Supplemental EIS includes a discussion of the Willow Project's growth inducing effects (see Section 3.20, <i>Cumulative Effects</i>)</p>	Unsigned

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3394-2	The proposed project is likely just the first step in Conoco Phillips plan to expand drilling in the area. With such a large financial investment required to start a project such as Willow it is highly unlikely drilling will end with the project area outlined in the current proposal. While the SEIS acknowledges this possibility, there is no analysis of the GHG or other environmental effects of such projects.	<p>The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the National Environmental Policy Act process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs.</p> <p>BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists. Although ConocoPhillips has published estimates for the oil potential in its leases west of Willow, the greenhouse gas (GHG) emissions associated with producing them are highly dependent on if and when these leases are developed. BLM cannot speculate on the timing of these developments to produce a quantitative analysis of their potential GHG emissions for use in the cumulative effects section.</p>	Shenandoah Marr
3460-2	ConocoPhillips has already told its investors that Willow will be developed in phases. The scope analyzed in the SEIS only accounts for Phase 1. As noted by company executives, this project will eventually lead to a new industrialized hub, locking in decades of climate changing fossil fuel development, and ultimately producing 3 billion barrels of oil. While we already know that the project as described will release between 278-287 mmt of CO ₂ , the full scope of the impacts is much bigger.	<p>The purpose of the Willow Master Development Plan is to evaluate the full development of the Willow reservoir. Development of other prospects are considered in the cumulative effects analysis (Section 3.20) if they meet the definition of a reasonably foreseeable future action, which is defined as a project for which there is an existing proposal, a project currently in the National Environmental Policy Act process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends.</p> <p>BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists, and the Final Supplemental EIS includes a discussion of the Willow Project's growth inducing effects (see Section 3.20, <i>Cumulative Effects</i>).</p>	Sierra Club
3927-17	<p>3.19. Cumulative Effects. The definition of cumulative effects in this DSEIS omits some of the wording in the Federal Code of Regulations. The DSEIS states: “The cumulative effects analysis considers impacts of a proposed action and its alternatives that may not be consequential when considered individually, but when combined with impacts of other actions, may be consequential (CEQ 1997). Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time” (40 CFR 1508.7 and 1508.25[a][2]).”</p> <p>I don’t know if abbreviating the definition was done intentionally or if it was cut and paste error. If it was intentional it would appear to be an attempt to minimize what needs to be considered in this section of the document. The definition in this document needs to be corrected to reflect the legal definition in wording as stated in the National Archives, Code of Federal Regulations. According to CFR 40 Part 1508.1 (g)(3). The definition is: “Cumulative effects, which are effects on the environment that result from the incremental effects of the action when added to the effects of other past, present, and reasonably foreseeable actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time.”</p>	The definition of cumulative effects was updated to match current regulations.	Kathleen O'Reilly-Doyle
3927-18	<p>3.19. Cumulative Effects ...Once again I would like to refer to the Circumpolar Map [see figure in letter] When concerns are raised about oil development activities in the arctic, permafrost melting, methane release and climate change, it is important to view them in a broad perspective over the entire circumpolar region and over time...</p> <p>This attempt at describing and analyzing the potential “Cumulative effects” falls woefully short of what needs to be included. The authors attempt to limit the analysis to just the project area instead of looking at this project’s “Incremental effects” on other past, present and future actions or similar actions (in the circumpolar region) that it is collectively a part of, falls short of considering “Cumulative effects.” What is being proposed for this project appears to be a “significant action.” When viewed “collectively” with other actions in the circumpolar area over the past, present, and future the effects are certainly significant for not only the project site but for climate change and human, wildlife and global health.</p> <p>The analysis seems to miss the point completely, that this massive Willow project, along with other similar projects of this magnitude, could add significantly to factors contributing to climate change. This is a global issue that needs to be addressed with global analysis and solutions. To summarize my comments I would like to link them with other voices around our earth.</p>	The Supplemental EIS evaluates the impacts of global climate change on resources in the Project area and the Project's contributions to global climate change; this analysis is included in each resource section in Chapter 3. The direct impacts from the Willow project (i.e., impacts resulting from Project activity) will not overlap with impacts from oil developments outside the Project area.	Kathleen O'Reilly-Doyle

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4973-7	ConocoPhillips has already told its investors that Willow is just the first step to "industrialize the Western Arctic" and that it will be developed in phases. However, the recently released SEIS fails to consider the plans of expanding the project—the scope analyzed in the SEIS only accounts for Phase 1. As noted by company executives, this project will eventually lead to a new industrialized hub, locking in decades of climate changing fossil fuel development, and ultimately producing 3 billion barrels of oil, far more than the 692 million barrels indicated by the SEIS. While we already know that the project as described will release between 278 and 286.5 million metric tons (MMT) (or more) of carbon dioxide over 30 years, the full scope of the impacts is much bigger.	<p>The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the National Environmental Policy Act process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs.</p> <p>The BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists. Although ConocoPhillips has published estimates for the oil potential in its leases west of Willow, the greenhouse gas (GHG) emissions associated with producing them are highly dependent on if and when these leases are developed. BLM cannot speculate on the timing of these developments to produce a quantitative analysis of their potential GHG emissions for use in the cumulative effects section.</p>	Christopher Lish
5228-24	Chapter 3, page 322, Table 3.19.1. This table discusses reasonably foreseeable future actions. It is not clear why planned upgrades to the Kuparuk seawater treatment plant is included, while the Pikka Project’s Seawater Treatment plant is missing. Please add the Pikka seawater treatment plant to the list of reasonably foreseeable future actions.	The Pikka Project's seawater treatment plant has been added to the description of Santos' Pikka Project.	State of Alaska
6230-2	This is bad enough, but ConocoPhillips thinks this project will be the “next great Alaska hub” and allow them not only to produce over 600 million barrels of oil over the lifetime of this project, but also an additional 3 billion barrels of oil from nearby finds. Once you build the infrastructure, it is relatively easy to expand.	The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the National Environmental Policy Act analysis process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs.	The Climate Reality Project
6380-3	Moreover, ConocoPhillips has made clear that Willow is just the first step in a longer-term plan to develop an ‘infrastructure hub’ in the western Arctic stretching far beyond the currently proposed development. ConocoPhillips executives told investors that the company had already identified three billion barrels of oil in nearby prospects and that Willow’s design was intended for expansion. This means that the infrastructure built for Willow could extract almost five times the amount of oil than is currently reflected in the environmental impact statement. This piecemeal approach downplays the true impacts of the Willow development and the environmental analysis represents only a fraction of what ConocoPhillips has planned for the region.	<p>The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the NEPA process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs.</p> <p>BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists. Although ConocoPhillips has published estimates for the oil potential in its leases west of Willow, the GHG emissions associated with producing them are highly dependent on if and when these leases are developed. BLM cannot speculate on the timing of these developments to produce a quantitative analysis of their potential GHG emissions for use in the cumulative effects section.</p>	Ashley Davis
6501-105	BLM states that “marine mammals would be cumulatively affected by other RFFAs in the analysis area” and Willow project impacts would add to those RFFA impacts. ¹²³⁵ But it identifies no such RFFAs or associated impacts to consider cumulatively with Willow project impacts. Elsewhere, for example, BLM refers to the Nanushuk and Liberty projects as RFFAs that could accomplish wondrous cumulative economic outcomes with many “positive effects to community health.” ¹²³⁶ But to assess cumulative impacts to marine mammals, there is no mention of the Nanushuk or Liberty projects. Those projects occur in habitat used by marine mammals, including designated polar bear critical habitat, and their omission is a fatal flaw in the cumulative effects analysis for marine mammals.	The analysis has been revised to acknowledge nearshore projects such as Nanushuk and Liberty would have cumulative impacts resulting in marine mammal habitat loss and alteration; disturbance and displacement due to noise and human activity; mortality and injury associated with construction, vessel strikes, and human safety concerns; vessel traffic; and disturbance and deflection of subsistence resources (i.e., bowhead whales).	Trustees for Alaska
6501-106	<p>Polar bears are already spending more time on land¹²³⁸ and the energetic cost of doing so is already a concern,¹²³⁹so these are known, present impacts, not future potential ones. Also, increases in both industrial development and polar bear terrestrial uses will create a higher likelihood of encounters and disturbance, and this section should be assessing the extent of Willow project disturbance together with existing and projected disturbance from RFFAs rather than simply noting that it is likely. It is insufficient under NEPA to punt this cumulative impacts analysis to ITRs/LOAs which may or may not be applied for or issued for Willow or other projects.</p> <p>The ITR/LOA process itself does not evaluate cumulative impacts,¹²⁴⁰ so the analysis foregone now will not be salvaged at some later time.</p>	Cumulative effects are analyzed in Section 3.20. In addition, Project mitigation measures have been updated and do not rely on the Incidental Take Regulations (ITR). Polar bear ITRs are a U.S. Fish and Wildlife Service process and do consider cumulative effects of takes on polar bears; however, BLM has undergone an analysis independent of the ITR and does not rely on the ITR analysis.	Trustees for Alaska

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6501-107	<p>The DSEIS cumulative impacts section fails to actually assess reasonably foreseeable future impacts, and otherwise notes that past and present impacts are discussed in section 3.13. That section, however, simply lists some of the infrastructure already in place near the project area due to other oil and gas projects.¹²⁴¹ It doesn't quantify these projects in terms of impacts to polar bears, marine mammals or habitat and thus provides no baseline of impact information for the cumulative effects analysis to consider and build on. ¹²⁴² Simple mention of the existence of other project infrastructure near the analysis area is insufficient to support the cumulative impacts assessment for Willow...</p> <p>All of these actions impact polar bears and critical habitat, and the extraction projects collectively represent the industrialization of a substantial percentage of designated polar bear denning habitat, as well as other critical habitat. Indeed, considered together with the Arctic Refuge coastal plain oil and gas program and the Reserve's Integrated Activity Plan, which allow infrastructure to be placed in hundreds of miles of polar bear terrestrial denning critical habitat, they are part of a planned transformation of Alaska's Arctic coast, from Utqiagvik to the Canadian border, to an industrial development zone. BLM must quantify and assess the impact of RFFAs on polar bears and their habitat, together with the hundreds of square miles of polar bear critical habitat impacted by the Willow proposal, in its cumulative effects analysis for the Willow project.</p>	<p>The cumulative effects analysis includes reasonably foreseeable future actions (RFFA), which are defined as actions for which there are existing decisions, funding, formal proposals, or which are highly probable, based on known opportunities or trends. The Supplemental EIS includes potential future developments that may use the Willow infrastructure, such as Greater Willow 1 and 2 (see Section 3.20.3). RFFA's are analyzed using the best available information to evaluate potential impacts.</p> <p>Cumulative effects of past, present, and reasonably foreseeable future actions are analyzed in the Willow Supplemental EIS (see Section 3.20, <i>Cumulative Effects</i>). Marine Mammals are more specifically discussed in Section 3.20.11.5.</p>	Trustees for Alaska
6501-108	<p>BLM briefly mentions that increased access due to these large development projects, including access for subsistence activities, "could kill more polar bears, or displace them to other habitats to avoid harvest."¹²⁴⁸ As noted above, increased mortality for SBS bears is not consistent with recovery of this depleted and vulnerable population. BLM must estimate the cumulative disturbance and mortality due to vastly increasing access to polar bear habitat via the Willow project and the RFFAs noted.</p>	<p>Permanent Willow infrastructure would not overlap with polar bear critical habitat. It is speculative to estimate the number of polar bears that would be killed due to defense of life and property or through subsistence harvest of bears from hunters using the Willow ice road infrastructure during the few years that it would be present.</p> <p>Impacts to polar bears resulting from past, present and reasonably foreseeable future actions are discussed in Section 3.20, <i>Cumulative Impacts</i>.</p>	Trustees for Alaska
6501-131	<p>BLM's cumulative effects analysis is wholly inadequate. The cumulative effects of anthropogenic sound, ocean warming, acidification, habitat loss, and overfishing are pervasive, providing an unprecedented level of stress to Arctic marine mammals.¹⁴²⁰ Yet BLM fails to properly disclose, let alone analyze, these impacts.</p> <p>As courts have explained, "in considering cumulative impact, an agency must provide some quantified or detailed information; . . . general statements about possible effects and some risk do not constitute a hard look absent a justification regarding why more definitive information could not be provided."¹⁴²¹ BLM failed to comply with these requirements. Indeed, its "analysis" of cumulative impacts amounts to nothing more than general descriptions of activities and projects that also impact marine mammals on the North Slope. This is insufficient...</p> <p>While mentioning those stressors, and the other projects that will impact marine mammals, is a necessary start to an analysis, it is no analysis in itself. Rather, the analysis must explain "how individual impacts might combine or synergistically interact with each other to affect the environment." BLM's DSEIS fails to do so.</p>	<p>The effects of climate change on marine mammals are discussed in Section 3.13 and the way individual impacts might combine to affect marine mammals is described in Section 3.20.11.</p>	Trustees for Alaska

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6501-145	BLM’s analysis of Willow’s cumulative effect on subsistence and sociocultural systems is overly broad and fails to actually analyze Willow’s likely effects when combined with particularly relevant RFFAs. BLM acknowledges that reduced sharing could extend Willow’s sociocultural effects beyond Nuiqsut and Utqiagvik if the cumulative case leads to large scale impacts to subsistence resources.1460 While the DSEIS points the reader to BLM’s cumulative effects section for additional information regarding this concerning possibility, that section provides no further context or analysis.1461 BLM’s cumulative analysis of subsistence and sociocultural systems discusses all RFFAs generally and indicates future development “could affect the health and abundance of different subsistence resources on the North Slope.”1462 This statement does not indicate which developments might cumulatively impact subsistence harvests in combination with Willow, which subsistence resources might be at risk in the cumulative case, or which communities might be impacted. BLM also failed to address relevant impacts from specific RFFAs. For example, the DSEIS indicates community members in Nuiqsut have experienced significant sociocultural impacts as a result of being boxed in by development and cutoff from traditional hunting areas.1463 One proposed RFFA that would presumably add to this subsistence and sociocultural impact is ConocoPhillips’ CD-8 pad which, unlike many other RFFAs, will be immediately adjacent to Nuiqsut.1464 Yet, the DSEIS does not address CD-8 and broadly concludes all RFFAs “would have similar impacts to subsistence as [Willow].”1465	BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists. Projects with detailed proposals, such as the Pikka/Nanushuk project, are evaluated in detail in the subsistence and sociocultural systems section. Other projects for which detailed information does not exist are covered more broadly. Section 3.20, <i>Cumulative Effects</i> , has been revised to provide additional detail regarding potential cumulative impacts to subsistence, including a discussion on the potential CD-8 pad.	Trustees for Alaska
6501-146	BLM’s GMT1 analysis is also not meaningfully discussed enough within this draft SEIS to understand Willow’s cumulative impacts. The GMT1 ROD states: Negative impacts to subsistence that were considered in the finding of major impacts for Environmental Justice include the project footprint’s direct and indirect impact to subsistence use areas, including the 3-mile Fish Creek and Tiŋmiaqsiuġvik (Ublutuooh) River setbacks, disruption to subsistence hunting activities caused by aircraft traffic, reduced access to and user avoidance of traditional subsistence use areas, reduced value of traditional subsistence use areas, and decreased community participation and transmission of knowledge. Also, many residents identify the cumulative effects as the loss of traditional land and a sense of being surrounded by infrastructure.1466 How this finding is related to and compounded by GMT2 and the Willow MDP should be discussed in detail, particularly regarding infrastructure and gravel mines that are being proposed within these and other important setback areas.	BLM's findings regarding the cumulative case for both GMT-1 and GMT-2 have been incorporated.	Trustees for Alaska
6501-157	BLM has previously identified access impacts and the overall reduction in Nuiqsut’s subsistence use areas as some of the most significant impacts from development in the region. In the GMT-1 decision, BLM found there would be a significant restriction to subsistence for the village of Nuiqsut based on the reduced access to subsistence use areas, reduced availability of subsistence resources, and hunter avoidance of industrial areas — from a single drilling pad with one connective road... These concerns are identical to and will be magnified by the Willow project. The GMT1 project acknowledged that there would be significant environmental justice and other impacts, and that those impacts would only increase in light of other developments in the region. BLM has not adequately analyzed the potential cumulative impacts the massive Willow project will have when added to the existing impacts of development that has already been built or authorized in the region.	BLM's findings regarding the cumulative case for both GMT-1 and GMT-2 have been incorporated by reference.	Trustees for Alaska
6501-158	The increasingly devastating impacts of climate change disruption are not adequately analyzed and considered over the lengthy, 30-year span of the Willow Project, nor properly accounted for in mitigation. Every year, those climate impacts will accumulate, deeply worsening and compounding the adverse effects on directly impacted communities from Willow.	The impacts of climate change to resources in the Project area are described in each resource section in Chapter 3. Willow's contribution to global climate change is discussed in Section 3.2.	Trustees for Alaska
6501-251	NEPA’s mandate to consider cumulative impacts requires “some quantified or detailed information; ... [g]eneral statements about ‘possible’ effects and ‘some risk’ do not constitute a ‘hard look’ absent a justification regarding why more definitive information could not be provided.”470 Simply cataloguing “relevant past projects in the area” is insufficient.471 BLM must provide enough detail to assist “the decisionmaker in deciding whether, or how, to alter the program to lessen cumulative impacts.”472 A “hard look” at cumulative effects requires “a sufficiently detailed catalogue of past, present, and future projects, and . . . adequate analysis about how these projects, and differences between the projects, are thought to have impacted the environment.	Each resource analysis in Section 3.20, <i>Cumulative Effects</i> , considers relevant projects in its disclosure of impacts.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-252	The DSEIS fails to adequately consider the full range of past, present, and reasonably foreseeable future actions (RFFA) that could, in combination with Willow, cumulatively effect the communities and resources that depend on the Reserve. One prominent analytical deficiency is BLM’s failure to address ConocoPhillips’ plans for future industrial expansion in and around Willow.478 For those projects that were considered in BLM’s cumulative impacts analysis, the DSEIS provides limited descriptions without the level of specificity needed for meaningful analysis. For many of the resources reviewed in the DSEIS, BLM draws overly general conclusions regarding Willow’s cumulative effects without actually analyzing impacts from identified projects or providing necessary context regarding the scope of impacts.	The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the NEPA process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs. BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists.	Trustees for Alaska
6501-253	Section 3.1.1 is too broad to be informative. For example, the DSEIS notes relevant past and present actions west of the Colville River “include existing oil and gas infrastructure (e.g., gravel and ice roads, pipelines, processing facilities).”481 This description, which gives no indication of the extent or location of existing infrastructure, is insufficient to support meaningful analysis. This failing is compounded by BLM’s failure to provide even a qualitative description of the extent of impact from past and present actions for most resources.482 A more detailed analysis of existing stressors on the northeastern Reserve’s resources is necessary in order to fully understand how those resources will be impacted by Willow’s construction, infrastructure and ongoing activities.	Section 3.1.1 (including Figure 3.1.1) are intended to provide an overview of the existing large developments on the North Slope. A detailed analysis of how past, present, and reasonably foreseeable future actions would interact with the Willow Project is found in Section 3.20, <i>Cumulative Effects</i> .	Trustees for Alaska
6501-254	<p>The DSEIS also fails to identify and fully consider RFFAs that may flow from Willow’s development as well as unconnected actions that may act cumulatively with the impacts of Willow. Reasonably foreseeable ongoing and future actions that are not included in the DSEIS include, but are not limited to:</p> <ul style="list-style-type: none">• Development and production at ConocoPhillips’ other Reserve projects, including Colville Delta 5 (CD-5), GMT-1, and GMT-2;• Winter exploration drilling and associated activities in the Willow area and adjacent parts of the Reserve;• Exploration, development, and production of recent oil and gas discoveries near the Reserve, including Caelus’s Smith Bay, and Oil Search’s Pikka-Horseshoe which is expected to move into production by 2026;483 and• Oil and gas activities in Outer Continental Shelf areas of the Beaufort Sea, as well as the potential for additional leasing and oil and gas activities and infrastructure in those areas and additional support infrastructure and activities within or adjacent to the Reserve. <p>Despite listing future development that may flow from Willow as reasonably foreseeable, the DSEIS fails to fully address ConocoPhillips’ plans for future expansion flowing from Willow’s infrastructure including its potential central processing facility and associated roads. Regarding Greater Willow 1 and 2, the DSEIS provides only a short description of these projects and largely fails to mention the planned expansion in its cumulative impacts analysis.484 In addition, ConocoPhillips recently informed investors that the company has already “identified up to 3 billion [barrels of oil equivalent]” nearby that represent a “significant long-term upside” to Willow because such prospects “could leverage the Willow infrastructure.”485</p> <p>Despite the scale of these discoveries, their proximity to Willow, and their dependence on Willow’s infrastructure, the DSEIS does not acknowledge or analyze ConocoPhillips’ larger development strategy. BLM cannot simply disregard future development resulting directly from Willow as speculative in light of such statements and should request additional information from ConocoPhillips to support a thorough and defensible cumulative effects analysis.</p>	The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the NEPA process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or current trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs. BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-255	For the RFFAs that are considered, the DSEIS includes only single sentence descriptions and largely fails to address cumulative impacts that may result from Willow in combination with specific RFFAs.486 BLM’s limited descriptions for RFFAs masks the specific relevance of particular RFFAs and their component parts. For example, the RFFA “Alpine Infrastructure Upgrades” includes a short list of expansion plans including a “potential new gravel pad (CD-8), additional gravel pads for staging, and other routine operational projects with small footprints.”487 This description fails to indicate that ConocoPhillips’ proposed CD-8 well site is immediately adjacent to Nuiqsut488 which is already “effectively surround[ed] by industrial infrastructure.489 CD-8’s proximity to the community is therefore likely to intensify the community’s sensation of living in a “human corral” with decreased access to traditional lands.490 Despite the potential significance of CD-8, the project is not mentioned in BLM’s cumulative effects analysis beyond being listed as a potential source of air quality cumulative impacts.491 Rather than addressing how specific RFFAs will act cumulatively with Willow to impact the northeastern Reserve’s resources, the DSEIS often instead refers to all RFFAs generally. For example, in addressing potential cumulative impacts to water, the DSEIS does not address any individual RFFAs or even address categories of RFFAs before broadly concluding Willow “would contribute to the cumulative effects of past and present actions and RFFAs.”492 This is insufficient information to determine “whether, or how, to alter the program to lessen cumulative impacts.”	BLM cannot evaluate impacts from projects for which no detailed proposal exists. Projects with detailed proposals, such as the Pikka/Nanushuk project, are evaluated in detail in Section 3.20, <i>Cumulative Effects</i> . Other projects for which detailed information does not exist are covered more broadly.	Trustees for Alaska
6501-256	The DSEIS also fails to disclose and analyze the cumulative impacts of roaded development in the Reserve. As explained in earlier comments, an analysis of the true impacts of roaded development in the Reserve is essential and long-overdue. The Reserve is the largest tract of roadless land in the United States. When the federal government decided to allow oil development there, it determined that any development must be without roads, in order to protect the rich biological resources in the Reserve.494 According to former Interior Secretary Bruce Babbitt, “[t]he problem with roads is that roads beget more roads beget more roads. A road becomes a network, becomes a spider-web of landscape fragmentation and destruction, with little use for wildlife.”495 When BLM abandoned this plan for protecting the roadless character of the Reserve, it did so without taking full account of the impact of roads. BLM cannot avoid the full impacts of a roaded development scenario for Willow by ignoring the foreseeable impacts of development beyond Willow that will almost certainly follow the project’s newly built roads.	BLM has evaluated the effect of the Willow Project's roads and other existing and planned roads on resources in the NPR-A, including an analysis of the growth inducing impacts of road development (see Section 3.20, <i>Cumulative Effects</i>). The only known reasonably foreseeable future actions that would expand the Willow Project road network would be Greater Willow 1 and Greater Willow 2, which are included in the cumulative effects analysis (Section 3.20).	Trustees for Alaska
6501-258	BLM must also account for impacts beyond individual project footprints. According to the National Research Council, the effects of industrial activities like Willow “are not limited to the footprint of a structure or to its immediate vicinity; a variety of influences can extend some distance from the actual footprint.”505 Thus, “[t]he common practice of describing the effects of particular projects in terms of the area directly disturbed by roads, pads, pipelines, and other facilities ignores the spreading character of oil development on the North Slope and the consequences of this to wildland values. All of these effects result in the erosion of wildland and other values over an area far exceeding the area directly affected.”	The Supplemental EIS considers direct and indirect effects, which extend beyond the Project's footprint (e.g., air quality, climate change, caribou) as well as cumulative effects extending throughout the broader areas affected by cumulative actions. Resource analysis areas are based on the potential direct, indirect, and cumulative impacts to the resource from the Willow Project.	Trustees for Alaska
6501-289	In the cumulative impacts analysis, BLM fails to adequately account for methane emissions from accelerating permafrost thawing caused by anthropogenic warming. Thawing permafrost is releasing not only methane, but also carbon dioxide and “significant amounts of [nitrous oxide].”699 The draft SEIS documents observed near-surface permafrost warming of 3°C to 4°C since the 1980s, with this warming trend continuing.700 But, while BLM notes in its discussion of cumulative impacts that the “impacts of GHG emissions on climate change would be compounded by impacts from climate change on the environment,”701 it makes no attempt to quantify what the draft SEIS itself describes as significant amounts of GHG emissions from permafrost thawing.702 By failing to quantify these emissions from permafrost thaw or otherwise properly consider them in the draft SEIS’s GHG emissions analysis, BLM has failed to “ensure that important effects will not be overlooked or underestimated.”703 BLM must sufficiently quantify, contextualize, and analyze current and projected GHG emissions resulting from permafrost thawing.	Observed and projected decreases in the extent of permafrost and the resulting emissions of CO ₂ , CH ₄ , and N ₂ O due to warming temperatures were discussed in the Draft SEIS in Section 3.2.1, <i>Affected Environment</i> , and in Appendix E.2A, <i>Climate Change Technical Appendix</i> . Estimates of the carbon emissions resulting from permafrost thawing from the Intergovernmental Panel on Climate Change Sixth Assessment report were added to Section 3.2.1.2, <i>Projected Climate Trends and Impacts in the Arctic and on the North Slope</i> .	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-309	<p>BLM needs to clearly identify and analyze the impacts of this future expansion potential as part of its analysis; it cannot on the one hand ignore those impacts, while at the same time authorizing a project where the design and alternatives are expressly tied to ConocoPhillips’ intent to use Willow as a jumping-off point for future expansion. The mitigation section in the DSEIS also indicates that ConocoPhillips proposed locating the processing facility as far south and west as possible with the intent of constructing the processing facility “in a location where it could potentially be used for future projects CPAI may develop” to the south and west of Willow.⁷⁶³</p> <p>This location is purportedly to “minimize future (cumulative) impacts related to further development to the west of the Project area.”⁷⁶⁴ Despite this, the DSEIS does not contain an adequate analysis of the true scope and impacts of what it would mean to have a major hub like Willow utilized for even further expansion into the Reserve.</p>	<p>The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the NEPA process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs. BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists.</p> <p>The purpose of the Willow Master Development Plan is to evaluate the full development of the Bear Tooth Unit. Development of CPAI's leases outside of the Bear Tooth Unit are considered in the <i>Cumulative Effects</i> section (3.20) but are not part of the Willow Project.</p>	Trustees for Alaska
7047-2	<p>The proposed project is likely just the first step in Conoco Phillips plan to expand drilling in the area. With such a large financial investment required to start a project such as Willow it is highly unlikely drilling will end with the project area outlined in the current proposal. While the SEIS acknowledges this possibility, there is no analysis of the GHG or other environmental effects of such projects.</p>	<p>The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the NEPA process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs.</p> <p>BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists. Although ConocoPhillips has published estimates for the oil potential in its leases west of Willow, the GHG emissions associated with producing them are highly dependent on if and when these leases are developed. BLM cannot speculate on the timing of these developments to produce a quantitative analysis of their potential GHG emissions for use in the cumulative effects section.</p>	Shenandoah Marr
7339-2	<p>This is a massive complex and far-reaching infrastructure proposal. The proposed Central Processing Facility Center creates a future hub of industrialization for the area. The supplement does not consider the potential cumulative impacts of creating a major industrial hub which serves as a catalyst for more fossil fuel development.</p>	<p>Cumulative effects are analyzed in Section 3.20. The cumulative effects analysis includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the NEPA process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs.</p>	Bee Long
7339-3	<p>This supplement does NOT consider the cumulative impacts of this project along with other oil and gas developments. In particular, the cumulative impacts of the Willow project along with the Greater Mosses Tooth 1 and 2 and the Peregrine Prospect. These cumulative impacts are taking place in a rapidly melting arctic ecosystem that is changing fast.</p>	<p>The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions, including potential projects that may use Willow infrastructure. The Supplemental EIS includes GMT-1, GMT-2, and the Peregrine Prospect in its analysis. See Supplemental EIS Section 3.20, Cumulative Effects.</p>	Bee Long
762-3	<p>However, the recently released Environmental Impact Statement fails to take into account the plans of expanding the project. There have been conversations of over 3 billion barrels of oil to be produced from Willow, far larger than the expected 692 million barrels.</p>	<p>The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the NEPA process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs. BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists.</p>	Haylea Stuteville
8097-3	<p>ConocoPhillips’ senior vice president for global operations had made clear towards investors in June 2021 that the company expects to drill up to 3 billion BOEs “leveraging the invested money”, which is about five times as much as the current plans suggest. The project currently under review represents obviously only a fraction of what ConocoPhillips has planned for the region, and the analysis does not consider the impacts from the full scale of the project that the company’s executives have outlined towards their shareholders.</p>	<p>The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the NEPA process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs. BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists.</p>	Petra Krumme
827-2	<p>Willow is the biggest oil and gas project pending on U.S. public lands, which the Biden administration says would produce about 600 million barrels of crude oil. But ConocoPhillips is privately telling investors that its new Arctic "hub" could eventually unlock five times as much: 3 billion barrels. Ironically, by the time the project comes online, climate modelers are predicting that 33% of vehicle sales will be electric. According to the EIA, if we have any hope of meeting the targets the world set in Paris in 2015, there can be no further expansion of fossil fuel infrastructure.</p>	<p>The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the NEPA process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs. BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists.</p>	Ruth Hardy

No.	Comment	Comment Response	Commenter
943-1	Given that the project will produce a colossal amount of unnecessary GHG emissions, and the strong likelihood of gas leaks causing even more GHG emissions, moving forward with this project is simply irresponsible to current and future generations. Furthermore, the project is likely just the first step in Conoco Phillips plan to expand drilling in the area. While the SEIS acknowledges this possibility, there is no analysis of the GHG or other environmental effects of such projects.	<p>The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the NEPA process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs.</p> <p>BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists. Although ConocoPhillips has published estimates for the oil potential in its leases west of Willow, the GHG emissions associated with producing them are highly dependent on when these leases are developed. BLM cannot speculate on the timing of these developments to produce a quantitative analysis of their potential GHG emissions for use in the cumulative effects section.</p>	Erick Presfield
F12-1	The project outlined in the environmental review represents only a fraction of what ConocoPhillips has planned for the region. Last summer, Conoco executives made clear that the region’s development scenario is much larger than is considered under this review. Willow is just step one in the plan to develop an ‘infrastructure hub’ in the Western Arctic stretching far beyond the currently proposed project. A ConocoPhillips VP told investors that the company had already identified 3 billion barrels of oil in nearby prospects and that Willow’s design was intended for expansion. The current analysis does not consider the impacts from the full-scale plans for further expansion that ConocoPhillips executives have sold to their shareholders. the supplemental environmental review is unacceptably narrow and no drilling project should move forward based on such an insufficient and slapdash look at the impacts to the region.	The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the NEPA process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs. BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists.	Unsigned
F18-1	ConocoPhillips executives told investors that Willow is just the first step to "industrialize the Western Arctic." However, the recently released Environmental Impact Statement fails to take into account the plans of expanding the project. There have been conversations of over 3 billion barrels of oil to be produced from Willow, far larger than the expected 692 million barrels.	The cumulative effects analysis (Section 3.20) includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the NEPA process, a project to which a commitment of resources (such as funding) has been made, or a project which is highly probable based on known opportunities or trends. The Supplemental EIS includes Greater Willow 1 and 2 in its analysis of RFFAs. BLM cannot evaluate impacts of speculative projects for which no detailed proposal exists.	Unsigned

Table B.5.13. EIS Process or Timeline Comments and Responses*

No.	Comment	Comment Response	Commenter
1158-3	This summer BLM issued a Supplemental Environmental Impact Statement for the Willow project in Alaska that builds upon the initial EIS. At the end of this comment period, the Willow project will have undergone 215 days of public comment and 25 public meetings. The NAM urges BLM move quickly to approve this project so that development can begin ahead of the 2022-2023 winter season.	The Supplemental EIS process has followed and complied with the requirements of the National Environmental Policy Act, including public involvement. BLM is committed to completing its review of the Willow Project in an efficient manner, and within the time limits established by 40 CFR 1501.10.	National Association of Manufacturers
29597-2	<p>Because of our concerns about Willow, we and our partners filed a lawsuit challenging the project’s approval and the Department of Interior (Interior) and BLM’s failure to comply with numerous laws, including laws that are meant to protect Indigenous ways of life and cultural and spiritual connections to the land. Our challenge was successful in both the Ninth Circuit Court of Appeals and in the U.S. District Court in Alaska.³</p> <p>We are concerned that Interior and BLM are now undertaking a review of Willow that is narrowly limited to addressing the legal deficiencies identified by the Court on a rushed timeframe. The agencies should use their review process to address all of the deficiencies identified in our lawsuit and reconsider the project as a whole. BLM should also consider Willow’s infringement on the basic human rights of the Iñupiat, analyze the project’s outsized contribution to climate change, and determine whether the project is consistent with this administration’s promises to address the climate emergency. Instead, it appears the agencies are rushing to approve Willow on ConocoPhillips’ timeline. Interior and BLM must halt the current process and allow adequate time for tribal consultation and meaningful engagement by affected communities.</p>	BLM has addressed all of the legal deficiencies identified in the 2020 EIS. The 2022 Supplemental EIS incorporates all new guidance issued by the Biden administration and any new information relevant to the analysis published since 2020. The Project's contributions to global climate change are analyzed in Section 3.2.	Sovereign Iñupiat for a Living Arctic

No.	Comment	Comment Response	Commenter
29597-3	We are disappointed that BLM is once again rushing to approve Willow without necessary input from North Slope communities. As explained in our prior comments, BLM’s previous approval process lacked transparency and made it difficult for Indigenous people and local communities to provide public comment. BLM proceeded with virtual meetings in the very early stages of the COVID-19 pandemic disregarding the fact that Nuiqsut’s community members were trying to focus on keeping their families safe. The meeting moderators limited who could speak, which questions were answered, and even muted participants in Nuiqsut who attempted to oppose Willow. The process was culturally insensitive and denied affected community members due process. Unfortunately, BLM is continuing its practice of thwarting Indigenous engagement with its DSEIS process. BLM’s comment deadline falls during the height of the subsistence harvest season and the agency has refused extension requests submitted by the City of Nuiqsut and Nuiqsut’s tribal government. Requiring community members to review and comment on a lengthy DSEIS when they are engaged in subsistence harvests is unnecessary and culturally insensitive.	<p>Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.</p> <p>The Supplemental EIS process has followed and complied with the requirements of the National Environmental Policy Act, including public involvement, and BLM will continue its consultation with Nuiqsut entities throughout the EIS process. BLM is committed to completing its review of the Willow Project in an efficient manner, and within the time limits established by 40 CFR 1501.10.</p>	Sovereign Iñupiat for a Living Arctic
29597-4	<p>Even more troubling, after initially informing the community of Nuiqsut that an extension would be granted and that their public hearing date would be extended — BLM inexplicably reversed course. When Nuiqsut city officials questioned BLM regarding this reversal at a recent public meeting, BLM declined to respond. BLM’s unexplained reversal was confusing for community members and gives the impression that the agency is not engaged in a transparent public process.</p> <p>We urge Interior and BLM to take an approach that honors the Indigenous people and Tribes that will be most impacted by Willow. A meaningful public process must encourage community engagement by accounting for the realities of village life, including language barriers. Providing an additional period to comment on the DSEIS that accommodates subsistence harvests is a necessary first step. Moreover, Interior and BLM must engage in constructive and meaningful government-to-government consultation with all Tribes that may be affected by Willow. Interior is obligated to reach out to every tribal council for purposes of government-to-government consultation and consult with all potentially affected tribal governments who wish to do so. These steps are necessary to fulfill Secretary Haaland’s commitment to ensure Federal lands are managed “in a manner that seeks to protect the treaty, religious, subsistence, and cultural interests of federally recognized Indian Tribes.”⁴</p>	<p>Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM ultimately determined that a 45-day public comment period was appropriate and adequate.</p> <p>The Supplemental EIS process has followed and complied with the requirements of National Environmental Policy Act, including public involvement, and BLM will continue its consultation with Native entities throughout the EIS process. Native communities outside of Nuiqsut have been given Project information and offered one-on-one consultation opportunities through regular meetings of the NPR-A Working Group and North Slope Resource Advisory Council.</p>	Sovereign Iñupiat for a Living Arctic
3068-1	It is time to approve the updated EIS with alternative E and to provide a record of decision within time to begin development next year. If this does not happen, then first oil cannot be met by the required time frame for the lease.	BLM is committed to completing its review of the Willow Project in an efficient manner, and within the time limits established by 40 CFR 1501.10.	Justin Cremer
30956-2	<p>BLM’s comment deadline falls during the height of the subsistence harvest season and the agency has refused extension requests submitted by the City of Nuiqsut and Nuiqsut’s tribal government. Requiring community members to review and comment on a lengthy DSEIS when they are engaged in subsistence harvests is unnecessary and culturally insensitive.</p> <p>Even more troubling, after initially informing the community of Nuiqsut that an extension would be granted and that their public hearing date would be extended — BLM inexplicably reversed course. When Nuiqsut city officials questioned BLM regarding this reversal at a recent public meeting, BLM declined to respond. BLM’s unexplained reversal was confusing for community members and gives the impression that the agency is not engaged in a transparent public process.</p>	<p>Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.</p> <p>The Supplemental EIS process has followed and complied with the requirements of the National Environmental Policy Act, including public involvement, and the BLM will continue its consultation with Native entities throughout the EIS process.</p>	Sovereign Iñupiat for a Living Arctic
30964-9	TWS has considerable -- considerable concern over the speed of the BLM permitting process for ConocoPhillips' Willow Master Development Project and the agency's decision to keep public comments open for the minimum length of time allowed by law.	The Supplemental EIS process has followed and complied with the requirements of the National Environmental Policy Act, including public involvement. BLM is committed to completing its review of the Willow Project in an efficient manner, and within the time limits established by 40 CFR 1501.10.	Unsigned
30965-2	I would like more time in this process. We tried to push back. We would like to discuss a community-led alternative. But we haven't had the time to try to work out those meetings and still get here to participate with you. That's another failure in this process. We should have been given that time because our community leadership needs to talk about these important discussions.	<p>Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate. The City of Nuiqsut and Native Village of Nuiqsut also had the opportunity to provide additional comments on the preliminary Final Supplemental EIS in their roles as cooperating agencies.</p> <p>The Supplemental EIS process has followed and complied with the requirements of the National Environmental Policy Act, including public involvement, and BLM will continue its consultation with Native entities throughout the EIS process. BLM is committed to completing its review of the Willow Project in an efficient manner, and within the time limits established by 40 CFR 1501.10.</p>	Unsigned

No.	Comment	Comment Response	Commenter
3-4	<p>The Bureau of Land Management (BLM) posted the draft SEIS to its planning website late Friday, July 8, 2022, without any announcement in the Federal Register. The agency then posted a corrected version of the draft SEIS that evening. To make matters worse, BLM announced that it would be offering the shortest comment period allowed by law — 45 days — despite the serious public concerns about this project. The current comment period extends through August 29, 2022. The process for releasing the draft SEIS and short comment period raises serious questions about BLM’s commitment to transparency and public engagement. We request an extension to submit comments for this important process to allow for a 120-day comment period — through at least November 14, 2022. Likewise, the public meeting schedule should be adjusted to reflect this extension, most importantly for local communities that are currently in subsistence harvesting season. This extension would ensure meaningful participation by our members and the interested public in this process, both in person and in writing, and is especially important given the overlap with the summer harvest.</p> <p>We support a robust schedule of meetings throughout Alaska, and request BLM host an additional meeting in Fairbanks. Because the Western Arctic is valuable to all Americans, and because of the broad climate implications of the Willow project, we also encourage you to host a public meeting in Washington, D.C. where our organizations can best represent the concerns of our millions of members in protecting our public lands and wildlife. Further, given that so many of the decisions related to this process are released by your headquarters and the Department of Interior based in Washington, D.C., it is appropriate to allow the public to engage in the process by hosting a public meeting here. We also request that at least two additional virtual hearings be scheduled at earlier times in the day, to allow for meaningful participation of our members in the lower 48.</p>	<p>Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate. Two in person and five virtual public meetings were held at varying times to accommodate as many stakeholders as possible.</p> <p>The Supplemental EIS process has followed and complied with the requirements of National Environmental Policy Act, including public involvement, and BLM will continue its consultation with Native entities throughout the EIS process. BLM is committed to completing its review of the Willow Project in an efficient manner, and within the time limits established by 40 CFR 1501.10.</p>	Trustees for Alaska, Earthjustice, and Sovereign Inupiat for a Living Arctic
6349-1	The Interior Department recently declined the request by the Alaska Native Village of Nuiqsut to extend the public comment period and give residents more time to give residents more time during their subsistence harvest busy-season. This is making it harder for residents to participate in the rushed process.	<p>Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM ultimately determined that a 45-day public comment period was adequate. The City of Nuiqsut and Native Village of Nuiqsut also had the opportunity to provide additional comments on the preliminary Final Supplemental EIS in their roles as cooperating agencies.</p> <p>The Supplemental EIS process has followed and complied with the requirements of the National Environmental Policy Act, including public involvement, and BLM will continue its consultation with Native entities throughout the EIS process. BLM is committed to completing its review of the Willow Project in an efficient manner, and within the time limits established by 40 CFR 1501.10.</p>	Unsigned
6366-1	Unfortunately, the Biden administration has taken a page from the Trump playbook in refusing community requests to extend the comment period on the controversial project. This blatant disregard for Indigenous rights stifles community participation and appears to cater to ConocoPhillips’s efforts to rush the approval process.	<p>Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM ultimately determined that a 45-day public comment period was adequate. The City of Nuiqsut and Native Village of Nuiqsut also had the opportunity to provide additional comments on the preliminary Final Supplemental EIS in their roles as cooperating agencies.</p> <p>The Supplemental EIS process has followed and complied with the requirements of the National Environmental Policy Act, including public involvement, and BLM will continue its consultation with Native entities throughout the EIS process. BLM is committed to completing its review of the Willow Project in an efficient manner, and within the time limits established by 40 CFR 1501.10.</p>	Leroy Frankel

No.	Comment	Comment Response	Commenter
6501-177	Rushing the analysis and public review is not consistent with BLM’s obligations when considering a project as important and massive as the Willow Project. The rushed NEPA process is also concerning because BLM is pushing forward before receiving basic permit applications. ConocoPhillips has yet to reapply for the right-of-way permits or applications for permits to drill that were vacated by the U.S. District Court. It makes no sense for BLM to proceed with a NEPA process when it does not have the necessary permit applications. Moreover, the fact that no permit applications have been received render BLM’s blanket refusal to delay project permitting arbitrary. ⁹⁵ The Court’s order vacating ConocoPhillips’ permits did not order the agency to rush ahead to reapprove the project; to the extent BLM has represented that it must work on this EIS to respond to the Court’s remand, such assertions are incorrect factually and as a matter of law. We are unaware of any authority mandating BLM proceed in this manner, rushing forward with an environmental review of permits that ConocoPhillips has not even applied for, nor does BLM cite any provision of law or regulation mandating or even allowing this approach. BLM should stop the supplemental NEPA process until ConocoPhillips submits new applications. This will also ensure that the agency is evaluating the project that the proponent is actually proposing as opposed to project concepts that may shift in the future.	The purpose of a master development plan is to evaluate the full development of an oil prospect to disclose all impacts related the the project and prevent segmentation of the National Environmental Policy Act analysis; this necessarily requires that the analysis will begin before all permit applications are filed. Issuance of a Record of Decision will not take the place of a permit, and permits will still be required prior to ground disturbing activity.	Trustees for Alaska
6501-180	BLM’s draft SEIS for the Willow project contains numerous gaps in information and analysis that seriously frustrate public review and understanding. Critically, the draft SEIS fails to accurately analyze Willow’s significant impacts on our climate, an issue of global concern. Certain highly significant issues that affect important resources and uses of the project area, such as wilderness and recreation, site-specific information on the hydrology and wetlands that will be impacted, and detailed dust control plans, are largely missing from the draft EIS. Many issues, such as impacts to hydrology, wildlife, marine mammals, subsistence, vegetation and wetlands, and spill risks are only partially addressed, with key elements of the draft EIS analysis missing, incomplete, inaccurate, inconsistent with the best available science, or otherwise inadequate. As discussed later in these comments, there are significant gaps with regard to the information necessary for the Corps to conduct an analysis under the 404 Guidelines. Our comments address these and numerous other serious deficiencies below. The significant and numerous information and analytical gaps render BLM’s draft EIS “so inadequate as to preclude meaningful analysis” and review by the public. ¹¹⁷ To remedy the extensive gaps in information and analysis, a revised draft EIS is necessary.	The Supplemental EIS provides detailed analyses of the Willow Project's impacts on the various resources noted, except that recreation was considered but eliminated as a potentially impacted resource due to the lack of recreational use of the Willow Project area. A section evaluating impacts to wilderness characteristics was added to the Final Supplemental EIS (see Section 3.19).	Trustees for Alaska
6501-197	BLM largely retained the prior EIS’s alternatives and framework for assessing alternatives. The problem with BLM relying on the prior EIS for purposes of alternatives development is plain: the agency improperly limited its consideration of reasonable alternatives at the outset of the prior NEPA process. In the prior EIS process, BLM improperly dismissed alternatives before the NEPA process had even begun, based on ConocoPhillips’ “initial evaluation.” ²²⁰ As a result, BLM should have started from scratch in developing new alternatives rather than use the prior EIS as a starting point.	BLM considered over 50 alternative concepts in developing the range of alternatives included in the Draft Supplemental EIS, including alternatives concepts that were considered in the previous 2020 EIS, as well as new alternative concepts responsive to the District Court's 2021 decision. Alternatives screening criteria were adjusted to respond to the Court's 2021 decision. BLM independently reviewed alternative concepts that ConocoPhillips had dismissed. See Appendix D.1, <i>Alternatives Development</i> , for additional details.	Trustees for Alaska
6501-81	Shapefiles or other spatial data suitable for loading into a geographic information system that depict infrastructure locations under the various alternatives were not provided with the DSEIS. When we requested these data from BLM during the last DEIS process, we were informed that they were proprietary information belonging to ConocoPhillips and would not be shared. This is unacceptable if the public is to be able to evaluate the proposed alternatives and their potential impacts on Federal public lands and resources. Simply referring to the maps published with the DSEIS is insufficient to allow the public to consider other data or depictions of data and more meaningfully compare between proposed alternatives. Such a decision also does not align with prior practice by BLM with other EIS processes where shapefiles of proposed infrastructure, stipulation areas, etc., were provided along with the DSEIS for public review (e.g., Arctic National Wildlife Refuge Coastal Plain Oil and Gas Leasing DSEIS and FEIS, ¹¹⁶⁵ Ambler Mining District Industrial Access Project DSEIS ¹¹⁶⁶). It is crucial that spatial data be provided for this and other future NEPA processes that will allow the public adequate opportunity to evaluate the proposed alternatives and their potential consequences.	The Supplemental EIS presents geospatial data related to Willow Project infrastructure in a manner that is understandable to the average reader. Any member of the public desiring more specific information may submit a Freedom of Information Act request to obtain it.	Trustees for Alaska

Table B.5.14. Environmental Justice Comments and Responses*

No.	Comment	Comment Response	Commenter
134-1	This is not only a climate change issue but, a human rights issue. The sovereign indigenous tribes of the arctic will be affected as well as the flora and fauna that reside there. There is an increase risk of sexual assault and sexual violence against these same indigenous group. The Willow Project will cause irreversible damage in more ways than one.	ConocoPhillips employees and contractors are restricted from traveling to Nuiqsut (the nearest indigenous community to the Willow Project), unless they are on official business within the community.	Angelea Libby
1935-1	The area proposed for development in the Willow Project plan lies in close proximity to the Nuiqsut community. Section 3.17 (Environmental Justice) of the SEIS lists many concerns brought forth by the Nuiqsut community during the public scoping period. Their concerns cover a wide range of issues including their subsistence lifestyle, socioeconomics, gas leaks, caribou herds, and other wildlife. Yet their concerns are not adequately addressed in the SEIS. The project is estimated to provide 300 permanent jobs. However, there is no mention or analysis of how many, if any, of those jobs would go to local residents from Nuiqsut or other tribal communities. Alaska’s tribal communities already have a disproportionately high amount of health problems, food insecurity, loss of culture, and mental health issues and the Nuiqsut are no exception. The proposed project presents unfair challenges for the Nuiqsut and other communities.	ConocoPhillips has a comprehensive recruiting effort in Nuiqsut that includes working with schools through the Alpine Career Quest program and Excel Alaska sponsorship, career internships, Workforce Wednesday job postings shared on Facebook and via email, teaming with a Kuukpik Employment Coordinator for job postings and trainings, scholarships, and working with individuals one-on-one on resumes and job applications. The Supplemental EIS Sections 3.17 (<i>Environmental Justice</i>), 3.18 (<i>Public Health</i>), 3.16 (<i>Subsistence</i>), and 3.20 (<i>Cumulative Effects</i>) have been updated to further describe potential Project impacts.	Shenandoah Marr
29597-10	<p>The DSEIS correctly concludes that all of the action alternatives would significantly restrict Nuiqsut’s subsistence activities but does not fully analyze or contextualize the extent of impacts from such restrictions to Nuiqsut residents.20 Recent census reports for Nuiqsut indicate “negative trends in housing access, labor force, employment rates, participation in certain subsistence activities, and food security.”21 These negative indicators are linked to and compounded by the climate crisis which “has decreased the safety, predictability, and success rates” of subsistence activities on the North Slope.22 Nuiqsut residents are also facing psychological, cultural, and subsistence impacts resulting from being almost completely surrounded by oil and gas development.23 In BLM’s prior decision approving Willow, the agency acknowledged that the project would not actually result in jobs or dividends for all Nuiqsut residents, “resulting in the potential for social tensions regarding an uneven distribution of money in the community.”24 BLM also admitted that Willow would increase air emissions and noise in Nuiqsut’s subsistence use area which would “lead to or exacerbate mental health issues such as anxiety and depression” and explains that “rapid modernization and development, as well as other multiple stressful conditions, including significant changes in diet, housing, and traditional culture, has led to negative health outcomes, including suicide.”25 One Nuiqsut resident quoted in the DSEIS reported feeling that they lived in a “human corral” surrounded by industrial oil and gas developments.26 The significance of these impacts cannot be overstated.</p> <p>These reasons alone clearly indicate that BLM should select the No Action alternative and decline to approve this project; to do otherwise flies in the face of this administration’s promises and commitments to environmental justice.</p>	Supplemental EIS Sections 3.17 (<i>Environmental Justice</i>), 3.18 (<i>Public Health</i>), 3.16 (<i>Subsistence</i>), and 3.20 (<i>Cumulative Effects</i>) have been updated to further describe potential Project impacts.	Sovereign Iñupiat for a Living Arctic

No.	Comment	Comment Response	Commenter
30956-10	<p>The DSEIS correctly concludes that all of the action alternatives would significantly restrict Nuiqsut’s subsistence activities but does not fully analyze or contextualize the extent of impacts from such restrictions to Nuiqsut residents.²⁰ Recent census reports for Nuiqsut indicate “negative trends in housing access, labor force, employment rates, participation in certain subsistence activities, and food security.”²¹ These negative indicators are linked to and compounded by the climate crisis which “has decreased the safety, predictability, and success rates” of subsistence activities on the North Slope.²² Nuiqsut residents are also facing psychological, cultural, and subsistence impacts resulting from being almost completely surrounded by oil and gas development.²³ In BLM’s prior decision approving Willow, the agency acknowledged that the project would not actually result in jobs or dividends for all Nuiqsut residents, “resulting in the potential for social tensions regarding an uneven distribution of money in the community.”²⁴ BLM also admitted that Willow would increase air emissions and noise in Nuiqsut’s subsistence use area which would “lead to or exacerbate mental health issues such as anxiety and depression” and explains that “rapid modernization and development, as well as other multiple stressful conditions, including significant changes in diet, housing, and traditional culture, has led to negative health outcomes, including suicide.”²⁵ One Nuiqsut resident quoted in the DSEIS reported feeling that they lived in a “human corral” surrounded by industrial oil and gas developments.²⁶ The significance of these impacts cannot be overstated.</p> <p>These reasons alone clearly indicate that BLM should select the No Action alternative and decline to approve this project; to do otherwise flies in the face of this administration’s promises and commitments to environmental justice.</p>	<p>Supplemental EIS Sections 3.17 (<i>Environmental Justice</i>), 3.18 (<i>Public Health</i>), 3.16 (<i>Subsistence</i>), and 3.20 (<i>Cumulative Effects</i>) have been updated to further describe potential Project impacts.</p>	<p>Sovereign Inupiat for a Living Arctic</p>
30962-24	<p>Meaningful participation is based on the proposition that people should have a say in the decisions that affect their lives in a significant way. EPA recommends the NEPA process for the proposed project ensure the meaningful involvement⁴⁰ of communities with environmental justice concerns, which includes: ensuring that people have an opportunity to participate in decisions about activities that may affect their environment and/or health; the public’s contribution can influence the regulatory agency’s decision; community concerns be considered in the decision making process; and decision makers will seek out and facilitate the involvement of those potentially affected. EPA also recommends including an environmental justice specialist with experience in addressing public participation on the project review team. [see letter for additional information]</p>	<p>Section 3.17, <i>Environmental Justice</i>, has been updated to list all consultations BLM undertook with environmental justice populations and specific actions taken to respond to their concerns.</p> <p>BLM will continue to consult closely with cooperating agencies (e.g., Native Village of Nuiqsut, City of Nuiqsut, Inupiat Community of the Arctic Slope, North Slope Borough) as well as other Native stakeholders representing environmental justice communities in the development of the Final Supplemental EIS and Record of Decision.</p>	<p>U.S. Environmental Protection Agency</p>
30962-25	<p>During the August 8, 2022, public meeting on the second DEIS, it was noted the Native Village of Nuiqsut had requested an extension of the public comment period on June 6, 2022, as the public comment period overlaps with their residents’ subsistence fall caribou hunting season. As noted in EPA’s prior Final EIS comments on September 9, 2020, Nuiqsut residence expressed key concerns for public health during the development of the 2020 Draft EIS and 2022 DSEIS. The community is now expressing grave concerns with the public participation process for the second DEIS, and the proposed project’s impacts to the village and their livelihoods. EPA is providing as a resource our Public Participation Guide provides tools for public participation and public outreach in environmental decision-making.⁴¹ EPA also recommends the Guidance for Incorporating Environmental Justice Concerns in EPA’s NEPA Compliance Analysis⁴² as a resource describing mechanisms of achieving meaningful engagement. [see letter for additional information]</p>	<p>Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate. The Native Village of Nuiqsut and City of Nuiqsut are both cooperating agencies on the Supplemental EIS and had opportunities to participate in the development of new alternatives, mitigation measures, and review of the preliminary Draft and preliminary Final Supplemental EISs.</p>	<p>U.S. Environmental Protection Agency</p>
30962-26	<p>Air Quality. EPA recommends the FSEIS consider the cumulative health impacts caused by total life-of-project emissions modeled for each alternative to be environmental justice concerns, as they have the potential to exacerbate existing negative health outcomes that disproportionately effect certain residents.</p>	<p>A discussion has been added to the Public Health analysis (Section 3.17.3.3.3, <i>Public Health, Air Quality</i>).</p>	<p>U.S. Environmental Protection Agency</p>
30962-27	<p>The 2020 Record of Decision (ROD) recognized, “The project would increase air and noise emissions and human activity in Nuiqsut’s subsistence use area. This could increase stress in some Nuiqsut residents and lead to or exacerbate mental health issues such as anxiety and depression.”⁴⁴ Section 3.17.1 could be more robust to better address the air quality impacts that will affect Nuiqsut residents. [see letter for additional information]</p>	<p>A discussion has been added to the Public Health analysis (Section 3.17.3.3.3, <i>Public Health, Air Quality</i>).</p>	<p>U.S. Environmental Protection Agency</p>
30962-30	<p>The DSEIS notes that given the demographics of communities living in the project area, barriers to subsistence harvests represent environmental justice concerns. EPA recommends FSEIS analyze the potential loss or increase of subsistence resources resulting from the proposed project, describe the meaningful engagement of the affected communities in identifying impacts and opportunities to mitigate those impacts, and describe measures to avoid and mitigate these impacts.</p>	<p>Impacts to subsistence, including potential lost harvest opportunities, are analyzed in Supplemental EIS Section 3.16, <i>Subsistence</i>. Engagement with the community of Nuiqsut, including potential mitigation measures suggested by the community to avoid, minimize, or compensate for impacts from the Project, are included in Section 3.17, <i>Environmental Justice</i>.</p>	<p>U.S. Environmental Protection Agency</p>

No.	Comment	Comment Response	Commenter
30962-32	The DSEIS accurately shows that subsistence users have observed drastic changes in their subsistence resources in several compounding ways. A key uncertainty is how Indigenous people will adapt to climate change, given their reliance on local, wild foods and the geographic isolation of some communities, like Nuiqsut. Given the potential disproportionate adverse impacts of the project to communities with environmental justice concerns described in the DSEIS,55 EPA recommends the FSEIS include a focused Health Impact Analysis within the project area evaluating health impacts caused by changes to subsistence, sociocultural impacts, air quality, water quality, and cumulative impacts caused by climate change. [see letter for additional information]	Additional North Slope community health baseline data was included in the Final Supplemental EIS, and the Public Health analysis was updated (see Section 3.18).	U.S. Environmental Protection Agency
5228-3	We would also like to reiterate, further delays on this project would be a significant environmental justice impact for the region. Delaying or stopping the first major production in NPR-A would deprive NPR-A communities of a long-promised partnership in the benefits of resource production. Without the production royalties from projects like Willow and future NPR-A developments, the NPR-A Mitigation Impact Grant Program will not be able to generate the revenue and fund the mitigation projects as promised by the federal government.	Project impacts to North Slope community revenues are described in Section 3.15, <i>Economics</i> , including a discussion on the NPR-A Impact Grant Program.	State of Alaska
6501-151	On his first day in office, just hours after being sworn in, President Biden issued Executive Order 13990 Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis.1480 The Executive Order committed to “promote and protect public health and the environment, as well as to “advance environmental justice.” ... BLM has failed to meet these requirements and policies on all fronts. It has not considered impacts to all potentially affected populations, not adequately identified the potential environmental justice impacts, provided for adequate participation by impacted communities, nor adequately addressed ways in which to reduce those impacts.	Supplemental EIS Sections 3.17 (<i>Environmental Justice</i>), 3.18 (<i>Public Health</i>), 3.16 (<i>Subsistence</i>), and 3.20 (<i>Cumulative Effects</i>) have been updated to further describe potential Project impacts.	Trustees for Alaska
6501-152	The primary failing of BLM’s analysis of Willow’s potential environmental justice impacts is the agency’s decision to consider just one North Slope community — Nuiqsut. There are broader impacts to minority and low-income communities that should be considered and addressed as part of BLM’s analysis. ConocoPhillips is proposing to build infrastructure and engage in substantial amounts of industrial activities in areas that provide important habitat for multiple subsistence resources used by communities in the region, including caribou, furbearers, bowhead whales, bearded seals, ringed seals, and eiders. BLM’s analysis fails to acknowledge or address the broader impacts to subsistence resources and other communities in addition to Nuiqsut that could occur from this project. For example, Utqiagvik harvesters depend on many of the areas and resources that would be directly impacted by this development. Despite this, BLM’s analysis wholly omits any consideration of impacts to other communities who depend directly on these migratory resources. BLM’s narrow analysis also overlooks impacts to North Slope communities that widely engage in sharing practices and could be harmed if there are negative impacts to subsistence resources. BLM must revise its analysis to address these issues.	Environmental Justice analysis evaluates effects on the minority population in Nuiqsut, the community closest to the Project and most likely to be directly affected by social or environmental changes associated with Project development. Analysis areas extend beyond Nuiqsut as appropriate. Subsistence and Sociocultural Systems includes subsistence activity areas used by Nuiqsut and Utqiagvik. Indirect subsistence and sociocultural impacts of the Project extend to other North Slope communities such as Atkasuk and Anaktuvuk Pass, as needed if the Project results in large-scale changes in the abundance or availability of subsistence resources.	Trustees for Alaska
6501-153	Even with regard to Nuiqsut, BLM has not gathered sufficient information to meet its obligations under EO 12898. There are a broad range of impacts — including impacts to subsistence, sociocultural systems, health, and more that are already being felt by the community of Nuiqsut from development in the region. Air quality and other health-related concerns have repeatedly been flagged by Nuiqsut. Despite this, BLM has yet to prepare a Health Impact Assessment for the Willow Project.	The Supplemental EIS Sections 3.17 (<i>Environmental Justice</i>) and 3.18 (<i>Public Health</i>) have been updated to describe the Project's potential impacts.	Trustees for Alaska
6501-160	BLM should explain how its fast-tracking of the Willow project — which would disproportionately harm communities of color and low-income communities while at the same time approving 30 or more years of climate damaging greenhouse gas emissions, on a pace which suppresses participation by the most impacted community — comports with relevant executive orders and agency guidance.	The 2022 Supplemental EIS incorporates all new guidance issued by the Biden administration and any new information relevant to the analysis published since 2020. The Project's contributions to global climate change are analyzed in Section 3.2. The Project's impacts on environmental justice communities are analyzed in Section 3.17.	Trustees for Alaska
6501-249	The proposed mine sites would be approximately seven miles from the community of Nuiqsut,461even closer to the community than the existing CD-5 pad or the nearly completed GMT-1 pad. The existing Arctic Slope Regional Corporation gravel mine is approximately 4.5 miles northeast of Nuiqsut462 and the noise impacts from blasting reverberate throughout the community regularly and cause severe emotional and other distress for community members. This proposed gravel mine site will further exacerbate the air quality and noise impacts to the community of Nuiqsut, irreparably harming the community.	Noise impacts from the Project's proposed gravel mining operation are described in Section 3.6, <i>Noise</i> . Additionally, a suggested mitigation measure has been added to the Final Supplemental EIS for consideration to be adopted in BLM's Record of Decision that would reduce the amount of blasting required through the use of a surface mining machine (see Appendix I.1, Table I.5.1).	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6982-7	On Day 1, President Biden issued EO 13990: Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis. As part of this executive order, the administration committed to “promote and protect public health and the environment; and conserve our national treasures and monuments, places that secure our national memory,” as well as “advance environmental justice.” Yet approving the Willow Project – which inflicts environmental injustice, threatens the public health of frontline communities, harms biodiversity, and greenlights extensive urbanization of sensitive Arctic ecosystems – sits in direct opposition to EO 13990. Only “Alternative A: No Action” is compatible with President Biden’s policies.	The 2022 Supplemental EIS incorporates all new guidance issued by the Biden administration and any new information relevant to the analysis published since 2020. The Project's impacts on environmental justice communities are analyzed in Section 3.17.	Evergreen Action
7047-1	The area proposed for development in the Willow Project plan lies in close proximity to the Nuiqsut community. Section 3.17 (Environmental Justice) of the SEIS lists many concerns brought forth by the Nuiqsut community during the public scoping period. Their concerns cover a wide range of issues including their subsistence lifestyle, socioeconomics, gas leaks, caribou herds, and other wildlife. Yet their concerns are not adequately addressed in the SEIS. The project is estimated to provide 300 permanent jobs. However, there is no mention or analysis of how many, if any, of those jobs would go to local residents from Nuiqsut or other tribal communities. Alaska’s tribal communities already have a disproportionately high amount of health problems, food insecurity, loss of culture, and mental health issues and the Nuiqsut are no exception. The proposed project presents unfair challenges for the Nuiqsut and other communities.	Environmental Justice analysis evaluates effects on the minority population in Nuiqsut, the community closest to the Project and most likely to be directly affected by social or environmental changes associated with Project development. Analysis areas extend beyond Nuiqsut as appropriate. The Supplemental EIS sections for <i>Environmental Justice</i> (3.17), <i>Public Health</i> (3.18), and <i>Subsistence</i> (3.16) have been updated to further describe the Project's potential impacts.	Shenandoah Marr
762-2	This project would also disproportionately affect the community of Nuiqsut, a predominantly Iñupiaq village of about 500 people already living through extreme pollution from existing oil projects.	The environmental justice analysis area evaluates effects on the minority population in Nuiqsut, the community closest to the Project and most likely to be directly affected by social or environmental changes associated with Project development. Analysis areas extend beyond Nuiqsut as appropriate. Subsistence and Sociocultural Systems includes subsistence activity areas used by Nuiqsut and Utqiagvik.	Haylea Stuteville
90-1	<p>The proposal would pump more than 500 million barrels of oil from a fragile and rapidly warming ecosystem over the next 30 years, producing more than 260 million metric tons (MMT) of carbon dioxide. The Willow Project is incompatible with the U.S. goal (and responsibility) of halving emissions by 2030 and fully decarbonizing by 2050.</p> <p>A Center for American Progress analysis (https://www.americanprogress.org/article/the-biden-administrations-easiest-climate-win-is-waiting-in-the-arctic/) found that the carbon emissions expected from Willow would negate the estimated 129 MMT of carbon emissions avoided by reaching the U.S. goals of deploying 30 gigawatts (GW) of offshore wind energy by 2030 and permitting 25 GW of solar, onshore wind, and geothermal energy on public lands by 2025.</p> <p>The climate trends described in section 3.2.1.1 of the EIS are in fact caused by burning fossil fuels. With temperatures rising in Arctic Alaska at three times the rate of the rest of the planet, the effects of climate change are already dire for Arctic communities. Both oil and gas pipelines pose extreme hazards to human health and local ecosystems, whereas extraction sites can all but destroy the local environment. These hazards disproportionately impact communities of color and Indigenous populations.</p>	The Environmental Justice analysis area evaluates effects on the minority population in Nuiqsut, the community closest to the Project and most likely to be directly affected by social or environmental changes associated with Project development. Analysis areas extend beyond Nuiqsut as appropriate. Subsistence and Sociocultural Systems includes subsistence activity areas used by Nuiqsut and Utqiagvik. The Supplemental EIS sections for <i>Environmental Justice</i> (3.17) and <i>Public Health</i> (3.18) have been updated to further describe the Project's potential impacts.	Eliza Nemser
979-1	This dangerous plan would disproportionately affect the community of Nuiqsut. Nuiqsut is a predominantly Iñupiaq village of about 500 people already living through extreme pollution from existing oil projects. Iñupiat have disproportionately high rates of cancer, chronic illnesses, and mental health issues.	The Environmental Justice analysis area evaluates effects on the minority population in Nuiqsut, the community closest to the Project and most likely to be directly affected by social or environmental changes associated with Project development. The Supplemental EIS sections for <i>Environmental Justice</i> (3.17) and <i>Public Health</i> (3.18) have been updated to further describe the Project's potential impacts in Nuiqsut.	Food and Water Watch

Table B.5.15. Endangered Species Act Consultation and Analysis Comments and Responses*

No.	Comment	Comment Response	Commenter
30957-5	Greenhouse gas emissions have direct, predictable, and devastating effects on endangered species and habitats.... Thus, the Bernhardt Memorandum was never intended to provide a permanent shield to avoid consultations, and any reliance on it today would simply be arbitrary and capricious. Accordingly, all federal agencies must assess whether the emissions that result from their activities harm climate-threatened species. [see letter for extensive additional information supporting this comment]	The Supplemental EIS analyzes impacts to threatened and endangered species and their critical habitats (see Sections 3.11, <i>Birds</i> , and 3.13, <i>Marine Mammals</i>). The Supplemental EIS evaluates the Willow Project's contribution to global climate change (see Section 3.2, <i>Climate and Climate Change</i>). The Bernhardt Memorandum was not considered in the preparation of the Final Supplemental EIS.	Center for Biological Diversity

No.	Comment	Comment Response	Commenter
30960-11	Despite this acknowledgement of the number of migratory bird species that use the area, the SEIS includes no mention of the BLM's obligations to protect these migratory birds under the MBTA. The SEIS also includes no mention of any consultation that has taken place with the US Fish and Wildlife Service to evaluate the BLM's responsibilities under MBTA	BLM coordinated closely with eight cooperating agencies, including the U.S. Fish and Wildlife Service, State of Alaska Department of Fish and Game, and North Slope Borough Wildlife Department to develop and evaluate over 50 alternative concepts for consideration in the Supplemental EIS. BLM evaluates several mitigation measures that include protections for migratory birds, including measures that limit when construction can occur. See Section 3.11 (<i>Birds</i>) and Appendix I.1 for a list of measures that may reduce the impacts of the action alternatives to migratory birds.	Audubon Society
3927-11	Has the U.S. Fish and Wildlife Service conducted a Biological Opinion on this proposal and has the information been incorporated into this analysis? If not, when will that occur?	BLM is in the process of completing its consultation with the U.S. Fish and Wildlife Service and a Biological Opinion is expected prior to issuance of BLM's Willow MDP Record of Decision. The Biological Opinion will be posted to BLM's e-Planning website.	Kathleen O'Reilly-Doyle
5067-1	<p>Threatened and Endangered Species: The purpose of the ESA is to conserve threatened and endangered species and the ecosystems upon which they depend. Projects that may affect listed species and/or designated critical habitat must be evaluated under section 7(a)(2) of the ESA to ensure Federal agencies authorizing, funding, and/or conducting projects are not likely to jeopardize the continued existence of any listed species or result in the destruction or adverse modification of designated critical habitat. In this case, ESA-listed species and/or designated critical habitat occur within the project area.</p> <p>We understand an ESA consultation was completed June 17, 2020, regarding the Willow Development. As the proposed project plans have changed since the consultation was completed, the Service recommends contacting the Northern Alaska Fish and Wildlife Field Office, Consultation Branch, at 907-456-0277, for additional ESA guidance.</p>	BLM is in the process of consulting with the U.S. Fish and Wildlife Service on the Willow Project.	U.S. Fish and Wildlife Service
6425-1	<p>It would also continue to destroy and fragment critical habitat for the Southern Beaufort Sea population of polar bears, which are in significant decline and listed as threatened under the Endangered Species Act.</p> <p>Because it would cause significant unnecessary carbon pollution and further industrialize sensitive Arctic wildlife habitat, this project epitomizes the continued business-as-usual reliance on destructive fossil fuel extraction that BLM should NOT be authorizing. Please closely analyze this proposal and ensure that your decision truly respects our nation’s commitments to reduce carbon pollution and conserve and recover polar bears.</p>	Impacts to polar bears resulting from the Willow Project are analyzed and disclosed in Section 3.13, Marine Mammals, and Appendix E.13, <i>Marine Mammals Technical Appendix</i> .	Defenders of Wildlife
6501-221	<p>Section 7’s procedural and substantive duties cannot be separated. Courts require stringent procedural compliance to ensure substantive compliance...</p> <p>BLM’s draft EIS fails to acknowledge these important mandates or explain how BLM will comply with the ESA’s substantive and procedural requirements when authorizing Willow. Procedurally, BLM broadly asserts that “[c]onsultation was previously completed for this project with both the U.S. Fish and Wildlife Service (USFWS) and NMFS under Section 7 of the Endangered Species Act (ESA). Consultation with USFWS and NMFS will be reinitiated as part of developing this Supplemental EIS to address Project changes, including mitigation measures and updates to the range of alternatives.”³¹⁸ This statement does not satisfy BLM’s duty to show how it will comply with the ESA. In particular, this statement does not acknowledge that the prior biological opinion was deemed unlawful let alone explain how BLM and FWS will address the significant legal failings identified with the prior biological opinion.</p>	BLM and the U.S. Fish and Wildlife Service will address deficiencies identified by the District Court by reinitiating Section 7 Endangered Species Act consultation on the Willow Project and issuing a new Biological Opinion.	Trustees for Alaska
6501-223	BLM does not divulge on which species it will consult aside from marine mammals. ³¹⁹ This exclusion of spectacled and Steller’s eiders, which historically nested in the Willow area, is unwarranted.	BLM is consulting with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service on all listed species that are present in the Willow Project action area consistent with the requirements of Section 7 of the Endangered Species Act.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-224	<p>It is also not clear how BLM’s preferred alternative will meet the ESA’s substantive mandate to avoid jeopardizing the continued existence of certain listed species and destroying or adversely modifying their habitat...</p> <p>BLM’s assessment of impacts to polar bears greatly underestimates potential impacts to denning bears and does not address or attempt to avoid these potential significant impacts through less harmful alternatives. We note that the biological assessment for alternative E demonstrates that Willow’s proposed infrastructure, including ice roads, gravel roads, and its mine sites, are within and adjacent to critical habitat and potential terrestrial denning habitat.³²³ The biological assessment also demonstrates that a number of acres of foraging habitat would be lost — nearly 900 acres.³²⁴</p> <p>The precarious status of the Southern Beaufort Sea (SBS) population of polar bears and the foreseeable significant cumulative effects from oil exploration and development in other parts of Arctic Alaska³²⁵ must be considered in FWS’s jeopardy determination under the ESA. BLM must factor the ESA’s mandates into its NEPA analysis and formulate alternatives that attempt to comply with the ESA.</p>	<p>Each action alternative includes a range of avoidance and minimization measures to reduce impacts of the development, including impacts to listed species. The U.S. Fish and Wildlife Service will issue a biological opinion that addresses polar bear populations and impacts from oil and gas exploration and development in the Arctic and may include reasonable and prudent measures to protect polar bears.</p>	Trustees for Alaska
6501-225	<p>Before the agency can make its final decision as memorialized in the Record of Decision, it must complete consultations under Section 7 and obtain biological opinions (or written NLAA concurrences) from NMFS and FWS. It must also fully explain in the Final EIS how it has ensured that its alternatives and its ultimate choice of alternatives, as reflected in the ROD, will or will not achieve the requirements of the ESA.</p>	<p>BLM is consulting with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service on the Willow Project, and the Record of Decision for the Project will include a description of the Endangered Species Act consultation. The Record of Decision will identify the alternative selected by BLM as well as the rationale for BLM's decision.</p>	Trustees for Alaska
6881-1	<p>The draft SEIS acknowledges the detrimental effects of climate change globally, but even more so the impact on the Arctic itself. Approval of drilling in the proposed regions, even under BLM’s modified alternatives, will only hasten the release of greenhouse gases that warm the planet—including by melting the permafrost in the Arctic itself. The result will be exponential harm to the wildlife that rely on the Arctic’s already eroding climate to live. As BLM also acknowledges, the wildlife at issue includes migratory birds protected under the Migratory Bird Treaty Act as well as polar bears under the Endangered Species Act. Drilling under the proposed plan would include disruption of the Teshekpuk Lake area, for example, a region of vital importance to breeding shorebirds and female polar bears who use the area to den and forage. The infrastructure required to perform drilling, and the sheer enormity of the greenhouse gases that will be released by the oil extracted from the Arctic, will necessarily result in “takes” of these protected animals under either law. Even more broadly, over 24 ESA listed animals live in the region implicated by the project, each at risk of direct “take” by the activities conducted to establish the infrastructure for drilling as well as by developing the specific sites for production. Their existence will be further imperiled by the climate change exacerbated by the greenhouse gas emissions that the project necessarily will produce. Not only then will the proposal ensure the administration is unable to meet the ambitious and necessary goals for reduction of greenhouse gases by 2030, it will also be violating two of the nation’s most impactful environmental laws created to protect wildlife.</p>	<p>The April 2022 Record of Decision for the NPR-A Integrated Activity Plan was adopted in part to provide a framework to manage the NPR-A consistent with national policy to address the climate crisis. The Supplemental EIS includes evaluation of the No Action Alternative, which would preclude oil production from the Willow development, and each action alternative includes a range of avoidance and minimization measures intended to reduce impacts from development, including impacts related to climate change (see Appendix I.1). The Project's impacts to climate change are analyzed in Section 3.2.</p>	Cait Foley

Table B.5.16. Fish Comments and Responses*

No.	Comment	Comment Response	Commenter
6501-16	The draft SEIS fails to include adequate information and key details about each species and its habitat in the affected area. BLM includes only cursory background information for all twenty-four fish species and relied on crude information about fish and habitat in the area – identifying only what broad habitat types are used by each species. ⁹⁹⁶ But these species are diverse and have varying distribution patterns, habitat needs, and life history characteristics, all of which are necessary to understand before evaluating the effects of the project. Appendix E.10 acknowledges crude variations in the types of overwintering habitat for each species but fails to identify other seasonal or temporal differences in habitat for spawning, rearing, migration, and other life cycle needs for each species. The draft SEIS does not include a rational explanation as to why the agency could not, or need not, disclose additional background information such as this. While some information about these species is limited, BLM should consider the additional information that is available or should conduct additional surveys and information about fish and fish habitat. Without adequate baseline information, BLM has failed to take a “hard look” at the impacts of the project on fish and fish habitat.	<p>As required by National Environmental Policy Act Council on Environmental Quality regulations (40 CFR 1501.11), agencies should use tiering to eliminate repetitive discussions of the same issues and concentrate solely on the issues specific to the statement subsequently prepared. Background information on fish species, including general distributions and life histories, has been covered in greater detail in Section 3.3.4 of the 2012 NPR-A Integrated Activity Plan/Environmental Impact Statement (IAP/EIS) (BLM 2012) and Section 3.3.3 of the 2020 NPR-A IAP/EIS, documents to which this Supplemental EIS is tiered. For more detailed background information on fish species in the NPR-A, refer to these documents as well as information included in the referenced material.</p> <p>We agree with the reviewer's comments that the spatial description of all potential habitats used by each of the fish species at every life stage in the area is limited. The current section includes a larger-scale discussion of the potential impacts to overwintering (38 occurrences in the chapter), spawning (19 occurrences), rearing (13 occurrences), and feeding (8 occurrences) habitats in order to provide a succinct overview of all species in the area. This overview level is more effective for meaningful impact comparisons between the alternatives.</p> <p>While it should be acknowledged that not all habitat use information exists for all species in the Project area, we assert that important subsistence and ecological species information has been presented in the text and references.</p> <p>In light of the reviewer's comment, recently published studies from the area using stable isotope and otolith microchemistry techniques are recommended to be included in the chapter. These studies highlight the varied foraging and life history strategies within a single subsistence fish species, the Broad whitefish. The inclusion of these new references does not change a main assertion of the chapter, namely that "many of these species migrate both locally and extensively between major drainages, particularly anadromous species, to access habitats that support various life history stages (Morris 2003; Heim et al. 2015; McFarland, Morris, et al. 2017; McFarland et al. 2021; McFarland et al. 2020; McFarland, Morris, Moulton, Moulton, et al. 2019)."</p> <p>References added to the chapter include: Leppi, Jason C., Daniel J. Rinella, Mark S. Wipfli, and Matthew S. Whitman. 2022. “Broad Whitefish (Coregonus Nasus) Isotopic Niches: Stable Isotopes Reveal Diverse Foraging Strategies and Habitat Use in Arctic Alaska.” PLoS ONE 17 (7): 1–24. https://doi.org/10.1371/journal.pone.0270474.</p> <p>Leppi, Jason C., Jeffrey A. Falke, Daniel J. Rinella, Mark S. Wipfli, Andrew C. Seitz, and Matthew S. Whitman. 2022. “Landscape Geomorphology and Local-Riverine Features Influence Broad Whitefish (Coregonus Nasus) Spawning Habitat Suitability in Arctic Alaska.” Ecology of Freshwater Fish 31 (4): 622–39. https://doi.org/10.1111/eff.12657.</p> <p>Leppi, Jason C., Daniel J. Rinella, Mark S. Wipfli, Randy J. Brown, Karen J. Spaleta, and Matthew S. Whitman. 2022. “Strontium Isotopes Reveal Diverse Life History Variations, Migration Patterns, and Habitat Use for Broad Whitefish (Coregonus Nasus) in Arctic, Alaska.” PLOS ONE 17 (5): e0259921. https://doi.org/10.1371/journal.pone.0259921.</p>	Trustees for Alaska
6501-17	BLM completely fails to explain how the action alternatives would have differing impacts on fish. BLM simply lists basic differences in infrastructure such as varying numbers of bridges and culverts, but doesn’t actually tie those differences in the project back to differences in impacts to fish, or even address changes from the placement and amount of gravel pads and roads.	In the Willow Supplemental EIS, the effect on fish from bridges, culverts, pads, and road crossings is presented in a comparable and standardized form. Additional assertions about direct quantitative impacts on individual fish would be too speculative and not accurately reflect the potential error of such calculations. The chapter includes how specific quantitative aspects of the alternatives would alter habitat and impact fish but does so in a qualitative fashion more appropriate for the area and the National Environmental Policy Act analysis.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-18	Section 3.10.1 is filled with text that has no evidence to support the statements and assertions.999 Every sentence that does not have a citation must be assumed to be an unattributable perspective and not based in fact.1000 Additionally, much of the cited research only provides a perspective.1001 Much of the information on the Colville River is scant and unsupported by evidence.	<p>We agree with the reviewers' comments that the traditional scientific writing style is based on published literature accompanied by a citation. However, this format is inaccessible to many outside the scientific community and known as 'over-citation' if the same topic is discussed following a citation. According to the most recent APA (seventh edition) publishing protocol guidelines as long as the following sentences are on the same topic and the source is clear no additional citations are needed. Furthermore, the Council on Environmental Quality guidelines (40 CFR 1502.8) states "Environmental impact statements shall be written in plain language ...so that decision makers and the public can readily understand them."</p> <p>In response to this comment, references have been added and moved to better connect the text with the reference where ambiguity existed. In addition, new text and references were added regarding the Colville River.</p>	Trustees for Alaska
6501-19	The draft SEIS fails to fully or accurately describe how various impacts of the project will affect each fish species and its habitat. Instead, it largely lumps all species or habitat together when evaluating impacts, which masks impacts to individual species or populations. Because different species have different habitat or life history needs, population levels, or sensitivities, the project may affect each species differently and thus project impacts should be evaluated at a more granular level.	<p>We agree with the commenter that the Supplemental EIS does not detail the potential impacts on every life stage of every fish species individually. The intent of the analysis is to group impacts and effects in ways to help reviewers understand potential impacts on a meaningful scale. Effects on each life history stage (e.g., spawning, rearing, feeding, migration) known for the species in the area have been presented and can be found in great detail in the references of this chapter (Thorsteinson and Love, 2016).</p> <p>As required by National Environmental Policy Act Council of Environmental Quality regulations (40 CFR 1501.11), agencies should use tiering to eliminate repetitive discussions of the same issues and instead concentrate solely on the issues specific to the statement subsequently prepared. Background information on fish species, including general distributions and life histories, has been covered in greater detail in Section 3.3.4 of the 2012 NPR-A Integrated Activity Plan/Environmental Impact Statement (IAP/EIS) (BLM 2012) and Section 3.3.3 of the 2020 NPR-A IAP/EIS, documents to which this Draft Supplemental EIS is tiered. For more detailed background information on fish species in the NPR-A, refer to these documents as well as the information included in the referenced material.</p>	Trustees for Alaska
6501-20	The draft SEIS repeatedly claims that individual fish may be affected by the project but that such impacts will not rise to population level effects; these sweeping conclusions are unsupported and speculative. Neither the draft SEIS nor Appendix E.10 suggests that BLM relied on estimates of how many individuals will be affected or the thresholds for loss that each fish population/species can sustain. Without such information, the agency cannot rationally conclude that impacts to individuals will not affect populations or a species as a whole.	<p>We agree that impacts to individuals do have the potential to impact populations, however the scale of impact is what drives the response. For example, in Section 3.10.3, it is stated that, "Both the fill footprint and the screeding footprint would be small in relation to the amount of available habitat of similar type and quality. These irreversible impacts would be relatively small and would not impact the population viability of impacted species." This statement provides the scale and expected response from the activity. While adding a scientifically passive voice (e.g., potentially, likely) would be more traditional for discussing potential impacts this writing style is not effective for communication of impacts or risks.</p> <p>Section 3.10, <i>Fish</i>, details where effects on a population are likely (e.g., discussion of ice roads). The text states that an extreme delay in the breakup of an ice bridge may affect spawning Arctic grayling and feeding broad whitefish, with the potential for population-level effects in the blocked stream. Ice roads are not proposed to cross viable wintering habitat; therefore, while Individual fish could be affected by ice roads, it would be limited to fish that stayed too late in fall and became stranded in locations where they would have not been able to survive the winter. No mortality beyond that which would be expected naturally is anticipated.</p>	Trustees for Alaska
6501-21	BLM never explains how module delivery option 2 – which requires twice as much freshwater to be withdrawn as option 1 – will impact fish in the short- or long-term, claiming only that such a massive withdrawal “might” alter habitat in the future if lakes do not recover.1003 Given the substantial quantities of water to be withdrawn under this alternative and the importance of water quantity to fish in the area, the agency needs to include a more thorough analysis of these impacts.	As noted in the comment, the text does highlight the two-fold difference in water use between the alternatives and further expands on the potential impacts. All water withdrawals would follow required operating procedures (ROPs) B-1 and B-2 and be individually permitted through a rigorous process developed to protect fish species in the area with special protection for waters with sensitive fish species. The commenter's concern is addressed during water use permitting. Prior to State Fish Habitat Permit and Temporary Water Use Authorization being issued, all proposed water sources would be sampled for fish and water volumes would be estimated. Criteria specific to the fish species in each lake would be used to ensure that water use is limited to protect fish and fish habitat.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-248	BLM’s analysis also fails to account for downstream impacts of the mines and how they could impact fish populations and subsistence use well beyond the footprint of the mines with sediment and other runoff. BLM failed to fully consider all of these impacts in the context of the mines’ sizes, which would be substantial.	It is acknowledged in Section 3.8.2.3.1 that the mine pits would not be connected to adjacent streams but that surface erosion between the mine pits and the stream would occur over time. It is anticipated the mine site could add an annual slight increase in water quantity and sediment to the Ublutuooh River. Noise is not expected to impact fish because blasting and gravel excavation would occur in winter when surrounding aquatic habitats are frozen to the streambed (Section 3.10.2.3.1). CPAI has provided a mine site plan (Appendix D.2), including reclamation, consistent with required operating procedure (ROP) E-7. The mine site plan was developed with input from cooperating agencies and in consultation with BLM to be protective of overwintering fish habitat.	Trustees for Alaska
6501-25	The draft SEIS includes a meager section on potential “injury or mortality” to fish, which identifies only a single mechanism through which such harm would occur: burying of fish where waterbodies are filled.1011 This improperly ignores the numerous other direct and indirect mechanisms through which the project threatens to injure or kill fish, including low water or dissolved oxygen levels, oil spills, destruction of habitat, and more. BLM also fails to estimate the number or scope of injuries or mortality expected and to which species, which makes it impossible for the agency to accurately assess impacts on each species and population. As a result, the section on injury or morality is misleading and inaccurate.	The Supplemental EIS covers the cumulative effects of the proposed alternatives in section 3.20, <i>Cumulative Effects</i> , and discusses the effects of low dissolved oxygen, oil spills, and habitat degradation (also see Section 3.8, <i>Water Resources</i>) and destruction in detail. Species specifics are available for review in previous EISs tiered to in the Willow MDP Supplemental EIS.	Trustees for Alaska
6501-27	The draft SEIS fails to address how the timing of specific actions would coincide with temporal or seasonal life cycle needs for fish. For example, BLM admits that increased marine vessel traffic could disturb or displace marine fish and affect individuals but does not address whether such impacts will occur during seasons or times that certain species are particularly vulnerable to noise or disturbance.1013 The draft SEIS should consider whether open-water seasons for vessels will overlap with key migration or spawning periods and thereby cause disproportionate impacts on certain populations or species.	The planned vessel route would not coincide with any unique life history habitats or stages. The vessel route would cover a small area in relation to the amount of available marine habitat and would not traverse any known unique marine spawning grounds. Freshwater fish spawning habitat in the Project area is inland and would therefore not be affected by vessel transit. Marine species spawning grounds are not known to be in the vessel route, which covers a small area of similar nearshore and shelf habitat, and therefore effects on marine spawning habitat or behavior are not expected from transit activities.	Trustees for Alaska
6501-28	The draft SEIS fails to address how the timing of specific actions would coincide with temporal or seasonal life cycle needs for fish. For example, BLM admits that increased marine vessel traffic could disturb or displace marine fish and affect individuals but does not address whether such impacts will occur during seasons or times that certain species are particularly vulnerable to noise or disturbance.1013 The draft SEIS should consider whether open-water seasons for vessels will overlap with key migration or spawning periods and thereby cause disproportionate impacts on certain populations or species.	The planned vessel route would not coincide with any unique life history habitats or stages. The vessel route would cover a small area in relation to the amount of available marine habitat and would not traverse any known unique marine spawning grounds. Freshwater fish spawning habitat in the Project area is inland and would therefore not be affected by vessel transit. Marine species spawning grounds are not known to be in the vessel route, which covers a small area of similar nearshore and shelf habitat, and therefore effects on marine spawning habitat or behavior are not expected from transit activities.	Trustees for Alaska
6501-29	The draft SEIS discloses that dozens of bridge piles would permanently remove freshwater fish habitat within their footprint, but never discusses how that will affect fish that use or rely on that habitat. 1015 Nor does BLM address or acknowledge the impacts of climate change on project infrastructure such as bridges and other water crossings, and how potential bridge failures would impact fish and fish habitat in the future.	The proposed development is planned with climate change mitigation measures in place (Section 3.2, <i>Climate and Climate Change</i>) which includes reinforcing bridges, roads, and infrastructure for changes in water regimes and melting permafrost. Additional text has been added to address the potential impacts of a bridge failure on fish habitat through changes in stream flow, flooding, sedimentation, and debris introduction. A bridge failure would reduce or alter fish passage and lead to injury, mortality, habitat degradation, impact spawning or feeding migrations, out-migration of early life stages, and indirect impacts through changes in predators and prey if such a failure occurred in important streams or rivers.	Trustees for Alaska
6501-30	The draft SEIS claims, without explanation, that increased suspended sediment and turbidity levels in nearshore marine habitat during the summer construction season would not affect fish at the population level, explaining that such effects would be temporary and localized.1016 However, BLM never identifies the size of each population or the number and importance of the fish affected – the agency needed to reach such conclusions about the populations as a whole.	The nearshore marine fish known to be in the development area are listed as species of concern with low population stocks (as listed in Alaska Arctic Marine Fish Ecology Catalog). The marine fish species common to the nearshore have wide distributions (e.g., Arctic cod, saffron cod, sculpins, flounder) and are commonly circumpolar. Such a wide distribution buffers populations against localized disturbances such as increased turbidity around pilings or screeding events. The largest magnitude of impact that would be expected would be for nearshore spawning species like sculpin, where parental care and nest-tending behaviors may make this species more vulnerable to disturbance. Anadromous fish migrating to the Colville River and other river systems in the area may be disturbed by increased sediment loads or turbidity; additional text has been added to describe this in Section 3.10, <i>Fish</i> .	Trustees for Alaska
6501-31	Tundra ponds in the Arctic cover up to 40% of the landscape1017 and are a critically important landscape feature providing summer feeding and overwintering habitat for numerous Arctic fish...Thus, the identification of important pathways and seasonal habitat (i.e., spawning, rearing, and overwintering habitat) for migratory fish is crucial information that BLM must collect and consider more fully in the SEIS.	We agree with the reviewer's comment that identifying seasonal habitats for Arctic fish is critical for responsible development. The Willow MDP Supplemental EIS uses decades of traditional and local knowledge to identify these areas. New studies support the findings of older studies identifying overwintering habitat. Ongoing monitoring studies inform best management practices for ongoing operations like water withdrawals and developing population size estimates for the Project area.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-32	It is important to conduct fish presence surveys in habitat seasonally used prior to permitting. Since fish may migrate across the landscape using different habitat types to forage, spawn and overwinter, summer fish surveys may not provide a complete understanding of habitat use. BLM needs to more adequately consider the environmental impacts of the module transfer station of Arctic fish that use near shore environments for feeding and migration as causeways pose a concern for fish.	The Supplemental EIS notes the seasonal nature of the surveys that inform the impact assessment. The current knowledge of species ecology and distribution presented in the Supplemental EIS and the references therein, details specialized fish habitat throughout the seasons. This information is based on many years of fish survey data within the Project area and represents the best available information to date. Although it is recognized that causeways may have an impact on fish and nearshore marine habitats, an already existing facility would be used to facilitate the module transfer. As a result, the construction of an additional causeway or dock has not been proposed.	Trustees for Alaska
6501-33	<p>Recent research has shown that fish detection probability is influenced by species, gear type and site-specific variables (i.e. lake depth, day of sample, lake connection). 1026 ...This finding is important because it suggests that previous research methods may be inadequate to detect certain species. As a result, it is necessary to use new techniques such as eDNA monitoring to identify fish presence. 1028 BLM must consider discuss this research in the SEIS.1026</p> <p>Haynes, T.B., Rosenberger, A.E., Lindberg, M.S., Whitman, M. & Schmutz, J.A. 2013. Method-and species-specific detection probabilities of fish occupancy in Arctic Lakes: implications for design and management. Can J. Fish Aquat. Sci. 70. 1055-1062.</p>	<p>BLM agrees with the reviewer’s comment that new technology may be suited to address questions of presence for hard-to-find species excluded by traditional capture methods. However, Haynes et al. (2013) noted repeated temporal and spatial sampling (i.e., replication) with multiple gear types is one of the best methods to improve species detections. As such, this approach is routinely used to assess fish presence in the NPR-A for permitting and monitoring purposes. In addition, BLM (in partnership with universities) has incorporated environmental DNA sampling in combination with traditional sampling, watershed landscape characterizations, and modeling to develop species distribution models for fish species in the NPR-A (Holder et al. 2020). This information is used during the planning process. It should be noted that similar to traditional fish capture methods, there are also recognized limitations to eDNA sampling approaches. These limitations include, but are not limited to, false positive detections or non-detection of species, inability to collect demographic data (e.g., age, length, weight) or robust abundance estimates to inform fish species status and health, and inability distinguish among life stages (e.g., juvenile, adult). While eDNA can be an effective tool to detect fish presence, it should not replace traditional monitoring approaches. As such, information to date supports current sampling designs to inform fish presence; however, BLM continues to be involved in ongoing work to evaluate the performance and utility of eDNA in the NPR-A as a complementary approach.</p> <p>Citation: Holder, A. M., Markarian, A., Doyle, J. M., and Olson, J. R. 2020. Predicting geographic distributions of fishes in remote stream networks using maximum entropy modeling and landscape characterizations. Ecological Modelling 443,109231</p>	Trustees for Alaska
6501-344	<p>Impacts from large gravel pits close to rivers and streams and within their floodplains are well documented in the literature, and include the following potential that must be addressed in a revised EIS:</p> <ul style="list-style-type: none">• Wet pit mining in floodplains may reduce groundwater elevations, reduce stream flows, increase water temperature and create potential for fish entrapment.• Destruction of the riparian zone during gravel extraction operations can have multiple deleterious effects on anadromous fish habitat...	The location of the gravel mine relative to the nearby streams is great enough that the effects of mine sites directly on fish would not be relevant even in flooding events. NPR-A required operating procedures would protect fish from the adverse effects of mining and no mining would occur in fish habitats.	Trustees for Alaska
6501-35	Fall, winter, and spring under-ice conditions and fish movement and habitat use should be studied to understand better the natural conditions during the months of the proposed ice bridge. The description of baseline conditions is not adequate to understand the potential impacts on fishes. For example, what fish species and life stages overwinter directly downstream or upstream of the crossing? How would the ice bridge affect the movement of fish and the habitat under a variety of scenarios where water movement is impacted by the ice bridge? From research on adult Broad Whitefish we know that individuals are using the area in the fall, 1031 but where they overwinter and how much they move are still unknown. Recent research has also shown that Broad Whitefish have a variety of life history types, with individuals spending different amounts of time in freshwater, estuarine, and marine habitats.1032 The draft SEIS must analyze this information, and should clearly define the differences in impacts to fish among alternatives to understand the benefits and detriments to allowing ConocoPhillips to bring in its modules via ice bridge.	<p>It is acknowledged that there is more limited information on the potential impacts of an ice bridge spanning the Colville River close to known overwintering fish habitat.</p> <p>As noted in Section 3.10.2.9: "...fish are not anticipated to be present at or moving through Ocean Point to any large extent during the proposed operational period in winter because the river ice can be naturally grounded, little flow exists, most fish exhibit limited movement during winter, and most fish harvested and detected in research appear to use habitats further downstream (Moulton et al. 2006; Moulton et al. 2010). In addition, because the entirety of the ice bridge crossing would not be grounded, channels for fish movement would be present. CPAI will monitor ice conditions and flow at the crossing location over the next several winters prior to ice bridge construction in Year 5 and Year 7. If there are indications that fish may be present in winter, CPAI would work with ADF&G through the permitting process to determine if and how to accommodate fish passage through the ice bridge. It is anticipated that the ice bridge at the Colville River crossing would be needed for 5 weeks."</p>	Trustees for Alaska
6501-36	<p>BLM must address several questions, including:</p> <ul style="list-style-type: none">• Will the ice bridge be removed in the spring?• How will it be moved, if at all?• What is the timing for it to be moved, if at all? <p>This information is important because fish move a tremendous amount. The Colville River likely provides a major connectivity corridor for a variety of fishes to upstream foraging habitats. The SEIS must answer these questions and address these concerns.</p>	Section 3.10.2.3.1 details that all "ice infrastructure over defined stream channels, including the Colville River ice bridge, would be removed, breached, and/or slotted before spring breakup to allow flow connectivity, minimize blocked passage, and minimize the potential for stream bank or streambed erosion (as per required operating procedure [ROP] C-3)." A reference to Appendix D.1, <i>Alternatives Development</i> , detailing the Colville River crossing engineering and development was added to the text.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-38	New research1035 on Broad Whitefish should be documented in this section to help provide a more rounded (but still inadequate) perspective on how Broad Whitefish use the Colville River. There are no apparent citations to support assertions on burbot.1036 The assumption of overwintering habitat in rivers1037 is not true. Is this based on depth or empirical data? Stream and rivers can have springs and groundwater upwellings that can create overwintering habitat in areas less than 2.2 meters.	New research on Broad Whitefish (Leppi et al 2022a, b, c) has been added to the relevant Section 3.10, <i>Fish</i> . A reference for burbot tagging and overwintering (Entrix 1986) has been added. All springs on the North Slope are in the transition of the foothills to the Arctic coastal plain or within the foothills. There is no groundwater upwelling or spring activity in the Project area therefore fish are completely reliant on surface water with adequate depth and volume to resist freezing. Groundwater in the Project area lies below continuous permafrost and is hypersaline. For more information on this topic, please see Section 3.8, <i>Water Resources</i> .	Trustees for Alaska
6501-39	Discussion of the nearshore marine area in section 3.10.1.2 appears outdated.1038 BLM must determine how the fish species composition, behavior, and movements have changed since 1982. The analysis of essential fish habitat in section 3.10.1.31039 seems overly generous considering salmon have not yet been shown to have a sustainable population in the Beaufort Sea Region.	Section 3.10.1.3 recognizes marine Essential Fish Habitat (EFH) for Pacific salmon is limited because their distribution is restricted to a relatively low numbers of individuals in a few drainages within the analysis area. However, the Magnuson-Stevens Fishery Conservation and Management Act requires federal agencies to consult regarding any activity, or proposed activity, authorized, funded, or undertaken by the agency that may adversely affect EFH. Because EFH includes those waters and substrate necessary for Pacific salmon spawning, breeding, feeding, or growth to maturity, it is necessary to include these species and associated marine and freshwater habitats in the assessment. Section 3.10, <i>Fish</i> , has been revised to include new references at the request of the commenter though it should be noted that the most complete descriptions of fish behavior in the Project area are from the 1980s.	Trustees for Alaska
6501-40	Section 3.10.2.3.1 on habitat loss or alteration requires additional analysis.1040 Fish move all over the region. Culverts and ice roads have the potential to block seasonal migration paths. This is acknowledged,1041 but analysis is required of seasonal fish movements across a large enough extent and across enough species to know when fish use corridors. The draft SEIS contains an assumption regarding timing of movement, but it has not been adequately analyzed.	Assertions made in the Draft Supplemental EIS are based on decades of research on North Slope fish movement. The Draft Supplemental EIS was published prior to recent literature published on Broad whitefish (e.g., Leppi et al 2022), thus it was not included. Additional literature has been reviewed and incorporated into this Final Supplemental EIS. Past studies documenting the impacts of poorly designed North Slope culverts provide a lesson learned account of impacts on fish passage (Morris and Winters, 2004). Now, best management practices and required operating procedures (ROPs) (E-14) have improved culverts and fish passage infrastructure, and these will be monitored and updated over time. Morris, William, and Jack Winters. 2004. "Evaluation of Stream Crossing Structures for Providing Fish Passage in a Tundra Stream; Fish Sampling of Fawn Creek, Prudhoe Bay, Alaska, 2004." Technical Report 04–05.	Trustees for Alaska
6501-43	The draft SEIS fails to comply with NEPA’s requirement to discuss mitigation measures in sufficient detail, analyze their effectiveness, and disclose likely impacts. For example, BLM explains that water withdrawals can alter water quantity and quality in fish habitat, and that 1,662.4 million gallons of water will be withdrawn from “an unknown number of lakes” over the lifetime of the project.1046 But the agency claimed, without any support or further discussion, that BMPs and permit stipulations will prevent population-level effects from such withdrawals.1047 It is irrational for the agency to reach that conclusion without discussing how much water would be withdrawn each season and year and where, and how best management practices, ROPs, and LSs would reduce the massive impacts of withdrawals. This is especially true since of ROP B-2 is designed to protect fish during winter withdrawals but is based on surveys conducted during the summer. Moreover, the agency ignores that BMPs are inadequate to protect dissolved oxygen levels in tundra ponds. BLM needs to include physical and biological data for each lake to determine suitability for water withdrawals.1048 BLM must also consider how water availability will be affected during years of low water availability. For example, dust abatement is most critical during dry summers when lake water levels and stream flow are also low. BLM must consider how the impacts of increased water use for dust control will exacerbate already low lake levels and corresponding downstream flows to creeks and rivers.	The concern voiced by the commenter is addressed during temporary water use permitting. Prior to State Fish Habitat Permit and Temporary Water Use Authorization issuance, all proposed water sources are sampled for fish and water volumes are estimated. Criteria specific to the fish species present in each waterbody are used to ensure that water use is limited to protect fish and fish habitat. Although it has been demonstrated that water withdrawals can reduce dissolved oxygen levels in lakes (Cott et al. 2008), natural lake properties in the Arctic have been the best predictors of oxygen depletion during the winter, rather than pumping (Chambers et al. 2008). There have been no measurable changes in dissolved oxygen attributed to pumping at current levels of withdrawal on the North Slope (Hinzman et al. 2006). Further, in the many years of water withdrawals for infrastructure and development in the NPR-A, there has been no reported incidences of winterkill in water source lakes. Water withdrawal guidelines stipulate that not more than a specified percent of a lake's volume can be withdrawn. Thus, the effects of withdrawing more water would cover a larger area (i.e., greater number of lakes) but would not differ in the type, magnitude, or duration. BLM concurs with State of Alaska water permitting agencies (Alaska Department of Fish and Game, Alaska Department of Natural Resources) regarding the view that current guidelines for liquid water allowances are broadly protective of fish and water resources. Text has been added to Section 3.10, <i>Fish</i> , to describe how water availability may be more limited during environmental conditions (e.g., low rainfall, low snowfall), as simulated by modeled streamflow responses (Gadeke et al. 2022). However, low flows and reduced connectivity have not been an issue to date with regional increases in summer rainfall (Arp and Whitman 2022).	Trustees for Alaska

Table B.5.17. Freedom of Information Act Request Comments and Responses*

No.	Comment	Comment Response	Commenter
6501-222	Given Willow’s potential impacts on protected species and the agencies’ prior failures to comply with the ESA, we request BLM to promptly provide BLM’s final biological assessments — both for FWS and NMFS —for public review on its ePlanning website. On August 19, 2022, Groups obtained the biological assessment transmitted to FWS via a Freedom of Information Act request and are still reviewing.	The Biological Assessments will be made available on the BLM's e-Planning website (https://eplanning.blm.gov/eplanning-ui/project/109410/510).	Trustees for Alaska

Table B.5.18. General Economics Comments and Responses*

No.	Comment	Comment Response	Commenter
1676-3	In addition to these macroeconomic and national security justifications for approving the Willow Project, Native communities in the North Slope Borough have also explained the critical importance of this project for their local communities. For example, in a letter addressed to the Secretary of the Interior, the Executive Director of the ANCSA Regional Association, an association of Alaskan Native corporations, explains that “[o]il and gas development projects on the North Slope in Alaska are crucial to the ongoing health of North Slope communities.” Revenue from these projects funds vital community infrastructure and basic necessities in the isolated and remote villages located in the North Slope, empowering these Native communities to maintain their traditional, subsistence-based lifestyles.	Section 3.15.1 of the Supplemental EIS describes the contribution of oil and gas activity on the local, regional, and state economies and provision of public services; Section 3.15.2 describes the projected effects of the proposed project with respect to jobs and government revenues.	Mark McManus
1716-2	Additionally, the Willow project will have a long-term, positive economic impact for local governments, the State of Alaska and the country as a whole. The property tax revenue from Willow will continue to provide funding for essential public services for eight North Slope villages. In the past, ConocoPhillips’ property taxes help fund schools, emergency response capabilities, health clinics, drinking water, wastewater, roads, power and solid waste disposal, among other social and health services. The Willow project will generate between \$8-17 billion in tax and royalty revenue, benefitting federal, state and local levels.	Supplemental EIS Section 3.15.2 presents the projected benefits of the Willow Project in terms of potential government revenues.	Ryan Phelps
1861-6	The project will bring significant social and economic benefits to the state. In addition to the employment referenced earlier, the BLM estimates Willow will generate between \$8 billion and \$17 billion in tax and royalty revenue to the federal, state and local entities. A key aspect of development in the NPR-A is the Impact Mitigation Grant Program, which directs 50% of the federal royalties toward local impacted communities. This program is consistent with President Biden’s Justice40 initiative to ensure that federal investments in energy development return at least 40% of their benefits to disadvantaged communities.	Supplemental EIS Section 3.15.1 describes the contribution of the NPR-A Impact Mitigation Grant Program to Nuiqsut and the North Slope Borough. Section 3.15.2 describes the projected effects of the proposed project with respect to royalty revenues.	Erec Isaacson

No.	Comment	Comment Response	Commenter
2522-4	<p>Section 3.13.2.2 of the DSEIS repeats the same unsupported economic conclusions regarding the No Action alternative that we flagged in our scoping comments.¹⁹ There is no basis for BLM to state that under that alternative, local employment levels would necessarily remain the same, or that statewide oil and gas sector employment would likely decrease.</p> <p>There is no evidence that there would be no new local property tax or state oil and gas tax revenues generated if Willow is not built; indeed, the available evidence indicates that there will be plenty of new local, state and federal oil and gas revenues flowing in the future, with or without the Willow project.</p> <p>BLM’s cumulative impacts assessment fails to estimate the economic impacts of RFFAs in any meaningful way. It states that the Nanushuk and Liberty projects could increase oil production, industry spending, government revenues, and job opportunities – and of course they could.²⁰ But BLM neither quantifies those economic impacts nor squares them with its gloomy portrait of local, regional and state economic conditions under the No Action alternative. It fails to distinguish between RFFAs on state versus federal land, which makes a big difference in terms of economic value to the state and its residents.²¹</p> <p>The state projects a steady increase in north slope oil production for the next 10 years – all before Willow would come online.²² Global oil companies Santos and Repsol recently announced that they will invest \$2.6 billion in the Pikka project, within the Nanushuk formation and on state land, with oil projected to flow by 2026. That effort will generate billions in state and local tax revenue and reportedly create 2600 construction jobs and 500 permanent jobs going forward.²³ That is in addition to rising sector employment, increased rigs on the north slope, and highly successful recent oil and gas lease sales on state land.²⁴ Baseline conditions therefore already indicate growth in oil production, jobs, revenues (and GHG emissions) from this region, all without the Willow project ever happening – but you wouldn’t know that from BLM’s economic analysis. BLM should quantify estimated oil production, revenue and jobs with and without Willow and revise the text and conclusions in its economic analysis accordingly.</p>	<p>Supplemental EIS Section 3.15.2 has been revised to clarify that under Alternative A (No Action Alternative), there would be no additional economic activity resulting from the proposed project's development and production activities. However, there could be changes to the state of the local, regional, and state economies as a result of future economic events.</p> <p>Section 3.20.13, <i>Cumulative Impacts to the Social Environment</i>, was expanded to include projected changes in economic conditions resulting from reasonably foreseeable future actions.</p>	Defenders of Wildlife
2878-56	<p>Appendix E.15, Economics Technical Appendix, Page 4. The source document for Table 3.15.5 (NEI 2022) and the supporting information in Appendix E.15 use two oil price forecasts: one from Alaska DOR (\$60.66) and one from EIA (\$80.33). These forecasts, which are both approximately 1 year old, appropriately present a wide range of economic outcomes for the alternatives. However, the discussion in Section 3.15, including Table 3.15.5, includes only the more conservative Alaska DOR forecast. We recommend that Section 3.15 and Table 3.15.5 be updated to include values based on both forecasts. We also encourage BLM to use the latest price forecast information available when the final SEIS is being prepared.</p>	<p>Draft Supplemental EIS Table 3.15.5 (Final Supplemental EIS Table 3.15.6, Section 3.15) has been revised to include results using U.S. Energy Information Administration price forecast.</p>	ConocoPhillips
30968-13	<p>50 percent of all federal revenue from the National Petroleum Reserve is put into an impact-mitigation program. This is a unique program that has significant social and environmental justice benefits. Grants from the program fund city operations, youth programs, other projects, and through the life of the Willow Project, this puts an estimated \$2.3 billion into that impact fund.</p> <p>Additionally, because the North Slope Borough is funded primarily through oil and gas taxes, which make up 95 percent of the borough's budget, an additional 1.2 billion in taxes are going to go to the local borough from the Willow Project.</p> <p>This is really important in Alaska on the North Slope. The borough provides the essential services for schools, emergency response, health clinics, drinking water, wastewater, roads, power, and solid waste disposal. These are important taxes that directly support communities.</p> <p>Willow also added an approximate 2,000 jobs during construction and 300 long-term jobs. These are good, hardworking jobs that support Alaskan families, putting food on the table, and these are real benefits that can't be brushed over with some talking points that have been sent out in mass e-mails.</p>	<p>Supplemental EIS Section 3.15.1 describes the contribution of oil and gas activity on the local, regional, and state economies and provision of public services; Section 3.15.2 describes the projected effects of the proposed project with respect to jobs and government revenues.</p>	Unsigned
30969-16	<p>The economic impact of a project like this for Alaska means billions of dollars for the federal government, the State of Alaska, the North Slope Borough, and for communities in around an area appropriately named the National Petroleum Reserve. These funds sustain our communities and fund infrastructure education in other important capital projects throughout Alaska.</p>	<p>Supplemental EIS Section 3.15.2 describes the economic impacts of the proposed project to North Slope Borough communities and the state.</p>	Unsigned

No.	Comment	Comment Response	Commenter
4293-3	Despite recognizing that the Project will partially offset other production sources and adjusting its emission estimates accordingly, BLM does not recognize this displacement effect when assessing the Project’s alleged economic benefits— which it reports as gross rather than net figures. BLM should reduce its projections of economic benefits to account for this offset, much like Interior did in another recent analysis. At a minimum, BLM should recognize that, according to its own logic, its projections of economic benefits are greatly overestimated when considered from a national perspective, since the Project is largely displacing other sources of production that would generate their own economic benefits.	The geographic scope of the economic effects of the proposed project are focused on the potentially impacted local, regional, and state economies, where effects on economic indicators (e.g., jobs, income, revenues) are measurable. The effects of the proposed project on the U.S. economy would be dispersed and minimal at the national level.	Max Sarinsky, Minhong Xu, Jeremy Lieb, Ben Tettlebaum
4293-9	Because They Overlook Substitution Effects, BLM’s Estimates of Economic Benefits Are Very Likely Inflated. While BLM’s analysis of greenhouse gas emissions and climate costs present low-end estimates, its analysis of economic benefits errs in the opposite direction and should be considered high-end estimates. This is because the substitution impacts that are so central to BLM’s analysis of climate costs are noticeably absent when the agency analyzes economic benefits, creating an inconsistency that biases the analysis and should be remediated. [see letter for additional information]	The geographic scope of the economic effects of the proposed project are focused on the potentially impacted local, regional, and state economies, where effects on economic indicators (e.g., jobs, income, revenues) are measurable. The effects of the proposed project on the U.S. economy would be dispersed and minimal at the national level.	Max Sarinsky, Minhong Xu, Jeremy Lieb, Ben Tettlebaum
6501-132	The bulk of the statistics in the economics section of the DSEIS focus on reports and figures from the mid-2010s, despite the fact that new data is easily available to the public from government sources, including the U.S. Census Bureau, State of Alaska, and North Slope Borough (NSB). A prime example of this is entirety of section 3.15.1.3 reviewing Alaska’s economy where every document cited was published in 2016 and 2017,1424 and conclusions are inferred about the role of oil and gas in Alaska based on an analysis of those years. While a focus on 2016 and 2017 may have been appropriate for an EIS published in 2018, a review of the past decade of Alaska North Slope West Coast Spot Prices shows that these two years — with an average price per barrel of \$43 in 2016, and \$54 in 2017 — are outlier years in the past decade, when the average from 2012–2021 is \$72 per barrel.1425 The result of the DSEIS focus on these “lower price” years is the painting of a more dire picture of state finances versus what is being realized in Alaska today, and likely in the future as legacy fields continue to produce oil.	Supplemental EIS Section 3.15.1, <i>Affected Environment</i> , has been updated to describe the current state of the local, regional, and statewide economy using the latest publicly available economic data.	Trustees for Alaska
6501-133	The DSEIS analyzes data and highlights unique oil revenue of local, regional, and state governments, but does not do so consistently, and it presents an incomplete picture of how oil and gas development affect each level of government. The analysis was correct to point out that approximately 40% of the workforce for North Slope oil and gas jobs are travelers to Alaska from out-of-state,1426 yet it does not provide U.S. Census job statistics for the United States in a manner similar to how it presents job data about local governments and Alaska. The DSEIS noted how the North Slope Borough has an investment fund to lessen reliance on future oil and gas revenue declines,1427 but fails to mention the State of Alaska’s \$79 billion Permanent Fund, 1428 which was established for the same purpose. The DSEIS finds that “The State owns and maintains an airport in Utqiagvik and Deadhorse, but most other infrastructure and services on the North Slope are provided by the NSB.”1429 This finding fails to recognize the Dalton Highway — a critical state road used by the oil and gas industry — arguably of more importance to the oil and gas industry than those airports combined. These errors and omissions demonstrate the flawed factual foundation for how the DSEIS considers the economic lay of the land surrounding the Willow project.	Supplemental EIS Section 3.15.1, <i>Affected Environment</i> , has been updated to provide more consistent data on the current state of the local, regional, and state economies.	Trustees for Alaska
6501-135	The No Action alternative analyzes the Willow project in a vacuum and makes definitive statements about the state of oil and gas industry in Alaska without Willow. It claims that, “Under Alternative A, the Project would not be developed and there would be no increase in employment or wages in Nuiqsut, the NSB, or the state. Employment opportunities in Nuiqsut and the NSB would remain at current levels and oil sector employment in the state would likely decrease. New property tax revenues would not be generated for the NSB, and no new oil and gas tax revenues would be added to the Alaska general fund or the NPR-A Impact Grant Program.”1431 This claim is made unequivocally as a statement of fact and is not supported when other activity in the Reserve - including development of Alpine satellite fields – is considered. The State of Alaska estimates an increase in oil and gas production on Alaska’s North Slope through its Fiscal Year 2031, even when the entire production from the Reserve is subtracted from total oil development.1432 Furthermore, the DSEIS fails to consider the shifting economic landscape over the next few decades. For example, the analysis fails to consider the role that the trend towards renewable energy will have on the project and on economy.	Supplemental EIS Section 3.15.2 has been revised to clarify that under Alternative A (No Action Alternative), there would be no additional economic benefits resulting from the proposed project's development and production activities. However, there could be changes in the state of the local, regional, and state economies as a result of future economic events. Cumulative Effects (Section 3.20.13) was expanded to include projected changes in economic conditions resulting from reasonably foreseeable future actions.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-136	While the DSEIS speculates about the drawbacks of selecting the No Action alternative, it also speculates about benefits to the action alternatives that may not come to fruition, and are subject completely to the decisions of ConocoPhillips. The agency states that, “if local oil industry support companies, such as those owned by Kuukpik or ASRC, earn revenues on the Project, this would indirectly affect local incomes through increased dividends.”1433 Such speculation about specific contractors that may or may not be hired by the leaseholder does not belong in an objective analysis of whether a project should move forward.	The statement in the Supplemental EIS is valid. The Project would create opportunities for local businesses to participate in construction and operations. The No Action alternative discussion was revised to acknowledge that there would be changes in the economy as a result of other economic events/oil and gas projects in the North Slope.	Trustees for Alaska

Table B.5.19. Land Ownership and Use Comments and Responses*

No.	Comment	Comment Response	Commenter
2878-55	Appendix E.14, <i>Land Ownership and Use Technical Appendix</i> , PDF Page 535. We recommend that BLM include the NSB Ordinance (75-06-75) for the Willow Master Development Plan in Appendix E.14 for completeness and convenience.	The North Slope Borough Ordinance (75-06-75) has been added to Appendix E.14, <i>Land Ownership and Use Technical Appendix</i> .	ConocoPhillips

Table B.5.20. Legal or Policy Comments and Responses*

No.	Comment	Comment Response	Commenter
29597-8	Willow is also incompatible with Presidential actions showing the administration’s commitment to combating climate change, listening to science, addressing environmental justice, and conserving and restoring the health and productivity of our nation’s lands and waters. Within a week of taking office, President Biden signed an executive order that, among other things, made a commitment to environmental and economic justice, stating: To secure an equitable economic future, the United States must ensure that environmental and economic justice are key considerations in how we govern. That means investing and building a clean energy economy that creates well-paying union jobs, turning disadvantaged communities — historically marginalized and overburdened — into healthy, thriving communities, and undertaking robust actions to mitigate climate change while preparing for the impacts of climate change across rural, urban, and Tribal areas. Agencies shall make achieving environmental justice part of their missions by developing programs, policies, and activities to address the disproportionately high and adverse human health, environmental, climate-related and other cumulative impacts on disadvantaged communities, as well as the accompanying economic challenges of such impacts. It is therefore the policy of my Administration to secure environmental justice and spur economic opportunity for disadvantaged communities that have been historically marginalized and overburdened by pollution and underinvestment in housing, transportation, water and wastewater infrastructure, and health care.18	BLM evaluates the Project's impacts to environmental justice, including to housing, transportation, and other infrastructure and essential services for North Slope communities (see Section 3.17, <i>Environmental Justice</i>). The elected governments of the North Slope Borough, the Inupiat Community of the Arctic Slope, the City of Wainwright, the City of Atkasuk, and the Native Village of Wainwright have voiced their collective support for the Willow Project (generally for Alternative E). All of these entities represent environmental justice communities. Most have noted that revenues generated by the Willow Project, including from the NPR-A Impact Mitigation Fund, will provide funding for housing, transportation, and other infrastructure and essential services for North Slope communities.	Sovereign Iñupiat for a Living Arctic
30956-8	Willow will harm the food supply, health, environment, and culture of the Iñupiat in contravention of human rights obligations that have been made by the U.S. Government through the following international instruments: the United Nations Declaration on the Rights of Indigenous Peoples, which enshrines Indigenous Peoples’ individual and collective rights,13 and which the U.S. agreed to support in 2010;14 the International Covenant on Civil and Political Rights,15 which the U.S. ratified in 1992; and the Convention on the Elimination of Racial Discrimination (CERD), which recognizes the rights to be free from racial discrimination and actions that implicate such discrimination,16 ratified by the U.S. Government in 1994. Additionally, as a member of the Organization of American States (OAS), the U.S. Government should respect the Indigenous rights articulated in the American Declaration on the Rights of Indigenous Peoples, which is implemented by the OAS system.17 Interior and BLM’s process to approve Willow has failed to comply with these mandates.	The elected governments of the North Slope Borough, the Inupiat Community of the Arctic Slope, the City of Wainwright, the City of Atkasuk, and the Native Village of Wainwright have voiced their collective support for the Willow Project (generally for Alternative E). All of these entities represent environmental justice communities. Most have noted that revenues generated by the Willow Project, including from the NPR-A Impact Mitigation Fund, will provide funding for housing, transportation, and other infrastructure and essential services for North Slope communities.	Sovereign Iñupiat for a Living Arctic
30960-10	BLM must fully assess and address its obligations to protect migratory birds under the Migratory Bird Treaty Act... Despite the fact that the final rule went into effect on December 3, 2021, and despite prior long-standing precedent, the SEIS seems to be woefully inadequate in its analysis of migratory birds and the BLM's responsibilities to protect migratory birds under MBT A. [see attached letter for supporting details section]	BLM coordinated closely with eight cooperating agencies, including the U.S. Fish and Wildlife Service, State of Alaska Department of Fish and Game, and North Slope Borough Wildlife Department to develop and evaluate over 50 alternative concepts for consideration in the Supplemental EIS. BLM evaluates several mitigation measures that include protections for migratory birds, including measures that limit when construction can occur. See Section 3.11 (<i>Birds</i>) and Appendix I.1 for a list of measures that may reduce the impacts of the action alternatives to migratory birds.	Audubon Society

No.	Comment	Comment Response	Commenter
30962-22	<p>The recent decision by the U.S. District Court for the District of Alaska found that BLM leases “do not grant the lessee the unfettered right to drill wherever it chooses or categorically preclude BLM from considering alternative development scenarios” and that BLM is compelled to “mitigate reasonably foreseeable and significantly adverse effects on the surface resources of the National Petroleum Reserve in Alaska”³⁷ per 42 U.S.C. 6506a(b). The TSLA is a productive and unique wetland complex that provides high-value habitat and calving grounds for the Teshekpuk Lake caribou herd which Nuiqsut resident may utilize for subsistence.³⁸ While Arctic wetlands... Biological carbon sequestration is a valuable wetland function, especially considering the climate crisis.... This number does not account for the temporal lag of the wetlands to resume carbon sequestration associated with the abandonment and reclamation of the developed sites after the project has ended.</p>	<p>A discussion of the potential range of carbon sequestration loss from the fill and excavation of wetlands has been added to Section 3.9, <i>Wetlands and Vegetation</i>.</p>	U.S. Environmental Protection Agency
6501-175	<p>On his first day in office, just hours after being sworn in, President Biden issued Executive Order 13990, Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis.⁷⁴ The Executive Order committed the Administration to “promote and protect public health and the environment; and conserve our national treasures and monuments, places that secure our national memory” as well as to “advance environmental justice.”⁷⁵ In doing so, the President explained that decisions “must be guided by the best science and be protected by processes that ensure the integrity of Federal decision-making.”...</p> <p>Within a week of taking office, President Biden signed another executive order that announced his commitment to protecting 30% of U.S. land and water — over 720 million acres — by 2030: Conserving Our Nation’s Lands and Waters... President Biden also made a commitment to environmental and economic justice in that same executive order...</p> <p>In early April, 2021, Secretary Haaland issued Order No. 3399, “prioritiz[ing] action on climate change.”⁸¹ That order was issued in response to Executive Orders 13990 and 14008 and established a Departmental Climate Task Force, the purpose of which is to “develop a strategy to reduce climate pollution; improved and increase adaptation and resilience to the impacts of climate change; address current and historic environmental injustice; protect public health; and conserve Department-managed lands.”...</p> <p>Collectively, these Presidential and Secretarial actions evidence an incredibly strong commitment to combating climate change, listening to science, addressing environmental justice, and conserving and restoring the health and productivity of our nation’s lands and waters.</p> <p>Permitting Willow — with its proposed spiderweb of gravel roads, pads, airports, ice roads and bridges, massive central processing facility, gravel mines, and its function as a catalyst to further westward development in the Reserve — is plainly inconsistent with the Administration’s and Department’s goals. Willow accelerates climate change, perpetuates environmental injustice, and harms biodiversity in the northeastern Reserve and across Arctic Alaska. BLM must acknowledge this and endeavor to explain how the agency can still permit Willow, in conflict with the President’s goals and Department’s commitments.</p>	<p>The Supplemental EIS does not state that BLM's legal authority to condition or reject the Willow Project is constrained, or that BLM cannot select Alternative A (No Action). All relevant new guidance issued by the Biden administration was accounted for in preparation of the Supplemental EIS, including the range of alternatives and the purpose and need statement. The Supplemental EIS analyzes the greenhouse gas emissions related impacts of all the alternatives (see Section 3.2, <i>Climate and Climate Change</i>).</p> <p>The Record of Decision will identify the alternative selected by BLM as well as the rationale for BLM's decision.</p>	Trustees for Alaska
6501-211	<p>BLM cannot proceed with permitting this project until ConocoPhillips submits a complete right-of-way application...</p> <p>It is completely unclear how BLM anticipates proceeding with the review of this project when it has yet to receive complete right-of-way and other permit applications. The draft SEIS discusses rights-of-way generally, but only makes unclear statements about when and how the agency would actually permit the right-of-way for Willow. For instance, the DSEIS states that BLM will decide in its ROD whether to approve the Willow MDP and associated permits and rights-of-way for the project based on the analysis in the SEIS, but the ROD will not constitute the final approval for actions such as the approval for individual applications for permits to drill and rights-of-way.²⁵²</p> <p>BLM indicates the SEIS is instead intended to provide the agency with “information and NEPA analysis that could be used to inform final approvals for individual Project components, such as specific permits to drill and rights-of-way.”²⁵³ It is unclear how BLM can adequately analyze this project for NEPA or FLPMA purposes when it has yet to receive the actual permit applications BLM purports to be analyzing.</p>	<p>BLM is not prohibited from analyzing a project that it deems ripe for analysis. The purpose of a master development plan is to evaluate the full development of an oil prospect to disclose all impacts related to the project and prevent segmentation of the National Environmental Policy Act (NEPA) analysis; this necessarily requires that the analysis will begin before all permit applications are filed.</p> <p>The Willow Master Development Plan EIS will be used to evaluate future applications so long as the permit proposal was adequately analyzed in the Willow MDP EIS. If an application is submitted that deviates significantly from what was proposed and analyzed in the Willow MDP EIS, additional NEPA analysis will be required prior to approval of that application.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-212	<p>There is also still missing information and sparse details about the scope of the Willow MDP, the areas that will be impacted, and how impacts will be mitigated. There is a substantial amount of information missing that must be gathered before BLM can meaningfully evaluate and the public can fully understand the potential impacts from the project. The DSEIS provides only high-level statements about important facts like the locations of infrastructure, timing of development, and traffic impacts. As a result, the DSEIS is still deficient in its description of the project facilities, ConocoPhillips’ schedule moving forward, and reclamation plans. BLM must require more information to determine the scope of the project and its facilities, as required by FLPMA. Further, ConocoPhillips must provide site-specific information about the project elements and the environmental conditions in those areas. For example, for the proposed Willow Central Processing Facility, BLM needs additional information on its exact location, equipment needs, power generation, processing activities, and infrastructure needs. BLM needs this information not only to adequately evaluate ConocoPhillips’ right-of-way request, but also to evaluate potential alternatives to that proposal and environmental impacts as required by NEPA.</p>	<p>BLM has the exact locations of all proposed permanent infrastructure (under all action alternatives), including the central processing facility.</p> <p>Detailed information about the Project's schedule, equipment needs, traffic volumes, and emissions data can be found in Appendices D.1, E.3A, and E.3B.</p>	Trustees for Alaska
6501-213	<p>There is still little information on the site-specific conditions or locations of the individual road segments... The length of the roads will dictate the amount of gravel needed for construction, and the locations of roads and drillsites will affect the necessary maintenance of roads. ConocoPhillips must provide specific information in order for BLM to properly evaluate the environmental and social impacts of this gravel infrastructure and to ensure protective measures are adequate to mitigate impacts. BLM’s analysis of the likely aquatic impacts from this project and related project elements, including the gravel mines, is still so high-level and vague as to be essentially meaningless.</p> <p>There is also still a lack of detail on the proposed bridges and water crossings. Judy Creek, Fish Creek, Willow Creek 4, and the Kalikpik River would appear to all require massive bridges with piers located in the riverbeds. The DSEIS does not adequately describe how these will be constructed. The DSEIS states, in a table summary, that up to 18 crossings would be needed, depending on the selected alternative — with 6–7 bridges and 9–11 culvert batteries.²⁵⁴ The specific crossings are not identified in the EIS, however, simply the number. This is unacceptably vague, and it is not clear how BLM can issue a right-of-way under FLPMA without sufficient information regarding which waterbodies will be crossed, how the bridges will be constructed, and what the site-specific conditions of each crossing will require to minimize aquatic impacts.</p>	<p>Detailed information about project infrastructure, including gravel fill volumes and stream crossings can be found in Appendix D.1, <i>Alternatives Development</i>; water crossings (i.e., bridges and culvert batteries) are also identified throughout the Supplemental EIS figures. Impacts from the placement of gravel fill can be found in Section 3.9, <i>Wetlands and Vegetation</i>, and impacts to waterbodies from the placement of piles can be found in Section 3.8, <i>Water Resources</i>.</p>	Trustees for Alaska
6501-216	<p>The lack of a complete right-of-way application raises serious questions about ConocoPhillips’ ability to move forward with this massive project in an environmentally responsible manner. The lack of this information means that BLM cannot meet its FLMPA obligations and severely limits the public’s ability to analyze the potential impacts of this proposal. BLM needs all of the information required by FLPMA in order to fully assess the site-specific impacts of this project and to issue a right-of-way consistent with the agency’s legal obligations under the law.</p>	<p>The Willow MDP Supplemental EIS will be used to evaluate future applications so long as the permit proposal was adequately analyzed in the Willow MDP. If an application is submitted that deviates significantly from what was proposed and analyzed in the Willow MDP, additional National Environmental Policy Act analysis will be required prior to approval of that application. Any application approval will be in conformance with applicable law.</p>	Trustees for Alaska
6501-217	<p>Multiple important potential substantive requirements flow from FLPMA’s right-of-way provisions... BLM has a mandatory duty to impose conditions that “will minimize damage to scenic and esthetic values and fish and wildlife habitat and otherwise protect the environment...</p> <p>BLM failed to evaluate all aspects and ramifications of issuing the right-of-way for the Willow MDP by unreasonably limiting the scope of its analysis. In particular, the DSEIS failed to consider important missing baseline information, future oil and gas activity and infrastructure made possible by the right-of-way, the additional and cumulative impacts the project will have on subsistence resources and uses, the climate implications of producing and burning this much fossil fuel, and the extensive significant impacts to aquatic resources from the project.</p>	<p>Cumulative impacts were evaluated in Section 3.20, including impacts from reasonably foreseeable future oil and gas activity and how past, present, and reasonably foreseeable future actions would impact surface resources, including subsistence, climate, and aquatic resources.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-218	FLPMA mandates a BLM determination as to what conditions are “necessary” to protect federal property and economic interests, as well as “otherwise protect the public interest in the lands traversed by the right-of-way or adjacent thereto.” ²⁷⁰ This means that the agency can only approve the right-of-way if it “protect[s] the public interest in the lands” not only in the immediate footprint of the road and right-of-way, but also with regard to lands and resources adjacent to and associated with the right-of-way. ²⁷¹ The right-of-way contemplated here would have significant impacts on subsistence, air quality, and water quality in and around the community of Nuiqsut. It could also significantly impact resources in Harrison Bay. As part of its obligations, BLM is also required to ensure the protection of other users in the area of the right-of-way. None of the action alternatives meet this standard. For example, the gravel mining area alone will have significant impacts on Nuiqsut by disrupting access to and use of this important subsistence area. There are likely to be significant downstream changes and impacts from the mines that have not been adequately considered or addressed to ensure the protection of subsistence and other users in the area. Placing gravel mines of the scale proposed by ConocoPhillips so close into Nuiqsut is likely to not only restrict use and access to that area, but is also likely to cause significant emotional and other distress in the community by further exacerbating the amount of industrial activity and noise occurring nearby. This is in addition to the major impacts from the rights-of-way to access the oil and gas resources surrounding the community. The proposed use of the lands surrounding by and served by the right-of-way would not “protect the public interest.”	Impacts from the Willow Project (including development of the gravel mine site) to subsistence users and subsistence species are considered in the Supplemental EIS (see Sections 3.10, 3.11, 3.12, and 3.16). BLM considered potential alternative mine sites (see Appendix D.1, Sections 3.2.5, 3.2.10, and 3.3) and alternative concepts that might reduce the overall gravel footprint. Known gravel resources on the Arctic Coastal Plain are extremely limited and all three known gravel deposit were evaluated for use in the Willow Project. Any right-of-way approval will be in conformance with applicable law.	Trustees for Alaska
6501-219	FLPMA requires that the right-of-way grant “do no unnecessary damage to the environment” and be “consistent with ... any other applicable laws.” ²⁷² This means that the right-of-way grant must satisfy all applicable laws, regulations and policies, including the Clean Air Act, ESA, Clean Water Act, ANILCA section 810, and all state and local laws and regulations. As described in these comments, it is not clear that this right-of-way authorization can comply with these important environmental laws. BLM cannot issue a right-of-way that fails to “protect the environment” as required by FLPMA, including the environmental resource values in and not within the right-of-way corridor.	Any right-of-way approval will be in conformance with applicable law.	Trustees for Alaska
6501-220	DOI, in interpreting FLPMA and its right-of-way regulations, has held that “[a] right-of-way application may be denied ... if the authorized officer determines that the grant of the proposed right-of-way would be inconsistent with the purpose for which the public lands are managed or if the grant of the proposed right-of-way would not be in the public interest or would be inconsistent with applicable laws.” ²⁷⁵ Here, to prevent the degradation of the important lands and resources of the Reserve and protect the public interest, BLM should not issue the right-of-way authorization to ConocoPhillips for the Willow Project. At a minimum, BLM must consider such requirements in a revised or supplemental EIS.	Petroleum development is consistent with the purpose of the National Petroleum Reserve in Alaska, as established by Congress in the Naval Petroleum Reserves Production Act. BLM will not issue a right-of-way grant that is inconsistent with applicable law.	Trustees for Alaska
6501-246	BLM must explain how permitting two mine sites, with enormous perimeter berms surrounding each, so close to Nuiqsut and in the heart of an important subsistence area and waterway, complies with its obligations under the strict public interest standards at 43 C.F.R. Part 3600.	BLM considered potential alternative mine sites (see Appendix D.1, Sections 3.2.5, 3.2.10, and 3.3) and alternative concepts that might reduce the overall gravel footprint. Known gravel resources on the Arctic Coastal Plain are extremely limited and all three known gravel deposit were evaluated for use in the Willow Project. BLM will not issue an approval that is inconsistent with applicable law.	Trustees for Alaska
6881-2	The project under any form is incompatible with the administration’s duties under existing environmental laws, then, but also with its promise to its citizens to halt climate change by reducing—not adding to—global greenhouse gas emissions.	The Willow Supplemental EIS incorporated all new guidance and direction issued by the Biden Administration, including guidance on climate change. A careful evaluation of how Willow would contribute to global climate change is included in the Supplemental EIS and determined that the annual average gross emissions of the Willow Project would account for approximately 0.3% of the U.S. 2030 net greenhouse gas emissions target.	Cait Foley

No.	Comment	Comment Response	Commenter
6982-2	<p>The Willow Project runs counter to our national climate goals and international climate commitments. Last year, President Biden issued EO14008: Tackling the Climate Crisis at Home and Abroad, which sets out economy-wide net-zero emissions by 2050, and President Biden’s Nationally Determined Contribution (NDC), which commits to an economy-wide emission reduction of 50-52% by 2030. The U.S. also rejoined the Paris Agreement, which legally binds parties to limiting global warming to well below 2 degrees Celsius, “preferably 1.5C degrees,” compared to pre-industrial levels. Moreover, as a party to the United Nations Framework Convention on Climate Change (UNFCCC), the U.S. is bound to uphold this principle of “common but differentiated responsibilities,” a foundational pillar of the international legal regime governing national action on climate change. This principle states that high-income countries, including the U.S., are responsible for taking more responsibility for preventing climate change. The U.S. must prevent climate change by rapidly phasing out oil and gas extraction while facilitating a just transition to a clean energy future. This includes phasing out oil and gas production on public lands and waters, as well as ending the giveaways of these public resources to multi-national fossil fuel corporations.</p> <p>Evergreen Action was glad to see BLM acknowledge President Biden’s economy-wide target and NDC under the Paris Agreement in Section 3.2.1. Yet the Draft SEIS fails to adequately analyze how the Willow Project is compatible with these national and international goals. In reality, only the “No Action” alternative fits logically with President Biden’s ambitious and critical climate goals and our international commitments.</p>	<p>The Willow Supplemental EIS incorporated all new guidance and direction issued by the Biden Administration, including guidance on climate change. A careful evaluation of how Willow would contribute to global climate change is included in the Supplemental EIS and determined that the annual average gross emissions of the Willow Project would account for approximately 0.3% of the U.S. 2030 net greenhouse gas emissions target.</p>	Evergreen Action

Table B.5.21. Marine Mammals Comments and Responses*

No.	Comment	Comment Response	Commenter
2878-31	Section 3.13.1.1.2, <i>Marine Mammals</i> , Page 215. BLM states in this section that NMFS-proposed critical habitat for both the Bearded and Ringed Seal has not been finalized at the time of preparation of this EIS. On April 1, 2022, NMFS published the final rule designating critical habitat for both of these species in the Federal Register. CPAI recommends that BLM update this section and throughout the SEIS, as appropriate.	The Draft Supplemental EIS was updated prior to designation of bearded and ringed seal critical habitat. The Final Supplemental EIS, including Appendix E.13, <i>Marine Mammals Technical Appendix</i> , now includes a discussion of bearded and ringed seal critical habitat.	ConocoPhillips
2878-32	Section 3.13.2.1.4, <i>Marine Mammals</i> , Page 224. BLM states: CPAI reports that a polar bear has never been observed in the Project area or in the BTU (CPAI 2022a). We suggest rephrasing this to "CPAI reports that a polar bear has never been observed in the BTU (CPAI 2022a)."	Section 3.13.2.1.4, <i>Additional Polar Bear Avoidance, Minimization, and Mitigation</i> , has been revised as suggested by the commenter.	ConocoPhillips
4352-2	This summer it was discovered that there was a polar bear den located in the affected region of the proposed Willow project that was not identified (or disclosed) in the environmental assessment. This is a concerning oversight, or perhaps deliberate omission, that for me calls into question the accuracy, completeness, and reliability of the environmental assessments for the project completed thus far.	Neither BLM nor the applicant are aware of any polar bear dens discovered in the Willow Project area. The U.S. Fish and Wildlife Service manages occurrences of polar bear den discovery and has not provided any such information.	Tristan Amaral
6501-100	The offshore analysis area map indicates that Option 3 will impact the barrier islands no disturbance zone for polar bears.1229 Polar bear critical habitat includes a one-mile no disturbance buffer around the barrier islands because of their particular importance for denning, resting, and movement along the coast.1230 Bears may not use the barrier islands if they are disturbed by human activity.1231 The DSEIS does not discuss this fact, and BLM must address the impacts of authorizing an activity that will inherently fail to comply with the critical habitat designation for polar bears and risk displacement of bears from the barrier islands near Oliktok Point.	The description of barrier island no-disturbance zone as identified in the comment is incorrect. Those areas are named as such because polar bears are known to use barrier islands as a refuge from disturbance. Designation of this critical habitat unit does not result in a regulatory exclusion area as described in the comment or as the name "no-disturbance zone" suggests.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-101	<p>In Option 3, nearshore traffic would include 258 support vessels operating between Oliktok Point and the barge lightering area. In Table 3.13.3, BLM flags the potential for injury or mortality due to vessel strikes associated with this traffic, as well as for disturbance and displacement.¹²³² But this is the extent of the associated impacts analysis:</p> <p>Support vessels may disturb polar bears, bearded and ringed seals, and, potentially, bowhead and beluga whales migrating in the spring and fall along the coastline. As described above, seals in this area are known to be tolerant of industrial activity. Potential effects on seals would be temporary during the activity and would not result in population-level effects.¹²³³</p> <p>This falls well short of any reasoned analysis of impacts. The frequency and duration of trips that the 258 support vessels would make is not identified. The lightering area is within the distance-to-disturbance zone to a No Disturbance barrier island critical habitat area for polar bears, but the likelihood and impact of the unspecified number of vessel trips impacting bears in this protected area is not addressed.</p>	<p>The applicant would be required to have a valid Marine Mammal Protection Act authorization for the incidental take of polar bears associated with the Willow Project. Transiting marine vessels at a distance of 1.0 mile (1.6 kilometer) elicit a behavioral response to 50% of bears encountered. On average, polar bears react to vessels within 0.5 mile (0.8 kilometer) away (Lomac-MacNair et al., 2021). Only a subset of those responses would be considered Level B disturbance, which is permissible.</p>	Trustees for Alaska
6501-102	<p>BLM has incorrectly stated that bowhead and beluga whales do not use the shallow waters of the project area. It must also revise this analysis to include the potential for disturbance and vessel strikes to whales in the lightering area, in addition to potentially deflecting their migration route.</p>	<p>Bowhead and beluga whales tend to occupy deeper waters further offshore than the Project area, outside of the barrier islands. While it is possible for small numbers of whales to be present in or near the Project area, mitigation measures included in Appendix E.13, <i>Marine Mammals Technical Appendix</i>, Section 1.4.1.2, <i>Measures for Transiting Vessels</i>, for the purpose of avoiding and minimizing effects from transiting vessels on marine mammals, would help mitigate the risk of vessel strikes and other impacts. Discussion of the potential effects of transiting vessels on marine mammals is included in Section 3.13.2, <i>Environmental Consequences</i>.</p>	Trustees for Alaska
6501-103	<p>BLM should undertake the same analysis for support vessels employed under Module Transport Options 1 and 2; these options would use the same number of vessels but they would occur well to the west and cover a much larger area, so their associated impacts to polar bears and other marine mammals would be different than in Option 1.</p>	<p>Polar bears would not be present during the open-water season when vessels would be transiting between the module transfer islands included under Module Delivery Options 1 and 2. See Appendix E.13, <i>Marine Mammals Technical Appendix</i>, Section 1.4.1.2, <i>Measures for Transiting Vessels</i>, for mitigation measures intended to reduce impacts associated with transiting vessels on marine mammals. See Section 3.13.2.7.2, <i>Disturbance or Displacement</i>, for a discussion of impacts on marine mammals from vessel traffic.</p>	Trustees for Alaska
6501-104	<p>The DSEIS underestimates the impact of the proposed water reservoir and boat ramps on both denning and non-denning bears. In the 2020 SDEIS, using the one-mile disturbance buffer often employed by FWS to protect polar bear dens BLM calculated a disturbance area associated with construction of these project components of 9469.8 acres, or almost 15 square miles.¹²³⁴ But as with the disturbance area for roads and other infrastructure noted above, that table and any analysis of a disturbance area created by the construction and use of the water reservoir and boat ramps for 30 years has since disappeared. BLM must include the estimated extent and impacts of polar bear disturbance and displacement due to construction and use of these facilities in its assessment of project-related disturbance overall.</p>	<p>The 2020 Supplement to the Draft EIS was a limited scope document that focused on new Project components proposed by ConocoPhillips following the publication of the 2019 Draft EIS. The constructed freshwater reservoir and boat ramps are included in the Project footprint and other impact calculations in the 2022 Draft Supplemental EIS</p>	Trustees for Alaska
6501-109	<p>The STIPs and ROPs applicable to polar bears don’t ensure that impacts will be mitigated. Additionally, BLM states that it will apply the requirements of the current Beaufort Sea ITR to the Willow project.¹²⁴⁹ The ITR itself doesn’t authorize any take. Instead, operators seeking an authorization are directed to apply for a Letter of Authorization (LOA); that application must include a number of site-specific components.¹²⁵⁰ FWS retains the right to grant or deny the application or add further conditions thereto.¹²⁵¹ Holder of LOAs must comply with all listed mitigation, monitoring, reporting, and information collection requirements.¹²⁵²</p> <p>But operators are not required to apply for an LOA. BLM should clarify whether it will require ConocoPhillips to obtain a LOA before commencing project activities. If not, then it should clarify whether it will apply the ITR requirements listed above to the company anyway, including requiring the detailed information that an LOA applicant would need to submit.</p>	<p>Section 3.13.2.1.2, <i>Other Required Measures</i>, has been revised to clarify the applicability of mitigation measures under current Beaufort Sea Incidental Take Regulations. ConocoPhillips must obtain all necessary authorizations and permits as required by applicable by law and regulations prior to commencing activities.</p>	Trustees for Alaska
6501-110	<p>Because ITRs have a limited five-year life, BLM should list those requirements along with the others to ensure they are an enforceable requirement over Willow’s 30+ year life, and allow only for any adjustments to reflect potentially more stringent requirements of future ITRs. In other words, the current ITR’s requirements should be a floor — not a ceiling — for mitigating Willow’s effects to SBS bears.</p>	<p>Comment noted. The Marine Mammal Protection Act authorizations have been in place for almost 30 years with North Slope operators and agencies working to conserve polar bears under the time limitations of Incidental Take Regulations (ITRs) and Incidental Harassments Authorizations (IHAs). Mitigations will continually improve to pragmatically protect polar bears but may not always become more "stringent" (as defined by the commenter).</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-111	The Beaufort Sea ITR authorizes no Level A take – no injury or mortality – by oil and gas operators.1253 But as noted above, BLM anticipates Level A take from the Willow project, which would not comply with the ITR. The MMPA prohibits the authorization of take from an activity when it will cause other, unauthorized take.1254 So if Conoco does seek a LOA from FWS as BLM anticipates, then it may not be able to obtain it because the Level A take associated with the project would represent other, unauthorized take. This is a further indication why reliance on uncertain future LOAs is problematic.	The U.S. Fish and Wildlife Service (USFWS) estimated the potential for Level A take in its Biological Opinion for denning bears. USFWS found that impacts to denning or post-emergence polar bear cubs are not anticipated or reasonably certain to occur over the 30-year Project duration, where the anticipated number of Marine Mammal Protection Act Level A harassment takes is zero.	Trustees for Alaska
6501-112	Regardless of whether FWS issues future LOAs, BLM must fulfill its own statutory obligation to provide maximum protection for areas with significant subsistence, recreational, or fish and wildlife values of the Reserve.1255 It cannot simply leave it to FWS or NMFS to authorize harassment for specific species under their jurisdiction pursuant to their statutory mandates like the ESA and MMPA. The analytical shortcomings of the DSEIS result in an inadequate basis to determine the overall impacts to the SBS polar bear population, and as detailed in the next section, the applicable lease stipulations and required operating procedures fail to assure maximum protections for polar bears.	BLM works with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service to create a management framework, including their guidance with the Marine Mammal Protection Act and Endangered Species Act issues under their responsibilities, to conserve and protect species. In addition, BLM relies upon interagency consultation to develop the best management practices (and required operating procedures) to best serve the protection of the species.	Trustees for Alaska
6501-114	BLM indicates that ConocoPhillips would seek and receive a “deviation” from stipulation K-5, as well as K-1, which requires setbacks from rivers. As described herein, rivers provide terrestrial denning habitat in the project area... This summary of why ConocoPhillips would like to deviate from BLM’s existing mitigation measures does not explain or address the potential impacts from granting such a deviation, or explain how the measure’s objectives would otherwise be met. BLM’s analysis points to the fact that bears tend to den near the coast for purposes of assessing impacts from construction and vehicle traffic but does not adequately describe impacts from tundra travel and ice road use, particularly where ConocoPhillips would be encroaching into river setbacks and coastal areas to construct infrastructure. This is a significant shortcoming that must be rectified.	The Final Supplemental EIS includes additional details describing the anticipated exceptions (i.e., "deviations") from lease stipulations and required operating procedures.	Trustees for Alaska
6501-117	BLM fails to properly analyze the occurrence of marine mammals in the project area — in both the nearshore area and offshore. This renders its analysis arbitrary and unlawful. 1. BLM mischaracterizes marine mammals in the nearshore area. BLM fails to acknowledge that a thorough literature review of relevant published reports and marine mammal occurrence data from the CRD and near Oliktok Point was conducted. Multiple studies that are relevant due to proximity to the project area are missing, resulting in BLM’s inaccurate analysis that many species of marine mammals would not be found in the analysis area, specifically near Oliktok Point. The 2014 marine mammal monitoring and mitigation program associated with the Colville River Delta Seismic Survey collected marine mammal visual sightings data and acoustics detections from Ecological Acoustic Recorders (EARS) deployed in the CRD during summer and fall.1261 Species visually observed included the bearded, ringed, spotted seals, beluga whale and polar bear. Species acoustically detected include the bowhead whale, beluga whale, bearded seal, and ringed seal. Beluga whales were both visually sighted and acoustically detected across all three deployed EARS on nearly all days of the acoustic recording period. These results suggest that beluga whales are indeed in the CRD and Oliktok Point area, contradicting the DSEIS that “beluga whales generally transit outside of the barrier islands and are not observed in the shallow waters near Oliktok Dock.”1262 BLM stated that bearded and ringed seals are uncommon in the CRD region, but both were visually sighted and acoustically detected during the 2014 CRD seismic survey.	While belugas may be in the area, they generally occur outside the barrier islands. Bearded and ringed seals are uncommon in the area during the open-water season. Bearded seals particularly follow the pack ice. Ringed seals may be seen as individuals during the open-water season but are infrequent within Simpson Lagoon. Sightings of ringed and bearded seals were minimal during BPXA's 2012 OBC seismic survey in Simpson Lagoon, and during Hilcorp's dredging and screeding operation in 2018, no seals of any kind were observed in Simpson Lagoon.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-118	<p>Sightings data from the Aerial Surveys of Arctic Marine Mammals (ASAMM) project are not included in the analysis of the DSEIS.1263 ASAMM was a continuation of the Bowhead Whale Aerial Survey Project (BWASP, conducted from 1979 to 2010) and has targeted the autumn migration of bowhead whales through the western Beaufort Sea as well as collected line transect data on all marine mammals sighted. ASAMM reports are publicly available for years 2006 to 2019 and contain relevant marine mammal sighting data including bowhead, beluga, humpback, fin, and gray whale sightings in Harrison Bay, the CRD and near Oliktok Point.</p> <p>For example, in some years (e.g., 2014, 2018) ASAMM reported high numbers of bowhead whales extremely close to shore in very shallow (<20 m depth) nearshore waters of the CRD and large numbers near Oliktok Point, contradicting BLM’s statement that bowhead whales are rare in the analysis area. In addition, beluga whales are clearly depicted inside the barrier islands near Oliktok Point, the CRD, and Harrison Bay in the ASAMM reports (e.g., see 2018 report Fig. 36 and 2019 report Fig. 38), contradicting the analysis that beluga whales are not found inside the barrier islands. It is unclear why these extensive, multi-year, and extremely relevant agency-produced marine mammal reports are not included in the analysis for occurrence of marine mammals in the project area. BLM should analyze the ASAMM reports for marine mammal, specifically bowhead and beluga whale, occurrence in Harrison Bay, the CRD, and near Oliktok Point.</p>	<p>A discussion of the Bowhead Whale Aerial Survey Project (BWASP) and Aerial Surveys of Arctic Marine Mammals (ASAMM) has been added to Appendix E.13, <i>Marine Mammals Technical Appendix</i>.</p>	Trustees for Alaska
6501-119	<p>BLM mischaracterizes marine mammals in the offshore and vessel transit route.</p> <p>As previously noted in our DEIS comments, BLM inaccurately concluded low potential occurrence of marine mammals, specifically bowhead and beluga whales in the project area due to incomplete analysis of available data (e.g., ASAMM reports). BLM’s analysis of potential vessel impacts must consider previous marine mammal sightings data for the region and seasonal trends (i.e., bowhead and beluga migration) in the project area.</p> <p>In the analysis of potential impacts to bowhead whales this should be addressed since the barge transit route overlaps with the bowhead whale migration path (i.e., 10-40 miles offshore) as well as overlaps where potential fin, gray, humpback and minke whales would be present. ASAMM reports show bowhead whale migratory paths from 2006-2019 that should be analyzed in comparison to the barge transit route (see previous comments on ASAMM reports and findings not included in DSEIS). Figures 3.13.1 and 3.13.2 are labeled as marine mammal analysis but only includes data on polar bears and Steller sea lions and does not depict any data related to the bowhead migration. Further it states that the action area encompasses a 1.5-mile radius around the barge route; it is unclear why this buffer was chosen as the action area. In the Measures for Transiting Vessels (Section 1.4.2 in Appendix E.13) the DSEIS states that vessels will maintain 1.6 km (1 mile) distance from whales and will only reduce speed when within 900 ft, it is unclear why these distances were chosen and why the 1.5-mile radius is not proposed for the setback and speed reduction zones.1265</p> <p>In addition, the DSEIS states the transit periods are after July 1 and returning mid-to late October or early November, depending on ice conditions. Bowhead whales of the Bering-Chukchi-Beaufort (BCB) stock are known to summer in the Beaufort Sea and start their fall migration westward during August to October. The BCB bowhead whales migrate along the Alaska coast, back to Point Barrow, through the Chukchi Sea to the Bering Sea for the winter. In general, the fall migration of bowhead whales occurs across the Alaskan Beaufort Sea in nearshore waters.1266 The barge transit route and timing overlaps both spatially and temporally with the bowhead migration and should be considered both in the analysis and in the measures to avoid and minimize effects on marine mammals.</p>	<p>Text in Appendix E.13, <i>Marine Mammals Technical Appendix</i>, was revised to add data on the mean water depth and distance from shore of bowhead whales observed during aerial surveys from historical Bowhead Whale Aerial Survey Project (BWASP) and Aerial Surveys of Arctic Marine Mammals (ASAMM) data. Mitigation measures related to encountering whales during transiting vessels are discussed in Appendix E.13, Section 1.4.1.2, <i>Measures for Transiting Vessels</i>. Potential effects on bowhead whales from transiting vessels is discussed in Supplemental EIS Section 3.13.2.</p> <p>To estimate the distance to the 120-decibel (dB) threshold for the barge route, a source level of 170 dB referenced 1 microPascal root mean square at 3.28 feet (1 meter; Blackwell and Greene 2003) was used, as well as a transmission loss (TL) of 15 log(R), resulting in an estimated distance of 7,067 feet (2,154 meters) or 1.3 miles (2.1 km). This was rounded up to 1.5 miles (2.4 km), which is a distance consistent with other National Marine Fisheries Service Endangered Species Act and Marine Mammal Protection Act consultations in Alaska.</p>	Trustees for Alaska

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6501-120	<p>BLM artificially truncates the analysis area and thus fails to consider the full suite of impacts the Willow Project will have on marine pinnipeds...</p> <p>First, the 1.0-mile onshore and 1.5-mile offshore buffer fail to capture the entire zone of project-related impacts to pinniped species. Sound (e.g., from aircraft) may travel more than one mile from construction activities, and sound can travel up to thousands of kilometers underwater.1269 In certain circumstances, industrial noise can impact seals at distances of up to 3.7 miles1270 and walruses up to 3 miles.1271 Under certain conditions, loud vessels are audible at distances greater than 62 miles; depending on vessel type, this noise could affect marine mammal behavior at distances up to 32 miles.1272</p> <p>Second, the referenced Figure 3.13.1 fails to demarcate the “estimated vessel route during construction,”1273 so it is impossible to determine the full extent of vessel impacts to affected pinniped species. Pinnipeds are known to be affected by vessel traffic, exhibiting increased alertness, head-raising, flushing from haul-out sites, and changes in diving behavior.1274 Inuit people report that walruses are frightened by large ships.1275 Vessel noise also can mask or alter underwater communication of pinnipeds.</p>	<p>Impact to pinnipeds from vessel noise is addressed in Supplemental EIS Section 3.13.2.3.2.2, <i>Coastal and Marine Disturbance or Displacement</i>.</p>	Trustees for Alaska
6501-121	<p>Vessels pose a direct strike risk to walruses and other marine mammals.1277 BLM cannot simply dismiss the possibility of a vessel strike because vessels will supposedly maintain “slow speeds in the presence of marine mammals,” particularly without disclosing what those speeds will be, whether such speeds are mandatory, and how effective they will be at ensuring a vessel strike will not occur.1278 Such disclosures are particularly important considering that it appears the “slow speed” will occur only upon the sighting of a marine mammal, which can be difficult to see even under ideal conditions.</p>	<p>Vessel mitigation measures, including speed restrictions, are described in Appendix E.13, <i>Marine Mammals Technical Appendix</i>, Section 1.4.1.2, <i>Measures for Transiting Vessels</i>.</p>	Trustees for Alaska
6501-122	<p>BLM must provide a description of support vessels that will be utilized and a map delineating the routes those vessels will traverse. BLM must include the full vessel transit route, not just areas in the immediate vicinity of proposed construction. The agency must establish an offshore analysis area based on distances from which those marine mammals may be impacted by those vessels (including by noise and strikes), and discuss possible impacts more thoroughly. Until BLM expands the analysis area as just described, the agency will fall short of a full and complete analysis of impacts to pinnipeds.</p>	<p>The Project’s action area for marine activities is the estimated distance to the National Marine Fisheries Service (NMFS) acoustic harassment disturbance threshold for non-impulsive noise sources (120 decibels [dB] referenced to 1 microPascal root mean square [dB re 1 µPa rms]).</p> <p>To estimate the distance to the 120-dB threshold for the barge route, a source level of 170 dB re 1 µPa rms at 3.28 feet (1 meter; Blackwell and Greene 2003) was used, as well as a transmission loss (TL) of 15 log(R), resulting in an estimated distance of 7,067 feet (2,154 meters) or 1.3 miles (2.1 km). This was rounded up to 1.5 miles (2.4 km), which is a distance consistent with other NMFS ESA and Marine Mammal Protection Act consultations in Alaska.</p> <p>The Project’s marine mammal action area is defined as:</p> <ul style="list-style-type: none">• The area within 1.5 miles (2.4 kilometers [km]) of the barge transit route (i.e., a 3-mile [4.8-km] area along the entire route). The barge transit (Supplemental EIS Figure 3.13.2) route extends from Dutch Harbor in the Aleutian Islands and southern Bering Sea, through the Chukchi and Beaufort Seas to the barge lightering area approximately 2.0 nautical miles (3.2 km) from Oliktok Dock.• The area within 1.5 miles (2.4 km) of the support vessel and barge lightering route from the barge lightering area to Oliktok Dock.• The area near the diesel and seawater pipelines horizontal directional drilling crossing beneath the Colville River. <p>The marine transit route is estimated and not quantified, but is considered part of the action area. Impacts on marine mammals from vessel activity are discussed in Supplemental EIS Section 3.13.2.</p>	Trustees for Alaska

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6501-123	<p>BLM fails to adequately assess the noise impacts of the Willow Project on marine mammals including pinnipeds...</p> <p>While BLM acknowledges that noise may harm marine mammals, it suggests that wildlife in the Willow Project region has been habituated and thus may fail to detect incremental increases in disturbance or may exhibit “a less novel response from marine mammals than in areas with no human development or activity.”1291 This characterization improperly minimizes the potential significant impacts of anthropogenic noise on marine mammals in the region.1292 Historically, anthropogenic noise levels have been lower in the Arctic compared to other parts of the ocean due to the presence of sea ice.1293 Scientists thus believe that underwater noise in the Arctic “may have more severe impacts ... compared to non-polar regions due to a combination of lower ambient sound levels and increased sensitivity of Arctic marine mammals to underwater noise.”1294 They have issued a warning that increases in anthropogenic noise in the region, whether due to increased shipping or industrialization, will have large impacts on both the soundscape and regional biota.1295 Further, as Duarte et al. (2021) note, while “[i]n some situations, habituation may be considered a reduced response to stimuli that have no biological importance on the individual being observed, ... disturbance involving a sensory modality that is so fundamental [as sound] to most marine animals would not often be considered inconsequential.”1296 This caution bears out in research on walruses, which in some cases have not habituated to sounds even after exposures of over 20 years.</p>	<p>Increases in transiting vessel traffic would be incremental relative to overall vessel traffic along the transit route. Walruses are not anticipated to be found in the action area within Simpson Lagoon.</p> <p>Noise impacts on marine mammals are described in Appendix E.13, <i>Marine Mammal Technical Appendix</i>, Section 1.3, <i>Noise and Marine Mammals</i>.</p>	Trustees for Alaska
6501-124	<p>Bearded seals are known to be particularly sensitive to noise,1298 and NMFS has recognized the importance of acoustic habitat for the species.1299 Bearded seal reproductive behavior, in particular, relies on effective underwater communication.1300 Bearded seals also may use soundscape clues for under-ice orientation and navigation.1301 Anthropogenic noise could interfere with such communication, as could increasing intraspecific competition in shrinking areas of suitable habitat.1302 Scientists are identifying seasonal areas of (and features associated with) bearded seal communication using passive acoustic monitoring.1303 Some studies have even identified...found that “as 10 kHz (and to a lesser extent 40 kHz) sound levels increased, the detection of ice seal vocalizations decreased.” Fournet et al. (2021) investigated whether male bearded seals modify call amplitudes in response to changing ambient noise levels. They found that call amplitudes would increase only up to an observable threshold (~100-105 dB) and concluded that “[t]he presence of a threshold indicates limited noise compensation for seals, which still renders them vulnerable to acoustic masking of vocal signals.” 1304 They conclude that an increasingly noisy environment may have fitness implications for bearded seals.</p>	<p>Offshore activity associated with the Willow project would occur during the open-water season. Bearded seals are predominantly ice pack associated and would be found well north of the Project area. An assessment of noise on pinnipeds is included in Supplemental EIS Section 3.13.2., <i>Environmental Consequences</i>.</p>	Trustees for Alaska
6501-125	<p>Walruses are known to be sensitive to noise disturbance including airplane overflights, particularly when they are hauled out.1309 Even small changes in behavior, such as shift in body position, may result in increased energy expenditure and stress; more substantial responses such as fleeing may interrupt nursing of calves or impair thermoregulation.1310 Walruses may abandon haul-out sites for several days following disturbance.1311 In Alaska, aircraft flying overhead at 30,000 feet led to a walrus stampede, and aircraft-induced stampedes in Russia have led to calf deaths.1312 As climate change leads to higher concentrations of walruses in land-based haul-outs, such disturbance-induced stampedes may become a more common cause of mortality.1313 Helicopters, too, lead to behavioral responses in walruses, even when they are nearly 5 miles away.1314 Some researchers have suggested that air traffic not approach closer than 3 miles to haul-out sites.</p> <p>BLM’s noise analysis is inadequate. It does not draw on the best available science regarding the impacts of terrestrial, airborne, and underwater noise on affected pinniped species. The agency must remedy this analysis and not rely on vague notions of “habituation” to write off the significant effects that noise from the Willow Project will have on marine mammal species in the region.</p>	<p>See Supplemental EIS Section 3.13.2.3.2.2, <i>Coastal and Marine Disturbance or Displacement</i>. BLM's required operating procedures include restrictions on aircraft and vessel operation (see Table 3.13.2).</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-126	<p>BLM’s noise analysis is inadequate. It does not draw on the best available science regarding the impacts of terrestrial, airborne, and underwater noise on affected pinniped species. The agency must remedy this analysis and not rely on vague notions of “habituation” to write off the significant effects that noise from the Willow Project will have on marine mammal species in the region...</p> <p>Ocean warming and acidification are expected to alter ecosystem dynamics important to Arctic pinnipeds including benthic and pelagic prey populations and distribution...</p> <p>The 2019 unusual mortality event that affected ringed seals and other marine mammals may offer a glimpse into how climate change will affect these ice seals in the coming years.1350 The vulnerability of bearded seals to climate change already is playing out and has been observed by subsistence hunters and others living in Arctic communities.</p> <p>Climate change additionally may facilitate the spread of disease in Arctic pinnipeds, increasing their risk over time.1352 Predation risk, too, may increase alongside climate change.1353</p> <p>The risks posed by climate change to Arctic pinnipeds are hard to understate. Many of these species rely heavily on sea ice for feeding, mating, nursing, resting, molting, and avoiding predators. Climate change also is impacting key prey species for Arctic pinnipeds. The Willow Project will contribute to climate change and the BLM must describe in more detail all the impacts expected to occur.</p> <p>[Additional supporting information and references are provided in the original comment letter.]</p>	<p>See sections 3.2, <i>Climate Change</i>, 3.13, <i>Marine Mammals</i>, and 3.20, <i>Cumulative Effects</i>, for discussions on climate change impacts and marine mammals.</p>	Trustees for Alaska
6501-127	<p>BLM states that at the time the DSEIS was being prepared, critical habitat had not yet been designated for the ringed seal or bearded seal.1354 Critical habitat has now been designated for both species (see Figs. below).1355 BLM must describe how the Willow Project will affect designated critical habitat for ringed and bearded seals, including how climate change impacts flowing from the Willow Project will adversely modify sea ice critical habitat.</p>	<p>The Supplemental EIS has been updated to address bearded and ringed seal critical habitat (see Section 3.13.1.1.2, <i>Bearded and Ringed Seals</i>).</p>	Trustees for Alaska
6501-128	<p>BLM’s analysis of impacts from disturbance or displacement from underwater noise and increased vessel presence on bowhead and beluga whales is deficient. There are many well-known studies conducted over the last 40 years demonstrating bowhead whale sensitivity and disturbance to industrial activities including drilling, dredging, seismic activity and ship traffic.1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366 Disturbances include displacement, change in dive behavior and change in migration patterns. However, none of the aforementioned studies are referenced in the DSEIS. More recently studies such as Blackwell and Thode (2021) have found that with rising noise levels (natural or anthropogenic), bowhead whales increase call volume and frequency to compensate against a potential decreased detectability of their calls, in other words their communication space is decreased by increasing background noise. Similar acoustic behavioral response has been noted for beluga whales in the presence of increased anthropogenic noise (e.g., seismic and shipping). The 2014 Colville River Delta seismic survey marine mammal monitoring acoustic results showed that whales increased vocalization rates in response to seismic activity (i.e., a ‘noisier environment’).1367 In the St. Lawrence River Scheifele et al., (2005) found beluga whales increased call source level in the presence of elevated levels of shipping noise.1368 BLM needs to analyze the potential impacts of increased vessel presence, barge transit routes and underwater noise on bowhead and beluga whales, as well as propose mitigation measures to reduce potential disturbance.</p>	<p>The only project activity that would result in aircraft flights near the coast would be under Module Delivery Options 1 and 2 (Atigaru Point and Point Lonely Module Transfer Islands). Each of these Module Delivery Options would include 96 total fixed-wing flights over a five-year period. BLM's required operating procedure F-1 includes measures intended to minimize impacts from aircraft use on wildlife, including marine mammals. Supplemental EIS Section 3.13, <i>Marine Mammals</i>, discusses potential impacts on marine mammals from aircraft operations. Table 3.13.4 provides information related to effects on marine mammals from the Module Delivery Options.</p>	Trustees for Alaska
6501-129	<p>BLM also fails to adequately analyze impacts of disturbance or displacement from aircraft on bowhead and beluga whales. A behavioral response study of aircraft (helicopter and small fixed-wing [Twin Otter]) was conducted near Point Barrow on bowhead and beluga whales.1369 Both species were found to elicit behavioral responses to aircraft including short surfacings, immediate dives or turns, changes in behavior state, vigorous swimming, and breaching. Further authors state that bowheads reacted to aircraft frequently at <305 m altitude which is the altitude BLM states both fixed-wing and helicopters will fly; 1000 ft (~305 m). BLM needs to analyze the potential impacts of aircraft flights on bowhead and beluga whales, as well as propose mitigation measures to reduce potential disturbance.</p>	<p>Supplemental EIS Section 3.13.2.3.2.2, <i>Coastal and Marine Disturbance or Displacement</i>, describes potential impacts from aircraft. Aircraft mitigation is summarized in Section 3.13.2 (Table 3.13.2).</p>	Trustees for Alaska

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6501-130	BLM improperly downplays the risk of oil spills related to the Willow Project and fails to assess adequately the impacts of spill events on marine wildlife species.1370 For example, BLM attempts to minimize the risk of oil spills by stating that marine spills from vessels would be “small to very small, limited to refined products ..., localized ..., and short in duration.”1371 Yet oil spills—even small ones—are likely to have significant adverse effects on pinniped species. The agency must disclose and discuss the likely impacts of spills of various magnitudes from the Willow Project and its associated vessel and barge supply routes.	The potential likelihood of a spill or accidental release occurring, and the potential extents of such spills is described in Section 4.0, <i>Spill Risk Assessment</i> . The potential impacts from a spill or accidental release on marine mammals is discussed in Section 3.13.2.11, <i>Oil Spills and Accidental Releases</i> .	Trustees for Alaska
6501-226	<p>The Service may allow incidental take through an Incidental Take Regulation (ITR) or an Incidental Harassment Authorization (IHA)...</p> <p>We understand that Willow would rely on the 2021–2026 Beaufort Sea ITR for purposes of authorizing take of polar bears for construction and operation of the project. Groups are concerned that this ITR failed to consider key factors in reaching its determinations that these oil and gas activities will be limited to negligible impacts on polar bears and that take will be of “small numbers.” Even with the proposed restrictions and mitigation described in the ITR, there is a substantial probability that these activities could result in the death or serious injury of polar bears and cubs, which will have more than a negligible impact on the SBS stock.</p>	Incidental Take Regulations and Incidental Harassment Authorizations for take of polar bear are a U.S. Fish and Wildlife Service (USFWS) process. BLM is consulting with USFWS on Section 7 of the Endangered Species Act to address potential polar bear take, which includes USFWS' estimated Level A and Lethal take of polar bears as part of the analysis for the Section 7 consultation. In addition to mitigation measures required by USFWS as part of the Section 7 consultation process, BLM also considers additional mitigation measures to further reduce the risk of take in the Supplemental EIS.	Trustees for Alaska
6501-227	The impacts to whales and other marine mammals from offshore activities described herein may also result in unlawful MMPA take.340 BLM has not shown how it will ensure compliance with the MMPA. The DSEIS lists species of marine mammals may be encountered by Willow, but the EIS limits it consideration of impacts to marine mammals to those that occur from marine or onshore construction or operations.341 The DSEIS gives short shrift to impacts along the proposed barging route, stating that “[v]essel traffic along the barge transit route would have limited effects on marine mammals and occur for a limited duration (3 months during the summer for 4 years).”342 But the DSEIS does not explain why barging in the summer means that effects would be limited; presumably the majority of marine mammals would be present in project area during the summer open water season and thus vulnerable to MMPA-prohibited take. Such a cursory statement cannot satisfy BLM’s requirement under NEPA or explain how BLM foresees ensuring that Willow would comply with all applicable legal mandates, including the MMPA.	<p>Impacts to marine mammals are evaluated in Section 3.13, including impacts to marine mammals along the barge transit route.</p> <p>BLM is consulting with the National Marine Fisheries Service (NMFS) on Section 7 of the Endangered Species Act to address potential impacts to marine mammals. In addition to mitigation measures required by NMFS as part of the Section 7 consultation process, BLM also considers additional mitigation measures to further reduce impacts to marine mammal species in the Supplemental EIS.</p>	Trustees for Alaska
6501-268	Although the DSEIS acknowledges the impacts of climate change on the Reserve’s resources, it fails to consider how the severity of those impacts may change over the life of the project or how the project will affect species as they exist 30 years from now. For example, the stock of polar bears that use the Reserve (the Southern Beaufort Sea (SBS) stock) is one of the most vulnerable polar bear populations in the world.619 A large-scale decline in the population during recent decades has been attributed to sea-ice loss resulting from climate change. The sea ice loss results in declines in survival, reproductive success, and body size, increased fasting and nutritional stress, and increased time on land exposing bears to nutritional stress and land-based threats. By mid-century, the SBS bears have “a high probability of becoming greatly decreased”620 if not entirely extirpated.621 Despite the dire state the polar bear population is likely to be in towards the end of the Willow’s operations, BLM fails to discuss how disturbance from Willow will affect polar bears at that time. The draft SEIS only notes that Willow “could exacerbate the effects of climate change by adding development and the chance of human-bear interactions in terrestrial habitats that bears are increasingly forced to use.”622 It is unclear whether BLM’s conclusion that “population-level effects would not occur” applies equally to impacts at the beginning of the project as well as towards the end, and if so, how BLM justifies that conclusion.	Developments similar to Willow have existed on the North Slope for decades and the effects of those developments are well understood. Once construction is complete and operations begin, routine activities would remain fairly uniform from year to year. Therefore, it is possible to forecast impacts at the end of Willow's operational timeframe and, based on historical evidence, conclude that population-level effects would not occur.	Trustees for Alaska

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6501-82	The DSEIS continues to understate the beleaguered condition of the SBS population.1167 It does note the current abundance estimate of 907 animals but fails to disclose that this represents a dramatic decline of around 50% since the 1990s.1168 This population is among the most imperiled, if not the most imperiled, of all polar bear populations worldwide.1169 The bears are experiencing energetic stress, poor cub survival, and poor body condition.1170 SBS bears are increasingly denning on land in Alaska as sea ice diminishes, with terrestrial denning animals now outnumbering those denning on sea ice each season.1171 The distance that bears need to swim from shore to ice in the Beaufort Sea has increased markedly.1172 The population is under extreme stress; additional injuries or metabolic costs are particularly significant when added to these precarious existing conditions. Rather than acknowledge these facts, the DSEIS simply states that polar bears spend much of their time in coastal areas and then move to pack ice offshore during the summer, citing a 2004 study for this proposition.1173 This fails to accord proper weight to the increasing number of bears remaining on land due to drastic loss of sea ice.	The Final Supplemental EIS acknowledges recent analysis (Rode, Douglas et al. 2022) that the "frequency and duration of non-denning polar bears using the terrestrial environment has increased and is expected to increase in the future." Additional biological analysis is contained in the Willow Project's consultation with the U.S. Fish and Wildlife Service Endangered Species (Section 7) consultation.	Trustees for Alaska
6501-83	The FWS has calculated a PBR from this population of 14 animals annually, but the actual number of removals has been far greater than that for many years. The annual subsistence take alone from 2006–2015 was over 33 bears, far in excess of PBR.1177 As FWS and U.S. Geological Survey researchers recently noted, “[g]iven that the subsistence take already exceeds PBR, any additional takes related to seismic surveys would not be able to be authorized without impacting the ability of SBS bears to achieve or maintain its optimum sustainable population.”...The DSEIS does not estimate non-industry related polar bear mortality but should do so.	Seismic surveys are not proposed as part of the Willow Project. Estimates of potential polar bear takes from the Willow Project are completed by the U.S. Fish and Wildlife Service (USFWS) and those results are provided in the USFWS Biological Opinion.	Trustees for Alaska
6501-84	The DSEIS also notes that “approximately 3,126.6 acres of mapped potential terrestrial denning habitat” are present in Willow’s analysis area, though “[s]ome parts of the southeast analysis area are not mapped for potential terrestrial denning habitat.1180 This is a significant amount of acreage of potential denning habitat that is vulnerable to impacts from Willow, and highlights why BLM’s insufficient analysis of potential impacts is a significant oversight that must be remedied. Moreover, BLM should explain whether this southeast area is likely to remain unmapped due to distance from the coast, or whether this is simply a gap in data that remains to be filled.	The mapping of polar bear denning habitat is done through consideration of geomorphic conditions alone. This is a remote sensing exercise done to identify areas where snowdrifts might form on the landscape. Not all areas have been mapped in this manner, so data gaps do exist; BLM uses the best available information to complete its analysis. Denning habitat is abundant throughout the Project area and its availability would persist under all action alternatives.	Trustees for Alaska
6501-85	The DSEIS neglects to mention the risk of mortality due to disturbance of denning bears and otherwise fails to adequately address non-lethal impacts to denning maternal bears and cubs. It fails to estimate the number of bears and cubs that may den within one mile of various project activities. Disturbance that causes a mother bear to leave the den will be highly detrimental to the mother and fatal to the cubs. To fully disclose potential impacts to polar bears from the project, BLM must acknowledge and estimate the potential for injury or mortality.	The risk of polar bear mortality is described in Supplemental EIS Section 3.13.2.3.3, <i>Injury and Mortality</i> , Figure 3.13.3 provides a map of polar bear observations, and Figure 3.13.4 for denning and critical habitat in the Project area. Estimates of potential polar bear takes from the Willow Project are completed by the U.S. Fish and Wildlife Service (USFWS) and those results are provided in the USFWS Biological Opinion.	Trustees for Alaska
6501-86	In December 2019, FWS and USGS scientists released a study, “Seismic Survey Design and Effects on Maternal Polar Bear Dens,” that attempted to quantitatively model impacts on polar bears from seismic surveys on the Arctic National Wildlife Refuge Coastal Plain (Wilson and Durner).1183 The study provided a method for quantitatively calculating take while considering mitigation measures such as temporal and geographic restrictions and den-locating technologies (aerial Forward Looking Infrared (FLIR or AIR) detection surveys).1184 Iterations of this model have been used by DOI agencies in other settings as well, including estimating take of polar bears from ConocoPhillips’ first Willow proposal. FWS relied on this modeling protocol in the biological opinion produced in that prior process for purposes of its quantitative take estimates.1185 BLM should employ this and/or other scientifically sound models to estimate impacts to denning bears for NEPA purposes.	Seismic surveys are not planned as part of the Willow Project. Estimates of potential polar bear takes from the Willow Project are completed by the U.S. Fish and Wildlife Service (USFWS) and those results are provided in the USFWS Biological Opinion.	Trustees for Alaska
6501-87	There are a significant number of known dens in and around the project area, particularly near Oliktok Dock on nearby barrier islands, near the Kuparuk gravel road, and near the ice road that would connect the gravel mine to the drill pads... Known dens almost certainly represent only a portion of total dens occupied in the project area because dens are difficult to detect and the project area generally has not been the subject of extensive den detection efforts. So many more dens in the project area are entirely possible. As a first step in estimating the potential for den disturbance, BLM must estimate the number of dens that may be present in the analysis area in a given year, i.e., within one mile of any wintertime project activity.	Supplemental EIS Figure 3.13.3 provides a map of polar bear observations and Figure 3.13.4 shows polar bear denning and critical habitat. Estimates of potential polar bear takes from the Willow Project are completed by the U.S. Fish and Wildlife Service (USFWS) and those results are provided in the USFWS Biological Opinion. The Project would be required to conduct polar bear den surveys annually before beginning ground disturbing activities.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-88	<p>A next step would be to estimate the likelihood that ConocoPhillips would be able to successfully detect the dens estimated to be present, year after year, for 30 years. Dens are difficult to detect, and even the best available technology will likely fail to detect them more often than not.¹¹⁸⁸ The DSEIS does not mention this fact, or den detection at all, beyond ROP C-1’s directive to “make efforts to locate occupied polar bear dens” for activities located in known or suspected denning habitat between November and April...</p> <p>The best available technology for detecting dens over large areas such as the Willow project area is aerial infrared surveys (AIR).¹¹⁹⁰ Recent studies have illuminated that AIR technology is only able to detect less than 50% of actual dens and is prone to “false positives” that detect some other heat source.¹¹⁹¹ Weather conditions significantly impact the efficacy of AIR surveys, and the optimal conditions for conducting them rarely exist.¹¹⁹² One way to increase the effectiveness of AIR surveys is to perform multiple surveys over a longer time period, but that may not be possible given ConocoPhillips’ potential start dates for annual construction.¹¹⁹³ Surveys are confined to December and January because they need to be done after bears den but before they give birth to cubs. In response to previous comments on the 2019 draft EIS pointing out the limitations of den detection via AIR, BLM conceded nothing and changed no text in the analysis. [Additional supporting information provided in the original comment letter.]</p>	<p>Estimates of potential polar bear takes from the Willow Project are completed by the U.S. Fish and Wildlife Service (USFWS) and those results are provided in the USFWS Biological Opinion. The Project would be required to conduct polar bear den surveys annually before beginning ground disturbing activities. A mitigation measure (see Appendix I.1) has been included in the Final Supplemental EIS for ConocoPhillips to complete two airborne infrared surveys for polar bear dens prior to initiating winter activities.</p>	Trustees for Alaska
6501-89	<p>BLM recognizes that all three module delivery options risk disturbing denning bears but again doesn’t quantify that risk. Option 1 (Atigaru Point MTI) would require two 10-acre multi-season ice pads, one housing a 100-person camp, located in terrestrial denning critical habitat for multiple winters.¹¹⁹⁷ Option 2 (Point Lonely MTI) presents similar significant human uses and industrial presence in terrestrial denning critical habitat, with double the amount of ice roads compared to Option 1.¹¹⁹⁸ Option 3 involves a 100-person camp on a 15-acre ice pad in two winters and would heavily impact denning habitat and offshore critical sea ice and barrier island habitat, due to the extensive additional traffic and activity that would occur around the Oliktok Point area. As noted below, the analysis area for Option 3 includes part of the Barrier Island No Disturbance Zone near Oliktok Point – so this Option would by definition cause disturbance and adversely impact that critical habitat feature. None of this threat of injury is quantified. BLM must estimate the risk of injury or mortality to polar bears associated with the different module transport options, as well as all the action alternatives.</p>	<p>Potential impacts from the module delivery options are described in Sections 3.13.2.7, 3.13.2.8, and 3.13.2.9 of the Supplemental EIS. Estimates of potential polar bear takes from the Willow Project are completed by the U.S. Fish and Wildlife Service (USFWS) and those results are provided in the USFWS Biological Opinion. The Project would be required to conduct polar bear den surveys annually before beginning ground disturbing activities.</p>	Trustees for Alaska
6501-91	<p>Table E.13.3 summarizes the noise that some project activities would create, but notably omits the mining (and associated blasting and pile driving) that BLM says would be the loudest and most impactful noises for polar bears.¹²⁰² A short list of unobtrusive noise sources and associated short distances to disturbance thresholds are then depicted in Table E.13.4.¹²⁰³ Based on this table, the reader would conclude that, other than vessels (7,067 feet), there is no noise source associated with the Willow project that creates any significant distance to disturbance threshold for any wildlife species. BLM must add mining/blasting to the list of project activities, characterize the noise profile of this most-impactful activity and estimate the distance to disturbance thresholds for it, as it has done for other noise sources. It should also quantify the duration and frequency of blasting necessary to extract the gravel that would be needed for the project, to add a temporal component to the disturbance analysis. It should estimate the likelihood and number of bears that may be exposed to injurious noise levels. In short, BLM must provide the data and analysis to quantify its statement that mining could have a larger impact on bears than other activities. As it stands, any conclusion that mining/blasting or other project noises not listed in Table E.13.4 will not impact polar bears is unsupported by the evidence.</p>	<p>Noise, including blasting to support gravel mining operations, is quantified in Supplemental EIS Section 3.6, <i>Noise</i> (see Table 3.6.3). Blasting as a Project activity has been added to Supplemental EIS Table 3.13.3 (Supplemental EIS Section 3.13, <i>Marine Mammals</i>).</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-92	<p>Project activities may significantly disturb and displace polar bears. Non-denning bears, especially females and females with cubs, have demonstrated sensitivity and strong avoidance reactions to the noise produced by snowmachines and tundra vehicles at a distance of over two miles.1204 In general, disruption of an animal’s activity has associated energetic costs, and thus polar bear behavioral responses of vigilance and flee could potentially interrupt rest and feeding opportunities, potentially increasing polar bear energy expenditure.1205 Further, in the open-water environment polar bears have been found to respond to vessel presence through vigilance, walking or swimming away, fleeing, and in some cases, approach.1206,1207,1208,1209 A study on behavioral response to vessel presence in the Chukchi and southern Beaufort Seas found that mothers with cub(s) were much more likely to flee or to be vigilant than were single adults.1210</p> <p>While disturbance to non-denning bears is much less likely to be lethal compared to denning bears, it is very likely to increase energetic stress and displace bears from preferred habitat and travel routes. For a population suffering from nutritional stress, poor body condition and reduced cub survival, more energetic stress and disturbance is not a prescription for recovery and could create or exacerbate population-level impacts. Indeed, minimizing the impacts of any human development on polar bears is a clear recovery strategy identified in the FWS’s Polar Bear Conservation Management Plan.1211</p>	<p>The likelihood and consequences of Level B take are analyzed in the U.S. Fish and Wildlife Service's Biological Opinion.</p>	<p>Trustees for Alaska</p>
6501-93	<p>As an initial matter, the DSEIS makes conflicting statements about the disturbance analysis areas for polar bears, sometimes indicating an indefensibly small area in which polar bears may be disturbed by project activities. BLM needs to clarify the applicable disturbance areas for polar bears and then analyze project impacts accordingly.</p> <p>BLM indicates a marine mammal disturbance analysis area with a one-mile buffer around all project activities in Figure 3.13.1. But the marine mammals impact section includes no text or tables that clearly define the analysis area for disturbance impacts, and as noted below, prior descriptions of analysis areas for disturbance have vanished and new, inconsistent statements have appeared.</p> <p>In the first SDEIS, BLM identified a disturbance zone for polar bears related to Option 3, the Colville River crossing, of over 53,000 acres from construction and use of ice roads, and over 55,000 additional acres from the increased use of existing gravel roads.1212 These areas were calculated by mapping a one-mile buffer area around the road construction and use areas, based on FWS’s typical one-mile buffer typically used to protect polar bear dens.</p> <p>ConocoPhillips argued in its comments that the FWS’s one-mile buffer is for dens and shouldn’t be applied to the road areas because there are only 527 acres of denning habitat around those areas.1213 BLM stated that “disturbance calculations are based on the USFWS polar bear den disturbance zone, which is 1 mile. This was calculated for all Project activities in winter, not only where a den has been previously located, because there is no other available information on a disturbance threshold for polar bears not in dens.”1214</p> <p>So BLM defended its use of a one-mile buffer to protect both denning and non-denning bears because FWS uses one mile to protect denning bears, and BLM claims there is no other information available for non-denning bears so it uses one mile for those as well.1215</p> <p>Despite defending its use of the one-mile buffer for both denning and non-denning bears, BLM inexplicably deleted the reference to the 50,000+ acre disturbance area and its impacts analysis does not account for bears potentially disturbed within that area. Instead, regarding “inland disturbance or displacement,” BLM claims that “using the disturbance buffer of 1 mile commonly used by USFWS for identified polar bear dens, 75.2 acres would potentially be disturbed” by the action alternatives (presumably not including the module transport options).1216 This must be a typo as 75 acres is far less than even the direct habitat loss from the project, let alone a one-mile buffer around all project activities.</p>	<p>The commenter is correct that there was a typo (editing error) in the Draft Supplemental EIS in Section 3.13.2.3.2.1, <i>Inland Disturbance and Displacement</i>. (Note: The values provided in Table 3.13.3 were not impacted.) The values have been corrected for the Final SEIS using the 1.0-mile U.S. Fish and Wildlife Service disturbance buffer for proposed Project infrastructure and mapped potential denning habitat.</p>	<p>Trustees for Alaska</p>

No.	Comment	Comment Response	Commenter
6501-94	In Table 3.13.3, BLM estimates between 4,026 and 7,164 acres of disturbance area due to ice infrastructure and noise from its construction and use, depending on the project alternative.1217 This is orders of magnitude less than prior estimates, without explanation. In the “onshore traffic” project component category, the table identifies no disturbance area associated with traffic on gravel roads, instead just listing the total number of “trips.”1218 For the summation of impacts, in the “all” project component category, the table inexplicably changes the onshore disturbance metric to terrestrial denning habitat and identifies 1,277 and 655 acres of such habitat within 0.5 miles of water work and 1 mile of onshore work, respectively. Why the offshore disturbance distance is 0.5 miles instead of either the 1.5 miles or 7,067 feet distances ascribed to vessels is just another mystery.	The acres of ice infrastructure for Alternatives B, C, and D have not changed since the Final EIS was published in 2020. The disturbance buffers used are consistent with U.S. Fish and Wildlife Service analysis methods. The 1.5-mile distance is the analysis area for offshore activities for Marine Mammals, not the disturbance distance/buffer.	Trustees for Alaska
6501-95	There is other available information indicating a disturbance threshold for some non-denning bears in excess of two miles.1219 BLM still does not address this information when identifying the appropriate disturbance area for waking bears. When revising its analysis, BLM should consider a two-mile distance to disturbance for non-denning bears or explain why using that distance would not be appropriate.	The Supplemental EIS disturbance distance (1 mile) is consistent with the U.S. Fish and Wildlife Service used disturbance distance/buffer for polar bear disturbance.	Trustees for Alaska
6501-96	After clarifying the what the analysis area is, BLM should then actually do the analysis: estimate the number of bears that may be disturbed or displaced by introducing 30 years of construction and operation activities for a large new oilfield sprawling across hundreds of miles in polar bear habitat, and the effect of those disturbance impacts on a beleaguered population already suffering grave survival challenges. Those disturbance impacts could even prove injurious or fatal by increasing metabolic costs for which individual bears don’t have a sufficient budget, and could have population-level consequences for an imperiled population. BLM must enlarge the analysis area, estimate the number of bears that may be impacted by various project activities, and assess the population-level implications of those impacts.	Estimates of potential polar bear takes from the Willow Project are completed by the U.S. Fish and Wildlife Service (USFWS) and those results are provided in the USFWS Biological Opinion. The Supplemental EIS disturbance distance (1 mile) is consistent with the USFWS used disturbance distance/buffer for polar bear disturbance.	Trustees for Alaska
6501-97	The project would entail millions of ground transportation trips through areas where polar bears may be present, including designated critical habitat and identified potential denning habitat... But BLM merely notes that operational traffic would be mostly south of polar bear habitat and therefore less impactful for bears than construction traffic.1222 BLM must define the disturbance zones associated with ground transportation and estimate the likely impacts on bears, and number and nature of disturbances that millions of continuous ground traffic trips through polar bear critical habitat for 10 years will cause.	Impacts to polar bears, including disturbance and displacement, is described in Section 3.13, <i>Marine Mammals</i> . The Supplemental EIS disturbance distance (1 mile) is consistent with the U.S. Fish and Wildlife Service used disturbance distance/buffer for polar bear disturbance. Figure 3.13.3 provides a map of polar bear observations.	Trustees for Alaska
6501-98	The 2020 SDEIS indicated that construction and use of the ice and gravel roads needed for module transport under Option 3 would create polar bear disturbance zones of 53,251.2 acres and 55,613.3 acres, respectively... Construction is planned to occur from the two end points and converge at the Colville River, so noise disturbance will always impact two areas simultaneously. That timeframe means that both AIR surveys required by the Beaufort Sea ITR need to occur between November 25 and December 15.1226 Having cooperative weather conditions at the time is unlikely so survey efficacy will likely suffer.1227 BLM should delay the commencement of construction activities until December 31, the last date that the Beaufort Sea ITR allows a second AIR survey to occur, if weather conditions do not allow for two reliable surveys to occur by December 15.	CPAI will follow U.S. Fish and Wildlife Service guidance (in real time) as it relates to the annual polar bear den detection surveys.	Trustees for Alaska
6501-99	It is likely that a den in the gravel and ice road disturbance areas will not be detected prior to road construction and use. This project component alone thus runs the risk of disturbing denning bears, or immediate post-denning mother bears and cubs, across a huge area encompassing substantial denning habitat, every day during the winter season for the entire 10-year construction phase.	Supplemental EIS Section 3.13, <i>Marine Mammals</i> , discusses the potential impacts from construction, including the risk of disturbing denning bears.	Trustees for Alaska

Table B.2.22. Mitigation or Minimization Comments and Responses*

No.	Comment	Comment Response	Commenter
26-32	And the need to be informed of our air quality monitoring system as an alarm system to inform our community if there's an adverse event in which it affects our community's health, life, and safety. Our community needs to be everyone gaged effectively in these communications because it doesn't take very long for your failures to get to my village and give us alarmed concerns. We need to be in control of our air monitoring station and not wait for the permitter to inform us their actions are putting us at risk. We're very concerned of all of this process when you do air monitoring once a month, but you monitor for 80 days continuously prior to the CD1 gas leak. These are concerning and the emissions are of concern in and around this event that were not listed and gives us reason for concern because our community felt the effects from that event.	A mitigation measure to require real-time monitoring data is considered in the Final Supplemental EIS (see Appendix I.1).	John Sonin; Rosemary Ahtuanguaruak; Dyani Chapman; Christi Heun; Andy Moderow; Doug Woodby; Liam Zsolt; Pamela Miller; Barbara Brease; Danielle Stickman; Chris Warner; Lauren Hendricks; Ellen Montgomery; Sara Hersh; Dorcas Nashoalook; Sam Kunaknana; Joe Evans; Sonia Ahkiygak
2878-37	Section 5.3, Mitigation, Page 352. BLM references BLM policy (IM No. 2019-018). However, that policy (IM No. 2019-018) was rescinded by IM 2021-038. See: https://www.blm.gov/policy/im-2021-038 .	The Draft Supplemental EIS's reference to BLM policy (IM No. 2019-018), precluding consideration of compensatory mitigation, has been removed in the Final Supplemental EIS because that policy was rescinded by IM No. 2021-038. The Supplemental EIS considers all types of potential mitigation measures, including compensatory mitigation.	ConocoPhillips
2878-8	BLM should clarify the unique nature of applicable mitigation measures in the final SEIS. The DSEIS and Appendix I appropriately describe mitigation measures that apply to the Willow MDP, including the 18 categories of IAP-based ROPs and lease stipulations and 120 project design features that avoid, minimize, or mitigate impacts. Although Appendix I also lists seven conditions of approval to the North Slope Borough rezoning ordinance, it does not mention the eight pages of stipulations and mitigation measures described in the ordinance itself-Ordinance 75-06-76 at pages 36 to 44-that are separate from the conditions of approval. We recommend that BLM acknowledge these additional measures in the final SEIS.	BLM has acknowledged these additional mitigation measures in the Draft Supplemental EIS. See Appendix I.1, Table I.6.1, <i>North Slope Borough Rezoning Required Stipulations and Mitigation Measures</i> . Table I.6.1 includes the North Slope Borough rezoning ordinance stipulations and mitigation measures intended to further mitigate impacts to wildlife, subsistence use, and public health and safety from the Willow Project. Forty-nine (49) stipulations or mitigation measures are currently included in the table. Table I.5.2, <i>North Slope Borough Rezoning Conditions of Approval</i> , summarizes the conditions of approval.	ConocoPhillips
2878-9	We recommend that BLM recognize the unique nature of both the extent and scope of the mitigation measures that apply to the Willow MDP. The extensive depth and significance of the numerous mitigation measures that apply to the Willow MDP are atypical for an oil and gas development project. To take just one example, the DSEIS mentions the NPR-A impact grant program, which is established by the NPRPA and administered by the State of Alaska, but the DSEIS does not explain the unique nature of this program, which will make available about \$2.3 billion" to North Slope communities from Willow MDP royalties (as analyzed in the DSEIS for Alternative E). This program should be emphasized as an important consideration that aligns with the principles of environmental justice and makes the Willow MDP stand out as a development project that serves the public interest and the interest of regional communities. The Willow MDP will produce a needed energy resource under a uniquely robust catalog of protective measures, and we strongly encourage BLM to clarify this distinguishing feature of the proposed development in the final SEIS.	The Supplemental EIS includes discussion on the NPR-A Impact Grant Program (see Sections 3.15 and 5.3.1). The Supplemental EIS further presents a broad suite of mitigation measures (see Appendix I.1) that may be included in BLM's Record of Decision.	ConocoPhillips
30958-1	Road Upgrades: Upgrades to the Kuparuk gravel road system, necessary to support the self- propelled module transporters (SPMT), include widening curves, extending culverts and improving roadbeds and pads, are proposed to take place in summer. The Service has concerns regarding the timing of these road upgrades as they may impact tundra-nesting birds and result in loss of eggs and/or nestlings. We suggest road upgrades involving wetland fill occur before or after the nesting season (June 1-July 31) if possible.	A mitigation measure to prohibit road upgrades during the nesting season is considered in the Final Supplemental EIS (see Appendix I.1).	U.S. Fish and Wildlife Service

No.	Comment	Comment Response	Commenter
30958-4	<p>Interjurisdictional Fish: Anadromous fish (Arctic cisco, burbot, and broad whitefish) use the Colville River and tributaries upstream of the Colville Delta as overwintering habitat, although usually they are not found upstream of Ocean Point. However, as freeze-up occurs later in the fall due to climate change, potentially increasing upstream intrusion of saltwater surges, fish may utilize habitats more frequently in the upper reaches of the Colville River (upriver from Ocean Point) for overwintering. Overwintering fish habitat within these adjacent rivers and streams may change in space, depth, and upstream extent per annual variations in weather patterns and river flow. Currently, some burbot may overwinter upstream of Ocean Point while broad whitefish overwinter in a tributary just downstream of Ocean Point. The Service suggests, to the extent practicable, the proposed ice road route on both sides of the Colville River be designed and routed to avoid river and stream crossings (e.g., the Itkillik River) that may impact access to overwintering fish habitats. In addition, we suggest removing ice-road crossings of fish-bearing streams and rivers prior to spring break-up to allow for seasonal movement of fish.</p> <p>The proposed ice bridge over the Colville River could act as a dam, causing overbank flow and potential bank erosion, potentially adversely impacting fish habitat downstream. The bridge could also prevent storm surges, which are becoming more common with less sea ice, from pushing saltwater upstream of Ocean Point and cause the loss of potential overwintering anadromous fish habitat. The Service supports considering the installation of fish passage culverts within the ice bridge to allow fish passage; however, the culverts should be removed, and the ice bridge slotted before breakup.</p>	<p>Ice bridges are required to be slotted prior to spring breakup (see required operating procedure [ROP] C-3). Installing culverts in ice bridges is not feasible from an engineering or safety standpoint. It is not possible to predict where water will be free flowing under the ice, and there is no guarantee that a culvert placed in an ice bridge will have free flowing water through it to allow fish passage. From a safety standpoint, removing the culvert in the spring during breakup is extremely dangerous, as it would require workers to be on the unstable ice trying to remove a culvert from within an ice bridge.</p>	U.S. Fish and Wildlife Service
30958-5	<p>Invasive Species: The SDEIS indicates the oil fields east of the Colville River are susceptible to the spread of invasive plant species due to industrial transport via the Haul Road from southern areas of the State. The mechanism for invasive plant transport within the oil fields is somewhat minimized as heavy equipment and trucks primarily are stationed, and remain within, the North Slope oil fields. To date invasive plant species such as dandelion and foxtail barley are present within the Kuparuk Oil Field, including along the Tarn Road near Kuparuk Drill Site 2P (McEachen and Maher 2016). In order to minimize the spread of invasive species, the Service recommends installation and use of strategically placed wash and inspection stations prior to use of vehicles within the project area.</p>	<p>Using vehicle wash stations to prevent the spread of invasive species has been added as a potential mitigation measure to the Final Supplemental EIS (Appendix I.1, Section 5.0).</p>	U.S. Fish and Wildlife Service
30958-6	<p>Constructed Freshwater Reservoir (CFWR). The CFWR, excavated within wetlands adjacent to Lake M0015 and the Bear Tooth Drill Site 3 road, will access water from Lake M0015 within the Willow Creek 3 Basin (WC 3 Basin). As the estimated annual recharge volume of the WC 3 Basin and Lake M0015 exceeds the volume required for the CFWR, aquatic impacts downstream of Lake M0015 will be temporary under normal spring break-up events. In addition, both resident and anadromous fish species are present in Lake M0015 and the WC 3 Basin. As unknown impacts to the watershed may occur, water levels in fish bearing lakes within the WC 3 Basin may fluctuate widely from year to year. The Service recommends monitoring the CFWR and using adaptive management to ensure adequate water flow and free passage of fish within the WC 3 Basin.</p>	<p>A mitigation measure to require monitoring of the Willow Creek 3 basin for the constructed freshwater reservoir is included in the Final Supplemental EIS Appendix I.1.</p>	U.S. Fish and Wildlife Service

No.	Comment	Comment Response	Commenter
30958-7	<p>Subsistence Boat Ramps. The proposed construction of up to three subsistence boat ramps may increase access to the Ublutuoch River, Judy Creek, and Fish Creek (Alternative B) for subsistence hunting and fishing. Alternatives C and D allow only the Ublutuoch River boat ramp as the infield roads associated with these alternatives are disconnected from Nuiqsut and thereby do not allow all season access to the proposed Judy and Fish creeks boat ramps. The proposed boat ramps may increase localized river turbidity, due to gravel fines from the ramps entering the water column. In addition, erosion of the sites during high water events, such as spring break-up, may cause gravel deposits into the river and creeks adjacent to the ramps and pads. Trucks and boats also may deposit petroleum contaminants into the gravel parking area, boat launch site, river water, and bottom sediments, impacting downstream waters, including over-wintering fish habitat. In addition, easier access to rivers and creeks could increase subsistence harvest resulting in impacts to local fish populations.</p> <p>While the Service does not object to the construction of the subsistence boat ramps, we recommend development of a maintenance plan to ensure long-term viability and use of the site(s) while minimizing impacts to the adjacent waterbodies. We recommend the plan include the following points at a minimum:</p> <ul style="list-style-type: none">• Identify entity (CPAI, Kuukpik, Native Village of Nuiqsut, etc.) responsible for site maintenance;• Annual maintenance (grading) of parking pads, turning pads, access ramps, and road access;• Maintain a gravel supply (off-site) to reinforce boat ramps and pads when necessary;• Regular clean-up of pads and surroundings, including back-haul of trash to suitable disposal site; and• Removal/mediation of toxic spills.	<p>A mitigation measure to require a maintenance plan for the subsistence boat ramps is included in Appendix I.1.</p>	<p>U.S. Fish and Wildlife Service</p>
30959-5	<p>Kuukpik has also worked directly with ConocoPhillips and the North Slope Borough to incorporate operational requirements beyond those contained in BLM's ROPs and lease stipulations. In particular, as part of the North Slope Borough rezone process, Kuukpik advocated for measures in addition to those proposed by the Borough that we believed would reduce impacts to caribou, the natural environment, and other resources, and provide mitigation or offsetting benefits to the community:</p> <ol style="list-style-type: none">1. Required use of insulation to reduce road height and gravel use while protecting permafrost.2. Development of a Good Neighbor Policy on caribou to assist hunters if caribou harvests are impacted by the project.3. Reduced the airport runway length (from 6,200 feet to 5,700 feet)²² and received commitments not to use the largest and most disruptive cargo planes.4. Development of vehicle and air traffic plans that would be designed to reduce impacts during sensitive periods (e.g., caribou calving, bird nesting, and peak caribou subsistence activity), all to be updated regularly as needed.5. Development of a plan to reduce diesel use associated with the Project (use of which should eventually be nearly eliminated when high line power becomes available).²³6. Incorporation of the Willow Project into an Oil Spill Mitigation Fund Agreement.7. Payments to an NSB-administered subsistence impact mitigation fund.8. Consultations with the community regarding concurrent use and avoiding unreasonable interference with subsistence harvests or subsistence resources.9. Carrying out various studies to track baseline environmental conditions and impacts over time and making this data available to the public.10. Year-round use of subsistence representatives. <p>Although these elements are not as significant as the major design changes proposed in Alternative E, they are particularly valuable for another important reason: they were driven by the people of Nuiqsut. The specific and community-focused commitments in Exhibit 4 of the Rezone Ordinance will not only help reduce impacts from the Project, they represent real changes that the people of Nuiqsut effected on a Project over which many residents have felt they had little control. So even though these may not all seem like significant requirements from BLM's perspective, they are important because they are responses to very local concerns and affirmed the community's ability to influence the activities going on around it.</p>	<p>The Willow Supplemental EIS includes analysis of mitigation measures required by the North Slope Borough re-zone process (see Appendix I.1).</p>	<p>Kuukpik Corporation</p>

No.	Comment	Comment Response	Commenter
30959-7	<p>We urge BLM and all other cooperating agencies to consider creative options now to mitigate the unavoidable impacts that the Project, and oil and gas development generally, will have on subsistence and Nuiqsut... Kuukpik... urges BLM to consider some larger scale mitigation measures that could permanently institutionalize certain management priorities and strategies into the decades long effort to balance subsistence and development on the North Slope.</p> <p>It is time to find a way to permanently protect Teshekpuk Lake, a buffer around the lake, and the migration corridors to the east and northwest. These are the areas of the TLSA and TLCHA that are of most importance to maternal and migrating caribou of the Teshekpuk Caribou Herd, the herd that will be most impacted by Willow. These areas are so critical to the long-term health and survival of the herd... In light of the impacts that the Teshekpuk Herd is likely to experience in the coming decade, opening this area to leasing and surface development whenever there is a change in administration does not provide the kind of long-term protection the herd---and the subsistence communities that depend on it---need in order to thrive.</p> <p>Kuukpik therefore encourages BLM and Secretary Haaland to explore several options. First, although Kuukpik has never supported wilderness designation in NPR-A before, we would consider supporting such a designation if it were confined to the surface area ofTeshekpuk Lake, a buffer along all shores of Lake, and the K-10 Caribou Movement Corridors/K-16 Deferral Areas (under the 2020 Alternative E). Although Kuukpik generally supports more adaptive management tools than the blunt instrument of wilderness designation, we can foresee no scenario in which development of surface facilities in the lakebed itself or the calving areas surrounding it would be justified. Likewise, there is no reason to leave open development options in the most sensitive migration corridors based on a hypothetical (and seemingly increasingly remote) possibility that an offshore pipeline will be needed sometime in the foreseeable future, much less the even more speculative notion that it must come on shore in this area.</p> <p>The analysis of wilderness characteristics in the areas around Teshekpuk Lake strongly suggests that the area was, and should be, considered for this highest level of surface protection...</p> <p>Kuukpik understands that the Secretary cannot accomplish this goal by herself, or that gathering Congressional support for the most durable types of protections will be simple. But the Secretary has discretionary authority to recommend wilderness designations to Congress, which would initiate a process and plan for advancing this concept for further consideration, at a minimum...</p> <p>Federal designation beyond the current "Special Area" may be the only way the current administration can protect Teshekpuk Lake and these critical migration corridors in a way that cannot simply be undone after a presidential election. Kuukpik is thus willing to consider supporting permanent designation of these vital caribou habitat and migration corridors despite our normal reluctance to embrace such restrictive measures being imposed from outside.</p>	<p>Formal wilderness designation in and around Teshekpuk Lake would require an act of Congress and is outside the BLM's decision-making authority for this project-specific EIS. Further, the Naval Petroleum Reserves Production Act excludes the NPR-A from Section 603 of the Federal Land Management and Policy Act pertaining to wilderness studies.</p>	<p>Kuukpik Corporation</p>

No.	Comment	Comment Response	Commenter
30959-8	<p>We urge BLM and all other cooperating agencies to consider creative options now to mitigate the unavoidable impacts that the Project, and oil and gas development generally, will have on subsistence and Nuiqsut... Kuukpik... urges BLM to consider some larger scale mitigation measures.</p> <p>As BLM knows, the management of fish and game with respect to subsistence has long been mired in the conflicting policies of the state and federal governments. This creates uncertainty and a lack of uniformity regarding caribou management, which of course migrate long distances without regard to lines on a map. There is also no single agency with decision making authority across these invisible boundaries, or which can respond to evolving data and local concerns efficiently. The result is that many of the decisions that primarily affect local Alaska Native residents on the North Slope are being made by outsiders, not locals---locals with generations of experience making their own decisions and managing subsistence resources for the long-term benefit of the community.</p> <p>Kuukpik therefore urges BLM and other federal agencies to begin working with stakeholders to establish an Alaska Eskimo Caribou Commission. The Commission would perform generally the same type of information gathering, policy setting, and management functions as are currently performed on the North Slope for other important species and resources (e.g., the Alaska Eskimo Whaling Commission, Alaska Beluga Whale Committee, Eskimo Walrus Commission, and the Alaska Nannut Co-Management Council).</p> <p>The goal of the proposed Alaska Eskimo Caribou Commission is to establish a body that can collect data and traditional knowledge regarding caribou on the North Slope and make decisions based on that analysis that will help ensure the long-term health of these important subsistence resources. The NSB Department of Wildlife Management could be responsible for data gathering and analysis. Each commissioner would have special expertise in subsistence practices and needs regarding caribou on the North Slope. As with the AEWK (and other bodies), the Commission would have the ability to take certain actions to protect caribou herds if the herds appeared to be declining or threatened. Management powers might include setting priority uses or users for a period of time, limiting or closing certain areas to hunting, or limiting certain activities in highly sensitive areas or seasons (such as calving season) ...</p> <p>Attempting to manage caribou based on land ownership and competing federal and state policies and regulations simply does not make sense because impacts on one side of an arbitrary boundary may greatly affect the population of caribou that move across the entire region. By including knowledgeable representatives from the communities that would be impacted by changes to the various herds, each community would have a meaningful voice in the management process...</p> <p>This proposal is consistent with the cooperative management or co-management arrangements that are encouraged in Secretarial Order 3342, Joint Secretarial Order 3403, and elsewhere. The Commission would be a federally approved and empowered body comprised of North Slope representatives that functions on a peer-to-peer level with other responsible agencies regarding certain decision-making responsibilities. Such an arrangement would be a powerful symbol and tool for subsistence communities throughout the region.</p> <p>The other most important benefit would be that the Commission would operate continuously, with a mission to ensure the long-term survival of caribou across the entire North Slope, not just influencing elements of individual projects as they are proposed.</p>	<p>BLM will engage in cooperative management with local entities of caribou habitat in the Teshekpuk Lake Special Area to ensure the impacts to the herd are identified and minimized. That cooperative management will include local Tribal and governmental entities along with any organization subsequently established for a purpose that includes the cooperative management of the Teshekpuk Caribou Herd. BLM is committed to consulting with other federal agencies and Tribal entities regarding the formation of such a cooperative management organization for caribou, which could include representatives of pertinent communities and organizations in the North Slope of Alaska, including those near the Teshekpuk Lake Special Area.</p>	Kuukpik Corporation

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30959-9	<p>Kuukpik also encourages BLM to consider larger scale efforts to mitigate "residual" or unavoidable impacts caused by the Willow Project and others... BLM noted in 2018 that a NEPA analysis should include a description of "[T]he residual effects of any adverse impacts that remain after mitigation measures have been appliedResidual impacts are those impacts that remain after all reasonable efforts are made to avoid, minimize, rectify, and reduce or eliminate impacts over time. Mitigation stipulations, which may include any combination of elements from the mitigation hierarchy, are unique for each approved development project, and are specified as a part of the decision that follows NEPA analysis According to BLM, these unavoidable impacts supported the need for BLM to explore additional measures that could be taken, outside the scope of the project itself, to offset unavoidable impacts."</p> <p>We raise this issue now... to emphasize the authority BLM has to attempt to address Willow's unavoidable impacts at a larger scale, particularly in light of the unavoidable cumulative impacts Nuiqsut currently faces. The Draft SEIS notes numerous unavoidable impacts that, under the rationale articulated above, would support additional efforts to improve the lives of affected local residents. We urge BLM to think creatively about ways to do exactly that.</p> <p>In particular, Kuukpik urges BLM to explore ideas for expanding economic opportunities for North Slope residents. Better economic opportunities can help offset unavoidable financial impacts associated with development (such as increased hunting costs). Furthermore, developing successful talent and small businesses can mitigate the negative psychological and socio-economic impacts that many residents are experiencing because of lost subsistence opportunities or traditions, conflict in the community, and other factors. It is therefore appropriate to consider economic development opportunities as mitigation (or compensatory mitigation) in the context of specific development projects and for BLM' s larger and ongoing planning efforts in the NPR-A.</p> <p>We certainly recognize that economic development efforts are harder to define and implement than other projects that have been put forward as compensatory mitigation. But the challenge shouldn't stop us from exploring possibilities. With some programmatic guidance and support, Kuukpik believes many North Slope communities, and Nuiqsut in particular, could develop the kind of innovative, indigenous led, sustainable economies---rooted in small businesses and our cultural connections to the land base around Nuiqsut---that are developing elsewhere. We look forward to working with BLM to explore these possibilities.</p>	<p>The Final Supplemental EIS identifies new potential suggested mitigation measures, including economic opportunities in Nuiqsut, in Appendix I.1, <i>Avoidance, Minimization, and Mitigation</i>.</p>	<p>Kuukpik Corporation</p>
30960-17	<p>It is standard practice for BLM to evaluate the impacts of oil and gas projects on migratory birds and to propose mitigation measures such as changing the timing of drilling and operations to minimize impacts on migratory birds. It is also standard practice for the BLM to develop a Migratory Bird Conservation Plan for such projects in consultation with the US Fish and Wildlife Service. Yet the SEIS includes no such measures or plans.</p>	<p>The Willow Supplemental EIS evaluates several mitigation measures that would provide protections for migratory birds, including measures that limit when construction can occur. See Appendix I.1 for details.</p>	<p>Audubon Society</p>

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30960-3	<p>The SEIS should be revised to include a full consideration of appropriate mitigation. At a minimum, this would include:</p> <ul style="list-style-type: none">• The application of strict avoidance and minimization for special resources including the Teshekpuk Lake Special Area and habitat for special status avian species. We simply cannot reduce impacts to habitat where development occurs on rare and critical habitat.<ul style="list-style-type: none">o In particular, the Special Conditions proposed in the SEIS for Spectacled and Steller's Eiders and Yellow-billed loon habitats are wholly insufficient. As experience with other avian species like the Greater sage-grouse has shown, minimal buffers (e.g., less than 1-mile) are insufficient to avoid impacts to habitat and disturbance of essential breeding behavior. Given the special status of the species in the project area, there is no circumstance in which waivers or modifications to the buffers on nests and habitat should be granted.• A full evaluation of compensatory mitigation measures to offset the unavoidable impacts of this project on important habitat and other significant impacts consistent with standard mitigation principles as outlined above. Simply stated, impacts that cannot be avoided or minimized must be effectively mitigated through compensatory mitigation to achieve net conservation benefit. Compensatory mitigation must be durable, additional, developed based on the best available science, provide public transparency, and include monitoring and adaptive management.• Mitigation measures to offset the significant, detrimental impacts of the greenhouse gas emissions generated by the proposed Willow Master Development Plan to the global climate. This is further detailed in a following section.	<p>BLM is considering a wide range of mitigation measures to avoid, minimize, and compensate for impacts from the Willow Project (see Appendix I.1), including 1.0-mile buffers around yellow-billed loon nests.</p> <p>The objective of a required operating procedure or lease stipulation must be met in order for the BLM to grant a waiver, exception, or modification. BLM will include its rationale for any waivers, exceptions, or modifications in the Willow Project's Record of Decision.</p>	Audubon Society
30960-5	<p>C. By failing to consider compensatory mitigation, BLM is in violation of the National Environmental Policy Act, Federal Land Policy and Management Act, and Naval Petroleum Reserve Production Act. [see attached letter for supporting details section]</p>	<p>The Draft Supplemental EIS's reference to BLM policy (IM No. 2019-018), precluding consideration of compensatory mitigation, has been removed in the Final Supplemental EIS because that policy was rescinded by IM No. 2021-038. The Supplemental EIS considers all types of potential mitigation measures, including compensatory mitigation.</p>	Audubon Society
30960-7	<p>A. Final Regional Mitigation Strategy for Northeast NPR-A</p> <p>As part of the Greater Mooses Tooth-One (GMT-1) Record of Decision, BLM was required to complete a regional mitigation strategy for any oil projects enabled or assisted by the development's infrastructure.¹⁷ The Willow MDP is such a project. [see attached letter for supporting details section]</p>	<p>The Regional Mitigation Strategy was considered in drafting potential mitigation measures for the Willow Project (see Supplemental EIS Section 5.2.3, <i>Additional Suggested Avoidance, Minimization, or Mitigation</i>, and Appendix I.1).</p>	Audubon Society
30960-8	<p>These residual impacts are consistent with what is articulated in the Willow draft SEIS. To mitigate the impacts of Willow, we believe easement authority should be operationalized to protect large areas of subsistence importance and conservation value. The use of conservation easements is a necessary component of any compensatory mitigation because of the certainty and durability it provides for the sustained protection of core ecological areas within the region.</p> <p>Generally, we believe the terms and conditions of these easements should be to ensure that identified lands remain in their natural state, free from all oil and gas activities, and available for subsistence resources and practices for future generations. Easements should be held by a viable and experienced third party, such as a land trust or community foundation. Additionally, as part of these protections, BLM should consider developing the initial, basic architecture of a community based stewardship and monitoring program for interested entities, such as tribal governments and/or other interested organizations. Such guardianship opportunities would help diversify the regional economy beyond just oil development. A stewardship endowment, funded by the project applicant, federal government, and/or third party, should accompany the stewardship program. Such a financial structure will help to ensure the program's viability and the effectiveness of stewardship activities into the future. [see attached letter for supporting details section]</p>	<p>Conservation easements cannot be established on federal lands within the NPR-A, which are statutorily withdrawn from all forms of disposition except oil and gas leasing. Conservation easements can be considered on privately owned lands within the NPR-A with the permission of the landowner.</p>	Audubon Society

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30962-1	EPA believes that the FSEIS and Record of Decision should document commitments to all practicable mitigation measures. Mitigation measures could include enhanced energy efficiency, renewable energy generation and energy storage, lower-GHG-emitting technology, carbon capture and sequestration at the central processing facility (or capture-ready facility design), sustainable land management practices, and capturing or beneficially using GHG emissions such as methane. EPA also strongly encourages BLM to consider mitigation measures to reduce the total projected GHG emissions, such as limiting the operation of the proposed project for a term less than the estimated 30-year useful project life, not to exceed twenty years. Further, we recommend that the climate change analysis be periodically reviewed and validated, perhaps every five years, for accuracy of facts and circumstances. For example, the Inflation Reduction Act is expected to have a significant influence on long-term energy demand and economics. Additionally, EPA recommends that Section 3.2.4 be modified to clarify that mitigation measures could help avoid, reduce, or minimize GHG emissions and climate change impacts from the Project. [see letter for additional information]	The Willow Project's Record of Decision will document commitments to mitigation measures. The Final Supplemental EIS includes consideration of mitigation measures to reduce the Project's impacts to climate change, including limiting the period of operations of the Project. Prior to issuing any subsequent authorizations for the Willow Project, BLM will review the existing National Environmental Policy Act analysis to determine if it remains adequate in light of new information and circumstances.	U.S. Environmental Protection Agency
30962-31	EPA recommends the FSEIS consider and identify any mitigation measures that preferentially direct benefits associated with increased employment to local residents, to ensure the speculative benefits from the development would be actualized for local residents.	A mitigation measure to increase job opportunities for local residents has been included in the Final Supplemental EIS (see Appendix I.1).	U.S. Environmental Protection Agency
30962-33	EPA recommends the FSEIS analyze a mitigation measure that would help ensure the preservation of the highly valued subsistence foods following harvest practices in each of the impacted villages56 analyzed in the DSEIS. The U.S. Climate Resiliency Toolkit57 reports that warming conditions can also cause traditional underground ice cellars to melt. These cellars are cut directly into the permafrost to store food. When the permafrost melts, the caribou, seal, and other meat stored in these cellars can rot and become unusable. The Toolkit offers three potential adaptive solutions that offer a practical way to mitigate the potential impacts of climate change to the villages that utilize the subsistence resources that could be impacted by the project: <ul style="list-style-type: none">• Improving the storage environment in existing cellars.• Establishing new cellars in a location with a more conducive environment.• Developing alternative methods for food storage. One factor to consider is that traditional Alaskan subsistence has been relatively independent of the global market and thus less vulnerable to disruptions. Replacing traditional technologies with energy intensive, active refrigeration may undermine long term food security and should be considered an additional measure while simultaneously bolstering traditional food storage methods, not replacing it. [see letter for additional information]	A mitigation measure to increase food security was added to the Final Supplemental EIS (see Appendix I.1).	U.S Environmental Protection Agency
30962-34	EPA recommends that the FSEIS analyze a mitigation measure to address food security issues in Nuiqsut, such as the construction of a public greenhouse. Mitigation measures to address food insecurity would allow impacted communities better adapt to the future climate by mitigating the difficulty and expense of purchasing produce in a geographically isolated community. The establishment of local fresh food production corresponds to known need of the residents of Nuiqsut; a 2013 Health Impact Assessment studying the impacts of climate change determined that food security is an issue in Nuiqsut. Approximately a third of households (38%) were not able to get enough healthy food to meet their needs and 25% percent of households reported that at times they did not have enough food to eat.58 As discussed above, Nuiqsut will be profoundly impacted by the Project by impeding access to, and the availability of, their traditional food sources and increasing their food insecurity. Climate change is impacting these same resources concurrently, creating a greater burden on the residents of Nuiqsut. [see letter for additional information]	The following mitigation measure has been added to Section 3.18, <i>Public Health</i> , section 3.18.2.1.3 <i>Additional Suggested, Avoidance, Minimization or Mitigation</i> , and Appendix I.1. ConocoPhillips shall provide gravel and building materials for construction of a public greenhouse suitable for Arctic conditions, to protect food security and allow communities to better adapt to the future climate through the establishment of local fresh food production.	U.S. Environmental Protection Agency
30962-45	EPA recommends the FSEIS identify and describe adaptive management plans in the event surrounding waterbodies do not return to baseline within an acceptable time limit.	Required operating procedures (ROPs) B-1 and B-2 allow, but do not require, BLM to authorize water withdrawals on a site-specific basis. If waterbodies do not timely recharge, existing water withdrawal authorizations can be modified or revoked, and new withdrawal requests can be disapproved.	U.S. Environmental Protection Agency

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30962-48	Given the current status of climate change impacts to Arctic Alaska, EPA recommends the FSEIS consider the potential impacts of this proposed project to the long-term stability of the surface value resources in the TLSA. To maximize protection the surface values TLSA, we recommend the FSEIS include an adaptive management plan "that provides detail regarding how any unanticipated surface water flow blockages would be identified and corrected as quickly as possible, to avoid lasting environmental impacts" for monitoring and mitigation of potential surface water flow impacts throughout the project area. Although outside of the TLSA, EPA supports the inclusion of a measure to prepare and utilize an adaptive management plan for the Colville River crossing at Ocean Point as well to holistically minimize these types of impacts across the project area.	BLM has added a mitigation measure to the Final Supplemental EIS (Appendix I.1) for inclusion of an adaptive management plan to address surface water blockages around Project infrastructure.	U.S. Environmental Protection Agency
30962-49	The DSEIS identified eight potential floodplain impacts where gravel roads, pads, or boat ramps block or restrict the flow of surface water during spring break up. The primary goal of an adaptive management plan is to detect and correct such unanticipated blockages before they result in further environmental degradation. EPA recommends the adaptive management plan also address how the potential negative impacts identified in Section 3.8.2.3.3 might be measured; what degree of change would trigger the requirement for rehabilitation; and potential methods and standards for rehabilitation.	BLM has added a mitigation measure to Appendix I.1 for inclusion of an adaptive management plan to address surface water blockages around Project infrastructure. The adaptive management plan will include how impacts will be measured and identify corrective actions to be taken at each stage.	U.S. Environmental Protection Agency
30962-50	EPA recommend mitigation for impacts to surface water resources in the project area also include collection of stage monitoring for both Willow Creek 3 and Lake M0015 during ice-free periods for the constructed freshwater reservoir. This will ensure adequate water levels are maintained.	A mitigation measure to require water quality monitoring of the Willow Creek 3 basin is included in the Final Supplemental EIS (see Appendix I.1).	U.S. Environmental Protection Agency
30962-51	In EPA’s September 9, 2020, Final EIS comment letter, EPA recommended that the ROD include an adaptive management plan for monitoring and mitigation of potential thawing and thermokarst impacts for all project structures, including roads, pads, and the constructed freshwater reservoir. Consistent with that prior recommendation, EPA recommends the FSEIS include an adaptive management plan responsive to the anticipated impacts of climate change for monitoring and mitigating potential thawing and thermokarst impacts for all project structures, including roads, pads, and the constructed freshwater reservoir to further protect the TLSA.	BLM has added a mitigation measure to Appendix I.1 for inclusion of an adaptive management plan to address monitoring potential thawing and thermokarsting impacts for all Project structures, including roads, pads, and the constructed freshwater reservoir to further protect the Teshekpuk Lake Special Area.	U.S. Environmental Protection Agency
30962-58	In our DSEIS scoping letters, EPA encouraged BLM to include a mitigation measure that requires a NEPA adequacy review be completed if the barrels per day gross annual average is greater than 10% of the original barrels per day production target (disclosed in the development’s most recent NEPA document) over a two-year period; or when the cumulative recovered reserves is greater than 10% of the original estimated recoverable reserves (disclosed in the development’s most recent NEPA document). EPA continues to recommend this mitigation measure be included in the FSEIS as the DSEIS does not discuss reserve growth. [see letter for additional information]	BLM will conduct a National Environmental Policy Act (NEPA) adequacy review for every permit application associated with the Willow Project, specific to each permit application (e.g., applications for permit to drill, right of way grants). Such reviews will consider any substantial changes to the Willow Project or significant new circumstances or information relating to environmental impacts, in accordance with 40 CFR 1502.9(d)(1).	U.S. Environmental Protection Agency
30962-61	EPA recommends the FSEIS extend the analysis area for permafrost impacts to 500 feet of the proposed drill sites. The Alpine incident report shows that the natural gas from a shallow gas formation at about 3,000 feet subsurface flowed upwards along the wellbore before permeating the permafrost zone at 1,500 feet subsurface, then migrating laterally upwards (through the permafrost thaw bulb) until it escaped into the atmosphere about 375 feet away from the WD-03 OA wellbore at the CD-1 site.71 We recommend the FSEIS discussion include analysis of the drill site thaw bulbs, and their potential impacts to operations or the amount of methane that may be released from the degradation of the permafrost. Analysis and mitigation measures that have been derived as “lessons learned” from the Alpine incident should be directly identified.	The permafrost analysis area is defined as the area within 328 feet (100 meters) of proposed ground disturbances. This area represents the potential direct and indirect effects area from Project activity. Areas beyond 328 feet from project activity (e.g., excavation, gravel fill placement) are not anticipated to be impacted. Permafrost thaw and associated emissions are described in Section 3.2, <i>Climate and Climate Change</i> , and Section 3.4, <i>Soils, Permafrost, and Gravel Resources</i> .	U.S. Environmental Protection Agency
30964-11	How does BLM plan to mitigate the impacts on the well-being and mental health of the communities and also the State of Alaska? If BLM chooses any alternative other than A, the no-action alternative, how will BLM mitigate sleep disturbance, increased stress, and anxiety and depression, in many cases, compounded by preexisting historical trauma?	The Willow Project's Record of Decision will document commitments to mitigation measures. The Final Supplemental EIS includes consideration of mitigation measures to reduce the Project's impacts to the community of Nuiqsut, including impacts to public health (see Appendix I.1).	Unsigned
30964-17	When we have to make decisions because of the oil and gas development activities around us and they're evacuating personnel from their facility seven miles away and we are not being communicated effectively in response, we have no access to an alarm system that can inform us whether or not the levels are at concern... We need to be able to be informed if there is something that happens nearby	ConocoPhillips has emergency response plans that use the Incident Command System (ICS) and formal Incident Management Teams (IMT). When an incident triggers mobilization of the Alpine IMT, a Liaison Officer serving in the Command Staff is designated to provide timely, accurate information to and from key stakeholders, including Nuiqsut leadership. Initial notifications are made to stakeholders specified in the Nuiqsut Small Community Emergency Response Plan via phone.	Unsigned

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30965-12	You guys always open a gravel pit every year for the industry. Think about our village when you open that gravel pit. And get this village a piece of that gravel so they can make their roads or their lots and build houses. You guys are the permitters. You guys wanting to know what can you do to this village. Help this village in their time of need.	BLM has added a mitigation measure to provide community access to gravel (see Appendix I.1, Table I.5.1): The Permittee shall stockpile excess gravel from open cells at the Tinmiaqsiugvik mine site for use in community infrastructure projects. The Permittee will operate the mine site on behalf of the community, and the community shall be responsible for obtaining a mineral materials sales contract from the BLM.	Unsigned
30965-13	<p>The Navy first came around and they dumped a lot of drums of all kinds of whatever is in them. When we first came, we see a lot of drums in the Pohiksu (ph), drums that the federal government should come and clean up before we start feeling the impacts of sickness.</p> <p>We don't know if this development is getting us sick or is it something from 1940. We don't know that. We won't know that until we get somebody out here to analyze that. All the way up to Umiat...</p> <p>So who is going to be taking care of the baseline studies this way? How are we going to know if it's from the 1940s that we're getting sick or the microwave that we use every day?</p>	The Final Supplemental EIS includes consideration of mitigation measures to reduce the Project's impacts to the community of Nuiqsut, including impacts to public health (see Appendix I.1).	Unsigned
30965-22	We need gravel. A lot of people on the other side of the second bridge have lots, but there's no way for us developing homes because there's no gravel to build roads. And there's no support from the North Slope Borough to -- or ASRC to supply the gravel. We have to buy it.	BLM has included a mitigation measure to provide community access to gravel (see Appendix I.1).	Unsigned
30965-24	I would like to use the comments that manage BLM land. Before you open that up, remove all the contaminant that's been sitting in our yards for 50, 60 years. The (unclear) is spreading that they just dump out on our land. It's still sitting there. Make sure you clean all that up before you open up another development.	BLM has added a mitigation measure requiring ConocoPhillips to allow use of their ice and permanent gravel infrastructure to facilitate cleanup of historic contamination (see Appendix I.1).	Unsigned
30965-7	What protection are we going to have for our mammals, our caribou, our fish, what we hunt on? What promises are we going to have that my children and grandchildren will be able to eat their subsistence food?	Mitigation measures to address impacts to subsistence are included in Appendix I.1.	Unsigned
5067-2	Ice Roads/Ice Pads: On the North Slope the use of ice roads during winter to access otherwise remote pads, roads and infrastructure is essential, especially where gravel is sparse such as areas west of the Colville Delta. Although the ice roads/pads melt during summer, the soils remain cool causing a delay in summer thaw and vegetation growth. If the ice road route and/or ice pad uses the same footprint over several years, it is likely to result in permanent changes to vegetation and drainage during summer thaw. The Service therefore recommends altering the location of ice roads and pads at least every 2 to 3 years, to maintain natural hydrology and fish and wildlife habitats.	This is included in Appendix I.1 as a potential mitigation measure.	U.S. Fish and Wildlife Service
5067-4	<p>Foam Insulation to Protect Permafrost: CPAI plans to use insulation where practicable to reduce the average height, volume, and acreage of gravel fill (roads and pads) while maintaining thermal properties to protect permafrost. While the Service supports minimizing the gravel footprint, we are concerned non-extruded expanded polystyrene foam can breakdown into small pieces (e.g., small pellets like those from an inexpensive foam cooler), which are easily spread across the landscape by wind and water, potentially becoming an ingestion hazard for fish and wildlife.</p> <p>These small pieces may be generated when trimming the foam during construction, or when the foam may be disturbed during reconstruction or reclamation several years later. The Service, therefore, recommends using closed-cell extruded polystyrene or other closed cell foams (e.g., “blue board”), which does not breakdown into small pieces, for gravel infrastructure rather than non-extruded expanded polystyrene foam.</p>	CPAI is committed to using closed-cell foam board as insulation for gravel roads and pads.	U.S. Fish and Wildlife Service
5067-5	Greenhouse Gasses (SC-GHGs): Greenhouse gas emissions can occur when frozen soils are exposed to warmer temperatures due to disturbance of the insulative vegetative mat. Although nitrogen fluctuations are uncertain, the release of carbon to the atmosphere from thawing permafrost and soil decomposition is greater than the uptake of carbon from vegetative growth. Surface disturbance and subsequent thermokarst activity in these soils can release carbon in the form of the potent greenhouse gasses carbon dioxide (CO ₂) and methane (CH ₄) as well as sequestered atmospheric nitrogen in the form of nitrous oxide (N ₂ O). The Service recommends offsetting project-related greenhouse gas emissions through compensating wetland losses and permafrost subsidence via purchasing wetland/carbon credits.	A mitigation measure to offset the Project's carbon footprint was added to Appendix I.1.	U.S. Fish and Wildlife Service
5228-11	Chapter 3, page 33. The final paragraph on this page cites to ROP A-9 and A-10 from the 2022 NPR-A record of decision, which we noted earlier need to be corrected. Please update ROP A-9 and A-10.	Required operating procedure (ROP) A-9 has been revised to note that the U.S. Environmental Protection Agency defines "ultra-low sulfur diesel". The language contained in ROP A-10 reflects what was published in the 2022 NPR-A IAP Record of Decision, which is the current management plan for the NPR-A.	State of Alaska

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5228-14	Chapter 3, page 38, Table 3.2.1. This table cites to ROP A-10 from the 2022 NPR-A record of decision as part of a list of lease stipulations and ROPs intended to mitigate impacts to climate change. As noted earlier, ROP A-10 needs to be corrected. Please update ROP A-10.	Required operating procedure (ROP) A-10 is accurate and includes the language that was published in the 2022 NPR-A IAP Record of Decision, which is the current management plan for the NPR-A.	State of Alaska
5228-19	Chapter 3, page 73, Table 3.4.1. Summary of Applicable Lease Stipulations and Required Operating Procedures Intended to Mitigate Impacts to Soils, Permafrost, and Gravel Resources: ROP A-3 requirement c. Develop spill prevention and response contingency plans and participate in the North Slope Subarea Contingency Plan for Oil and Hazardous Substances Discharges/Releases for the NPR-A operating area. Please note that the North Slope Subarea Contingency Plan has been superseded. This project would fall within the Alaska Inland Area Contingency Plan (ACP) and the Arctic & Western Alaska ACP. Please update the discuss regarding the North Slope Subarea Contingency Plan to reference the plan that supersedes it. Reference to the North Slope Subarea Contingency Plan also appears on page 107, 129, 144, 165, 193, 217, 265, 299, and 310. Please update those pages as well.	The description of required operating procedure (ROP) A-3 has been updated.	State of Alaska
5228-22	Chapter 3, page 156. The final paragraph on this page mentions a dust control plan, which cites to Appendix I.3. It is not clear from any of these discussions which agency is responsible for compliance and enforcement efforts with regarding this dust control plan. Please spell out clearly which agency is responsible for enforcement and compliance for the dust control plan.	A fugitive dust control plan is included in Appendix I.3. This plan is considered a design feature of the Project and BLM will be responsible for inspection and enforcement of this plan.	State of Alaska
5228-23	Chapter 3, page 299, Table 3.17.2. This table repeats that same error noted above for ROP A-9 regarding ULSD. Revise ROP A-9 to note that ULSD is defined by the Environmental Protection Agency. Chapter 3, page 300, Table 3.17.2. This table repeats the same error noted above regarding ROP A-10 Revise the sentence to match the ROP A-10 found in the final 2020 NPR-A EIS. Chapter 3, page 311, Table 3.18.1. This table repeats that same error noted above for ROP A-9 regarding ULSD. Revise ROP A-9 to note that ULSD is defined by the Environmental Protection Agency. Chapter 3, page 312, Table 3.18.1. This table repeats the same error noted above regarding ROP A-10. Revise the sentence to match the ROP A-10 found in the final 2020 NPR-A EIS.	Required operating procedure (ROP) A-9 has been revised to note that the U.S. Environmental Protection Agency defines "ultra-low sulfur diesel".	State of Alaska
5228-32	To the State’s knowledge the “responsible” parties mentioned below were not consulted with on who would be the appropriate entity to run a program of this nature. Please be careful about stating that this (or other) programs should be the “State’s responsibility”. This has the potential to mislead the reader or other stakeholders. A program of this nature may need to include considerations from other regional and state entities as well as input from the communities. Please remove the statement that the “State should be responsible for the development”. Unless that statement has been agreed upon by the appropriate State agencies. 1st bullet on page: Create a public health monitoring program at a regional level to track health indicators that are vulnerable to impacts from oil and gas activities. These indicators should focus on health outcomes and/or determinants of local concern that can be tied to oil and gas activity. Where possible, indicators should include threshold levels and specific actions should be developed for when thresholds are surpassed. The State should be responsible for the development and implementation of the monitoring program; however, the NSB and the Alaska Native Tribal Health Consortium should be consulted in the identification of appropriate indicators, thresholds, and responsive actions. Please remove the statement that the “State should be responsible for the development”. Suggestion: “If a monitoring program is implemented it should consult with the NSB, Alaska Native Tribal Health Consortium, and the State of Alaska when identifying...”	Edited as suggested by the commenter.	State of Alaska

No.	Comment	Comment Response	Commenter
5228-4	Paragraph three on this page notes that lease stipulations (LSs) and recommended operating procedures (ROPs) are detailed in the 2022 Record of Decision for the NPR-A Programmatic EIS. This is somewhat misleading as the 2022 Record of Decision reverted back to the 2013 EIS. Through cooperating agency meetings for the 2020 NPR-A EIS, the State of Alaska worked with the BLM to ensure that the ROP A-9 regarding regulatory authority for defining ultra-low sulfur diesel (ULSD) and ROP A-10 regarding regulatory authority for air emissions reflected the proper regulatory authority and identified which agencies needed to be consulted on air emissions issues. Reverting to the 2013 ROPs (then called best management practices (BMPs) means that those negotiated improvements were a waste of time for the State of Alaska as a cooperating agency. We attempted to remedy this through administrative channels but were advised that the 2022 LSs and ROPs would remain unchanged. From our perspective this is a step backward and disrespectful to the whole cooperating agency process outlined in NEPA. Please revise ROP A-9 and A-10 to reflect the most accurate language that was provided during the NPR- A EIS cooperating agency process.	Required operating procedure (ROP) A-9 has been revised to note that the U.S. Environmental Protection Agency defines "ultra-low sulfur diesel". The language contained in ROP A-10 reflects what was published in the 2022 NPR-A IAP Record of Decision, which is the current management plan for the NPR-A.	State of Alaska
6501-113	LS K-5 (p. 96 eg) has a coastal setback of one mile ostensibly to “protect the summer and winter shoreline habitat for polar bears.” But the evidence indicates that polar bears actively use much more than the land just one mile from the coast in summer and winter. Terrestrial denning critical habitat extends inland five miles from the coast, and bears travel between their dens and the coast. Post-denning emergence is a sensitive time for bears when disturbance is particularly impactful; disturbances caused by facilities constructed and used between the two can be expected to cause significant metabolic impacts. While 95% of known terrestrial dens are within 5 miles of the coast,1257 BLM does not mention how many of those dens are within the 0-1 mile range from the coast versus 1-5 miles. It recites that 90% of industry observations of bears were within 7.7 miles from the coast and 95% of observations were 9.6 miles from the coast, but again there is no distinction between observations made within versus beyond one mile of the coast. Given the significant denning and non-denning use of coastal areas much farther than one mile inland, the one-mile coastal setback is arbitrary and cannot be expected to protect the summer and winter shoreline habitat polar bears. BLM should use the designated terrestrial denning critical habitat area along the coast to protect winter and summer shoreline habitat for bears in a manner consistent with the available information about that shoreline habitat use.	None of the permanent, terrestrial Willow Project infrastructure will be within 5 miles of the coast. Mitigation measures to protect polar bears are included in Appendix I.1.	Trustees for Alaska
6501-115	ROP A-4: Prior to project initiation, this measure requires a spill prevention, control, and countermeasure plan that must “consider” various items but no particular content is actually required.1258 BLM should require that the spill plan meet the requirements listed, not just consider them, and clarify that project initiation must await BLM approval of the spill plan. It should also post the approved plan on its website for public review as soon as possible.	Spill prevention, control and countermeasure plans are required to meet the standards outlined in 40 CFR 112 (Oil Pollution Act).	Trustees for Alaska
6501-116	ROP C-1: This states that “onshore activities in known or suspected polar bear denning habitat during the denning season (approximately November to April) must make efforts to locate occupied polar bear dens.” This fails to adequately protect denning bears because 1) it should not be limited to onshore activities and should include offshore, since bears also den offshore; 2) fails to ensure that den location efforts reflect the best available science regarding den detection efficacy. As discussed above, if BLM plans to apply the Beaufort Sea ITR requirements to the Willow project, then it should include those requirements here, including the need for two AIR surveys before commencing any operations in denning habitat.	A mitigation measure to require to AIR surveys is included in the Final Supplemental EIS (see Appendix I.1).	Trustees for Alaska
6501-159	In the GMT1 decision, BLM acknowledged that the existing measures in the IAP were insufficient to fully mitigate the serious impacts to subsistence and sociocultural systems. As a result, it prepared a Regional Mitigation Strategy aimed at coming up with broader mitigation measures to better address the impacts to Nuiqsut. The handful of mitigation measures BLM has included in Table 3.17.2 do not go far enough to address the potential impacts.1490 They only scratch the surface of what BLM should consider to address those impacts. Those measures in no way directly address the serious impacts to subsistence and health, or acknowledge the failure of similar measures to adequately address those impacts to date. There are no required mitigation measures – they all remain discretionary. It would be contrary to EO 12898 to move forward with authorizing Willow as proposed since the project is likely to have substantial impacts to subsistence that have not been adequately addressed by the proposed mitigation measures.	The Willow Project's Record of Decision will document commitments to mitigation measures and rationale for BLM's decision. The Final Supplemental EIS includes consideration of mitigation measures to reduce the Project's impacts to subsistence (see Appendix I.1).	Trustees for Alaska

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6501-23	BLM should strictly enforce the withdrawal limits established in the 2013 ROD’s BMP B-2,1007 and provide adequate monitoring to ensure that these limits sufficiently protect fish, invertebrates, and important aquatic habitats used by a variety of species.	CPAI is not requesting an exception to this requirement for the Willow Project.	Trustees for Alaska
6501-250	<p>BLM also failed to consider a full suite of mitigation measures to avoid and minimize impacts from the extensive gravel mining proposed as part of the Willow Project. The DSEIS acknowledges that gravel mining would disturb frozen soils at the mine site and change thermal conditions in the area, affecting groundwater, creating ponds and lakes, and exposing pit walls to surface temperatures. The mine reclamation plan provided in the DSEIS is vague at best; the DSEIS states that the site would be allowed to fill with surface water after areas of overburden are placed in the pit, which would be subject to permafrost thaw and settlement.⁴⁶³ Damage to permafrost from gravel mining would be permanent and the reclamation plan simply proposes to allow the mine sites to fill with water that would be up to 70 feet deep.⁴⁶⁴ The DSEIS states that this would “provide potential waterfowl and shorebird habitats similar to existing habitats in the surrounding area.” But there is no indication elsewhere in the DSEIS that other habitat in the surrounding area feature lakes which are disconnected to other waterways and potentially 70 feet in depth. BLM cannot assume without any scientific basis that the reclaimed mine sites would provide for bird or wildlife habitat...</p> <p>BLM must closely consider the need for mitigation to minimize and avoid impacts to wetlands and waterways from Willow’s proposed gravel mines.</p>	Mitigation measures that would reduce impacts to water resources and wetlands, including in the mine site area, are listed in Appendix I.1. The mine site reclamation plan is included with the Supplemental EIS in Appendix D.2.	Trustees for Alaska
6501-272	<p>BLM acknowledges that permafrost thawing, shorter ice road seasons, and changes to precipitation could damage infrastructure.⁶³¹ The DSEIS states that gravel roads and pads would have a minimum thickness of 5 feet, but the agency does not discuss the effectiveness of this measure in future thawing conditions. BLM also identifies “the targeted deployment of thermosiphons” but does not discuss the effectiveness of this measure, especially in light of projected permafrost thaw.⁶³²</p> <p>ConocoPhillips plans primarily to respond to problems after they occur, merely performing “maintenance as needed” to “adaptively manage gravel road and pad maintenance in response to potentially changing climatic conditions.”⁶³³ But BLM must discuss the particular risks to infrastructure from permafrost thaw and the resulting risk to the environment. BLM must also analyze the role permafrost thaw played in the Alpine leak and how these risks would be addressed at Willow. The DSEIS’s analysis of the impacts of climate on ice roads is also arbitrary, because it is based on recent historical information about ice road season, rather than future projections.⁶³⁴ BLM also fails to discuss the impacts of projected decreased water availability on the project, such as ice-road construction, camp use, and drilling operations.</p>	A description of how the Willow infrastructure is designed to adapt to a changing climate is included in Section 3.2.3, <i>Effects of Climate Change on the Project</i> . A spill risk assessment for the Willow Project is included in Section 4.0, <i>Spill Risk Assessment</i> .	Trustees for Alaska
6501-276	Mitigating climate-related impacts includes avoiding and minimizing generation of GHG emissions through management prescriptions and preventing harm to carbon sinks. The CEQ Final Climate Guidance provides that agencies should analyze reasonable alternatives that would mitigate both direct and indirect GHG emissions impacts and the cumulative effects of climate change. ⁶⁵⁷ BLM must address the quality of mitigation measures as well as ensure they are additional, verifiable, durable, enforceable, and will be implemented.	The Record of Decision for the Willow Project will document commitments to mitigation measures. The Final Supplemental EIS includes consideration of mitigation measures to reduce the Project's impacts to climate change, including limiting the period of operations of the Project.	Trustees for Alaska
6501-279	<p>Despite these striking and devastating adverse impacts, the draft SEIS considers zero measures to meaningfully mitigate GHG emissions. BLM purports to include applicable lease stipulations and required operating procedures “intended to mitigate impacts to climate change.”⁶⁶² But none of these provides concrete mitigation of GHG emissions themselves, instead requiring only monitoring or merely possible and uncertain future measures...</p> <p>These measures are not only vague, but also self-contradictory based on climate science and other assertions in the draft SEIS. The agency has already claimed that there are no established “significance thresholds.” According to BLM, then, a measure relying on comparison to such thresholds is purely speculative. More importantly, BLM provides no mitigation measures that would actively reduce project GHG emissions. As such, even if BLM requires ConocoPhillips to prepare an “emissions reduction plan” and “emission reduction measures,” short of considering severely restricting how much oil ConocoPhillips could actually produce — which the draft SEIS does not propose as a measure and which the draft SEIS otherwise clearly does not envision under any action alternative, particularly given emissions estimates — these measures will not result in meaningful GHG emissions reductions, if any.</p>	The Record of Decision for the Willow Project will document commitments to mitigation measures. The Final Supplemental EIS includes consideration of mitigation measures to reduce the Project's impacts to climate change, including limiting the period of operations of the Project.	Trustees for Alaska

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6501-280	Moreover, the draft SEIS claims that “CPAI’s design measures related to climate change meet or exceed federal and state regulations . . . and would help reduce GHG emissions. These measures include capturing and injecting produced gas in a closed process to enhance oil recovery.” ⁶⁶⁴ First, BLM does not state what federal regulations it is referring to. Second, it does not explain how ConocoPhillips’ design measures would “reduce GHG emissions.” Finally, capturing and injecting produced gas will not meaningfully reduce GHG emissions, particularly if intended to enhance oil recovery. Climate-related mitigation measures elsewhere in the draft SEIS similarly have no bearing on reducing GHG emissions. At best, they address minimizing some climate impacts to the project or resource or deal primarily with climate adaptation. ⁶⁶⁵ Additionally, BLM states that “[n]o additional ROPs or mitigation measures are recommended” to mitigate climate impacts.	<p>The design measures related to climate change are provided in Table I.2.1 of Appendix I.1. Additional design features have been added to Appendix I.1 of the Final Supplemental EIS that will help reduce greenhouse gas (GHG) emissions, and a table of all the measures that may reduce GHG emissions and impacts to climate change have been added to Section 3.2.2.1.2. The tables indicate the lease stipulation, required operating procedure, and/or other stipulations that are the source of the measure including federal and state regulations. The design features added to reduce GHG emissions include but are not limited to conducting methane leak surveys in accordance with Federal New Source Performance Standards, complying with the Oil and Gas Methane Partnership administered by the United Nations that aims to improve methane measurements and reduce methane emissions, using waste heat to provide building and process heat for the Willow Processing Facility and drill sites to reduce energy usage and emissions, and minimizing vented methane gas volumes by depressurizing pipelines and purging lines with nitrogen prior to opening.</p> <p>Section 3.2.2.1.3 has been revised to include additional suggested avoidance, minimization, or mitigation measures suggested by Cooperating Agencies and in public comments on the Draft Supplemental EIS.</p>	Trustees for Alaska
6501-282	The NPRPA provides direct authority requiring BLM to mitigate climate impacts resulting from Willow’s GHG emissions... This authority could not be clearer. It is reasonably foreseeable that release of GHG emissions from Willow — independently and in combination with the cumulative GHG emissions from other sources — will cause significantly adverse effects on the Reserve’s surface resources, including substantial sea-ice loss. As such, the draft SEIS “shall include” mitigation measures sufficient to prevent this degradation, one of which must be “prohibiti[ng]” the project from being permitted.	The Supplemental EIS does not state that BLM's legal authority to condition or reject the Willow Project is constrained, or that BLM cannot select Alternative A (No Action).	Trustees for Alaska
6501-284	Climate mitigation measures are required to satisfy BLM’s obligation to prevent unnecessary or undue degradation under FLPMA... BLM’s duty to prevent unnecessary or undue degradation is mandatory, and BLM must demonstrate compliance with the standard. ⁶⁷⁶ The anti-degradation mandate is distinct from requirements under NEPA. “A finding that there will not be significant impact [under NEPA] does not mean either that the project has been reviewed for unnecessary and undue degradation or that unnecessary or undue degradation will not occur.” ⁶⁷⁷ BLM must define and apply the substantive unnecessary or undue degradation requirements in the context of the specific resource values at stake.	Each action alternative includes a range of avoidance, minimization and mitigation measures to reduce impacts of the development, including impacts related to climate change. The Willow Project's Record of Decision will identify the alternative selected by BLM and demonstrate compliance with applicable law.	Trustees for Alaska
6501-285	The draft SEIS goes on to recount numerous adverse impacts occurring in the Arctic and, specifically, in the Reserve due to climate change and continued GHG emissions. The mitigation contained in ROP A-10 and the single mitigation measure discussing “undue degradation,” fail to fulfill FLPMA’s mandate to take all actions necessary to prevent unnecessary or undue degradation.	Each action alternative includes a range of avoidance, minimization and mitigation measures to reduce impacts of the development, including impacts related to climate change.	Trustees for Alaska
6501-294	Simply identifying mitigation measures, without analyzing their effectiveness, violates NEPA. Rather, an “essential component of a reasonably complete mitigation discussion” must include “an assessment of whether the proposed mitigation measures can be effective.” ⁷¹⁷ In addition, CEQ has instructed that the “possibility of mitigation” should not be relied upon to avoid further environmental analysis.	The effectiveness of proposed mitigation measures is evaluated in the relevant resource sections. Subject matter experts for each resource evaluated whether a given mitigation measure would be effective at reducing impacts to that resource when determining whether to include it in the analysis.	Trustees for Alaska

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6501-295	<p>BLM identified that “some Project facilities would require deviations” from lease stipulations and required operating procedures.⁷¹⁹ We note that it is unclear if BLM is considering granting waivers, exceptions, or modifications for these requirements when it refers to “deviations” in this broad manner, which are not defined in the DSEIS or the 2020 IAP Final EIS. The DSEIS states that “some LSs and ROPs may require exceptions or deviations due to Project constraints and would be evaluated by BLM for a waiver, exception, or modification on a case-by-case basis,” but does not explain what these different authorizations are or how they would be granted.⁷²⁰ BLM proposed course of action must be clarified, as each option is different, with potentially different resulting impacts.</p> <p>It is not clear if BLM is granting the deviations now, or if it will evaluate potential deviations in the future.⁷²¹ BLM must be clear about whether it is granting deviations from these protective measures so that the public can understand the full impacts of the project and BLM’s decision. While we assume that BLM is not actually granting the waivers now based on its lack of analysis, BLM must nevertheless fully evaluate the impacts of granting these deviations in this DEIS, regardless of whether it is in fact granting them, because the agency has identified that such deviations are likely.</p> <p>For the stipulations that BLM anticipates deviations, BLM provides no explanation of how the factors leading to the stipulations’ inclusion in the lease have changed sufficiently to make the protection provided by the stipulations no longer justified.</p>	<p>A description of the exceptions and modifications being requested by ConocoPhillips under each action alternative is included in Appendix D.1, <i>Alternatives Development</i>. These proposed exceptions and modifications are evaluated in the pertinent resource sections.</p>	Trustees for Alaska
6501-296	<p>Additionally, while BLM indicates that the deviations are likely and/or necessary, it does not appear that BLM has analyzed impacts from such deviations to ensure that the objectives of the protective measures are still met, as required. In the IAP, BLM explained lease waivers, exceptions or modifications can only be granted if the agency official “determines that the factors leading to the stipulation’s inclusion in the lease have changed sufficiently to make the protection provided by the stipulation no longer justified” and if the proposed operation would still meet the objective stated for the stipulation.⁷²²</p> <p>But BLM fails to evaluate either of these prongs for the various resources for which it is considering granting deviations. This analysis must be done now, regardless of whether BLM is actually granting the deviation now, because it might show that the protective measures can in fact be met under different alternatives, and might lead BLM to identify additional protective measures to impose.</p>	<p>A description of the exceptions and modifications being requested by ConocoPhillips under each action alternative is included in Appendix D.1, <i>Alternatives Development</i>. These proposed exceptions and modifications are evaluated in the pertinent resource sections.</p>	Trustees for Alaska
6501-297	<p>BLM indicates that the deviations would be applicable to all alternatives. BLM’s problematic purpose and need statement and its limited range of alternatives is reinforced by the fact that all of the alternatives would need the same deviations. BLM did not consider an alternative that would not require deviations or would require fewer or minimal deviations, but it should. To the extent BLM cites ConocoPhillips’ design features as mitigation, this mistakes mitigation for the company’s project design. For example, BLM points to ConocoPhillips’ choice to place its CPF in a specific location to serve as a hub for future development as one such “mitigation” measure.⁷²³ That BLM would characterize enabling ConocoPhillips’ unanalyzed future development as mitigation demonstrates that the agency has an arbitrary and capricious understanding of its obligation to consider how to mitigate impacts from the Willow proposal.</p>	<p>BLM evaluated over 50 alternatives concepts, including alternatives concepts that would require less or different exceptions to required operating procedures and lease stipulations (see Appendix D.1, <i>Alternatives Development</i>). Enabling future development is not considered as a project design feature that would minimize impacts to surface resources.</p>	Trustees for Alaska
6501-298	<p>An additional problem with BLM’s approach to protective measures is that it focuses on the deviations that may be granted, but BLM does not take the necessary step of considering additional protective measures to impose to protect all likely resources that would be negatively impacted by the Willow development. In the IAP, BLM clearly stated that it could impose additional requirements to meet the projective objectives of lease stipulations and best management practices.⁷²⁴ To protect the Reserve’s resources and comply with legal mandates, including the NPRPA, FLPMA, ESA, and NEPA, BLM must propose and consider additional mitigation measures to impose on the project. BLM purports to identify and consider additional mitigation measures in Appendix I by including a chart of suggested measures, but there is no analysis of the proposed measures in the DSEIS so it is unclear that what is proposed is sufficient to ensure that resources are protected. BLM generally just lists the suggested additional measures in both the Appendix I and includes that same list in the DEIS analysis, without analyzing if they are sufficient to protect the Reserve’s resources.⁷²⁵ BLM must actually analyze the measures to fully understand the impacts from the proposed action and ensure that the protective measures proposed are in fact, sufficiently protective.</p>	<p>The effectiveness of proposed mitigation measures is evaluated in the relevant resource sections. Subject matter experts for each resource evaluated whether a given mitigation measure would be effective at reducing impacts to that resource when determining whether to include it in the analysis. The Record of Decision for the Willow project will document which mitigation measures are adopted.</p>	Trustees for Alaska

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6501-299	<p>It is deeply concerning that for other BLM-approved projects within the Reserve, BLM requires mitigation measures in its ROD that are never in fact implemented. For example, the GMT-1 ROD incorporated Supplemental Best Management Practice 2: Air Quality (new subparagraph to BMP A-10) into BLM’s final decision for approval of that project...</p> <p>It is our understanding that BLM never in fact required ConocoPhillips to provide such funding and that the monitoring reports from Nuiqsut have not been shared with federal, state, and local agencies or the tribal government...</p> <p>BLM cannot purport to require ConocoPhillips to mitigate impacts, and consider that mitigation for purposes of downplaying the true impacts of the project, if there is no certainty that such mitigation will actually occur in the future. BLM should require enforceable mitigation and not allow ConocoPhillips to move forward with construction and operation of Willow unless and until mitigation measures are complied with. If there is no enforcement mechanism or other guarantee that the mitigation will actually occur, BLM needs to consider the full breadth of what those impacts would be if that mitigation does not occur.</p>	<p>The Willow Project's Record of Decision will document commitments to mitigation measures.</p>	<p>Trustees for Alaska</p>
6501-306	<p>BLM should consider meaningful ways to reduce impacts from methane releases. Fugitive releases and maintenance related venting of methane from pipeline systems including pipelines and pump and compressor stations are not typically quantified or reported to any state or federal agency unless they reach a threshold size...</p> <p>Remote sensing of methane releases from both satellites⁷⁵⁴ and drones⁷⁵⁵ is now possible and occurs regularly via satellite at lower 48 oil and gas fields. BLM needs to either require ConocoPhillips to perform regular remote sensing of its Willow development to detect methane releases from its infrastructure, especially its pipeline infrastructure which has no required monitoring for gas releases, or BLM should engage in remote sensing of methane releases in the Reserve.</p> <p>Methane Releases from Wellhead Maintenance and Processing Facilities. Gas venting from maintenance operations results in unnecessary and not insignificant releases of methane. This type of venting largely can be eliminated with proper maintenance procedures and flexible facility design to allow depressurization of process equipment rather than atmospheric venting. Proper facility design and operations would allow methane gas to bleed back into the production process and compression train. To reduce methane emissions, BLM needs to add a Required Operating Practice that ensures minimization of methane venting during wellhead and processing facility maintenance.</p>	<p>A mitigation measure to reduce methane venting and require remote sensing has been added to Appendix I.1. Flaring and venting is regulated by Notice to Lessees 4-A.</p>	<p>Trustees for Alaska</p>
6501-322	<p>The DSEIS must include a more comprehensive set of required, measurable, and enforceable mitigations to ensure there will be no significant impacts to air quality from the proposed Willow project, both ensure compliance with the Clean Air Act and because of the significant air quality concerns in the nearby Nuiqsut community.⁸³³ While the draft SEIS contains some new proposed required operating procedures meant to address air quality, they do not go far enough.⁸³⁴</p> <p>In particular, mitigation should include restrictions on flaring. Based on the flaring emissions presented in DSEIS, NOx emissions from flaring may make up almost half of all “WCF/WOC Production/Operations” emissions, and PM_{2.5} emissions from flaring may constitute nearly all of “WCF/WOC Production/Operations” emissions.⁸³⁵ It is also alarming that BLM appears to have underestimated the extent of flaring emissions, given discrepancies in its report regarding tons per year of flaring emissions.⁸³⁶ Such a significant amount of emissions from flaring is staggering, especially in light of ConocoPhillips’ historic assertions that flaring is only used during emergencies.</p>	<p>The air quality modeling conducted for the Supplemental EIS makes conservative assumptions about emissions sources to ensure that no exceedance of air quality standards would occur as a result of the Willow Project, including from flaring. Mitigation measures to reduce impacts to air quality are considered in Section 3.3, <i>Air Quality</i>. In particular, mitigation measure number 19 in the list of Cooperative Agency suggested mitigation measures (in Table I.4.1) would reduce the concentration and/or intensity of flaring near Nuiqsut. Also, as noted in design feature number 121 in Table I.2.1, flaring would be used only to support process safety (no flaring for production). Flaring during operations is mitigated as outlined in Notice to Lessees 4-A.</p>	<p>Trustees for Alaska</p>
6501-323	<p>BLM must require ConocoPhillips to implement a fugitive dust control plan, and that plan must be enforceable and reflect the assumptions for fugitive dust control used in the modeling for the DSEIS. There are also a number of measures BLM should require to minimize NOx, PM₁₀, hazardous air pollution (HAP), ozone, and greenhouse gas emissions, as described in the attached report.</p>	<p>A fugitive dust control plan is included with the Supplemental EIS in Appendix I.3. This plan is considered a design feature of the Project and BLM would be responsible for inspection and enforcement of this plan.</p>	<p>Trustees for Alaska</p>

No.	Comment	Comment Response	Commenter
6501-325	BLM has in the past purported to require ConocoPhillips to mitigate air quality impacts by, for example, collecting air pollutant data in Nuiqsut and making the data available to the public, but the agency never actually followed through with this requirement. It is thus confusing to see this “mitigation measure” appear again in the Willow DSEIS when it has never even been implemented at GMT-1.840 Should BLM select one of the action alternatives, any mitigation measures BLM adopts in a ROD must be enforceable, and must be actually enforced.	A mitigation measure to require real-time monitoring data is considered in the Final Supplemental EIS, see Appendix I.1.	Trustees for Alaska
6501-336	The lack of project information is also reflected in the inadequate mitigation measures being considered for Willow. Those measures demonstrate that work to gather baseline information to inform project component design has still not occurred.877 Without this design and key information, BLM could not analyze the specific impacts of these components. For example, BLM stated it may require continued gathering of baseline data at the Colville River crossing, and may require ConocoPhillips to identify locations of culverts during spring breakup conditions.878 But a promise to conduct future monitoring, after project approval, is not an analysis under NEPA.879 Another one of the mitigation “design criteria” stated, “[a]s appropriate, consider both 1) snow- and ice-impacted conditions and 2) ice-free conditions in the hydraulic design of bridges, culverts, and pipeline river crossings.... Based on the available information, develop designs that would perform satisfactorily during the design event.”880 This is analogous to the type of “plan for a plan” previously rejected by the Ninth Circuit,881 and illustrates the agencies lacked detailed project designs and site-specific baseline information to do a meaningful analysis.	Specific information about project design, including bridge and culvert design and placement, is included in Appendix D.1, <i>Alternatives Development</i> , and is analyzed in pertinent resource sections. Bridge design and culvert placement is based on the best available information about surface water flow and hydrology. The design of bridges and culverts may change as changing conditions warrant, and a mitigation measure for an adaptive management plan is included for consideration in the Record of Decision.	Trustees for Alaska
6501-337	Promises of future monitoring should not be considered “mitigation” to avoid or minimize impacts... For example: “(m)onitor vegetation damage, and compression of soil and vegetation in annual resupply ice road footprint (footprints that are used consecutively each year)” is listed as one such BMP. If the BLM chooses to implement this BMP (or [ConocoPhillips] is required to do so through the Section 404 permit process) then it may provide information for future projects but would do nothing to reduce impacts from this project.	Monitoring is required by BLM to evaluate the effectiveness of its mitigation measures. Monitoring does not take the place of avoidance, minimization, or mitigation measures to reduce the impacts of the Project.	Trustees for Alaska
6501-338	BLM should also take into consideration monitoring data from past projects in this area, such as GMT-1 and GMT-2, to analyze the effectiveness of existing mitigation and any additionally proposed ROPs and to use that as a tool for quantifying and qualifying impacts from the project.	The Supplemental EIS incorporates the best available information, including results of monitoring at GMT-1 and GMT-2, to evaluate potential impacts of the Project.	Trustees for Alaska
6501-339	Because of the importance of the Reserve’s rivers and floodplains to wildlife, subsistence, and aquatic resources, BLM established “setbacks” prohibiting permanent oil and gas facilities and certain activities along many lakes and rivers. Particularly relevant to Willow are the 0.5-mile setback on the Ublutuooh River and Judy Creek, and the 3-mile setback on Fish Creek, all of which would require some form of “deviation” from BLM under every action alternative considered. The impacts of these deviations are either inadequately analyzed or not considered at all; this shortcoming must be rectified in a revised EIS.	BLM bases its approval of a waiver, exception, or modification on an assessment of whether or not the overall objective of the required operating procedure or lease stipulation has been met.	Trustees for Alaska
6501-340	Moreover, the draft SEIS offers no compensation or mitigation plan to address these and other potential impacts to water resources and hydrology in the region. Rehabilitation at a future date is not consistent with federal rules and regulations and may not be effective.	Each action alternative includes a range of avoidance, minimization, and mitigation measures to reduce impacts from the Willow Project, including impacts water resources. See Section 3.8, <i>Water Resources</i> , and Appendix I.1.	Trustees for Alaska
6501-358	BLM also underestimates impacts to permafrost in the region as a result of the proposed Willow Plan. Damage to permafrost from gravel mining would be permanent, and the impacts from gravel roads and pads would last for decades, if not forever. The draft SEIS relies on the application of required operating procedures (ROPs) and lease stipulations (LSs) to reduce potential impacts to permafrost, but does not adequately address the permanent and irreversible impacts for this impact. BLM needs to incorporate in additional measures on the front end, rather than relying on corrective measures after the fact, because once impacts occur there is no way to rectify the impact through rehabilitation or restoration.	Each action alternative includes a range of avoidance, minimization and mitigation measures to reduce impacts of the development, including impacts to soils and permafrost, see Appendix I.1 Impacts to permafrost are described in Section 3.4, <i>Soils, Permafrost, and Gravel Resources</i> .	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-359	<p>BLM’s ROPs, LSs, and other mitigation measures are not specific enough to ascertain whether any of the measures would be effective at minimizing direct and indirect impacts to soils, permafrost, and gravel resources. In addition, the lack of clarity on how these measures would be monitored and enforced is a substantial gap in BLM’s impacts analysis that must be addressed.</p> <p>The DSEIS is virtually silent on whether and how mitigation measures would be included to address permafrost impacts from all the gravel infrastructure, as well as the gravel mines. In the DSEIS, BLM defers to ConocoPhillips to determine where it might implement measures like insulation or thermosiphons. For example, the DSEIS indicates ConocoPhillips will build roads and pads at a minimum 5-foot thickness and an average of 7 feet, and that ConocoPhillips would use insulation where “practicable.”⁹²⁵ If local thaw and subsidence starts to occur, ConocoPhillips would increase insulative value with additional gravel or other techniques and would “adaptively manage” those problems.⁹²⁶ There is no analysis of whether that gravel thickness will actually be sufficient to mitigate permafrost impacts. This is particularly concerning since the analysis as a whole appears to be untethered from any sort of site-specific consideration of what will actually be necessary on the ground to prevent degradation. There is similarly no indication that thickness takes into consideration the rapidly changing permafrost conditions in the Arctic from climate change, which the DSEIS acknowledges could be significant. BLM needs to update the analysis in the DSEIS to analyze the effectiveness of those measures. BLM should also analyze if and how the use of insulation (e.g., such as the use of rigid foam insulation board for the roadway) could be used throughout the road and other project areas to better protect the permafrost and reduce the need for ConocoPhillips to mitigate impacts by simply piling on more gravel. Such an approach is unlikely to be effective and will create other serious impacts in itself through additional gravel mining, which go unanalyzed in the DSEIS.</p> <p>ConocoPhillips’ statements that it would “adaptively manage” problems is also wholly inadequate, both for permafrost and for other resources. First, BLM should require adequate mitigation measures on the front end to minimize the potential for permafrost impacts before they happen. Second, BLM should not rely on vague statements from ConocoPhillips that it will adaptively manage problems; BLM needs to clearly set out parameters and requirements for how permafrost degradation will be addressed and mitigated should problems occur.</p>	<p>An insulation plan is required as part of the North Slope Borough's rezoning ordinance. The Project is required to be designed to prevent thermokarsting under gravel infrastructure, and the proposed engineering in the Willow Project is in line with North Slope practices to minimize impacts to permafrost underlying infrastructure. A description of CPAI's insulation plan has been added to Section 3.4.2.1.3, <i>Additional Suggested Avoidance, Minimization, or Mitigation</i>.</p>	Trustees for Alaska
6501-361	<p>The DSEIS briefly acknowledges there could be serious alterations to the thermal regime from the extensive anticipated use of culverts.⁹²⁹ Despite that, the DSEIS includes zero discussion about how to address or minimize those impacts before they occur. And as discussed in the attached report from Dr. Fennessy, impacts to the thermal regime from culverts could be significant.⁹³⁰ It is unacceptable for the sole mechanism to address those issues to be that they are addressed after they occur, at a point when such impacts will be challenging to address and cannot be undone.</p>	<p>Additional context has been added to Section 3.4.2.3.1, <i>Thawing and Thermokarsting</i>, regarding insulation and depth of culverts to prevent thawing and settlement.</p>	Trustees for Alaska
6501-362	<p>Even those few relevant ROPs and LSs that are included in the analysis are inadequate. ROP C-2 provides, “[t]undra activities shall be allowed only when frost and snow cover are at sufficient depths to protect the tundra,” “[l]ow-ground-pressure-vehicles shall be selected and operated in a manner that eliminates direct impacts to tundra,” and “[b]ulldozing of tundra mat and vegetation, trails, or seismic lines is prohibited.”⁹³¹ BLM must include enforceable and measurable terms to make this mitigation measure meaningful. BLM needs to set a threshold for “sufficient” depth in order to make this BMP meaningful and possibly minimize impacts from this project on climate change both individually and cumulatively.</p> <p>Further, ROP L-1 provides “On a case-by-case basis, BLM may permit low-ground pressure vehicles to travel off gravel pads and roads during times other than those identified in ROP C-2a.”⁹³² It is unclear what BMP C-2a is and how it differs from ROP C-2. ROP L-1 seems to allow a loophole from ROP C-2, and there is no way to enforce this ROP, nor are there any limits or sideboards on the deviation. As a result, both of these BMPs that are designed to address the potential effects of the project are weak and arguably unenforceable as written.</p>	<p>A mitigation measure defining acceptable conditions for winter tundra travel is included in the Final Supplemental EIS.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-365	The DSEIS notes the general applicability of LS K-1, which sets out a 0.5-mile setback for the Ublutuooh (Tiŋmiaqsiuġvik) River of any permanent oil and gas facilities, including gravel pads, roads, and pipelines.941 The entire purpose of the setback is to minimize the impacts to floodplain and riparian areas, the loss of fish and raptor habitat, the loss of cultural and paleontological resources, the impacts and disruption of subsistence activities.942 The 2020 Integrated Activity Plan EIS makes it clear that BLM may “authorize a modification to a lease stipulation only if [it] determines that the factors leading to the stipulation have changed sufficiently to make the stipulation no longer justified.”943 The proposed action “would still have to meet the objective stated for the stipulation.”944 BLM has failed to meet this standard in waiving this lease stipulation and allowing ConocoPhillips to construct its gravel mines in the heart of the Ublutuooh River setback.945 Allowing ConocoPhillips to open two massive gravel mines in the heart of this important subsistence use area, so close into Nuiqsut, would be completely at odds with the objective of this stipulation. In addition, nothing in the DSEIS reflects that BLM has even engaged in the necessary analysis or considered mitigation measures that would in any way alleviate the serious impacts that will occur if a waiver of this provision is allowed for the gravel mines. BLM should deny the stipulation waiver request and require the consideration of other alternative sites and sources of gravel that will be less impactful on the community and the environment. As discussed earlier in these comments, prohibiting the gravel mines in the Ublutuooh River setback would also be consistent with the public interest and BLM’s obligations under FLPMA and the Materials Act.	BLM bases its approval of a waiver, exception, or modification on an assessment of whether or not the overall objective of a lease stipulation or required operating procedure has been met. BLM did consider potential alternative mine sites (see Appendix D.1, Sections 3.2.5, 3.2.10, and 3.3) and alternative concepts that might reduce the overall gravel footprint. Known gravel resources on the Arctic Coastal Plain are extremely limited and all three known gravel deposit were evaluated for use in the Willow Project. The proposed gravel mine site is included in the resource analyses found throughout Chapter 3 of the Supplemental EIS.	Trustees for Alaska
6501-44	Applicable lease stipulations and required operating procedures1049 could be helpful. However, in many cases they are too vague to provide objective criteria to ensure adequate protection of resources and are otherwise easy for ConocoPhillips to get a “deviation” to violate them. In addition, they are written such that if no monitoring is occurring it would be impossible to prove they are not meeting the LSs and ROPs. BLM must impose stronger and more concrete mitigation measures. BLM’s blind reliance on mitigation measures in the draft SEIS prevents the agency from taking a “hard look” at impacts of the project.	The Willow Project's Record of Decision will document commitments to mitigation measures. The Final Supplemental EIS includes consideration of mitigation measures to reduce the Project's impacts to surface resources.	Trustees for Alaska

Table B.5.23. Noise Comments and Responses*

No.	Comment	Comment Response	Commenter
2878-24	Section 3.6.2.6, Noise, Page 90. BLM states that "Effects under Alternative E would be similar to those described under Alternative B, with the following differences" followed by a bulleted list of differences affecting noise impacts. We recommend adding the following text to the bulleted list to acknowledge additional key differences in activity at the mine site between Alternatives B and E: Reduction in gravel mining by 1 year and reduction in the total gravel volume required would reduce the duration of noise impacts from gravel mining (including blasting) and general construction activity at the mine site.	Edited as suggested by the commenter.	ConocoPhillips
6501-1	BLM still fails to utilize acoustic modeling to fully analyze the impacts of each alternative on the natural soundscape and the resources that would be affected by anthropogenic noise associated with oil and gas development. This will require accurate data on background ambient noise levels to establish the necessary baseline. Methods for obtaining this data could be adapted from other acoustic studies in northern Alaska.4 Betchkal D. Acoustic Monitoring Report, Noatak National Preserve – 2013 and 2014. Natural Resource Data Series. NPS/NOAT/NRDS—2015/787. National Park Service. Fort Collins, Colorado. Published Report-2221854 (2015); Taylor R. Stinchcomb et al., Extensive Aircraft Activity Impacts Subsistence Areas: Acoustic Evidence from Arctic Alaska, 15 ENVIRONMENTAL RESEARCH LETTERS (2020).	The noise study conducted for the Willow MDP EIS estimated sound levels from Project-related sources at various distances using a standard distance attenuation calculation. Applying distance attenuation alone provides a conservative estimate of the sound levels at various distances from each source because it does not consider additional factors that might further attenuate noise at a distance such as atmospheric absorption, ground types, vegetation, or intervening topographic features. Therefore, the sound levels presented in the Willow MDP Supplemental EIS are somewhat higher than might be identified using a more complex acoustic model that includes the additional attenuation factors, and the areas of impact presented in the Supplemental EIS are expected to be conservatively large.	Trustees for Alaska
6501-10	BLM must also quantify impacts — with reliable numbers — to areas where residents of Nuiqsut engage in subsistence activities...The level of industrial noise from this project has the potential to cause significant disturbances to Nuiqsut residents and wildlife across a vast area. The DSEIS notes the presence of these noises from the gravel mine, but fails to analyze the potential direct, indirect, and cumulative effects they might have on people and wildlife in the surrounding area.	Willow MDP EIS Section 3.6, <i>Noise</i> , identifies attenuation zones and sound levels where Project noise could be audible, both in Nuiqsut and in local subsistence use areas. Exposure to audible Project-related noise was identified as a direct impact in the Willow MDP Supplemental EIS, affecting both residents in Nuiqsut and subsistence activities. Cumulative noise effects (Section 3.20) could occur from all reasonably foreseeable future actions, including various oil and gas development projects, expansion of existing mines, and development of transportation projects to support both North Slope communities and oil and gas development. Cumulative effects would result in larger attenuation zones exposed to audible noise from development in the region. Such cumulative effects could increase portions of the subsistence areas that are avoided due to human-made noise. Section 3.20.7 has been updated to identify these effects.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-11	BLM states that the lease stipulations, ROPs, and mitigation measures “would reduce, but not eliminate, potential noise impacts. Noise impacts from construction and operation would be unavoidable.” ⁹⁷⁶ The DSEIS goes on to conclude that the noise impacts would be short term and unavoidable, but not irreversible. ⁹⁷⁷ The fact that BLM deems impacts that last for decades short term is incredible. The fact that BLM is also concluding that the impacts would be reversible and that there would not be long-term impacts on the resources in the area is not supported. There is the potential that, as a result of the decades of industrial activities and the resultant noise, human and animals permanently shift their behaviors to avoid areas. This long-term, permanent displacement as a result of noise from the Willow Project’s construction and operation needs to be analyzed in revised DSEIS.	The term "short-term" has been removed from the conclusion of impacts.	Trustees for Alaska
6501-12	The DSEIS lists a number of mitigation measures that the BLM states are intended to mitigate the impacts from noise. ⁹⁷⁸ There is little to no analysis of these measures and it is not clear how many would actually reduce noise impacts. For example, ROP E-5 requires the design and location of facilities to be done to minimize impacts. Importantly, it does not impose actual requirements on what is constructed or built, or how machinery is operated. As a result, it would allow the same activities that contribute to noise impacts such that while it may shift where noise impacts occur, it is not apparent that it would result in actually reducing noise impacts.	The mitigation measures identified in Table 3.6.2 are intended to reduce the area of impact (i.e., by minimizing the development footprint or size of the area producing noise, as outlined in required operating procedure [ROP] E-5), minimize impacts to certain species either through timing or location restrictions, or minimize aircraft-related noise impacts by restricting flight paths and timing. Although the measures may not reduce the noise produced by an individual activity or source, restricting where and when the activity may occur would reduce the overall areas of impact and minimize the effects of noise on sensitive species, especially during sensitive times.	Trustees for Alaska
6501-14	BLM also includes the following as additional suggested mitigation measures that “could” be implemented: 1. Altering flight paths to avoid sensitive areas (such as Nuiqsut); and 2. Limiting blasting to between the hours of 10am and 8pm. ⁹⁸⁰ There is still no discussion of how these measures may reduce noise impacts from this project. This falls far short of BLM’s obligation to consider meaningful mitigation measures. For instance, how would flight paths be altered — would there be a certain distance buffering the community of Nuiqsut? Similarly, it is unclear what mechanism BLM will use to limit blasting to that specific time period, and no analysis of whether a shorter blasting period is appropriate, or if it may make sense to have shorter or no blasting permitting during certain dates when the impacts could be more concerning.	The primary mitigation measures identified to minimize noise impacts are the lease stipulations and required operating procedures (ROPs) identified in Table 3.6.2. The additional mitigation measures identified in Section 3.6.2.1.3 are potential additional measures that could be implemented to further reduce noise impacts. Restrictions on blasting hours is a typical and easily implemented measure, if deemed necessary to minimize noise impacts from blasting in Nuiqsut. Stipulating flight paths could be incorporated into ROP F-1.	Trustees for Alaska
6501-2	The main study BLM relies on is a sound study that was conducted in 2016 (published in 2017). ⁹⁵⁵ We note that this study was completed before GMT-2 was constructed and operating, meaning that the study is no longer up-to-date. This study was also only done in the summer time, resulting in a lack of information about winter sounds and potential impacts, including from the ASRC mine site, a source of considerable noise concerns for the community of Nuiqsut, ice road traffic, gravel hauling, and construction of gravel infrastructure.	The 2016 sound study used to define the ambient noise environment provides a reasonable quantification of sound levels expected in the area of the Willow Project. The ambient level used to define the areas of impact (i.e., 35 dBA) would be characterized as very quiet and are representative of sounds in the region absent most anthropogenic noise sources. The advent of operation of GMT-2 after the 2016 ambient sound study was completed would be expected to result in higher ambient levels in the region than those identified in the Willow MDP Supplemental EIS; therefore, using the ambient level from 2016 would result in a conservative estimate of impacts, since a lower ambient sound level would result in larger estimated distances where Project-related noise may be audible and, therefore, larger attenuation zones.	Trustees for Alaska
6501-3	The affected area for BLM’s noise analysis is likely too small. BLM explains that it focused its noise analysis on the area west of Mine Site F because the area to the east, near Kuparuk, already has higher noise levels from oil and gas operations. ⁹⁵⁷ By focusing on this area to the west and not including the existing soundscape across the project area, BLM may be underestimating the cumulative noise impacts or failing to account for all of the potential impulsive noise events. BLM should more clearly define its impacts analysis area and be sure that doing so does not result in the agency downplaying impacts. Regarding impacts from aircraft, BLM states that sound levels from most aircraft would dissipate to less than 39 dBA prior to reaching Nuiqsut, which BLM states is “considered protective of residential uses.” ⁹⁵⁸ This fails to account for the impact on subsistence uses in and around Nuiqsut; sounds at this level likely impacts subsistence activities and should be evaluated. Similarly, BLM largely dismisses the impact of impulsive noise such as blasting and pile driving, stating only that it would be short lived. ⁹⁵⁹ This does not sufficiently analyze the impacts of these activities.	The noise study conducted for the Willow MDP Supplemental EIS identified those areas with the largest potential for noise impacts, generally due to less human activity and development, lower existing ambient sound levels, and a greater change in the overall environment due to the Project. Any impacts occurring to areas already more greatly influenced by human activity, such as the area west of Mine Site F, would be subject to lesser noise impacts due to the Project than those identified in the Supplemental EIS Section 3.6, <i>Noise</i> .	Trustees for Alaska
6501-5	Marine mammals are particularly sensitive to noise impacts. Instead of partially analyzing noise impacts in multiple places in the EIS, BLM should include all of the analysis in the noise section, or at a minimum, summarize the impacts to wildlife and subsistence, so that the reader has a better understanding of what the complete impacts of noise will be.	The Willow MDP Supplemental EIS evaluates noise as a standalone impact of Project activity as it has impacts on multiple resources (e.g., birds, marine mammals, subsistence). Section 3.6 (<i>Noise</i>) provides an explanation of anticipated noise levels from Project activity and how those sounds would attenuate. Individual resource sections used this information in the resource analysis.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-9	The DSEIS does not provide justification for its findings regarding noise levels from the gravel mines — estimating that blasting at the two sites would result in an impact of 59 DBA in Nuiqsut.972 BLM also predicts 90 DBA would be the sound produced from the two gravel mines 1,000 feet from the source.973 For GMT-2, the estimated noise level in Nuiqsut from mine blasting was anticipated to be around 112.8 decibels and, closer to the source, could be closer to 140.3 decibels.974 BLM must justify why the noise levels for blasting at Willow are so much lower than was estimated for the nearby GMT-2 project.	The estimated sound level of blasting used for the GMT-2 noise assessment was based on measured sound levels of ground surface detonations and not on level of blasting from a representative quarry. Blasts used to break up rock are designed to focus the majority of the blast energy into the rock to break it up and not emit the energy into the atmosphere. The source sound levels used in the Willow MDP Supplemental EIS to represent blast events are based on sound level measurements of a blast event at a quarry and better represent this activity than a measurement of a surface detonation.	Trustees for Alaska

Table B.5.24. Nuiqsut Economics Comments and Responses*

No.	Comment	Comment Response	Commenter
25021-1	This development will only add to the inequality of wealth related to oil and gas development, which I do not see as being properly assessed aside from a single line in this EIS. Similar to the rest of the U.S., the wealth gap within the North Slope communities is visibly growing and causing much dysfunction and social unrest. The majority of the folks who would advocate for the Willow Project have and will continue to benefit monetarily much more than the average resident, while the average resident will bear the brunt of the negative impacts.	Economic disparities (e.g., Alaska Native Corporation shareholders versus non-shareholders) within Nuiqsut and Utqiagvik are acknowledged and described in Section 3.15.1.	Sara Thomas
2878-33	3.15.1.1, Economics, Page 250. BLM presents grant values for the NPR-A Impact Grant Program from ADCCED 2018. We recommend updating these values based on ADCCED 2021. Since ADCCED 2018 was published, Nuiqsut has directly received an additional \$8 million (FY18 through FY21), which is over double the previously reported amount from 2008 through 2018 (ADCCED 2021 at https://www.commerce.alaska.gov/web/Portals/4/pub/NPR-A%20Grant/2021%20National%20Petroleum%20Reserve%20-%20Alaska%20(NPR-A)%20Report.pdf). Additional grants awarded to Nuiqsut in FY2022 can be found at https://storymaps.arcgis.com/stories/768351084f7c42218e00071586878aa0 .	Supplemental EIS Section 3.15.1 has been updated to include all awards received to date (as of fiscal year 2022) by the community of Nuiqsut and the NSB from the NPR-A Impact Grant Program.	ConocoPhillips
2878-34	Sections 3.15.1.1, 3.16.1, 3.16.2.3.4, 3.17.3.3.2 (<i>Economics, Subsistence and Sociocultural Systems, Environmental Justice</i>), Page 249, Page 258, Page 287, Page 304. BLM statements regarding the percentage of Nuiqsut residents who are shareholders in the Kuukpik Corporation are outdated. As of 2021, Kuukpik Corporation has enrolled Class B shareholders. CPAI recommends that BLM consult with Kuukpik Corporation to obtain current data on the percent of households that own corporation shares and receive village corporation dividends. This comment is also applicable to Section 3.16.1 (page 258), Section 3.16.2.3.4 (Page 287), and Section 3.17.3.3.2 (page 304).	Supplemental EIS Section 3.15.1 has been updated to include information on the number of Kuukpik Corporation shareholders and includes a description of Class B shareholders.	ConocoPhillips
30965-17	I want to see more employment opportunities for our young people, more training opportunities. That should have happened with Alpine. When they first came, they promised jobs and training, but if there's nobody over here to train our people and to give them that opportunity, then where are we going to go with that?	ConocoPhillips offers job opportunities for North Slope residents and the Supplemental EIS includes additional suggested mitigation measures that may increase economic opportunities for local residents.	Unsigned
30965-20	Our borough, home rule government, is a tax-based -- taxation-based. So I want to say 95 percent of our funding for health, public -- PSO, public department, all of the services that the North Slope Borough provides is 95 -- around 95 percent that is taxation from oil industry. The other five percent comes from residency.	Nuiqsut and North Slope Borough economics, including tax revenues, are described in Supplemental EIS Section 3.15, <i>Economics</i> .	Unsigned
30965-6	Many of the jobs coming from industry are seasonal. We haven't succeeded in meaningful employment opportunities that give us year-round employment like we were promised with the 50 jobs. I'm still waiting for those 50 hands to raise to say that they're working at Alpine. Those are important considerations. When we talked about it at 14 acres, we thought 50 jobs were good. But as development five times the size of Alpine, that's not even good enough. And what we need is more. We need to be having the training that allows us to be able to be employing these opportunities, but we also need the opportunities tied to the process so that when we have the contractors and the subcontractors, if we do have our heavy equipment operator or our journeyman electrician, that they get their hours counted towards their employment opportunities, because this fragmentation process has failed many of our people who have worked hard to become educated to be employed but haven't succeeded in getting some of the hours to give them the real journeyman status or those kinds of things.	ConocoPhillips offers job opportunities for North Slope residents and the Supplemental EIS includes additional suggested mitigation measures that may increase economic opportunities for local residents.	Unsigned

No.	Comment	Comment Response	Commenter
30966-2	The North Slope Borough is charged with providing services to all of our communities. The borough finances educational services, emergency services, and health services. More than 95 percent of our tax base relies on the oil and gas industry. One and one third of our jobs rely on the oil and gas industry.	Services provided by the North Slope Borough are described in Section 3.15.1.	Unsigned
31-1	The property tax revenue from Willow will continue to provide funding for essential public services for eight North Slope villages. In the past, ConocoPhillips’ property taxes — \$216 million in 2020 alone — help fund schools, emergency response capabilities, health clinics, drinking water, wastewater, roads, power and solid waste disposal, among other social and health services.	Property tax revenue contribution to the North Slope Borough economy and services is described in Supplemental EIS Section 3.15.1.	John Betzer
3394-1	The project is estimated to provide 300 permanent jobs. However, there is no mention or analysis of how many, if any, of those jobs would go to local residents from Nuiqsut or other tribal communities.	The proposed project would create employment opportunities in the region; however, these opportunities will not be limited to local residents without any pre-agreed or negotiated local hire agreement between the project proponent and the local government/community groups. This is described in Supplemental EIS Section 3.15, <i>Economics</i> .	Shenandoah Marr
4583-3	BLM estimates that Willow will result in approximately \$6 billion from federal royalties and state and local taxes for the State of Alaska and the Borough alone. This figure is particularly meaningful considering that oil and gas property taxes annually account for more than 95% of the Borough’s tax revenues, which enable the Borough to invest in critical public infrastructure and utilities and other services across all of its communities, including Nuiqsut. Services provided by the Borough include all educational, health care, utility infrastructure, police, and emergency services in all communities. Running water, reliable power, schools, modern medical facilities—things that most U.S. citizens take for granted—can be furnished in our region only if there is a tax base for our regional municipal government. Additionally, North Slope communities—particularly Nuiqsut—will benefit from Willow’s mandated contributions to the NPR-A Impact Grant Program. Nuiqsut’s residents have expressed a desire to see more support for community facilities and youth services.	Current economic contributions of the oil and gas industry to the North Slope Borough and potential economic contributions from the Willow Project are described in Supplemental EIS Section 3.15, <i>Economics</i> .	North Slope Borough, Arctic Slope Regional Corporation, and Inupiat Community of the Arctic Slope
4583-6	Willow will also bring additional jobs to Nuiqsut and communities across the North Slope. Economic opportunity in our communities is limited due to extreme remoteness of location and lack of a diverse economic base. Notably, more than one-third of jobs held by North Slope residents are supported by the oil and gas industry. Within our region, and for each of our communities, providing and expanding local employment opportunities is essential to keeping our young people at home, developing a modern workforce, and supporting and growing local businesses.	The economic contributions of the oil and gas industry on North Slope communities is described in Supplemental EIS Section 3.15.1.	North Slope Borough, Arctic Slope Regional Corporation, and Inupiat Community of the Arctic Slope
6501-156	BLM’s analysis of the economic impacts to Nuiqsut is also flawed. It focuses on BLM’s assertion that Nuiqsut residents are likely to receive income from development, either through jobs or Kuukpik dividends, and concludes the “effects on Nuiqsut’s economics would not be highly adverse.”1485 This conclusion is striking because BLM acknowledges that there are residents in Nuiqsut who are not shareholders and will not receive dividends, and not all Nuiqsut residents would qualify for or obtain jobs.1486 It also ignores the fact that there are likely to be even greater adverse impacts to households from a reduction in access and abundance of subsistence resources, such as from hunters having a harder time harvesting subsistence resources in traditional areas or from them needing to travel further to obtain those resources.	The proposed project is anticipated to create employment opportunities in the region as well as generate indirect and induced economic benefits in Nuiqsut and other North Slope Borough communities through property tax payments, royalties, and dividend payments. However, as noted in this comment, there are no assurances that these opportunities and benefits would be equally distributed or enjoyed by all local residents. The impacts of the proposed project on subsistence resources are described in Supplemental EIS Section 3.16, <i>Subsistence</i> .	Trustees for Alaska

Table B.5.25. Permitting Comments and Responses*

No.	Comment	Comment Response	Commenter
30962-39	EPA recommends the FSEIS aligns with the regulatory requirements for the Clean Water Act Section 404 in identifying alternatives that represent the least environmentally damaging practicable alternative.	BLM worked closely with the U.S. Army Corps of Engineers (USACE), a cooperating agency, on developing a range of alternatives that meets USACE's regulatory requirement to permit the Least Environmentally Damaging Practicable Alternative.	U.S. Environmental Protection Agency

No.	Comment	Comment Response	Commenter
6501-228	<p>The Corps has distinct, substantive obligations under the Clean Water Act, which in turn extend out into its obligations under NEPA. When a project is not “water dependent,” as in the case of the Willow Project, and the project would fill “special aquatic sites,” including wetlands, the Corps’ regulations create a rebuttable presumption that there are practicable and environmentally preferable alternatives, and such alternatives are presumed to have less adverse impact unless “clearly demonstrated” otherwise.³⁵⁷ This substantive requirement mandates the Corps to select the least environmentally damaging practicable alternative (LEDPA)...</p> <p>The applicant has the burden of demonstrating that no feasible alternative exists, and the Corps must engage in a reasoned analysis of this issue.³⁶⁰ The Corps cannot blindly and uncritically accept an applicant’s study of alternatives and its assertions that no practicable alternative exists.³⁶¹ Under the regulations, any “practicable” alternative to achieve the basic and overall project purposes must be determined to be cost-effective, when viewed from the perspective of the industry as a whole.³⁶² But the LEDPA need not be the least-costly, nor the most profitable.³⁶³ Appendix D.1, which lists alternatives screening criteria, appears to focus disproportionately on the need to only consider alternatives that the applicant would deem feasible and practicable from a cost and logistics perspective.³⁶⁴ However, the Corps’ regulations presume that less environmentally damaging alternatives are available to the applicant and practicable, unless the applicant clearly demonstrates otherwise. In the absence of such a clear showing, the Corps is required to deny the permit application.</p>	<p>The Supplemental EIS does not contain a Least Environmentally Damaging Practicable Alternative (LEDPA) determination. The U.S. Army Corps of Engineers (USACE) is a cooperating agency and contributed to the development of the range of alternatives, including alternatives screening criteria. Although construction and operations costs can be used by USACE in determining the LEDPA, profitability was not used as a criterion to screen out alternatives concepts. BLM has no knowledge of and did not consider the company's potential profits in determining whether an alternative concept was feasible and warranted full analysis. No alternative concept was ruled out solely based on economic feasibility.</p>	Trustees for Alaska
6501-229	<p>BLM and the Corps cannot proceed with permitting this project or preparing this NEPA analysis in the absence of a valid section 404 permit application. The Corps’ Section 404 permit is a core component of this project and review of the 404 permit should not be segmented out from BLM’s NEPA analysis in the draft SEIS. NEPA is designed to inform agency decisions prior to the agency making any irretrievable commitments</p>	<p>No permits will be issued prior to completion of the National Environmental Policy Act (NEPA) EIS analysis. BLM is the lead agency for the Willow Supplemental EIS and does not require a USACE Section-404 permit application to begin a NEPA analysis.</p>	Trustees for Alaska
6501-230	<p>Though the District Court did not vacate the 404 permit which the Corps previously issued in 2020, BLM and its cooperating agencies are considering new alternatives and other changes to the project design and footprint which have significant implications for the Corps’ 404 permitting obligations, including its consideration of what constitutes the LEDPA. The Corps and ConocoPhillips cannot just rely on the prior authorization for this project; the Corps needs to rescind its prior decision, require ConocoPhillips to submit a new permit application that reflects the current state of the project, and engage in a new analysis consistent with the Corps’ CWA and NEPA obligations. Amending the existing decision would not be appropriate because that decision was based on a legally deficient EIS. The Corps needs to redo its analysis and public process to ensure that both the NEPA analysis and its decision are based on complete information about the project and its design, alternatives, and potential mitigation measures, and that the public has the opportunity to meaningfully weigh in on that decision. The Corps has not provided any clarity for the public to date about how it is engaging in this process or meeting its legal obligations...</p> <p>The Corps would need to receive a new application, provide public notice, receive public comments, and conduct its own technical review in order to comply with the Clean Water Act’s requirements. Without a new application and public review opportunity, the Corps would appear poised to simply rubber-stamp its existing permit, which authorizes more gravel fill in wetlands than even ConocoPhillips is currently proposing.</p>	<p>The U.S. Army Corps of Engineers (USACE) suspended the previous Section-404 permit for the Willow Project when the 2020 Willow MDP Environmental Impact Statement was remanded by the Court. A new USACE Section-404 permit or reinstatement of the suspended permit would be required prior to any ground disturbing activities in Project area.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-231	<p>Because the Corps does not yet have a new permit application for this project, there are serious concerns about the Corps’ ability to meaningfully evaluate what would constitute the LEDPA for this project and to consider appropriate alternatives that could constitute the LEDPA. BLM and the Corps cannot move forward with this EIS at this time, without a revised 404 permit application, since this process could constrict the Corps’ ability to select the LEDPA and meet its 404 obligations. As currently written, the EIS is missing the information and analysis necessary for the Corps to conduct its evaluation, to make the necessary findings under its Clean Water Act mandate, or to meet its own obligations under NEPA. One area of particular concern is the lack of appropriate consideration of mitigation measures in the EIS. Another concern is that this process denies the public or other federal, state, local and tribal agencies the opportunity to comment on ConocoPhillips’ mitigation proposal and its adequacy to compensate for unavoidable impacts resulting from project implementation, construction, and operation. BLM and the Corps should not proceed with reviewing and authorizing this project without a complete 404 permit application that reflects ConocoPhillips’ current proposal.³⁶⁸</p> <p>BLM and the Corps’ decision to move ahead with the NEPA process prior to ConocoPhillips re-submitting its application to the Corps for the 404 process is contrary to both NEPA and the Clean Water Act. The Corps and BLM should suspend the NEPA process for the Willow Plan until ConocoPhillips submits its application for a 404 permit. If and when the Corps receives ConocoPhillips’ completed application, the agencies will need to revise and reissue the EIS to fully incorporate the information and findings necessary to support the 404 decision-making process.</p>	<p>The U.S. Army Corps of Engineers (USACE) suspended the previous Section-404 permit for the Willow Project when the 2020 Willow MDP Environmental Impact Statement was remanded by the Court. A new USACE Section-404 permit or reinstatement of the suspended permit would be required prior to any ground disturbing activities in Project area.</p>	Trustees for Alaska
6501-232	<p>There are numerous gaps in the analysis in the draft EIS with regard to the analysis of impacts to wetlands, hydrology, permafrost, waterway, and other impacts. As discussed in more detail in the attached expert report by Siobhan Fennessy, filling and degrading sensitive tundra wetlands is likely to have a wide range of negative impacts on a range of resources and functions over the short and long term, including wetlands, water quantity and quality, fisheries, and permafrost.³⁷⁸</p> <p>The draft EIS fails to do a sufficient analysis of these impacts, both for purposes of NEPA and the Corps’ CWA obligations. The Corps does not have sufficient information to make the necessary findings under the 404 Guidelines.</p> <p>These substantial gaps are reflected in the lack of adequate analysis in the EIS, which provides an insufficient basis to meet the Corps’ NEPA obligations. For example, as discussed in Dr. Fennessy’s report and later in these comments, the draft EIS mentions in a high level, generalized way — but does not attempt to quantify — the potential direct impacts from numerous activities and secondary impacts that will result to aquatic resources from construction and implementation of the proposed project, including from the following:</p> <ul style="list-style-type: none">• Impacts from gravel infrastructure, bridges and culverts, which could alter surface flows and result in impoundment.³⁷⁹ There are numerous related effects that have not been adequately analyzed and quantified, including potential delays in plant growth from altered flows; conversion of vegetated tundra to lakes; increased surface water depths upgradient of gravel fills, which could transform tundra types; the potential for drainage patterns and vegetation communities to be interrupted downgradient from any infrastructure; and the potential for permafrost degradation and thermal regime changes from infrastructure;• Impacts from water withdrawals;• Damage to wetlands, waterways, and permafrost from gravel mining and infrastructure;³⁸⁰• Impacts from gravel infrastructure that would be permanently placed in the 50- and 100-year floodplain for Fish (Uvlutuuq) Creek, Judy (Kayyaaq) Creek, Judy (Iqalliqpiq) Creek, Willow Creek 2, Willow Creek 4, Willow Creek 4A, and Willow Creek 8;³⁸¹ and• Impacts to riffle complexes, which are a special aquatic site.	<p>The U.S. Army Corps of Engineers (USACE) coordinated closely with BLM as a cooperating agency in the development of the 2020 Willow MDP Environmental Impact Statement (EIS) and the 2022 Supplemental EIS. The analysis contained in the Final Supplemental EIS contains sufficient information to meet USACE's permitting needs. Challenges to the sufficiency of the Willow EIS as it pertained to USACE's permitting authority under Section 404 were not upheld in the 2021 US District Court decision.</p>	Trustees for Alaska
6501-233	<p>Because the Corps does not have a permit application and the necessary information to analyze this project, the draft EIS also does not contain appropriate mitigation measures for this project. The 404(b)(1) Guidelines provide that “no discharge of dredged or fill material shall be permitted unless appropriate and practicable steps have been taken which will minimize potential adverse impacts of the discharge on the aquatic ecosystem.”³⁸³ Pursuant to the Corps’ permitting regulations, compensatory mitigation may be required to ensure that a permit complies with the 404(b)(1) Guidelines.</p>	<p>Each action alternative includes a range of avoidance, minimization, and mitigation measures to reduce impacts of the development, including impacts related to water resources and wetlands (see Appendix I.1). The rationale for the inclusion of compensatory mitigation pursuant to the U.S. Army Corps of Engineers (USACE) Section-404(b)(1) Guidelines will be included in USACE's Record of Decision for the Willow Project.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-234	In the prior EIS and 404 process, the Corps lacked finer scale mapping and other detailed information about the wetlands in the vicinity of the proposed project footprint that is necessary for its 404 analysis. An aquatic site assessment analyzing wetland functions was not completed for the entire Willow project; ConocoPhillips only assessed a fraction of the project area. Without analyzing all of Willow’s direct and secondary effects, the Corps cannot not make a reasonable determination regarding significant degradation. EPA pointed out a number of these gaps during scoping, as well as during the prior EIS process that have not been addressed. ³⁹⁰ These include information about the expected change in the function and condition of the resources; identification and description of all wetlands and surface waters, including ephemeral and intermittent streams, that could be affected by oil and gas activities; acreages, channel lengths, habitat types, values and functions of the waters; and information on the types of activities that would require mitigation measures during construction, operation, and closure phases of the project. ³⁹¹ The Corps is also missing a wide range of data about the timing and magnitude of peak flows in multiple waterbodies that will be essential to the Corps’ 404 permit.	The U.S. Army Corps of Engineers (USACE) coordinated closely with BLM as a cooperating agency in the development of the 2020 EIS and the 2022 Supplemental EIS. The analysis contained in the Final Supplemental EIS contains sufficient information to meet the USACE's permitting needs. Challenges to the sufficiency of the Willow EIS as it pertained to the USACE's permitting authority under Section 404 were not upheld in the 2021 US District Court decision.	Trustees for Alaska
6501-236	<p>The Corps cannot wait until the point of issuing a record of decision to analyze the mitigation measures for this project and present that analysis to the public. That is contrary to NEPA. The Corps is required to analyze those measures and their effectiveness in a NEPA analysis. The draft SEIS does not contain this analysis and cannot serve as a basis for the Corps to meet its NEPA obligations. As discussed below, the draft SEIS does not demonstrate that the proposed best management practices, lease stipulations, or reclamation are adequate to mitigate the impacts of this project or that compensatory mitigation should not be required.³⁹⁵ Because of the lack of mitigation presented or analyzed in the draft SEIS, there is a serious risk of significant degradation from the proposed project that the Corps has failed to adequately address. “The amount of required compensatory mitigation must be, to the extent practicable, sufficient to replace lost aquatic resource functions.”³⁹⁶</p> <p>As such, the Corps must require restoration or preservation to compensate for impacts from all lost functions, not merely a fraction of Willow’s impacts.³⁹⁷</p> <p>All of this information is critical to the Corps’ ability to properly analyze this project and develop appropriate mitigation measures. Despite that, this information is wholly missing because Conoco has yet to submit a complete, updated 404 application. The Corps and BLM cannot move forward with analyzing this project in the draft EIS without having all of this information, which is necessary for the Corps to meet its obligations under the 404 Guidelines and NEPA.</p>	A U.S. Army Corps of Engineers (USACE) Section-404 compensatory mitigation plan is not required for National Environmental Policy Act analysis. USACE determines compensatory mitigation requirements associated with Section-404 permits and will include appropriate compensatory mitigation in their Record of Decision for the Willow Project.	Trustees for Alaska
6501-346	The Corps’ regulations create a rebuttable presumption that there are practicable and environmentally preferable alternatives, and such alternatives are presumed to have less adverse impact unless “clearly demonstrated” otherwise. ⁸⁹⁵ This substantive requirement mandates the Corps to select the least environmentally damaging practicable alternative (LEDPA). Because the Corps intends to use the DSEIS to fulfill its substantive obligations, the DSEIS must provide adequate data regarding the environmental baseline for wetlands, closely examine differences among alternatives, assess imp DSEIS acts to wetlands, and consider means to mitigate those impacts. As described below, the DSEIS fails to do so.	Baseline data for wetlands and water resources is included in the Supplemental Environmental Impact Statement (see Sections 3.8, <i>Water Resources</i> , and 3.9, <i>Wetlands and Vegetation</i>).	Trustees for Alaska
6501-350	The DSEIS fails to consider the full suite of direct, indirect, and cumulative impacts to wetlands and vegetation resulting from this project... much of the detail required for such an analysis is missing, and it is entirely unclear how ConocoPhillips, BLM, or the Corps intend to undertake any process regarding issuance of the project’s CWA 404 permit. ⁹⁰⁶ As a result, critical information needed to fully determine and mitigate the impacts to wetlands and water hydrology in the region are absent in the draft SEIS.	Direct, indirect, and cumulative impacts to wetlands and vegetation are analyzed in the Supplemental EIS (see Sections 3.9, <i>Wetlands and Vegetation</i> , and Section 3.20, <i>Cumulative Effects</i>).	Trustees for Alaska

Table B.5.26. Project Description Comments and Responses*

No.	Comment	Comment Response	Commenter
2878-10	Section ES 6.0, Page ES-3. The statement about construction start dates should be updated. CPAI plans to begin laying gravel in winter 2022/2023, and plans to execute other parts of project construction in 2023, immediately following the winter construction season.	The Supplemental EIS does not assume a particular timeline, in terms of specific months or years, for the start of construction.	ConocoPhillips
2878-11	Section 2.4.5, <i>Reasonable Range of Alternatives</i> , Pages 8-10. BLM provides the well count for Alternative E; however, similar information is not provided for Alternatives B, C, and D. Please add the well count (251) in the descriptions of Alternatives B, C, and D for consistency. This information is provided on page 69 of Appendix D.1.	Total well counts have been added to Chapter 2 for Alternatives B, C, and D.	ConocoPhillips

No.	Comment	Comment Response	Commenter
2878-12	Section 2.5.3.4, <i>Project Components Common to All Action Alternatives</i> , Page 15. In the sentence that states "Sealift barges to Oliktok Dock may be used to transport bulk materials such as VSMs, HSMs, and pipeline pipe to the North Slope," please clarify that barges may be used to transport modularized equipment as well as bulk materials. In the subsequent text, please clarify that lightering areas may be used "To facilitate module, equipment, and bulk material delivery," not just module delivery. This comment also applies to Appendix D.1, Section 4.2.3.4, document page 79.	The barging and lightering descriptions in Chapter 2 and Appendix D.1 have been updated as suggested.	ConocoPhillips
2878-13	Section 2.5.6.2, <i>Project Components Common to All Action Alternatives</i> , Page 19. BLM states: “Some single season overburden ice pads at the mine site may be converted to multi-season ice pads; that determination would be made at the application stage.” CPAI’s plan for mine site development includes use of single-season ice pads adjacent to the excavated area to store overburden during winter only. If overburden storage over summer is required, it would be stockpiled on ice pads within the permitted mine site excavation footprint to avoid additional impacts.	Text updated as suggested by the commenter.	ConocoPhillips
2878-14	Section 2.5.8.1, <i>Project Components Common to All Action Alternatives</i> , Page 20. The added text in Chapter 2, Section 2.5.8.1, <i>Spill Prevention</i> should be consistent with the added text in Appendix D.1, Section 4.2.8.1, <i>Spill Prevention</i> . The text in Appendix D.1 clarifies that the Project SPCC Plan would be used during construction, drilling, and oil production operations and that the Project ODPCP would address drilling, production, and Willow Pipeline operations. The State of Alaska-required ODPCP applies to oil drilling and production, and sales crude oil pipeline operations, and is not specified for construction activities. Statements in Chapter 2 imply that a State of Alaska-approved ODPCP would be in place during construction; however, only a Federal SPCC Plan would be applicable to the construction phase of Project development.	Edited as suggested by the commenter.	ConocoPhillips
2878-15	Section 2.5.8.3, <i>Project Components Common to All Action Alternatives</i> , Page 21. The added text in Chapter 2, Section 2.5.8.3, Spill Training and Inspections, should be updated for consistency with the added text in Appendix D.1, Section 4.2.8.3, Spill Training and Inspections. As the text in Appendix D.1 does, the text in Chapter 2, Section 2.5.8.3, should clarify that the aerial overflights that would occur every 7 days applies to State-regulated remote sales crude oil pipelines not otherwise accessible by road. We recommend that the text in Chapter 2, Section 2.5.8.3, mirror the text in Appendix D.1, Section 4.2.8.3.	Text updated as suggested by commenter.	ConocoPhillips
2878-16	Section 2.7, <i>Alternatives</i> , Page 26, Table 2.7.1. In "Other Pipelines," please add the 0.1-mile seawater spur from an existing seawater pipeline to the K-Pad. This same comment applies to Table D.4.35 and Table D.4.53.	Text edited as suggested by commenter.	ConocoPhillips
5228-10	Chapter 2, page 23, Table 2.5.1. This table cites to ROP A-9 and A-10 from the 2022 NPR-A record of decision, which we noted earlier need to be corrected. Please update ROP A-9 and A-10.	Required operating procedure (ROP) A-9 has been revised to note that the U.S. Environmental Protection Agency defines "ultra-low sulfur diesel". The language contained in ROP A-10 reflects what was published in the 2022 NPR-A Integrated Activity Plan Record of Decision, which is the current management plan for the NPR-A.	State of Alaska
5228-5	Chapter 2, page 1. Paragraph two on this page discusses the history of CEQ NEPA regulations. It is not clear from this discussion which regulations this EIS is being considered under. Is it the CEQ regulations that was in effect when the original EIS took place, the regulations when the scoping took place or the regulations in place when the draft EIS was released? Please confirm which version of the CEQ NEPA regulations this SEIS is operating under.	This Supplemental EIS was developed under the current Council on Environmental Quality National Environmental Policy Act regulations, as described in Chapter 1.0, Section 1.1.2.	State of Alaska

No.	Comment	Comment Response	Commenter
5228-6	<p>Chapter 2, page 11. Should any of the action alternatives be chosen, the project proponent will be required to have an approved Oil Discharge Prevention and Contingency Plan (ODPCP) with the Alaska Department of Environmental Conservation that addresses the response plan standard for the production volume per 18 AAC 75.434, as well as the associated infrastructure (crude oil pipelines) per 18 AAC 75.436 and oil storage tanks per 18 AAC 75.432.</p> <p>In Section 2.5.8.1 <i>Spill Prevention</i>, the SEIS states that “Spill prevention and response measures that would be used during construction, drilling, and operations would be outlined in the Project’s ODPCP and SPCC Plan. CPAI would also prepare an ODPCP specific to the Project which would address spill prevention and response measures for drilling, oil production, and Willow Pipeline operations. The intent of the ODPCP and SPCC Plan are to demonstrate CPAI’s capability to prevent oil spills from entering the water and land and to ensure rapid response if a spill event occurs. The ODPCP would comply with applicable State of Alaska requirements for spill prevention and response, and EPA and U.S. Department of Transportation regulations for onshore oil pipeline oil response plans.”</p> <p>Willow Exploration is currently under 21-CP-5096, the ConocoPhillips North Slope Exploration ODPCP. Please note in the description on this page that this plan could be amended to cover the increase production volume and associated infrastructure with an Action Alternative. CPAI could also apply for a new ODPCP or apply to amend 17-CP-4140, the Alpine Field and Satellites and Alpine Pipeline System that covers the neighboring Colville Unit and Great Mooses Tooth Unit. Please add these clarifications to this description.</p>	<p>Comment noted; no changes to text. The regulations cited by the commenter are included in the more detailed description in Appendix D.1 (Section 4.2.8.1). NEPA analysis does not require detailing CPAI's existing Oil Discharge Prevention and Contingency Plan authorization number or describing how the Willow development could use an existing, expanded authorization.</p>	State of Alaska
5228-7	<p>Chapter 2, page 11, Section 2.5.4.9, <i>Fuel and Chemical Storage</i> (Page 17), the SEIS states that “Fuel and oil storage would comply with local, state, and federal oil pollution prevention requirements, according to the Oil Discharge Prevention and Contingency Plan (ODPCP) and Spill Prevention Control and Countermeasures (SPCC) Plan. Secondary containment for fuel and oil storage tanks would be sized as appropriate to the container type and according to governing regulatory requirements (18 AAC 75 and 40 CFR 112).”</p> <p>Sections 2.5.8.2, <i>Spill Response</i>, further identifies CPAI’s adherence to 18 AAC 75.</p> <p>Willow Exploration is currently under 21-CP-5096, the ConocoPhillips North Slope Exploration ODPCP. Please note in the description on this page that this plan could be amended to cover the increase production volume and associated infrastructure with an Action Alternative. CPAI could also apply for a new ODPCP or apply to amend 17-CP-4140, the Alpine Field and Satellites and Alpine Pipeline System that covers the neighboring Colville Unit and Great Mooses Tooth Unit. Please add these clarifications to this description.</p>	<p>Comment noted; no changes to text. National Environmental Policy Act analysis does not require detailing CPAI's existing Oil Discharge Prevention and Contingency Plan authorization number or describing how the Willow development could use an existing, expanded authorization. This information is not necessary to evaluate the Willow Project's potential environmental impacts.</p>	State of Alaska
5228-8	<p>Chapter 2, page 16, Section 2.5.4.6, <i>Domestic Wastewater</i>, states “Alaska Pollutant Discharge System (APDES) General Permit (AKG332000-North Slope General Permit) may be used to discharge wastewater in emergencies.” However, APDES General Permit AKG332000 authorizes the disposal of graywater. Please note that wastewater disposal of domestic wastewater discharges is covered by AKG572000 (Small POTW and Other Treatment Works). This permit is correctly referenced in Section 3.8.2.3.7. Please update Section 2.5.4.6 to reference APDES Permit AKG572000 for domestic wastewater discharges.</p>	<p>Text updated as suggested by the commenter.</p>	State of Alaska

No.	Comment	Comment Response	Commenter
5228-9	<p>Chapter 2, page 21, Section 2.5.8.3, <i>Spill Training and Inspections</i>, states that “CPAI would follow federal and state regulations regarding pipeline inspection and aerial overflights. Consistent with regulations, CPAI would plan to conduct aerial overflights every 7 days, weather and safety permitting. Aerial overflights provide visual inspection and can be aided by infrared technology, when required. Infrared technology, employed either aerially using aircraft or from the ground using handheld systems, is a spill detection method using the temperature “signature” resulting when warm fluids leak. CPAI would also conduct regular visual inspections of facilities and pipelines from gravel roads, where available, and from ice roads and aircraft for sections of pipelines not paralleled by gravel roads (Alternatives C and D).” The SEIS identifies on page 346 that “The pipelines and casing pipes would meet leak detection standards stipulated in 18 AAC 75.047 and 18 AAC 75.055.” However, it is worth noting that leak detection on pipelines will consist of more than aerial overflights every 7 days and visual inspections.</p> <p>Please note in the discussion on this page that Alaska spill prevention regulations at 18 AAC 75.047 and .055 also require pipeline leak detection systems in addition to the visual and infrared inspections.</p>	<p>Text edited as suggested by the commenter.</p>	<p>State of Alaska</p>
6501-214	<p>Information is also sparse regarding ConocoPhillips’ timing for this massive development and how it plans to implement what appears to be a phased development approach, even though that information is also required by FLPMA.255 The DSEIS is vague in its description of timing of construction and operation and how various windows might overlap. The DSEIS indicates that gravel associated with the initial construction of the access road, BT1, BT2, BT3, connecting roads, the Processing Facility, the Operations Center, and the airstrips would be mined and placed during the first 4 to 5 years of construction.256 Once gravel pads are completed, the DSEIS indicates ConocoPhillips would build the on-pad facilities and would have modules delivered for the processing facility, BT1, BT2, and BT3 in Year 4 or 5.257 The DSEIS further states that modules for BT4 and BT5 would be delivered 2 years later, even though BT5 is supposed to be deferred under Alternative E. This high-level summary of ConocoPhillips’ plan is too vague for the public to fully understand how ConocoPhillips’ phased construction will actually move forward on the ground. The reference to BT5’s modules being delivered two years after the initial module delivery is also inconsistent with the apparent commitment to defer the construction of that pad. ConocoPhillips must clearly define its development plans to ensure BLM can adequately evaluate the impacts of the project in light of the pace of development. Only providing the number of winter seasons which will be needed for construction of the full project is insufficient to evaluate how the scale of construction and different phases might cause different impacts. Significantly more information is needed for purpose of evaluating the impacts of the right-of-way and project.</p>	<p>Detailed information about Project timing is included in Appendix D.1, Alternatives Development. BLM does not have a prescribed period for completing environmental reviews, and thus Project Years are used to indicate that construction will begin the year approvals are received and show the relationship of Project activities to one another.</p> <p>For all action alternatives except Alternative E (Three-Pad Alternative [Fourth Pad Deferred]), construction of drill site BT5 would begin in Year 7 (at the earliest), as is analyzed in the Supplemental EIS. In order to analyze and disclose the full impacts of the Willow Project, drill site BT5 is analyzed as part of Alternative E.</p>	<p>Trustees for Alaska</p>
6501-244	<p>The draft SEIS provides that two gravel mines sites within the Tinjiaqsiugvik area would be used by ConocoPhillips for the potential to supply some or all of the gravel required to construct the Willow Project.452 Depending upon the alternative, the gravel mines would either have an excavation footprint of up to 119.4 acres (Alternatives B and E) or 189.8 acres (Alternatives C and D).453 The scale of these mines is massive, and the DSEIS does little to provide the reader with perspective regarding their size. For context, 118 acres is equal to the size of 89 football fields with endzones.</p> <p>The draft EIS does not explain why Alternative B and E would result in the same excavation footprint, given the fact that Alternative E purports to have a smaller gravel footprint than Alternative B.454 Logically, a reduction in the gravel footprint of the project should have a corresponding reduction in the amount of gravel needed and thus reduce the size of the mines. BLM must assess the specific gravel needs of each alternative to ensure it is accurately representing the necessary size of the gravel mine and should not approve a larger than mine site than is necessary.</p>	<p>The mine site footprint under Alternative E (Three-Pad Alternative [Fourth Pad Deferred]) has been updated for the Final Supplemental EIS; the estimated excavation footprint for Alternative E would be 115.0 total acres. The estimated footprints are based on the anticipated gravel volume needs and the anticipated suitable gravel yields from the proposed mine site.</p>	<p>Trustees for Alaska</p>

No.	Comment	Comment Response	Commenter
6501-245	The draft SEIS is suspiciously vague in its description of these mines, referring to them as though they are a single “mine site” rather than characterizing them as two mines, on either side of an important waterway, with each requiring their own perimeter berms. The result is a complete disregard for the significant impacts to this important subsistence area that would result from having two massive gravel mines on either side of a river. The DSEIS also does little to account for the visual and other impacts from ConocoPhillips’ proposal to build massive berms around the perimeter of the gravel mines. The DSEIS states that “[o]verburden material would be used to create a berm (approximately 5 feet tall and 15 feet wide at the top) around the entire perimeter of Mine Site Areas 1 and 2,” and states such berms would prevent surface water flow into the mine site, maintain thermal stability and stability of the mine walls, and prevent the public from accessing the mine site. But this does not explain why such walls would need to be so massive in height and width. Nor does the DSEIS appear to account for the added footprint of allowing 15-foot wide walls around the perimeter of these already enormous mines.	Mine site berms were recommended by the Alaska Department of Natural Resources during a cooperating agency meeting to discuss the mine site. The height and width of the berm design is intended to prevent sloughing of the mine site walls over time and maintain thermal stability of the underlying permafrost. The berms are included in the analysis of the mine site footprint and figures showing both areas of the mine site are included in the Final Supplemental EIS.	Trustees for Alaska
6501-300	Under ConocoPhillips’ proposed project, the Willow Processing Facility would be designed for peak processing of 200,000 barrels/day; projected peak oil production, important in sizing pipelines, is expected to be in excess of 180,000 barrels/day. ⁷³¹ The proposed project also would include a 16.3 acre constructed freshwater reservoir, ⁷³² 42.2 acres for the airstrip and its apron, ⁷³³ 37.4 miles of gravel roads, and an estimated 55,000-387,000 ground vehicle trips per year (150-1,060 per day). ⁷³⁴ We note that the per pad production levels for the proposed pads, does not appear to add up to even 180,000 barrels per day, the peak production projected by BLM. Thus, it appears the agency and ConocoPhillips may already be accounting for future production in those numbers without being transparent about doing so.	The Supplemental EIS evaluates the Willow Project based on the best available information about production potential under each action alternative. A description of how the Willow infrastructure may be used by reasonably foreseeable future actions is included in Section 3.20, <i>Cumulative Effects</i> . Estimated daily and cumulative annual production profiles are provided in Appendix D.1, <i>Alternatives Development</i> (see Section 4.2.10.3).	Trustees for Alaska
6501-305	BLM also fails to fully explain the need for Willow’s extensive traffic and ways to mitigate such traffic. Table D.4.13. of the DSEIS provides information on the number of ground trips per year for Years 1-30 of the development for all types of vehicles. The table’s footnote for Ground Traffic Volume states that the number listed, “Includes buses, light commercial trucks, short-haul trucks, passenger trucks, and other miscellaneous vehicles. Ground transportation also includes gravel hauling operations (i.e., B-70/Maxi Haul dump trucks).” ⁷⁵² The yearly numbers thus aggregate all types of ground vehicles, whether they are small or large trucks, buses, etc. The table’s footnote does not state whether the Ground Vehicle quantities listed include diesel deliveries nor deliveries of needed chemicals for oil production such as corrosion inhibitors, biocides, defoaming agents, surfactants, methanol, etc. If it does include these trips, that should be clarified in the final SEIS or, if it does not, another column should be added to this Total Traffic Volumes table. Currently, it is impossible for the public to assess the environmental risk of hazardous spills from transportation and whether traffic quantities could be reduced through, for example, larger gravel or fuel hauling trucks, fewer bus trips, or other measures.	Alternative concepts that reduce the number of vehicle trips between Alpine and Willow are considered in Appendix D.1, <i>Alternatives Development</i> , and in Alternative D (Disconnected Access). Spill risk associated with the Willow Project, including vehicles transporting toxic chemicals and oil products, is evaluated in Section 4.0, <i>Spill Risk Assessment</i> .	Trustees for Alaska
6501-307	It is unclear precisely how BLM is handling its consideration of the BT5 pad for purposes of Alternative E. The DSEIS indicates that under Alternative E, there would not be a BT4 pad and the approval for BT5 would be deferred. It is unclear exactly how BLM might handle future approvals for BT5, given that it is being considered to some extent at this stage and was approved by the Corps in the project’s CWA 404 permit, and yet BLM purports to be deferring approval for it. ⁷⁵⁷ BLM needs to further clarify if and how it will consider authorizations for BT5 in the future and should not use the deferral of that pad as a basis for downplaying the true impacts of Alternative E. There is also no binding commitment at this point that appears to guarantee that ConocoPhillips not come back and attempt to permit BT4 at a future point in time. BLM should incorporate measures that expressly limit and restrict ConocoPhillips’ ability to expand its unit operations in the future to ensure that impacts are truly minimized, and that ConocoPhillips does not just use this as an opportunity to permit something smaller-scale now, when it in fact still intends to expand things in the future.	Impacts associated with the development of BT5 under Alternative E (Three-Pad Alternative [Fourth Pad Deferred]) are evaluated in every resource section of the Supplemental EIS. Every action alternative carried forward for full analysis evaluates the full development of the Willow reservoir, see Appendix D.1, <i>Alternatives Development</i> , for details. It is possible the Willow infrastructure may be used to develop reasonably foreseeable future actions; these are discussed in Section 3.20, <i>Cumulative Effects</i> .	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-308	<p>As noted above, ConocoPhillips also indicated to investors that it sees Willow as the “next great Alaska hub” and the “new infrastructure hub [that] unlocks the west.”⁷⁵⁸ ConocoPhillips represented that it identified upwards of 3 billion additional barrels of oil equivalent in the vicinity of Willow that “could leverage the Willow infrastructure.”⁷⁵⁹ Given these representations, it seems that ConocoPhillips has not been transparent with the full scale of what it is envisioning for Willow’s use as a central hub for further development in the Reserve, despite the fact that ConocoPhillips appears to be incorporating in project elements that are meant to facilitate future expansion. For example, the Central Processing Facility for Willow is projected to have a processing capacity of upwards of 200,000 barrels of oil per day and Willow will supposedly have a peak production level of 180,000 barrels per day, but the projected flow rate provided elsewhere in the DSEIS is estimated to be only 23,000 barrels per day from each individual drill pad.⁷⁶⁰ It is unclear where the additional production to reach 180,000 barrels per day is coming from if the individual pad projections for the pads considered in the DSEIS are cumulatively so much lower than that projected production level. BLM needs to clarify these inconsistencies in its analysis and provide a transparent estimate for Willow’s production. The fact that Willow is intended to be a hub for further expansion is further borne out by the DSEIS itself. For example, the screening criteria for the alternatives expressly ties the viability of different alternatives to whether the alternative will support future development.⁷⁶¹ The DSEIS states that any alternative “should have the potential to support reasonably foreseeable future development.”⁷⁶² As discussed earlier in these comments, it is unclear how BLM is even defining “reasonably foreseeable future development” for purposes of its alternatives analysis, let alone its cumulative impacts assessment.</p>	<p>The cumulative effects analysis includes reasonably foreseeable future actions (RFFA), which is defined as a project for which there is an existing proposal, a project currently in the National Environmental Policy Act process, or a project to which a commitment of resources (such as funding) has been made, or which are highly probable based on known opportunities or trends. The Supplemental EIS includes an analysis of the growth inducing effects of the Willow infrastructure and how that infrastructure may be used by RFFAs (see Section 3.20, <i>Cumulative Effects</i>).</p>	Trustees for Alaska
6501-310	<p>The DSEIS also relies on too low of an overall estimate for Willow’s potential production levels. ConocoPhillips has previously indicated that resource estimates for the Willow area are between 450 million and 800 million barrels of oil equivalent.⁷⁶⁵ Despite that, the DSEIS only assumes ConocoPhillips will produce up to 629 million barrels of oil.⁷⁶⁶ History shows that BLM should approach these numbers and the likely impacts conservatively and in a way that overestimates the likely impacts. For example, Alpine was originally estimated to hold only 430 million barrels of oil equivalent, and yet cumulative production at Alpine is already over 600 million barrels and ConocoPhillips estimates there may be an additional ~600 million barrels of oil equivalent remaining.⁷⁶⁷ At a presentation in March, ConocoPhillips highlighted the fact that Kuparuk and GMT 2 were producing more oil than originally estimated and emphasized that once a project is underway in Alaska, it has a long life and great potential for expansion, citing Alpine as an example.⁷⁶⁸ Even EPA raised questions and concerns regarding estimates for Willow’s production, and encouraged BLM to require additional NEPA adequacy review if the production from Willow is higher than anticipated in the EIS.⁷⁶⁹ The agency should accurately assess and estimate Willow’s likely production before issuing a final EIS and any project approvals, and needs to ensure the final EIS accounts for those increased production estimates in its impacts analysis.</p>	<p>The Supplemental EIS uses the best available information to evaluate the production potential of each action alternative. This estimate is based on well data from appraisal wells and seismic surveys in the Willow project area. Although certain North Slope developments have exceeded their production estimates, others (such as GMT-1) have significantly underperformed. It would be speculative to assume that Willow will exceed or not meet production estimates based on other developments' performance, and the production estimate in the Supplemental EIS remains the best available information by which to evaluate the potential impacts of Willow.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-311	<p>BLM is analyzing this project at the site-specific level and considering authorizing this project as proposed. This is not a programmatic decision subject to future NEPA. It is at this stage, when the agency makes a critical decision to act, that the agency is obligated fully to evaluate the impacts of the proposed action.⁷⁷⁴</p> <p>The exact nature of what BLM is authorizing, particularly since it does not yet have right-of-way or other permit applications before it, is unclear. However, BLM appears to indicate in the DSEIS that it will be relying on this EIS for those future authorizations and it is unclear the agency will be engaging in any further, more in-depth reviews of the Willow project.⁷⁷⁵ Problematically, it appears that ConocoPhillips is still continuing to change the project design even during the pendency of BLM’s DSEIS process,⁷⁷⁶ making it impossible for BLM to determine whether the agency is actually analyzing the project and its site-specific impacts accurately. Because this appears to be the analysis BLM is doing in support of those ultimate permitting decisions, BLM is obligated to ensure that it has sufficient site-specific information about the project and the project area to engage in a meaningful analysis. The DSEIS does not reflect that BLM has sufficient site-specific information about the project to do an adequate analysis of the impacts and ways to mitigate those impacts. This is particularly troubling with regard to the potential aquatic impacts from the project. For example, there is still only vague information provided about the exact locations and ways in which ConocoPhillips plans to construct bridges or install culverts and culvert batteries.⁷⁷⁷</p> <p>The DSEIS points to Appendix D as containing more information about the bridges and culverts, but that information is similarly vague and does not reflect that BLM has adequate site-specific information about the proposal to do a meaningful analysis.⁷⁷⁸ Without more detailed site-specific information about what those project elements might look like, it is unclear how BLM can engage in a meaningful analysis of the likely impacts and ways to minimize them.</p>	<p>Specific information about the location and number of culverts and bridges can be found in Appendix D.1, Section 4.0, and in Figures referenced in that section. Prior to issuing any subsequent authorizations for the Willow Project, BLM will review the existing National Environmental Policy Act analysis to determine if it remains adequate in light of new information and circumstances.</p>	Trustees for Alaska
6501-328	<p>The prior draft EIS anticipated 56 bridge pilings being installed; it is unclear what led to the number of piles being reduced by such a substantial margin.⁸⁵² We also note that alternative E would have approximately 10 times the number of VSMs than other action alternatives.⁸⁵³ This is presumably a typo that should be addressed. If it is not a typo, BLM needs to explain that difference in VSMs and consider less impactful options.</p>	<p>The prior Final EIS (2020) included the reduced number of bridge piles below ordinary high water (e.g., 36 under Alternatives B and D; 20 under Alternative C). There was no change for the Supplemental EIS.</p> <p>The 108 vertical support members (VSMs) below ordinary high water under Alternative E is correct. Additional text has been added to Appendix D.1 (Sections 4.6.2 and 4.6.5) to clarify that 96 total VSMs would be required to support freshwater intake pipelines at five water source lakes.</p>	Trustees for Alaska
6501-329	<p>The DSEIS does not adequately describe how major project elements, including seven major bridges and roughly 200 culverts, would be constructed or provide specific design information.⁸⁵⁵ The DSEIS contains a handful of charts and maps summarizing how many bridges and culverts there would be, as well as some short, generalized summaries of the ways bridges can impact hydrology, like restricted flow and turbidity changes.⁸⁵⁶ However, generalized summaries of the potential impacts of bridges are not a hard look at the impacts of this proposal.⁸⁵⁷ This is not the type of site-specific, detailed analysis of impacts required by NEPA, nor does this analysis or the lack of information support the Corps’ ability to prevent degradation for purposes of the CWA.</p>	<p>Detailed information about facilities under all action alternatives can be found in Appendix D.1, <i>Alternatives Development</i>. Impacts to water resources and wetlands are included in Section 3.8 and 3.9, including site specific information about hydrology and wetlands.</p>	Trustees for Alaska
6501-330	<p>As Dr. Fennessy highlights, the DSEIS is internally inconsistent in the number of acres that would be impacted directly and indirectly, as well as the miles of pipeline which would be required for the project.⁸⁶⁰ These errors and inconsistencies must be addressed in order for the public and BLM to accurately assess Willow’s impacts to water resources.</p>	<p>The Supplemental EIS uses the best available information to describe the Project and its impacts.</p>	Trustees for Alaska
6501-331	<p>There is essentially no information regarding the project’s seawater pipeline other than its length in the chart giving overall descriptions of alternatives.⁸⁶¹ The DSEIS does describe where the pipeline or its intake for would be located and whether there would be marine (and other) impacts associated with the construction and operation of this pipeline.</p>	<p>The new Willow seawater pipeline would connect to the existing Kuparuk CPF2, see Appendix D.1, Section 4.2.2. No upgrades or changes to the Kuparuk Seawater Treatment Plant would be required as a result of the Willow Project; therefore, no impacts to marine mammals are anticipated as a result of the construction or operation of seawater pipeline.</p>	Trustees for Alaska
6501-332	<p>The EIS also states that “[b]ridges would range from 40 to 420 feet in length,” and lists the total length of bridges in an appendix.⁸⁶³ But the document never describes or analyzes the impacts of crossings at each waterway based on site-specific information about the bridge and crossing itself. The same is true of BLM’s general recognition that culverts would be required and the locations determined at a later time. But BLM must include this information and analysis in the EIS to properly analyze these impacts and potential mitigation measures.</p>	<p>Impacts of bridges and culverts on water resources are described in Section 3.8, <i>Water Resources</i>. This analysis includes specific locations of bridges and culvert batteries. An adaptive management plan to monitor surface water ponding and sheet flow would be included in the U.S. Army Corps of Engineer's Section-404 permit to ensure that culverts are adequately placed, spaced, and designed to prevent impacts to water and aquatic resources.</p>	Trustees for Alaska

Table B.5.27. Public Health and Safety Comments and Responses*			
No.	Comment	Comment Response	Commenter
113-2	You will be putting Indigenous Women in harms way by allowing these man camps to be built (just like in North Dakota or Utah).	ConocoPhillips employees and contractors are restricted from traveling to Nuiqsut (the nearest indigenous community to the Willow Project), unless they are on official business within the community.	Erinn McClellan
180-1	It will affect those Indigenous to the area and put Indigenous women/Two Spirit people at higher risk of becoming MMIW with the setup of man camps on/nearby Inupiat land.	ConocoPhillips employees and contractors are restricted from traveling to Nuiqsut (the nearest indigenous community to the Willow Project), unless they are on official business within the community.	Breanna
1858-2	The local native people, the Inupiat, have already seen a serious uptick in respiratory illness from previous Conoco drilling activity near their community of Niuqsut in the 1990's.	Final Supplemental EIS Section 3.18, <i>Public Health</i> , has been updated to describe in more detail existing health conditions and potential health impacts.	Elizabeth McKenzie
30965-23	HIA needs to be looked into closely, especially when it comes to this village that has seen a lot of cancer going on.	The Final Supplemental EIS Section 3.18, <i>Public Health</i> , has been updated to describe the potential Project impacts.	Unsigned
30969-30	The last blow that occurred from (indiscernible) nearly wiped out Nuiqsut. I experienced a nauseating headache that morning from the blowout, and my auntie and uncle barely woke up that morning, as well as I, so that was very concerning to me knowing that the last blow could have wiped out a lot of people here.	The Supplemental EIS Section 3.18, <i>Public Health</i> , has been updated to describe in more detail existing health conditions and potential health impacts.	Unsigned
3927-8	3.3. Air Quality & 3.17 Environmental Justice These sections fail to adequately address health effects to local residents. Further data and analysis should be incorporated into this document and NEPA process. [See associated details and references in letter]	A discussion has been added to the Public Health analysis Section, 3.17.3.3.3 <i>Public Health, Air Quality</i> .	Kathleen O'Reilly-Doyle
6501-154	BLM needs to prepare a Health Impact Assessment looking at the specific health impacts to Nuiqsut and should not review generalized information and data related to communities on the North Slope more broadly. It is vital that the agency have a thorough understanding of the potential health impacts, given that it is contemplating allowing a massive industrial complex to further extend into the backyard of the community.	The Supplemental EIS Section 3.18, <i>Public Health</i> , has been updated to describe in more detail existing health conditions and potential health impacts.	Trustees for Alaska
6501-161	The geographic extent of BLM’s public health analysis is incorrect and too narrow in scope. BLM limits its study to the community of Nuiqsut when other communities’ public health may also be harmed by the proposed development. For the communities of Atqasuk, Anaktuvuk Pass, and Utqiagvik, changes in subsistence resource availability from the development could impact food security and the health benefits of established social networks dependent on wild resources. Moreover, compromised food security has the potential to have direct and secondary impacts to individuals’ nutrition and wellness and may increase the risk of chronic conditions, including diabetes and some forms of cancer. The proposed development’s impacts to culturally important lands, resources, and traditional practices for communities within and around the Reserve can also increase stress and harm residents’ mental health. Such mental health impacts may be exacerbated by anxiety associated with the risks and dangers of living in such close proximity to an active oil field. Finally, BLM’s use of the North Slope Borough’s public health data exemplifies why and how this public health analysis should take a geographic approach larger than Nuiqsut.	Section 3.18, <i>Public Health</i> , has been updated to extend the potentially affected communities to include Nuiqsut as the primary community and Utqiagvik (Barrow), and references to communities such as Atqasuk and Anaktuvuk Pass that could be affected in for large-scale resource impacts (e.g., subsistence). Comparison populations (e.g., Northern Region, Arctic Slope, NPR-A, State of Alaska) are also referenced where they are used as a substitute data source when community specific data is not available.	Trustees for Alaska
6501-162	The temporal scale of impact analysis is also incorrect. Mental health impacts should be analyzed and disclosed as beginning at the lease sale phase, the enabling circumstances for this project. Concerns over land use changes, and the associated impacts to particular resources and ways of life, can cause stress, anxiety, and depression. How these mental health impacts are likely to compound through the years of the project’s construction and operations should also be disclosed.	The temporal scale for Project impacts to public health is defined as the life of the Project or until long-term public health effects are mitigated to their original conditions following Project reclamation.	Trustees for Alaska
6501-163	Within section 3.18.2.3 Alternative A: No Action, BLM writes that “Alternative A would have no new effects on public health in Nuiqsut.”1492 This statement is incorrect. For many, selecting the “no action alternative” would greatly reduce the stress and anxiety associated with this project. The “no action alternative” would also help to ensure foundational, positive determinants of health. These determinants are healthy populations of wild resources that enable traditional cultural practices, clean water, and less polluted air. Simply put, there would be fewer risks and impacts to human health if this project did not move forward. These conditions should be disclosed within the document.	The Supplemental EIS Section 3.18, <i>Public Health</i> , has been updated to describe in more detail existing health conditions and potential health impacts.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-164	BLM’s finding that “construction would not affect general health in Nuiqsut” ¹⁴⁹³ does not comport with its disclosure of impacts to health. Earlier environmental impact statements have found that even the environmental review process impacts rural residents’ mental health. Construction activities and physical changes to the landscape that would occur during development would have public health impacts relating to mental health, air quality, and food security.	Construction impacts to general health have been updated in Section 3.18, <i>Public Health</i> .	Trustees for Alaska
6501-165	BLM’s claim that “prevailing winds would typically blow equipment emissions and dust to the southwest, away from Nuiqsut, so construction activities would not impact air quality in the community” ¹⁴⁹⁴ is incorrect. Such a statement both acknowledges a series of known risks, while also completely discounting the potential for harm. BLM should fully analyze and disclose the potential health impacts of emissions and dust on the community of Nuiqsut during the time when winds are blowing towards the community.	The Supplemental EIS Section 3.18, <i>Public Health</i> , has been updated to describe in more detail existing health conditions and potential health impacts, including those related to air quality and emissions.	Trustees for Alaska
6501-166	The draft SEIS fails to meaningfully consider the full cumulative effects of the project on public health. We suggest that BLM’s analysis of public health impacts take an integrative health approach that will more fully capture determinants and feedbacks associated with wellness and disease. In their paper “Food, culture, and human health in Alaska: an integrative health approach to food security” (2009), Loring and Gerlach provide a model of review that BLM should follow. ¹⁴⁹⁵ As described in Loring and Gerlach’s abstract, “this paper expands the discussion of food security, premised on an integrative model of health that links sociocultural, ecological, psychological, and biomedical aspects of individual and community health.” This type of wholistic synthesis should be brought to the analysis and disclosure of the Willow Master Development Plan. This systems-based approach is necessary to fully and accurately describe true harm.	The Supplemental EIS Section 3.18, <i>Public Health</i> , has been updated to describe in more detail existing health conditions and potential health impacts.	Trustees for Alaska
6809-1	This project would exacerbate respiratory illness that’s already perpetuated by existing oil and gas drilling presence. Multiple of my close family members and friends suffer from breathing issues, and I’ve seen firsthand how they’ve struggled even walking a couple blocks outside with high air pollution (in my case, from the Northern California wildfire smoke in 2019). I’ve read in Nuiqsut, one health aid saw the number of folks treated for respiratory illness jump from 1 to *75* (without a proportional jump in population from 1986 to 2000) — and this is in a town of a few hundred people! I’d hate to see the Nuiqsut community further affected by drilling-induced pollution.	The Supplemental EIS Section 3.18, <i>Public Health</i> , has been updated to describe in more detail existing health conditions and potential health impacts.	Andy C
85-1	Plus, the transient workers cause human violations, as there is a reported increase of violence against tribal women whenever transient workers arrive!	ConocoPhillips employees and contractors are restricted from traveling to Nuiqsut (the nearest indigenous community to the Willow Project), unless they are on official business within the community.	Christopher C

Table B.5.28. Purpose and Need Comments and Responses*

No.	Comment	Comment Response	Commenter
2522-1	<p>In Executive Order 14008, President Biden states that “It is the policy of my Administration to organize and deploy the full capacity of its agencies to combat the climate crisis to implement a Government-wide approach that reduces climate pollution in every sector of the economy.”¹ The U.S. has committed to reduce greenhouse gas (GHG) emissions by 50–52 percent below 2005 levels in 2030,² and to reach net-zero emissions by 2050.³ President Biden has ordered all agencies “to immediately commence work to confront the climate crisis,”⁴ and committed to deploying the full capacity of agencies to implement a Government-wide approach to combat the climate crisis.⁵ This approach includes a “reconsideration of Federal oil and gas permitting . . . practices.”⁶</p> <p>The Biden administration directed the relevant federal agencies to review a lengthy non-exclusive list of Trump administration actions for consistency with Executive Order 14008 which included the November 2020 Record of Decision approving the Willow MDP.⁷ The Alaska district court later invalidated that approval, but the fact that the Willow project was specifically identified as potentially inconsistent with the Executive Order underscores the need for BLM to address that question in its supplemental assessment of the project now. The DSEIS ignores Executive Order 14008 and the question of whether/how the Willow project can be made consistent with it.^A</p> <p>Appendix C of the DSEIS lists the federal, state and local laws applicable to the Willow project.⁸ BLM lists nine Executive Orders and an Executive Memorandum as relevant authorities but neglects to mention Executive Order 14008 and its directive to reduce GHG emissions from every sector of the economy, including the oil and gas sector.</p> <p>The Willow project poses significant increased climate pollution from the oil and gas sector of the economy, and BLM directly regulates this sector generally and the Willow project specifically. But BLM fails to discuss or evaluate any means of reducing sector emissions in the context of the Willow decision or otherwise aligning its decision with Executive Order 14008.</p> <p>The DSEIS claims that the “purpose of the Proposed Action is to construct the infrastructure necessary to allow the production and transportation to market of federal oil and gas resources in the Willow reservoir located in the Bear Tooth Unit, consistent with the Proponent’s federal oil and gas lease and unit obligations.”⁹ It notes that BLM and the U.S. Army Corps of Engineers also define their own purposes pursuant to their own authorities and directives.¹⁰ BLM should include its obligation to ensure that whatever decision it makes with regard to the Willow proposal is consistent with the Executive Order 14008 and the nation’s climate-related goals and international commitments.</p> <p>BLM has a new goal of reducing GHG emissions from every sector of the economy. That goal needs to be reflected in the purpose and need statements of projects with significant GHG emissions such as Willow, so that the statement can in turn drive the development and assessment of alternatives that would help achieve that purpose and need. At minimum, BLM must describe how it will ensure that GHG emissions it authorizes from Willow and other permitted projects will be consistent with our nation’s climate goals, including the goal of reducing emissions from the oil and gas sector.</p>	<p>All relevant new guidance issued by the Biden administration was accounted for in preparation of the Supplemental EIS, including the range of alternatives and the purpose and need statement. The Supplemental EIS analyzes the greenhouse gas emissions related impacts of all the alternatives (see Section 3.2, <i>Climate and Climate Change</i>).</p>	<p>Defenders of Wildlife</p>

No.	Comment	Comment Response	Commenter
6501-183	<p>The agency has again provided an unreasonably narrow statement of purpose and need for this federal action, which in turn has improperly limited the scope of the alternatives BLM has considered in the DSEIS.</p> <p>As it did in the 2020 EIS, BLM failed to characterize the purpose of its federal action according to its own legal mandates, including its broad authority and obligation to condition, restrict, and prohibit oil and gas activities as necessary to protect other resources. Instead, BLM again deferred to the project applicant’s purpose and stated a purpose for the project that unreasonably narrows the range of alternatives that it must consider.¹⁵⁰ Similarly, BLM failed to consider the need for the federal action in light of its authority and obligations, the impending climate crisis and predicted reduced long-term demand for fossil fuels, and the commitments and policies of the administration directing its agencies to use the full capacity of the government to reduce emissions to avoid the most catastrophic impacts of climate change.¹⁵¹ Additionally, the agency states that “BLM’s purpose and need for the Willow EIS, is to evaluate the full development of the Willow reservoir,”¹⁵² and as a result improperly conflates its own purpose and need with ConocoPhillips’...</p> <p>An agency cannot define its objectives in unreasonably narrow terms without violating NEPA.¹⁵⁵ An agency also cannot rely on private interests of the project applicant to draft a narrow purpose statement that restricts the consideration of alternatives.</p>	<p>The purpose of a master development plan is to evaluate the impacts of full field development to ensure that National Environmental Policy Act analyses are not segmented, and BLM's purpose and need statement reflects this requirement. The purpose and need has been revised to read as follows: The purpose of the Proposed Action is to construct the infrastructure necessary to allow the production and transportation to market of federal oil and gas resources in the Willow reservoir located in the Bear Tooth Unit, while providing maximum protection to significant surface resources within the NPR-A, consistent with BLM’s statutory directives.</p>	Trustees for Alaska
6501-185	<p>In its purpose and need statement for the DSEIS, BLM entirely fails to include any recognition or application of its statutory mandates to restrict oil and gas activity as it determines necessary to protect other resources and to mitigate adverse environmental effects, making the same error it made in approving Willow the first time...</p> <p>The commitments made in Executive Order 14008, and elsewhere in the Administration’s climate and energy policy, demonstrate a significant change in national climate policy, commitments that had not been made when Willow was approved under the prior Administration.¹⁷³ These policy commitments should be reflected in BLM’s purpose and need statement for Willow, but they are not...</p> <p>By recognizing that it has only the authority, and is not required, to conduct oil and gas leasing and development in the Reserve, BLM has implicitly agreed with commenters’ prior analysis — that BLM has clear, statutory obligations to condition or restrict oil and gas activity as it determines necessary to protect other resources and to mitigate adverse environmental effects.¹⁷⁴ Yet, rather than consider and apply that authority in its purpose and need statement, BLM has again uncritically deferred to ConocoPhillips’ private interest in developing its purpose and need statement, and thereby, once again, unreasonably narrowed the range of alternatives that were considered in the EIS.</p>	<p>The Supplemental EIS does not state that BLM's legal authority to condition or reject the Willow Project is constrained, or that BLM cannot select Alternative A (No Action). All relevant new guidance issued by the Biden administration was accounted for in preparation of the Supplemental EIS, including the range of alternatives and the purpose and need statement. The Supplemental EIS analyzes the greenhouse gas emissions related impacts of all the alternatives (see Section 3.2, <i>Climate and Climate Change</i>).</p>	Trustees for Alaska
7218-4	<p>The NPR-A is public land and as such should be managed for the public good. The SEIS does not explain WHY this project is being considered and how it will provide benefit for the American people... We are currently a global exporter of domestic crude oil, third in the world. If we really need oil for National energy security - we need to put the Export Ban back in place. Again, where is the WHY of this project? The BLM has not made this clear.</p>	<p>The purpose and need for the Project is described in Section 1.4.</p>	Laurie Terwilliger

Table B.5.29. Reclamation Comments and Responses*

No.	Comment	Comment Response	Commenter
30962-46	<p>EPA remains concerned about the proposed level of reclamation activities proposed for future abandonment and requests more information to demonstrate the selected alternative complies with CWA 404(b)(1) guidelines.</p> <p>EPA recommends the FSEIS include consideration of additional mitigation measures to clearly validate compliance with these [CWA 404(b)(1)] guidelines.</p>	<p>Reclamation of the Willow Project must comply with reclamation guidelines in Onshore Order 1, which states that "all pads, pits, and roads must be reclaimed to a satisfactorily revegetated, safe, and stable condition, unless an agreement is made with the landowner or Surface Managing Agency to keep the road or pad in place." Reclamation plans "must be designed to return the disturbed area to productive use and to meet the objectives of the land and resource management plan." Reclamation of the Willow Project must also comply with required operating procedure (ROP) G-1.</p> <p>Specific aspects of the reclamation plan would be approved by the BLM Authorized Officer at the time of reclamation. To assist with abandonment and reclamation, BLM holds bonds from any company conducting development activities within the NPR-A to ensure final reclamation of a project.</p>	U.S. Environmental Protection Agency

No.	Comment	Comment Response	Commenter
3927-2	<p>2.5.9. Abandonment and Reclamation... the DSEIS is 442 pages in length and [Abandonment and Reclamation] section is limited to one short paragraph. The DSEIS focuses exclusively on how this project will be built and operated, and no analysis is provided on how this massive infrastructure and expanse of pads, wells, roads and pipelines will be removed from the project site, once the oil has been extracted. It merely suggests that a reclamation plan could “be written at a later time with input from federal, state and local authorities and private landowners.” It seems to be a little late for setting up a plan for ConocoPhillips to rehab the site and invest in these types of expenditures, when all the oil has been extracted.</p> <p>The project description describes disturbance extraction and relocation of approximately 4.9 million cubic yards of material, enough to make a 20-foot-high mound covering 21 football fields. Is it possible that this project plans “to reseed with native tundra vegetation” or proposes that surface water would wick through up through 7 feet of gravel on the pads, to facilitate the growth of new plants? This plan needs substantial more detail on what abandonment and reclamation will be required, prior to the start or approval of the project.</p> <p>If the abandonment and reclamation plans, costs and environmental effects are not considered at this point in the project, what hope is there that they will ever be considered?</p>	<p>Reclamation of the Willow Project must comply with reclamation guidelines in Onshore Order 1, which states that "all pads, pits, and roads must be reclaimed to a satisfactorily revegetated, safe, and stable condition, unless an agreement is made with the landowner or Surface Managing Agency to keep the road or pad in place." Reclamation plans "must be designed to return the disturbed area to productive use and to meet the objectives of the land and resource management plan." Reclamation of the Willow Project must also comply with required operating procedure (ROP) G-1.</p> <p>Specific aspects of the reclamation plan would be approved by the BLM Authorized Officer at the time of reclamation. To assist with abandonment and reclamation, BLM holds bonds from any company conducting development activities within the NPR-A to ensure final reclamation of a project.</p> <p>Sections 3.4, 3.8, and 3.9 have been updated to reflect any long term or irreversible impacts of the Willow Project.</p>	Kathleen O'Reilly-Doyle
6501-215	<p>Reclamation, including infrastructure and road removal, are barely discussed, despite being critical to both BLM’s NEPA analysis and right-of-way permit obligations under FLPMA.258 The draft SEIS essentially state that infrastructure may or may not be simply left in place or removed.259 Reclamation is necessary for the Willow Plan, and BLM should ensure that all steps are taken to reclaim the area to its natural state, which is unlikely to be attainable. Gravel roads, gravel mines, and other infrastructure in Arctic environments will cause long-term impacts to the landscape that cannot be easily recovered or restored and will never recover to their original, wilderness state.260 Studies have indicated that natural recovery of tundra vegetation may occur on a timeframe that could take millennia or may never occur. 261 There is not a single tundra rehabilitation site that has returned to its original state in thirty-plus years of tundra rehabilitation. Even with intensive rehabilitation efforts, the recovery process takes decades.262 Clear parameters are necessary at this stage to ensure a reclamation plan is in place to ensure reclamation takes place. While reclamation activities may necessitate more equipment and disturbance, simply abandoning infrastructure in place will cause additional permanent damage to the landscape. BLM must analyze the impacts of this ongoing disturbance if facilities and roads are left in place longer than 30 years, particularly if ConocoPhillips intends to use Willow as a hub of future development, and the impacts from eventual road removal and reclamation efforts. The gravel mine sites will also impact a massive area. As discussed in more detail below, a more in-depth reclamation plan is also required for the gravel mine sites and BLM’s plan to simply allow those areas to turn to lakes over the course of a decade is unacceptable.</p>	<p>Reclamation of the Willow Project must comply with reclamation guidelines in Onshore Order 1, which states that "all pads, pits, and roads must be reclaimed to a satisfactorily revegetated, safe, and stable condition, unless an agreement is made with the landowner or Surface Managing Agency to keep the road or pad in place." Reclamation plans "must be designed to return the disturbed area to productive use and to meet the objectives of the land and resource management plan." Reclamation of the Willow Project must also comply with required operating procedure (ROP) G-1.</p> <p>Specific aspects of the reclamation plan would be approved by the BLM Authorized Officer at the time of reclamation. To assist with abandonment and reclamation, BLM holds bonds from any company conducting development activities within the NPR-A to ensure final reclamation of a project.</p> <p>Sections 3.4, 3.8, and 3.9 have been updated to reflect any long term or irreversible impacts of the Willow Project.</p>	Trustees for Alaska
6501-345	<p>BLM claims ConocoPhillips will reclaim the mine sites in the future, however, there is no detailed analysis or reclamation plans. ConocoPhillips’ supposed “plan” to allow the mines to turn into lakes over time is not a reclamation plan, and the DSEIS fails to add that such a plan is in itself likely to have serious impacts that alter the hydrology of the area, will lead to permafrost degradation, and will also lead to other downstream impacts. The draft EIS must be revised to add such analysis and actual reclamation plans.</p>	<p>Mine site operators must reclaim mine sites in accordance with 43 CFR 3600, subpart 3601. Reclamation of mine sites must leave the site in a condition similar to the surrounding landscape and ecosystem upon final abandonment. A reclamation plan was submitted with the mine site plan, and impacts of the reclamation plan are evaluated in Sections 3.4 (<i>Soils, Permafrost, and Gravel Resources</i>) and 3.9 (<i>Wetlands and Vegetation</i>). Additional descriptions regarding mine site development and reclamation have been added to Section 3.4.2.3.1, <i>Thawing and Thermokarsting</i>, and the Willow Mine Site Mining and Reclamation Plan is included with the Supplemental EIS as Appendix D.2.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-366	<p>The plans for reclamation of the project and the gravel mines are woefully inadequate.946 Gravel roads, gravel mines, and other infrastructure in Arctic environments will cause long-term impacts to the landscape that cannot be easily recovered or restored and will never recover to their original, wilderness state.947 Studies have indicated that natural recovery of tundra vegetation may occur on a timeframe that could take millennia or may never occur.948 There is not a single tundra rehabilitation site that has returned to its original state in thirty-plus years of tundra rehabilitation. Even with intensive rehabilitation efforts, the recovery process takes at least decades.949</p> <p>For areas where there has been thermal slumping or subsidence, rehabilitation is very expensive and likely impossible.950 The DSEIS only summarily states for the project facilities that it will determine reclamation requirements at a later point in time. For the gravel mines, BLM and ConocoPhillips appear to in fact have no actual reclamation plan and are instead purportedly allowing the mine site to revert over time into being a pond and supposed aquatic habitat.951 Although the DSEIS acknowledges that filling the area with water will accelerate thaw in the area, it does nothing to discuss how those impacts might be addressed. Dr Fennessy explains that thaw bulbs would form in the mine pits, resulting in increased permafrost thaw and erosion, but the SDEIS lacks a plan or analysis of impacts if the mine’s berms were to wash out, causing flooding and damage to surrounding wetlands and the Ublutuoch River. Rather than consider these potential impacts or ways to mitigate them, the supposed “reclamation plan” appears to give ConocoPhillips a free ticket to take all the gravel it wants and cause significant permafrost and habitat degradation in the immediate area and downstream — all while providing no real plan for addressing those impacts in either the near-term or long-term.</p>	<p>Reclamation of the Willow Project must comply with reclamation guidelines in Onshore Order 1, which states that "all pads, pits, and roads must be reclaimed to a satisfactorily revegetated, safe, and stable condition, unless an agreement is made with the landowner or Surface Managing Agency to keep the road or pad in place." Reclamation plans must "must be designed to return the disturbed area to productive use and to meet the objectives of the land and resource management plan."</p> <p>Mine site operators must reclaim mine sites in accordance with 43 CFR 3600, subpart 3601. Reclamation of mine sites must leave the site in a condition similar to the surrounding landscape and ecosystem upon final abandonment. A reclamation plan was submitted with the mine site plan, and impacts of the reclamation plan are evaluated in Section 3.4 (<i>Soils, Permafrost, and Gravel Resources</i>) and Section 3.9 (<i>Wetlands and Vegetation</i>).</p> <p>Impacts to tundra vegetation, including long term impacts to areas underlying gravel infrastructure, are in Section 3.9. Impacts to permafrost, including potential thawing due to project activity, are in Section 3.4</p>	Trustees for Alaska
6501-61	<p>The DSEIS contains statements regarding habitat loss, abandonment, and reclamation that are questionable, vague, or contradictory. For example, the DSEIS states, “Abandonment and reclamation may involve removal of gravel pads and roads or leaving these in place for alternative uses.”1096 The DSEIS also states that, if reclamation does not occur, effects will be irreversible.1097 However, ROP G-1 has this requirement of lessees: “Prior to final abandonment, land used for oil and gas infrastructure shall be reclaimed to ensure eventual restoration of ecosystem function.”1098 In addition, the already-inadequate reclamation and recovery strategies described in the report also reveal that some gravel infrastructure may be left in place for future, post-project uses. The DSEIS should be revised to accurately describe the difficulties of restoration and reclamation, and explain where these mitigation measures will or will not take place.</p>	<p>Reclamation of the Willow Project must comply with reclamation guidelines in Onshore Order 1, which states that "all pads, pits, and roads must be reclaimed to a satisfactorily revegetated, safe, and stable condition, unless an agreement is made with the landowner or Surface Managing Agency to keep the road or pad in place." Reclamation plans "must be designed to return the disturbed area to productive use and to meet the objectives of the land and resource management plan." Reclamation of the Willow Project must also comply with required operating procedure (ROP) G-1.</p> <p>Specific aspects of the reclamation plan would be approved by the BLM Authorized Officer at the time of reclamation. To assist with abandonment and reclamation, BLM holds bonds from any company conducting development activities within the NPR-A to ensure final reclamation of a project.</p> <p>Sections 3.4, 3.8, and 3.9 have been updated to reflect any long term or irreversible impacts of the Willow Project.</p>	Trustees for Alaska
6501-65	<p>The DSEIS is also contradictory as to whether the MTI would erode away over time. The DSEIS states, “The alteration of nearshore habitat would also be irreversible because even if the MTI is abandoned and reshaped, it would still exist.”1107 However, this statement contradicts the reclamation requirements of ROP G-1. The DSEIS should more clearly explain what will happen to the MTI, if approved, after it is abandoned, and provide references or modeling that supports those claims.</p>	<p>Effects to the nearshore environment from the module transfer islands are evaluated in Section 3.10; however, required operating procedure (ROP) G-1 does not apply in nearshore waters, which are under the jurisdiction of the State of Alaska and the U.S. Army Corps of Engineers. The BLM will carefully consider the long-term impacts of all module transfer options in selecting a Final Preferred Alternative.</p>	Trustees for Alaska

Table B.5.30. Request for Extension or No Extension of the Public Comment Period Comments and Responses*

No.	Comment	Comment Response	Commenter
1036-1	I am writing as a 38 year Alaskan (Fairbanks) resident to urge BLM to not extend the comment period any further	The comment period was not extended.	Sarah Lefebvre
1048-2	...Encourages BLM to adopt the SEIS in a timely manner to allow construction to begin this winter. We request that BLM prevent any additional delays since this fifth comment period, along with prior public input, is more than sufficient	The comment period was not extended.	Jacob Howdeshell
1158-2	The NAM urges BLM to expeditiously evaluate the SEIS within the current comment period and approve this project to support domestic energy security.	The comment period was not extended.	National Association of Manufacturers
12972-1	I am writing to request that you do not extend the current 45-day comment period for the Supplemental Draft Environmental Impact Statement (SEIS) for Alaska's Willow project	The comment period was not extended.	Laborer’s International Union of North America
162-1	I also urge that the comment period on this important matter be extended to allow full public participation.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	Andrew Mason

No.	Comment	Comment Response	Commenter
18-1	We would like to respectfully request that this schedule to be modified to allow the comment period be through September 30th, 2022 and the community meetings closer to the end of the comment period.	The comment period was not extended and the public meeting in Nuiqsut was held during the public comment period. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	Eunice Brower
18380-1	The first Willow hearing on Monday 8 Aug 2022, started with quick comment denying residents' closest to the drilling site request for an extension to complete their summer subsistence activities. While it took BLM over three weeks to address this request by residents and members of Congress, the announcement was even more upsetting because BLM had promised an extension just 72 hours earlier. Mayor of the community Rosemary Ahtuanguak explained "[T]he reversal created substantial logistical problems for Nuiqsut[...] August is also one of the busiest seasons for subsistence harvesting and many residents are already out moose and caribou hunting, [...] and getting ready for the fall whale hunt." It is deeply disturbing that the people closest to the Willow project HAVE TO CHOOSE between participating in seasonal subsistence activities -EATING FOR THE YEAR-or this NEEDLESSLY RUSHED comment period that will determine the fate of the lands and waters surrounding their community.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	Adrienne Brietzke
1863-1	The BLM should not extend the comment period any further time or for any further studies.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	Rick Van Nieuwenhuysse
1989-4	Doyon acknowledges that BLM Alaska coordinated with eight cooperating agencies, including US Fish and Wildlife Service, US Army Corps of Engineers, Inupiat Community of the Arctic Slope, North Slope Borough, State of Alaska, US Environmental Protection Agency, Native Village of Nuiqsut, and City of Nuiqsut, and external stakeholders to develop and evaluate alternatives. Doyon asserts that the current comment period is adequate time to review limited, new information, and that the comment period should not be extended.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	Doyon, Limited
2064-1	We were concerned to learn that the Bureau of Land Management (BLM) will offer a 45-day comment period for the Willow Master Development Project SEIS, the shortest comment period the law allows. We note that there have been direct requests from within the Arctic, particularly from Nuiqsut, that this process not be rushed during the summer subsistence period. Additionally, we highlight the disastrous climate consequences associated with moving forward with the Willow Project, and strongly believe affected stakeholders should have a longer period of time to prepare public comments. We request a minimum 75-day extension to submit public comments for the Willow Project SEIS. We also request a response to this request by July 25, 2022, or sooner to allow affected organizations and communities to meet the comment deadline should the Administration reject our request. We look forward to providing substantive public comments in due course.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	Evergreen Action
2159-2	The Willow Project has undergone almost five years of rigorous regulatory review and environmental analysis, including extensive baseline studies. Additionally, there has been extensive public involvement with five public comment periods totaling more than 215 days and 25 public meetings. There has been a request to extend the public comment period. Based on the 45 days allotted to comment on this SEIS plus extensive public involvement to date this extension is not warranted.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	John Hendrix
2221-1	The current comment period coincides with the Nuiqsut's busiest time of year for harvesting and preparations. I am requesting: 1) please extend the commenting period deadline to a minimum of 75 days to allow greater participation by stakeholders most affected by this proposal 2) please hold additional hearings, both physical (Fairbanks and Washington D.C.) and virtual (at earlier times of day to accommodate greater participation)	Additional virtual public meetings were held to accommodate stakeholders on East Coast time. The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	Angela Wells

No.	Comment	Comment Response	Commenter
234-1	<p>The Willow Project has already undergone an extensive environmental review process lasting close to five years. During this process, there have been detailed baseline scientific studies and rigorous regulatory review. The Alaska District Court only required narrow issues to be updated, and we support Alternative E in the draft SEIS, which constitutes a strong, balanced path forward for the Willow Project while greatly reducing surface impacts. In addition, the Willow Project is consistent with BLM's 2022 NPR-A Integrated Activity Plan.</p> <p>The public has had ample opportunities for input, and this 45-day comment period is sufficient for public engagement on the updates to the draft SEIS. By the end of this 45-day comment period, there will have been five public comment periods, lasting a total of over 215 days since the beginning of the NEPA process. We would therefore ask that the BLM refrain from extending the sufficient 45-day comment period given that this project has been extensively reviewed, this is the fifth comment period, and the Draft SEIS is addressing narrow issues raised by the Alaska District Court. Any additional delays would jeopardize the ability to make progress during the 2022-23 construction season, creating risk and uncertainty for the Alaska economy and stakeholders in the North Slope.</p>	<p>The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.</p>	<p>Alaska District Council of Laborers</p>
2374-2	<p>If the project does not stay on course, there is no guarantee that the people of the North Slope will have access to the essential services that the rest of the country takes for granted – such as schools, roads, or jobs to support our families. Delaying this project any further will have real world consequences for us, such as the North Slope Borough being unable to plan for the upcoming school year or make any long-term capital investments.</p>	<p>The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.</p>	<p>Iñupiat Community of the Arctic Slope</p>
2499-3	<p>I am asking the BLM to please avoid delay and complete the SEIS and Record of Decision in time to begin construction of the Willow project for the 2022-2023 winter season.</p>	<p>The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.</p>	<p>Christina Guenther-Dutcher</p>
2598-2	<p>The 45-day comment period is more than sufficient for public engagement on the Draft SEIS. In addition to adopting a Final SEIS in a timely fashion, the BLM should refrain from extending the 45-day comment period for the Draft SEIS.</p>	<p>The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.</p>	<p>Alaska State Senate: Senator Bill Wielechowski; Senator Scott Kawasaki; Senator Tom Begich, Minority Leader; Senator Lyman Hoffman; Senator Roger Holland; Senator Click Bishop; Senator Elvi Gray-Jackson; Senator Natasha von Imhof; Senator Mia Costello; Senator Peter A. Micciche, Senate President; Senator Bert Stedman; Senator Mike Shower; Senator David Wilson; Senator Gary Stevens; Senator Shelley Hughes, Majority Leader; Senator Josh Revak; Senator Robert Myers; Senator Lora Reinbold</p>

No.	Comment	Comment Response	Commenter
26-22	We ask why our requests to delay comments were not honored? And then we were given comments that we were going to have the request for extension granted on Friday. To have Monday come right before lunch and call me and say that the extension is not granted.	BLM ultimately decided not to extend the comment period. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	John Sonin; Rosemary Ahtuanguaruak; Dyani Chapman; Christi Heun; Andy Moderow; Doug Woodby; Liam Zsolt; Pamela Miller; Barbara Brease; Danielle Stickman; Chris Warner; Lauren Hendricks; Ellen Montgomery; Sara Hersh; Dorcas Nashoalook; Sam Kunaknana; Joe Evans; Sonia Ahkiygak
26-29	The proposed schedule directly conflicts with the community’s subsistence harvesting schedule in preparation of our Cross Island whaling efforts. Therefore, on behalf of Nuiqsut, I, that would be the mayor, respectfully request that modifying a comment period through December 30th and meeting closer to the comment period. This will allow time for development and meaningful compensatory mitigation efforts.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	John Sonin; Rosemary Ahtuanguaruak; Dyani Chapman; Christi Heun; Andy Moderow; Doug Woodby; Liam Zsolt; Pamela Miller; Barbara Brease; Danielle Stickman; Chris Warner; Lauren Hendricks; Ellen Montgomery; Sara Hersh; Dorcas Nashoalook; Sam Kunaknana; Joe Evans; Sonia Ahkiygak
26-30	On this past Friday, August the 5th at 9:51 a.m., I received a call from the Alaska office for BLM, told the following. One, at the request of the city, the native village of Nuiqsut and Kuukpik, the department of BLM agreed that the comment period can be extended until Wednesday, September 28th, 2022. Second, the meetings set for this week have been canceled and reset tentatively for the week of the September 12th and Wednesday meeting September 14 in Utqiagvik and Thursday, September 15 at Nuiqsut. These can be changed if the community wants different dates. For example, in September. This morning, we received a call that the extended comment period commitment had been reneged upon. No explanation was given. We were simply told that the comment period was being reset to end on August the 29th. I would respectfully request that State Director, Steven Cohn as he stated in the interest of as he stated in complete transparency, explain why in the time of 72 hours the extended period for comment was revoked.	BLM ultimately decided not to extend the comment period; and communication about the comment period extension happened before that decision was final. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	John Sonin; Rosemary Ahtuanguaruak; Dyani Chapman; Christi Heun; Andy Moderow; Doug Woodby; Liam Zsolt; Pamela Miller; Barbara Brease; Danielle Stickman; Chris Warner; Lauren Hendricks; Ellen Montgomery; Sara Hersh; Dorcas Nashoalook; Sam Kunaknana; Joe Evans; Sonia Ahkiygak
26-31	This process as stated before is very important to our community. And we did not take this upon ourselves as a low entity making this request. We had a trilateral meeting which our local leadership, the corporation, the Native Village of Nuiqsut and the City of Nuiqsut had a meeting and made the decision to make this extension. This process is very important to our community, and we have been working together as leadership around these discussions, but the rapidity of the changes of all of the process has presented many different discussions around the way this project may or may not be developed. It is very important our leadership has the time it appropriately review and analyze this document after the many, many layers of discussions and participation that have given us many thoughts of actions and reactions to this discussion. Our leadership has worked very hard in providing communications in this process in a written fashion, and that's important, however, we are also reacting to the CD1 gas leak and continued process in which that process created a lot of concerns for our community.	BLM ultimately decided not to extend the comment period. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	John Sonin; Rosemary Ahtuanguaruak; Dyani Chapman; Christi Heun; Andy Moderow; Doug Woodby; Liam Zsolt; Pamela Miller; Barbara Brease; Danielle Stickman; Chris Warner; Lauren Hendricks; Ellen Montgomery; Sara Hersh; Dorcas Nashoalook; Sam Kunaknana; Joe Evans; Sonia Ahkiygak

No.	Comment	Comment Response	Commenter
26-41	...And support the city of Nuiqsut, Rosemary and others who have commented on asking for an extension and also clarity on when the community meetings are being held.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	John Sonin; Rosemary Ahtuanguaruak; Dyani Chapman; Christi Heun; Andy Moderow; Doug Woodby; Liam Zsolt; Pamela Miller; Barbara Brease; Danielle Stickman; Chris Warner; Lauren Hendricks; Ellen Montgomery; Sara Hersh; Dorcas Nashoalook; Sam Kunaknana; Joe Evans; Sonia Ahkiygak
26-43	I would respectfully request that the next public meeting that a candid, clear, unequivocal explanation be given as to why the comment period was extended to September the 28th, and then less than 72 hours later, it was rescinded and reset to August the 29th. I think the people of Nuiqsut are entitled to know who made that decision, why that decision was made, and why BLM reneged on its commitment to take into account, the subsistence needs of the community during August and early September. That's a very important issue. I believe that's an arbitrary, capricious decision. It denies the village and residents of the community due process, and someone needs to explain in clear, unequivocal, candid language, identifying who made the decision, why it was made, when it was made, and why we were misled to believe the comment period for the community was extended to give the community the full opportunity to give full comments on a matter that truly effects, not only the lifestyle, but the life of the community. So, I would hope at the beginning of the next to meeting, when the slides are put up, that there is a very thorough, candid, clear, unequivocal, transparent explanation why the decision was made over the weekend.	BLM ultimately decided not to extend the comment period; and communication about the comment period extension happened before that decision was final. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	John Sonin; Rosemary Ahtuanguaruak; Dyani Chapman; Christi Heun; Andy Moderow; Doug Woodby; Liam Zsolt; Pamela Miller; Barbara Brease; Danielle Stickman; Chris Warner; Lauren Hendricks; Ellen Montgomery; Sara Hersh; Dorcas Nashoalook; Sam Kunaknana; Joe Evans; Sonia Ahkiygak
27-1	Unfortunately, this proposed schedule directly conflicts with the community's subsistence harvesting schedule and preparation for the Cross Island whaling efforts. Therefore, on behalf of the City of Nuiqsut as one of the Cooperating Agencies in this matter, I would respectfully request that this schedule be modified to allow a comment period through September 30th and community meetings closer to the end of that comment period. (This will also allow more time for the development of meaningful compensatory mitigation measures.)	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	Rosemary Ahtuanguaruak
2751-2	There is no need to extend the comment period. Please issue a ROD supporting Alternative E as soon as possible.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	Michael Satre
2885-2	AOGA strongly encourages the BLM to adopt Alternative E and issue a final EIS and ROD in a timely manner and urges the BLM to not extend the current comment period.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	Alaska Oil and Gas Association
2988-1	Since the Interior Department recently declined the request by the Alaska Native Village of Nuiqsut to extend the public comment period and give residents more time to give residents more time during their subsistence harvest busy-season, I'm asking you to reconsider. This is making it harder for residents to participate in the rushed process.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	Pam Nelson
30956-3	We urge Interior and BLM to take an approach that honors the Indigenous people and Tribes that will be most impacted by Willow. A meaningful public process must encourage community engagement by accounting for the realities of village life, including language barriers. Providing an additional period to comment on the DSEIS that accommodates subsistence harvests is a necessary first step.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	Sovereign Iñupiat for a Living Arctic
30964-13	Laborers Local 942 encourages BLM to adopt the SEIS in a timely manner to allow construction to begin this winter. We request that BLM prevent any additional delays, since this fifth comment period, along with prior public input, is more than sufficient, and the Alaska District Court affirmed most aspects of the EIS in the Willow Master Development Plan.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Unsigned
30964-14	Permit the Willow Project without further delay.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Unsigned

No.	Comment	Comment Response	Commenter
30964-4	Delaying or stopping the first major production in NPRA would deprive NPRA communities of a long-promised partnership and the benefits of resource production. Further delays on these projects are not in the public interest and will continue to have significant negative impacts on the state of Alaska, North Slope Borough, NPRA communities, and other North Slope stakeholders.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Unsigned
30964-5	A timely decision is crucial to Willow being able to begin the construction in the 2022-2023 season.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Unsigned
30964-6	Time is of the essence when it comes to the bureau's review process in this matter. Timely review is necessary, not only to bring about the benefits the project would create, in terms of jobs, energy, infrastructure, and local investment... The bureau should look at any request for delays such as those requests to extend the current 45-day comment period on the SEIS, with a very critical eye. These delay tactics serve no purpose other than to prolong the permitting process in the hopes that delay alone will cause the project to be canceled.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Unsigned
30964-8	Any further delay of the project will prolong our financial difficulties and threaten our current way of life.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Unsigned
30966-6	Willow has followed a thorough and lengthy federal review process already, one that threatens to drown out the voices of us most directly impacted. Any further delay of the project will prolong our financial difficulties and threaten our current way of living.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Unsigned
30967-1	I'd like to express our disappointment at BLM's effort to extend this comment period and to make meaningful effort to engage with communities in Alaska in person. The last minute changes to the North Slope meetings, as well as the lack of scheduled meetings in Anchorage and Fairbanks were a disappointment	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate. Five virtual public meetings were held at multiple times throughout the day and two in person meetings were held in communities with poor internet connectivity to accommodate as many stakeholders as possible.	Unsigned
3-1	We write to request an extension of the timeframe for the public to provide comments on the draft Supplemental Environmental Impact Statement (SEIS) for the proposed Willow Master Development Plan (Willow).	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	Trustees for Alaska, Earthjustice, and Sovereign Iñupiat for a Living Arctic
3224-1	A 45-day public comment period is more than sufficient for the public to respond to the updates presented in the draft SEIS. By the end of August, there will have been five public comment periods on the Willow project, totaling more than 215 days and 25 public meetings, since the BLM commenced the NEPA process. This more than meets the standard for gathering public comment.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Sarah Erkmann Ward
3224-2	I urge BLM to adopt Alternative E and issue a final EIS and ROD in a timely manner, and not to extend the current comment period.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Sarah Erkmann Ward
3475-1	Before the SEIS was even issued on July 8, 2022, there were requests to extend the public comment period. The report was not even public and additional time was being requested. This is the 51h public comment period for this project. The Willow Development Project has already gone through multiyear environmental analysis and review. The SEIS comment period is through August 29, 2022, it should remain that way.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Richard Schok
3536-2	The current 45-day comment period underway is sufficient as this will now be the fifth comment period for this rigorously reviewed project. A timely decision is critical to allow work to begin during Alaska's 2022-2023 winter season and put Alaskans back to work.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	John Hansen
3544-1	I am commenting to first urge that the public comment period for the Willow project be extended a minimum of 75 days to allow for more community engagement particularly for the people of Nuiqsut who are currently engaged in their busiest season of the year with harvesting, culture camps, and preparing for whaling season. Also, please provide additional public hearings in Fairbanks and Washington DC, and also additional virtual hearings that are earlier in the day to accommodate more people's schedules.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate. Five virtual public meetings were held at multiple times throughout the day and two in person meetings were held in communities with poor internet connectivity to accommodate as many stakeholders as possible.	Maren Miller
3676-1	Please consider extending the commenting period a minimum of 75 days to better accommodate the seasonal rounds and currently busy times of the people who will be most directly affected by this decision. Additionally, please arrange for additional public hearings, both in-person and virtually, held at times when more community members can take part, for example earlier in the day.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Erika Gavenus

No.	Comment	Comment Response	Commenter
3846-1	RDC encourages the BLM to move forward in finalizing the DSEIS without any further delay or extensions. After many years of rigorous environmental review and analysis, including complying with additional court-ordered review, the DSEIS presents a reasonable alternative that responds to the court's concerns and was developed in coordination with cooperating agencies and stakeholders. The current comment period is adequate time to review limited, new information.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Leila Kimbrell
3995-2	I would ask that the BLM make a timely decision on this matter to avoid further delay	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	James Foley
4071-1	I would like to strongly encourage the BLM not to extend the comment period any further and request your support of Alternate E before the deadline.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Larry Angel
4505-2	The project should not be delayed any further, and we believe the BLM has received more than sufficient public comment during the extensive public comment periods.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Jordan Adams
4629-1	I am writing to voice my support for extending the commenting period deadline for the Willow Project in the National Petroleum Reserve-Alaska for a minimum of 75 days. I also support the creation of additional public hearings that would take place both physically, in locations like Fairbanks and Washington, D.C., as well as virtually, especially with virtual hearings that take place earlier in the day to accommodate individuals' schedules.	Additional virtual public meetings were held to accommodate stakeholders in other time zones. The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Unsigned
4751-1	This is the fifth public comment period for the Willow EIS. By the end of the current comment period, BLM will have provided 215 days of public comment and hosted 25 public meetings on the Willow EIS over nearly 5 years. There is no need to extend this public comment period any longer.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Sam Mazzeo
4768-1	I am writing to ask that the BLM stick to the 45-day comment period for the Willow SEIS.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Rebecca Logan
4840-2	I believe the public has had ample opportunity to comment on the basic project plan and that a 45-day comment period for the three additional issues in this SEIS is very generous. I encourage the BLM to expedite the process for the Willow project.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Bob Stinson
490-2	We ask that the comment period be extended	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Kurt Schwarz
5078-2	Your planned 45-day comment period seems more than adequate considering the amount of delay and extra work already generated for the Willow project.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Stephen Bross
5228-2	We strongly encourage BLM to expeditiously review comments received on the Draft SEIS and proceed to preparing a final EIS as soon as possible. This project has been under review for years, and the judicially-required SEIS needs to reach a conclusion forthwith.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	State of Alaska
5262-2	The current 45-day comment period underway is sufficient as this will now be the fifth comment period for this rigorously reviewed project.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Kelly Droop
5510-1	We request a minimum 75-day extension to submit public comments for the Willow Project SEIS.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Evergreen Action
5865-2	We also urge the BLM not to extend the current comment period.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Lisa Cassino
6406-1	As a lifelong Alaskan I ask BLM to not extend the comment period. The longer this project takes the longer Alaskans have to wait for the immense economic benefit Willow will contribute to our state.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Nicholas

No.	Comment	Comment Response	Commenter
6501-176	<p>Despite receiving requests for an extension of the comment period from Commenters, the City of Nuiqsut, the Native Village of Nuiqsut, and others, BLM denied these reasonable requests for an extension. It is particularly troubling that Nuiqsut’s mayor and the city’s attorney testified during BLM’s August 8 virtual hearing that BLM had officially informed the community that a 30-day extension, through September 30, would be granted given the need for the community to engage in subsistence harvesting activities during the month of August. However, BLM appears to have reneged on that extension after the fact, causing confusion and creating travel and meeting participation problems for the community.⁸⁸ The manner in which the administration and ConocoPhillips are operating suppresses the public’s ability to review and engage in the evaluation of this project, contrary to NEPA. Such behavior rivals even the Trump administration’s disrespectful approach to coordinating with tribes and affected communities. In sum, BLM’s rejection of reasonable requests to extend the comment period with the singular goal of allowing ConocoPhillips to begin operations this winter is contrary to law and policy.</p> <p>Additional time would have allowed communities engaged in subsistence activities during the summer and fall to respond to the proposal and to review the many documents BLM is relying on for its analysis. Public participation is a core purpose of NEPA and BLM must ensure adequate time and opportunity to engage the public in each step of this process.⁸⁹ A 45-day comment period during the summer on the SEIS is insufficient to meet BLM’s NEPA obligations to provide robust participation by the interested public, given the sensitive resources, the complexity of the issues and analysis required, and the timing of the proposal review.⁹⁰</p> <p>We are concerned that BLM is rushing this review period to achieve the goal of issuing a Final EIS and ROD prior to this winter’s North Slope construction season, at the expense of the public and a thorough analysis.</p>	<p>Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM ultimately determined that a 45-day public comment period was adequate. The City of Nuiqsut and Native Village of Nuiqsut also had the opportunity to provide additional comments on the preliminary Final Supplemental EIS in their roles as cooperating agencies.</p> <p>The Supplemental EIS process has followed and complied with the requirements of the National Environmental Policy Act, including public involvement, and BLM will continue its consultation with Native entities and other stakeholders throughout the EIS process. BLM is committed to completing its review of the Willow Project in an efficient manner, but BLM does not have a prescribed timeline for completing environmental reviews.</p>	Trustees for Alaska
6558-1	The comment period needs to be extended a minimum of 75 days and additional public hearings (physical and virtual) need to be held.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Hannah Obenaus
6740-1	<p>To be included, I agree with the formal comments submitted by the Native Village of Nuiqsut, as well as the comments submitted by the City of Nuiqsut to extend the commenting period due to the subsistence harvesting schedule.</p> <p>Our homes, hunting and gathering grounds are currently overwhelmed by the already existing number of oil activities encroaching on our territory.</p> <p>Normally, I'd like to complain against the short amount of time that the Bureau of Land Management has established for the commenting period for the Willow Master Development Plan.</p>	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Sharla Hausmann
6982-9	Evergreen Action notes with concern that the 45-day comment period for public participation was too short, and this may have impacted the ability of affected communities to meaningfully participate in the public comment process. For example, Mayor Rosemary Ahtuanguaruak, representing the City of Nuiqsut, wrote to BLM asking for a longer comment period on the grounds that BLM’s proposed schedule “conflicts with the community’s subsistence schedule and preparation for the Cross Island whaling efforts.” This was also reflected in the letter of Vice President Eunice Mary Brower of Native Village of Nuiqsut. BLM has not provided sufficient time for frontline communities in Alaska to have their voices heard.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Evergreen Action
7290-1	Please end the review period and approve the next steps for the Willow oil field project!	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Norman Blair
7353-2	No Extension Required: A 45-day public comment period is sufficient for the public to respond to the updates presented in the draft SEIS. By the end of August, there will have been five public comment periods on the Willow project, totaling more than 215 days and 25 public meetings, since the BLM commenced the NEPA process.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Bob Valantas
809-1	Protect the democratic process, and please extend the commenting period deadline to a minimum of 75 days.	The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.	Teresa Herrera

No.	Comment	Comment Response	Commenter
8096-1	<p>My people, the Iñupiat, are currently busy harvesting food and berries for the winter; this is a known fact that has been brought up in formal complaints numerous times to the Bureau of Land Management and those involved...</p> <p>To be included, I agree with the formal comments submitted by the Native Village of Nuiqsut, as well as the comments submitted by the City of Nuiqsut to extend the commenting period due to the subsistence harvesting schedule...</p> <p>In writing, I am requesting that the Bureau of Land Management hold their hearings at a more timely manner and allow more advanced notification to the public.</p> <p>I'm also requesting the Bureau of Land Management hold an in person public hearing in Fairbanks, Alaska with prior informed notification, allowing the residents of Alaska to attend.</p>	<p>The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate. Five virtual public meetings were held at multiple times throughout the day and two in person meetings were held in communities with poor internet connectivity to accommodate as many stakeholders as possible.</p>	Sharla Ashley
8096-2	<p>I'm writing you today as an enrolled member of one of the impacted communities- Kalimiut, known as Point Lay, Alaska... there has been a direct lack of communication between the Bureau of Land Management and the public... The commenting period and hearings hosted by the Bureau of Land Management were not immediately available to the public in a professional and timely manner. I was unable to attend any virtual hearing for the Willow Master Development Plan in the year 2022 due to lack of communication from the Bureau of Land Management.</p> <p>As an Iñupiaq individual, whose land, body, and family this project will impact most- I respectfully request an in person meeting at a better time, with proper advanced notice so those of us who are busy harvesting...</p> <p>The Bureau of Land Management posting one Facebook post with limited information a day or two before the hearings will not suffice in any form. Your website has nowhere to submit a comment only green highlighted letters that say "Click on the green "Participate Now" button to submit a comment." But there is no green participate now option visible or accessible to a majority of the public.</p>	<p>The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate. Five virtual public meetings were held at multiple times throughout the day and two in person meetings were held in communities with poor internet connectivity to accommodate as many stakeholders as possible.</p>	Sharla Ashley
8-1	<p>We write to you today to strongly urge the Bureau of Land Management (BLM) to extend the timeframe for the public to comment on the draft Supplemental Environmental Impact Statement (SEIS) for the proposed Willow Master Development Plan (Willow)</p>	<p>The comment period was not extended. Given the limited nature of new material in the Supplemental EIS and the fact that the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was adequate.</p>	Alan Lowenthal; Raúl Grijalva; Jared Huffman (House Natural Resources Committee)

Table B.5.31. Request for More Detail Comments and Responses*

No.	Comment	Comment Response	Commenter
26-37	And I would like to see if the Department of Interior can implement the studies that were done back in 2004, 2005 to study and analyze the PAH’s, not just in the soil. But in the caribou, and the fish.	<p>Existing studies on the accumulation of polycyclic aromatic hydrocarbons (PAHs) in subsistence foods have been incorporated in the Supplemental EIS.</p> <p>Section 3.10, <i>Fish</i>, has incorporated the Wetzel et al 2012 study investigating PAH levels in subsistence fish from 2004, 2005, 2008, and 2010. Few published studies report environmental or fish PAHs level on the North slope, and most recent studies focus on the nearshore environment through Bureau of Ocean Energy Management ANIMIDA and CANMIDA projects and the 2018 Willow marine monitoring program. The investigations referred to in the comment reveal low, patchy presence of PAHs in some fish species and tissues, with few conclusions able to be drawn on the health of subsistence harvest. Measuring PAHs in fish is complex as fish rapidly metabolize and eliminate PAHs. Linking exposure and potential injury is challenging in the absence of an exposure event like an oil spill. Thus, measuring PAHs in subsistence fish would not be an accurate measure of PAH effects on fish and would likely only confirm that fish do not bioaccumulate PAHs. Using fish for oil spill forensics (i.e., finding where hydrocarbon contamination is coming from) also requires many assumptions as many additional factors drive the exposure, uptake, metabolism, and elimination of these compounds in fish independent of hydrocarbon environmental presence. Designing monitoring studies using indicator invertebrates, in situ passive sampling devices, or mass water sampling devices may prove more efficient for PAH monitoring in the aquatic environment.</p> <p>Wetzel et al. (2012) assessed baseline concentrations of PAHs prior to the construction permanent oil and gas facilities within the NPR-A. With the increase in oil and gas activity near areas that serve as important aquatic habitats, the North Slope Borough (NSB) Division of Wildlife Management has recently partnered with BLM and the Mote Marine Laboratory to conduct a follow-up monitoring effort to evaluate levels of PAHs in sediments of the Colville River/Fish Creek and subsistence fishes important to the community of Nuiqsut. This study will sample a subset of sites initially sampled by Wetzel et al. (2012) as part of a monitoring effort to assess trends in PAH levels to ensure that the NSB and BLM are effective at protecting these sensitive aquatic ecosystems and comply with BLM's required operating procedures.</p>	John Sonin; Rosemary Ahtuanguaruak; Dyani Chapman; Christi Heun; Andy Moderow; Doug Woodby; Liam Zsolt; Pamela Miller; Barbara Brease; Danielle Stickman; Chris Warner; Lauren Hendricks; Ellen Montgomery; Sara Hersh; Dorcas Nashoalook; Sam Kunaknana; Joe Evans; Sonia Ahkiygak
30962-53	EPA recommends the FSEIS include a section specific to the geological analysis of the Willow reservoir. EPA is concerned the “demonstrated development potential” of the Willow reservoir is not demonstrated in the DSEIS as the project proponent’s interest via leasing and development does not scientifically substantiate the development potential of the Willow reservoir. The document does not include a section dedicated to the geological analysis of the Willow reservoir, which is the most impacted environmental resource; instead, portions of this discussion are fragmented throughout the document and appendices. Several critical aspects of the assessments tier from this data, but it is not presented clearly for the public’s understanding. The document discusses how additional characterization of the target reservoir and further engineering refinements have been completed, but a summary of this data is not provided. We recommend that FSEIS include a separate section dedicated to this discussion.	Demonstrated development potential relies on business confidential information that is protected by the Trade Secrets Act. BLM subsurface resource experts carefully evaluated this data to inform decisions about ongoing development obligations for the Bear Tooth Unit and also in designing the range of alternatives.	U.S. Environmental Protection Agency
30962-54	EPA notes the exploration well data for the Willow play is currently held by the Alaska Oil and Gas Commission, the state agency that permitted the wells in the reserve, and the project proponent has instigated litigation to keep that data proprietary. Other data, such as geophysical analysis derived from seismic investigations are not summarized in the DSEIS. EPA finds inclusion of this data crucial to distinguish production estimates from the Willow reservoir discussed in the DSEIS, from data that will support the cumulative impacts analysis for the West Willow and Greater Willow 1 and 2 prospects.	BLM cannot release proprietary data related to exploration wells and seismic exploration in this area, however BLM subsurface resource experts carefully evaluated this data to inform the impact analysis.	U.S. Environmental Protection Agency

No.	Comment	Comment Response	Commenter
6501-182	<p>For the purpose of evaluating significant impacts in the EIS, if there is incomplete information relevant to reasonably foreseeable significant adverse impacts and the information is “essential to a reasoned choice among alternatives and the overall costs of obtaining it are not exorbitant,” the information must be gathered and included in the EIS.¹²⁹</p> <p>If information essential to a reasoned choice is unavailable or if the costs of obtaining it are exorbitant (excessive or beyond reason), BLM must make a statement to this effect in the EIS. BLM must discuss what effect the missing information may have on the agency’s ability to predict impacts to the particular resource. If the information relevant to reasonably foreseeable significant adverse impacts cannot be obtained because the overall costs of obtaining it are exorbitant or the means to obtain it are not known, the agency must include within the EIS:</p> <ol style="list-style-type: none">1. a statement that such information is incomplete or unavailable;2. a statement of the relevance of the incomplete or unavailable information to evaluating reasonably foreseeable significant adverse impacts on the human environment;3. a summary of existing credible scientific evidence which is relevant to evaluating the reasonably foreseeable significant adverse impacts on the human environment; and4. the agency's evaluation of such impacts based upon theoretical approaches or research methods generally accepted in the scientific community... <p>In other words, an agency is required to forecast potentially catastrophic consequences of its actions when there is credible scientific support to “suggest that the impact could occur as a result of the proposed action.”¹³² This includes disclosure and use of credible, available models or studies to forecast foreseeable impacts,¹³³ including evidence of “minority views” within the scientific community or those views which are opposed to the views of the agency...</p> <p>If the extent of an impact is not measurable because of missing information, agencies are still required to assess the nature of the impact to the extent feasible.¹⁴³ And where there are information gaps or uncertainty in available studies, models, or analyses relevant to the agency’s analysis of impacts and reasonable alternatives, the agency is obligated to affirmatively disclose this information.¹⁴⁴ This is part of the agency’s obligation to disclose and analyze missing information. ¹⁴⁵ And once the agency has disclosed that information is missing or incomplete, it remains obligated to determine the relevance of that information.¹⁴⁶</p> <p>In informal scoping comments, we explained that BLM needed to obtain appropriate baseline data for the project area, which was missing from the previous EIS.¹⁴⁷ That remains the case. BLM still has not obtained and analyzed adequate site-specific baseline information necessary to evaluate impacts of the project. BLM has also failed to engage in reasonable forecasting of impacts based on available or obtainable information and tools. As explained in further detail below, BLM should obtain, among other things, missing information before completing its analysis of the Willow Project. Such missing information includes but is not limited to baseline data about water resources in the project area, an assessment of wetland functions, background air quality data, information about the specific design of the Willow project, and reliable information regarding future development that would rely on Willow as a hub.</p>	<p>There is no such incomplete information relevant to reasonably foreseeable significant adverse impacts of the Project that is essential to a reasoned choice among alternatives. BLM has evaluated the potential impacts of the Willow Project on the resources in the Project area using the best available information, as required by the National Environmental Policy Act. Baseline information is included in the description of the affected environment for water resources (Section 3.8), wetlands (Section 3.9), and air quality (Section 3.3). Information about the growth inducing effects of the Willow Project is in included in Section 3.20, <i>Cumulative Effects</i>. Specific information about the Willow Project's alternatives can be found in Appendix D.1, <i>Alternatives Development</i>.</p>	Trustees for Alaska

Table B.5.32. Request for New Alternative Comments and Responses*

No.	Comment	Comment Response	Commenter
18238-2	It continues to fail to evaluate a meaningful range of alternatives to the project. Please realize that all the action alternatives would result in roughly the same amount of oil production and therefore nearly identical climate impacts. The BLM failed to examine an alternative that would defer development of the project until there’s a plan to limit warming to 1.5 degrees Celsius.	The Supplemental EIS includes evaluation of the No Action Alternative (Alternative A), which would preclude oil production from the proposed Willow development, and each action alternative includes a range of avoidance and minimization measures to reduce impacts from the development, including impacts related to climate change.	Jean Naples
1825-1	The Willow Project cannot be approved at this stage. It requires, at minimum, further environmental review and consideration. The current action alternatives are unacceptable and would not sufficiently decrease the impact of the plan.	Each action alternative includes a range of avoidance and minimization measures intended to reduce impacts from the proposed Project (see Appendix I.1). The Supplemental EIS corrects the National Environmental Policy Act deficiencies identified by the Court in its 2021 decision, including evaluation of a new action alternative that would reduce impacts in sensitive areas.	Fiona Jackson

No.	Comment	Comment Response	Commenter
29597-5	<p>To be clear, the only alternative which would satisfy BLM’s obligations under the law and its policies is the No Action alternative. But to the extent the agency is considering new action alternatives under NEPA, its current range of alternatives falls short.</p> <p>BLM’s analysis must include an alternative designed to reduce subsistence impacts. Even with the Required Operating Procedures included in the DSEIS, BLM concludes that subsistence impacts “would be unavoidable and irretrievable during the life of the Project and that “impacts related to decreased knowledge of and cultural ties to developed areas may be irreversible.”5 SILA believes this conclusion is the result of a missed opportunity to partner with the Native communities that rely on the northeastern Reserve to identify alternatives that would reduce Willow’s considerable subsistence and sociocultural impacts.</p> <p>As BLM’s own findings make clear, its approach in simply adding Alternative E does not mean the agency considered a range of meaningfully different alternatives. For example, each of the action alternatives included in the DSEIS will impact the vast majority of caribou harvesters in Nuiqsut and Utqiagvik — 84%.6 The action alternatives would also significantly restrict Nuiqsut’s subsistence activities.7 BLM predicts Willow could cause animals including birds to avoid traditional use areas causing “larger impacts on subsistence harvesters who often travel to certain areas at specific times of the year.”8 This type of impact may cause less predictable and less successful harvests9 at a time when 36% of Nuiqsut households already report abandoning traditional use areas.10 All of these impacts are particularly concerning given that reduced harvester success and participation “affects social health by weakening social bonds.”11</p>	<p>The Supplemental EIS includes evaluation of the No Action Alternative (Alternative A) which would preclude construction of the Willow Project, and each action alternative includes a range of avoidance and minimization measures to reduce impacts from the proposed project, including impacts related to subsistence. BLM cannot completely eliminate impacts from the action alternatives. The Native Village of Nuiqsut, Inupiat Community of the Arctic Slope, City of Nuiqsut, and North Slope Borough all participated as cooperating agencies to design a new action alternative (Alternative E) for the Supplemental EIS that further reduces impacts to subsistence. BLM also sought input on the range of alternatives and proposed mitigation measures from the public for incorporation into the action alternatives, specifically including Alternative E.</p> <p>A description of the alternative concepts considered can be found in Appendix D.1, <i>Alternatives Development</i>.</p>	Sovereign Iñupiat for a Living Arctic
30956-4	<p>BLM’s analysis must include an alternative designed to reduce subsistence impacts. Even with the Required Operating Procedures included in the DSEIS, BLM concludes that subsistence impacts “would be unavoidable and irretrievable during the life of the Project and that “impacts related to decreased knowledge of and cultural ties to developed areas may be irreversible.”5 SILA believes this conclusion is the result of a missed opportunity to partner with the Native communities that rely on the northeastern Reserve to identify alternatives that would reduce Willow’s considerable subsistence and sociocultural impacts.</p> <p>As BLM’s own findings make clear, its approach in simply adding Alternative E does not mean the agency considered a range of meaningfully different alternatives. For example, each of the action alternatives included in the DSEIS will impact the vast majority of caribou harvesters in Nuiqsut and Utqiagvik — 84%.6 The action alternatives would also significantly restrict Nuiqsut’s subsistence activities.7 BLM predicts Willow could cause animals including birds to avoid traditional use areas causing “larger impacts on subsistence harvesters who often travel to certain areas at specific times of the year.”8 This type of impact may cause less predictable and less successful harvests9 at a time when 36% of Nuiqsut households already report abandoning traditional use areas.10 All of these impacts are particularly concerning given that reduced harvester success and participation “affects social health by weakening social bonds.”</p>	<p>The Supplemental EIS includes evaluation of the No Action Alternative (Alternative A) which would preclude construction of the Willow Project, and each action alternative includes a range of avoidance and minimization measures to reduce impacts from the proposed project, including impacts related to subsistence. BLM cannot completely eliminate impacts from the action alternatives. The Native Village of Nuiqsut, Inupiat Community of the Arctic Slope, City of Nuiqsut, and North Slope Borough all participated as cooperating agencies to design a new action alternative (Alternative E) for the Supplemental EIS that further reduces impacts to subsistence. BLM also sought input on the range of alternatives and proposed mitigation measures from the public for incorporation into the action alternatives, specifically including Alternative E.</p> <p>A description of the alternative concepts considered can be found in Appendix D.1, <i>Alternatives Development</i>.</p>	Sovereign Iñupiat for a Living Arctic
30956-5	<p>BLM should also consider an alternative which would have fewer impacts on air quality. Air quality is a major concern in the community of Nuiqsut.12 These concerns have only been exacerbated by the recent gas blowout at Alpine, which the prior Willow EIS simply glossed over. BLM performed an air quality modeling analysis for the draft SEIS, and this indicated, on its face, that significant adverse impacts on air quality could occur from the Willow Project. The SDEIS acknowledges that the Willow Project is quite close to meeting or exceeding the national air quality standards. SILA is concerned that given Willow’s potentially significant air quality impacts, BLM refused to model the impacts of Alternative E, which we understand is the agency’s preferred alternative. Without modeling, it is impossible for BLM to determine whether this alternative would result in more serious air quality impacts than the prior alternatives.</p> <p>BLM’s assertion that the air quality for Alternative E does not need to be modeled because its impacts would be so similar to Alternative B merely highlights that BLM did not consider a reasonable range of alternatives. In addition, all of the alternatives fail to set enforceable mitigation measures to ensure that no significant air quality impacts will occur in Nuiqsut or to hunters in the project area.</p>	<p>The Final Supplemental EIS includes quantitative modeling for Alternative E, which can be found in Section 3.3, Air Quality. Alternative concepts that could reduce impacts to air quality were considered and can be found in Appendix D.1, <i>Alternatives Development</i>.</p> <p>Air quality permitting is managed by the Alaska Department of Environmental Conservation, which will not permit any development that does not conform with national air quality standards outlined in the Clean Air Act. No action alternative is projected to have exceedances of any air quality standard.</p>	Sovereign Iñupiat for a Living Arctic

No.	Comment	Comment Response	Commenter
30956-6	BLM’s analysis must be revised to include viable alternatives that could reduce these significant impacts to subsistence and sociocultural systems and public health. Less disruptive alternatives that have not yet been considered include avoiding Special Areas entirely and leaving these areas in a more natural state for subsistence use. Further, eliminating the use of modules for transporting project infrastructure should be evaluated as a way to reduce impacts of barging on whaling crews. BLM should also consider requiring roadless seasonal drilling to reduce the risks of blowouts and eliminate the impacts barging on whaling crews. BLM should also consider requiring roadless seasonal drilling to reduce the risks of blowouts and eliminate the impacts from extensive year-round vehicle traffic.	BLM evaluated all of these alternative concepts for the Draft Supplemental EIS; the Final Supplemental EIS has been revised to include additional details on alternative concepts considered for the Willow Project. Please see Appendix D.1, <i>Alternatives Development</i> , for a description of why these concepts were not carried forward for full analysis.	Sovereign Iñupiat for a Living Arctic
30958-2	Crossing Alternatives: Several crossing locations for the Colville River for Module Delivery Options were dismissed from consideration due to lack of data regarding stability and grounding of the proposed ice bridge. However, additional information regarding ice bridge loads indicates possible construction and stability if most of the ice bridge is grounded, with allowance of marginal flow through slots or culverts. The crossing at Ocean Point therefore is a plausible alternative. Additionally, with this new information, it may be possible to reconsider some of the previous crossing alternatives/locations north of Ocean Point, thereby minimizing ice road construction and haul distances.	Other crossing locations for an ice bridge over the Colville were eliminated due to the topography of the river bluffs and known year-round water flow north of Ocean Point. See Appendix D.1, <i>Alternatives Development</i> , for a description of why these alternative concepts were eliminated.	U.S. Fish and Wildlife Service
30960-14	The BLM should have considered an alternative that protects migratory bird species, developed in close coordination with regional, state, and federal wildlife agencies. No such alternative is evaluated in the SEIS. It is standard practice for BLM to evaluate the impacts of oil and gas projects on migratory birds and to propose mitigation measures such as changing the timing of drilling and operations to minimize impacts on migratory birds.	All action alternatives were developed with input from regional, state, and federal wildlife agencies. Impacts to migratory birds from the Project were evaluated in Section 3.11, <i>Birds</i> . The Willow Supplemental EIS was developed in accordance with the requirements of the Migratory Bird Treaty Act (MBTA) and the MBTA Memorandum of Understanding put in place by EO 13186. BLM coordinated closely with eight cooperating agencies, including the U.S. Fish and Wildlife Service, State of Alaska Department of Fish and Game, and North Slope Borough Wildlife Department to develop and evaluate over 50 alternative concepts for consideration in the Supplemental EIS. BLM evaluates several mitigation measures that are designed to protect migratory birds, including measures that limit when construction can occur. See Section 3.11.2.1, <i>Avoidance, Minimization, and Mitigation</i> (Birds), and Appendix I.1 for descriptions of measures to reduce the impacts from the action alternatives to migratory birds.	Audubon Society
30960-15	Here, BLM did not consider a reasonable range of alternatives because the agency did not evaluate an option including protections for migratory birds and a Migratory Bird Conservation Plan (MBCP) and did not "rigorously explore and objectively evaluate"25 the MBCP option in its SEIS in order to make an informed decision and facilitate public understanding. The BLM must evaluate an alternative that rigorously explores and evaluates the MBCP option (and actually reviews a draft of the MBCP and its potential impacts), provides for robust and ongoing consultation with state and federal wildlife agencies, and establishes a decision-making framework for migratory birds. Until the BLM has done so, it has not analyzed a reasonable range of alternatives and is in violation of NEPA.	A migratory bird conservation plan is not required for the Willow Supplemental EIS. Each of the action alternatives include required operating procedures that will protect migratory birds (see Section 3.11, Table 3.11.1).	Audubon Society
30962-19	EPA is concerned that BLM has eliminated potential alternatives for analysis that include reducing the number and/or size of drill pads within the Teshekpuk Lake Special Area (TSLA) due to the significant restriction of Nuiqsut subsistence uses (according to the Section 810 analysis) and strongly recommends that the FSEIS include an alternative or mitigation measure that does so.	Alternative E would reduce infrastructure in the Teshekpuk Lake Special Area (TSLA) by eliminating drill site BT4 and its corresponding access road and pipelines, which reduces infrastructure in the TSLA by more than 40% relative to other action alternatives. BLM also evaluated an alternative concept that would eliminate all infrastructure in the TSLA. See Appendix D.1, <i>Alternatives Development</i> , for a detailed analysis of alternative concepts considered but eliminated.	U.S. Environmental Protection Agency
30962-20	Given the data available now in the DSEIS and the high potential of technological advancements over the project life, EPA recommends that FSEIS consider deferring pad development in the TSLA. This deferral could allow the project proponent to undertake additional consultation with stakeholders in the community of Nuiqsut to further address concerns some stakeholders have raised regarding potential impacts to caribou migration and subsistence hunting, while also addressing recent litigation regarding development in the TSLA.	BLM has considered multiple alternative concepts to reduce impacts in the Teshekpuk Lake Special Area (TSLA) (see Appendix D.1, <i>Alternatives Development</i>). Alternative E would significantly reduce infrastructure in the TSLA by only allowing one drill site in the TSLA. Deferring construction and operation of drill sites in the TSLA would not eliminate or reduce impacts in the special area. It is speculative to assume that additional consultation or technological advances would significantly reduce the impacts of these drill sites.	U.S. Environmental Protection Agency
4973-4	It continues to fail to evaluate a meaningful range of alternatives to the project. For example, all the action alternatives would result in roughly the same amount of oil production and therefore nearly identical climate impacts. The BLM failed to examine an alternative that would defer development of the project until there’s a plan to limit warming to 1.5 degrees Celsius.	The Supplemental EIS includes evaluation of the No Action Alternative (Alternative A) which would preclude oil production from the Willow Project, and each action alternative includes a range of avoidance and minimization measures to reduce impacts from the development, including impacts related to climate change.	Christopher Lish

No.	Comment	Comment Response	Commenter
6501-204	<p>Seasonal Drilling: As groups pointed out during scoping,232 BLM should have considered a roadless alternative that provides for winter season-only drilling, similar to what takes place at Colville Delta 3 (CD-3). Development that avoids drilling during the snow-free months would mitigate industrial disturbance impacts on nesting birds, caribou fall migration, and summer/fall subsistence activities during these critical times. It also would reduce well blowout risks to open water in wetlands and floodplains. In dismissing this alternative without analysis, BLM recognized that a well blowout has never occurred outside of active drilling.233 Moreover, automatic shut-off valve requirements for pipelines, as well as effective and redundant leak detection, would greatly reduce the need for a road to address potential pipeline spills. Year-round drilling activity is likely to involve additional infrastructure, increased impacts from flights, more noise and pollution, and other impacts that would not necessarily be present for a seasonal roadless alternative.</p> <p>Drill rigs for a seasonal drilling alternative potentially can be shared in the non-drilling months with ConocoPhillips at other pads, or with another operator (e.g., Oil Search on state lands) to greatly reduce operator costs (similar to what was done when constructing the roadless drillpad, CD-3). Seasonal drilling should have been considered as an alternative, particularly given the vast amount of gravel resources contemplated for this project. Such an operation would likely have the fewest impacts on aquatic ecosystems, which is relevant for the Corps’ permitting requirements to identify and select the least environmentally damaging practicable alternative.</p> <p>The sole justification offered by BLM for refusing to consider a seasonal roadless alternative is purported concerns regarding worker safety due to a lack of water access between project infrastructure. But it is not clear how BLM projected the possibility of such risks occurring during the summer months when drilling is not occurring and activity on various pads would presumably be low. Nor does BLM explain why other fairly standard medical evacuation procedures, such as helicopters, could not be used should a spill or other harmful event occur on one of Willow’s gravel pads.</p>	<p>BLM evaluated a roadless concept with seasonal drilling, see Appendix D.1, Section 3.5, <i>Alternatives Development</i>, for the 2022 Supplemental EIS, for more details on why this alternative concept was not carried forward for full analysis.</p>	Trustees for Alaska
6501-205	<p>Avoiding Infrastructure in Special Areas: BLM failed to analyze any alternative which would eliminate drill sites in the Teshekpuk Lake Special Area or road and pipeline routing Avoiding Infrastructure in Special Areas: BLM failed to analyze any alternative which would eliminate drill sites in the Teshekpuk Lake Special Area or road and pipeline routing... this screening criteria is at odds with one of the reasons the District Court rejected BLM’s prior EIS.235 By relying on a flawed conclusion that ConocoPhillips’ has a right to develop economically viable oil on all its leases to reject reasonable alternatives, BLM’s alternatives analysis suffers from the same type of flaw as the original EIS.</p> <p>BLM also appears to reject this potential alternative because it would not allow for future development... It is unclear whether BLM is rejecting this alternative because it would preclude the company from accessing oil and gas resources associated with Willow’s pads, or whether this it out of concern for ConocoPhillips’ ability to engage in further expansion of development from Willow. At a minimum, BLM should clarify this point. Regardless, rejecting consideration of this alternative for either reason would be a violation of NEPA and contrary to the NPRPA. Limiting ConocoPhillips’ ability to place infrastructure in that area because of the potential for serious impacts is fully consistent with BLM’s authority under the NPRPA and ConocoPhillips’ lease terms.</p> <p>Both of these Special Areas have very important wildlife, subsistence, and scenic values. As EPA recognized in its scoping comments, technology is improving such that additional areas can be accessed by directional drilling, allowing wells to be placed further from potential oil and gas resources.237 BLM should have considered the environmental benefits to caribou, birds, and other wildlife from avoiding the placement of ConocoPhillips’ massive infrastructure pads within an area BLM has identified as deserving the maximum protection of surface values. A failure to consider such an alternative is a clear shortcoming of this draft SEIS, which must be revised.</p>	<p>Alternative E has reduced infrastructure in the Teshekpuk Lake Special Area (TLSA) by eliminating drill site BT4 and its corresponding access road and pipelines, which reduced infrastructure in the TLSA by more than 40%. BLM also evaluated an alternative concept that eliminates all infrastructure in the TLSA. See Appendix D.1, <i>Alternatives Development</i>, for a detailed analysis of alternatives considered but eliminated.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-206	<p>Elimination of Modules: BLM fails to consider any alternative that does not involve construction of an ice bridge over the Colville River to transport massive modules. The DSEIS considers making upgrades to the Oliktok Dock so that it can serve as a module transfer island. The draft SEIS does not sufficiently explain why Willow could not be constructed on-site and using existing infrastructure (meaning not constructing an annual ice bridge), but only points to what appears to be a preference by ConocoPhillips to use modules to transport already-assembled components to the project area. The DSEIS asserts that ConocoPhillips cannot construct Willow without use of modules because this would require significantly larger gravel pads if construction of the CPF occurs in summer, and that such work cannot occur in winter because workers would be outside in cold temperatures.²³⁸ But BLM does not explain why such winter weather conditions would preclude construction of the CPF but are otherwise acceptable for nearly all other construction activities associated with Willow, including but not limited to gravel mining and construction of the project’s roads, pads, airstrip(s), and bridges...</p> <p>Barging of modules, changes to the Oliktok Dock, and the plan to conduct extensive screeding of the sea floor to accommodate the barges will create significant impacts to marine life. Hauling massive modules through the Teshekpuk Lake Special Area will also create significant impacts to this important habitat area...</p> <p>BLM should not have dismissed this alternative without considering important questions regarding environmental tradeoffs. Could concerns regarding the need for workers to stay warm during winter be addressed through similar means as all other winter construction? Additionally, what about the benefits to Alaska in terms of jobs if small or no modules were used, negating the need for an ice bridge, and then the project components could be connected and constructed onsite at Willow? What about the offsets to impacts to marine mammals, which will be negatively impacted by the barging and transport of modules? What are the environmental benefits of avoiding the need for an unproven ice bridge over the Colville River? Statements about resource impacts appear to be woven in as afterthoughts, which largely addresses issues such as “technical and economic feasibility” with language that seems to have originated from ConocoPhillips’, the project applicant. In sum, BLM cannot disregard alternatives in this manner, without taking a hard look at the environmental tradeoffs in a NEPA document.</p>	<p>Module delivery options 1 and 2 (Atigaru Point and Point Lonely Module Transfer Islands) would not require construction of an ice bridge over the Colville River to transport modules.</p> <p>BLM examined an alternative concept that would eliminate the use of barges to transport Project material to the North Slope. This alternative was eliminated from full analysis due to the inability to break the modules down to a small enough size so they could be transported via public road or aircraft. This technical limitation translates into the need to use ice roads for module transport, which would involve crossing the Colville River via an ice bridge. See Appendix D.1, Section 3.5, <i>Alternatives Development</i>, for the 2022 Supplemental EIS, for more details.</p>	Trustees for Alaska
6501-207	<p>Alternative Layout, Designs, and Size: BLM has an obligation to consider a range of alternatives that locating infrastructure to avoid the most sensitive areas and that reduce the total footprint and production capacity of the development to reduce impacts to surface resources in the Reserve. BLM should also have considered different designs and configurations, such as whether pipelines should be buried at water crossings instead of crossing either below the bridge decks or on vertical support members downstream from the bridge. It is not clear why horizontal directional drilling for burying a pipeline is only being considered at the Colville River crossings for seawater and diesel pipelines.</p>	<p>The Supplemental EIS analyzes a range of action alternatives that would locate infrastructure to avoid sensitive areas and minimize the Project's footprint to reduce impacts to surface resources. The proposed pipelines would be buried under the Colville River to prevent impacts that would result from placing vertical support members within the river. Pipeline crossings at Fish and Judy creek are attached to the bridges crossing those streams (avoiding the need to place vertical support members within the stream) to ensure that visual pipeline inspection can happen regularly to prevent leaks and spills. Since there is no bridge crossing of the Colville River, this was not an option at this location.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-208	<p>BLM should have considered less environmentally-damaging alternatives to the project design such as eliminating the operations center airstrip for Alternatives B, C, and E and eliminating all diesel pipelines and using natural gas and renewable energy sources such as wind for fuel with minimal amounts of diesel employed as backup. Neither of these options would prevent ConocoPhillips from accessing oil resources.</p> <p>Notably, it is unclear why Alternatives B, C, and E include an operations center airstrip at all since access to the project is possible via road, and flying to the project via fixed-wing aircraft would have a number of negative impacts including to subsistence. Alternative D understandably requires an airstrip for year-round operations as it is disconnected from existing infrastructure.</p> <p>BLM should have fully evaluated the positive and negative trade-offs of the different alternatives such as road disturbances compared to aircraft disturbances, including mitigating aviation impacts to the maximum extent possible. However, the proposed flight patterns in the draft EIS indicate that there will be significant impacts at a Willow airstrip, as flights to Willow will originate from Alpine and Deadhorse.²³⁹ It is absurd that ConocoPhillips would fly such a short distance between Alpine to Willow, which would involve flights at low altitudes that will disturb wildlife and the community of Nuiqsut. It also further begs the question as to why air traffic could not simply be routed through Alpine, since flights to a Willow airstrip will not in fact be protective of the Colville River Delta. We also encourage BLM to incorporate minimal aircraft operations into all alternatives, including the use of low-impact drones where possible instead of helicopters and fixed-wing aircraft, e.g., for pipeline and methane emission inspections and aerial studies. The draft EIS fails to analyze these options as potential alternatives or mitigation measures.</p>	<p>An alternative concept that eliminates the Willow airstrip for road connected alternatives was considered, see Appendix D.1, <i>Alternatives Development</i>. Required operating procedure (ROP) F-1 requires minimum flight altitudes that are set to reduce or prevent disturbance to wildlife; any flights between Alpine or Deadhorse and Willow would be required to comply with this ROP. A mitigation measure to use drones in lieu of helicopter and fixed wing aircraft where practicable was added to the Final Supplemental EIS.</p>	Trustees for Alaska
6501-209	<p>BLM has also failed to consider alternatives which would minimize the amount of gravel needed for the project. such as requiring seasonal drilling or reconfiguring any pad layouts or locations. BLM should also consider alternatives that would reduce the amount of staff housed at Willow, along with their related housing and other support infrastructure. Such changes would decrease the gravel footprint of the project, making alternative mining sites more feasible. BLM should also consider if there are other alternative mining sites that do not involve siting such an impactful project component in an important subsistence area so close into the community. BLM’s foreclosure of meaningful alternatives has thus had a cascading effect, by limiting its consideration of alternative gravel sites.</p>	<p>Seasonal drilling, alternative pad locations, and all known gravel deposits are considered as potential alternatives (see Appendix D.1, <i>Alternatives Development</i>, Sections 3.3 and 3.5).</p> <p>Reducing the number of staff housed at the Willow Project location would significantly increase the amount of aircraft and vehicle traffic between the Willow Project and Alpine developments, with corresponding increases in impacts to subsistence users and other resources.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-210	<p>Alternatives that would mitigate GHG emissions impacts of climate change: BLM identifies climate change as a factor in its consideration of alternatives, but it fails to propose an alternative the reduces GHG emissions. Consistent with an emissions management framework,241 BLM should consider alternatives that would mitigate both direct and indirect GHG emissions impacts and the cumulative effects of climate change.</p> <p>In our informal scoping letter, we described that BLM should consider an alternative that would delay production until the adoption of a plan to manage the Reserve consistently with addressing the climate crisis.242 For example, such a reasonable alternative could, as a mitigation measure, delay permitting approval until the agency has adopted an emissions management framework243 for the Reserve that would calculate, track, and publicly disclose lifecycle emissions of development and production (and potential development and production), which BLM could then use to guide its land management and fossil fuel-related decisions on the Reserve in order to mitigate climate disruptive impacts to the Reserve’s resources. An emissions management framework to manage GHG emissions and adverse climate impacts from fossil fuel development and production on the Reserve is consistent with FLPMA’s multiple use mandate, requiring BLM to manage resources “without permanent impairment of the productivity of the land and quality of the environment.”244 Such a framework is also important for ensuring no “unnecessary or undue degradation of the” Reserve occurs.245</p> <p>BLM summarily rejects further consideration of such an alternative.246 The BLM mischaracterizes the alternative as a proposal to delay production “indefinitely.” It then offers broad statements for rejecting the proposal, including that it cannot “deny development for an arbitrary length of time and must process permits for development as they are received.”247 As described in our scoping letter, BLM should design an alternative that would assess whether and when ConocoPhillips’ may develop it leases consistently with this administration’s commitments to address the climate crisis. If it decides not to, it must provide a rationale that addresses the actual alternative we proposed in our scoping letter. BLM also fails to explain its insistence that it must “expeditiously” process ConocoPhillips’s permits in light of the fact that the company has not, at this time, submitted any permits to develop Willow.248 Moreover, the fact that BLM is considering deferring BT5 conflicts with this statement, and shows that BLM understands that the agency has the authority to defer development.</p>	<p>The April 2022 Record of Decision for the NPR-A Integrated Activity Plan was adopted in part to provide a framework to manage the Reserve consistent with national policy to address the climate crisis. The Willow MDP Supplemental EIS includes evaluation of the No Action Alternative (Alternative A) which would preclude oil production from the Willow Project, and each action alternative includes a range of avoidance and minimization measures to reduce impacts from the development, including impacts related to climate change (see Appendix I.1). The Supplemental EIS includes an alternative that reduces the total number of drill sites and wells, with a corresponding reduction in the total amount of oil produced over the life of the Project, which would reduce greenhouse gas emissions overall.</p>	Trustees for Alaska
6501-303	<p>BLM should evaluate whether there is a low salinity formation below the permafrost layer that could be used to produce freshwater, which could reduce impacts on fish and surface water resources either/both from withdrawing water from lakes or building the CFWR. The Prince Creek formation near Milne Point and Prudhoe Bay fields is a formation that produces industrial freshwater, thus reducing the need for lake water. The schematic below illustrates the relative position of the Prince Creek, low salinity, freshwater formation compared to the Schrader Bluff, Kuparuk, Sag River, and Ivishak oil-bearing formations (depths not to scale).743 “Prince Creek Formation water is used as make-up water supporting secondary recovery from Schrader Bluff and Kuparuk Formations. Prince Creek water is also used for artificial lift of Sag River produced fluids.”744 This formation provides substantial amounts of industrial freshwater. According to a 2018 submittal by BP to the Alaska Department of Natural Resources, the formation provided 10.7 million barrels per day to just one portion of the Prudhoe Bay field, 745 equivalent to over 164 MG per year. In comparison, the CFWR would have a total capacity of 80 MG.</p>	<p>ConocoPhillips' subsurface experts evaluated using a potential underground water source in the Willow area, but it was not found to be a viable alternative for freshwater or industrial supply water. The salinity analysis indicated there were no freshwater intervals in the Willow area. All vertical appraisal wells in the Greater Willow area were evaluated for water salinity using common industry techniques and assessed against the 10,000 milligrams per liter dissolved solids threshold adopted by the Alaska Oil and Gas Conservation Commission (20 AAC 25.990(27)) and the U.S. Environmental Protection Agency (40 CFR 144.3).</p>	Trustees for Alaska
6501-90	<p>Impacts from module transport highlight the fact that BLM should consider an alternative without modules being delivered via barge, to compare tradeoffs and assess potential benefits to polar bears and other marine mammals.</p>	<p>This alternative concept was eliminated from full analysis due to the inability to break the modules down to a small enough size to allow for transport over public roads or via aircraft. See Appendix D.1, <i>Alternatives Development</i>, Section 3.5 of the 2022 Supplemental EIS.</p>	Trustees for Alaska
7218-5	<p>The BLM has not addressed the contributions of conservation, energy efficiency and increased CAFE standards as alternatives to allowing new oil development in the NPR-A - which was originally meant to only be used in time of war.</p>	<p>The Supplemental EIS includes evaluation of the No Action Alternative (Alternative A) which would preclude oil production from the Willow Project, and each action alternative includes a range of avoidance and minimization measures to reduce impacts from the development, including impacts related to climate change. The Naval Petroleum Reserves Production Act, as amended in 1980, requires BLM to carry out an expeditious program of oil and gas leasing and development in the NPR-A.</p>	Laurie Terwilliger

Table B.5.33. Request for New Analysis Comments and Responses*

No.	Comment	Comment Response	Commenter
2955-5	For the purpose of evaluating significant impacts in the Willow plan SEIS, if there is incomplete information relevant to reasonably foreseeable significant adverse impacts and the information is “essential to a reasoned choice among alternatives and the overall costs of obtaining it are not exorbitant,” the information must be included in the EIS. ⁴² This means that, for future iterations of the Willow plan, BLM must obtain substantially more data about effects of the proposed project on the human environment, environmental impacts, and information on the project and its impacts to properly conduct its NEPA analysis and provide adequate information to the public about the proposal. ⁴³ [see letter for additional information]	There is no such incomplete information relevant to reasonably foreseeable significant adverse impacts of the Project that is essential to a reasoned choice among alternatives. BLM has evaluated the potential impacts of the Willow Project on the resources in the Project area using the best available information, as required by the National Environmental Policy Act. BLM is not required to undertake new scientific and technical research to inform its analysis (40 CFR 1502.23).	Protect Our Winters
3040-6	<p>This March, a methane gas release occurred at ConocoPhillips’ Alpine Field drilling site, not far from the proposed Willow project, leading to the evacuation of personnel from the site as well as the departure of families from the nearby village of Nuiqsut who feared it was too dangerous to stay. ConocoPhillips’ incident report blamed the leak on a shallow gas zone that was previously undetected and indicated that thawing permafrost played a role in the severity of the leak. This finding is directly relevant to the Willow project given plans to use “chillers” to freeze the melting permafrost in order to build the infrastructure needed to drill for oil.</p> <p>The initial Trump-era Willow project analysis contained only a passing reference to potential air quality impacts from a gas blowout of this kind and was generally dismissive of these types of leaks. Moreover, comments on that analysis relating to gas leaks were largely dismissed by BLM as “very unlikely” and “no cause for concern.” The most recent, 400-plus page draft review included just two paragraphs acknowledging the leak at Alpine but did not include new analysis or acknowledge the impacts that the event had on the surrounding community.</p> <p>Furthermore, the Alaska Oil and Gas Conservation Commission is still undergoing a review of the accident and has not yet published its findings, which could be critical to preventing future gas leaks. Because the review is still pending, BLM’s supplemental analysis did not have all the information it needed to properly consider the risks of a similar accident at Willow. The threats posed by shallow well gas and melting permafrost are cause for a serious reassessment to protect public health.</p>	<p>The gas leak at Alpine CD1 came from the C10 interval, which also occurs in the Willow Project area; however, in the Willow area, this interval would be fully cemented across the C10 interval. All Willow wells would be fully cemented through this zone. Any other identified potential hydrocarbon zones would be cemented according to federal regulatory standards.</p> <p>Permafrost “chillers” are not proposed as proposed as part of the Willow Project.</p> <p>Human health impacts from natural gas leaks stem from the potential for an explosive event, not from gas inhalation. Methane itself is not a harmful air pollutant, but it is a precursor to one, ground level ozone. However, the current and typical atmospheric conditions in Nuiqsut (cold, low sun intensity, low levels of nitrous oxides) are not conducive for the chemical reactions that would lead to ozone development. Following the gas release, air quality data from Nuiqsut was made public and confirmed that there was no ozone development in the area. That air quality monitoring station is now publicly available in near real time on the Alaska Department of Environmental Conservation’s air quality webpage.</p>	Center for American Progress
30960-16	The same inadequacies apply to the SEIS’s consideration - or lack thereof - with regard to eagles and obligations under the Bald and Golden Eagle Protection Act (BGEPA). ²⁶ Despite noting the potential presence of golden eagles in the area (our information suggests bald eagles may be present as well) - and acknowledging that eagles may be electrocuted on powerlines - the SEIS seems to include no detailed assessment, protections, or mitigation measures to address the potential for take of eagles or to comply with BLM’s obligations under BGEPA.	All action alternatives would not include the use of overhead powerlines (all cables would be attached to horizontal and vertical support members), so there would be no risk of electrocution for birds. Section 3.11, <i>Birds</i> , has been revised to state that eagles are protected under the Bald and Golden Eagle Protection Act.	Audubon Society
30962-55	<p>EPA has previously, and continues, to advise more robust analysis. We previously advised the BLM mirror discussion provided in the Bull Mountain Master Development Plan EIS, which includes a dedicated section for the discussion of the regional physiography, geologic history, hydrocarbon source rocks, and geologic hazards. EPA recommends that the FSEIS include a(n):</p> <ul style="list-style-type: none">• Description and figures showing the geophysical data used to evaluate the shallow geological hazards, existing or potential (e.g., similar to the Alpine incident).• Discussion and figures showing the location, stratigraphy, and structure of the hydrocarbon resource(s).• Description of the predicted rate profile for oil, water, and gas with the corresponding rate of injection for water and gas.• Description of the reservoir rock properties, reservoir fluid properties and an estimate of the recoverable resources supported by information within the document.• Description of the subsurface depletion plan including well count, well placement, well profiles, well depth and bottom hole locations.• Analysis of surface and subsurface conditions that may present hazards to rig set down, construction, drilling operations, production and processing operations, pipeline construction, and/or pipeline operation.	Figures showing the approximate Willow reservoir extents and the drilling reach from each drill site pad have been added to Appendix D.1, <i>Alternatives Development</i> , for the Final Supplemental EIS. These figures provide reviewers and decision makers an understanding of how various drill site pad configurations may impact resource recovery. BLM has reviewed the Willow reservoir extents and drilling reach polygons with proprietary subsurface information to confirm that they are accurate.	U.S. Environmental Protection Agency

No.	Comment	Comment Response	Commenter
30962-56	EPA recommends the FSEIS analyze the published high bound of the proposed Willow project, which is 800 MMBOE. In September 2018, ConocoPhillips estimated the gross discovered resources were estimated to range from 450 – 750 million barrels of oil equivalent (MMBOE) 63. Appraisal analysis was based on geophysical data and exploration wells and indicated additional resources available on trend to the north and south. Additional data was collected in 2019, and ConocoPhillips increased the upper bound to 800 MMBOE.64 [see letter for additional information]	The best available information indicates that the Willow Project would produce approximately 629 million barrels of oil (under Alternatives B, C, and D) to 614 million barrels of oil (under Alternative E) over the life of the Project. The Supplemental EIS evaluates the most current production estimate from ConocoPhillips engineering that was provided to BLM in March 2022.	U.S. Environmental Protection Agency
30962-57	<p>EPA recommends the FSEIS include a regional assessment of how technological advances have changed the amount of petroleum hydrocarbon extracted from the North Slope by reviewing the initially estimated recoverable reserves, compared the current production values. This analysis may assist in developing a significance determination for the GHG emissions, to better validate a comprehension understanding of production through time, and between projects.</p> <p>Technological improvements continue to reshape oil and gas production (e.g., green well completions, vapor recovery units, engine upgrades for non-road vehicles, and closed loop drilling fluid systems).</p> <p>Some innovative approaches tend to generate greater environmental impacts than those associated with conventional production techniques, i.e., increased surface usage and associated dischargers. Although horizontal drilling techniques have emerged to connect more reservoir surface to the wellbore, unconventional development on a cumulative basis appears to be expanding the oil and gas industry’s environmental footprint.</p>	It is speculative to assume whether and by how much technological advances will change oil and gas production or alter environmental impacts over the life of the Willow Project. BLM is using the best available information about the current state of oil of gas extraction technology to evaluate impacts related to the proposed development in the Willow MDP EIS.	U.S. Environmental Protection Agency
30962-59	EPA understands that ConocoPhillips developed its drill pad locations to provide maximum accessibility to the resources based on existing extended-reach drilling technology and reservoir location and characteristics. ConocoPhillips’ recently evolved abilities (announced May 2022) to use extended reach technology to access 60 percent more acreage from a single pad. EPA recommends the FSEIS include a reevaluation of the drilling site locations in consideration of the new extended reach technology which may provide for meeting production goals and reducing impacts to environmentally sensitive areas.68 [see letter for additional information]	The Supplemental EIS developed Alternative E based on a reevaluation of how extended reach drilling could allow access to leases in the Bear Tooth Unit with minimal drill site pads. Two figures showing the extent of extended reach drilling are included in Appendix D.1, <i>Alternatives Development</i> , in the Final Supplemental EIS.	U.S. Environmental Protection Agency
30965-30	BLM needs to implement an independent study other than the Stephen Braund or other paid by industry so that we have data and we have access, because the village has been asking for that. Simple data. What's wrong with my fish? What's wrong with my caribou?	<p>The Willow Supplemental EIS uses the best available information to evaluate the Project's potential impacts on subsistence species. Any study, funded by industry, nonprofit, or other outside source, is reviewed for adequacy by appropriate agency subject matter experts (e.g., BLM, State of Alaska, North Slope Borough [NSB]).</p> <p>The Willow Project must comply with NPR-A required operating procedure (ROP) A-11 which requires monitoring studies for contaminants in subsistence foods. Such a study would be reviewed by the BLM and NSB Wildlife Department.</p>	Unsigned
3530-2	<p>BLM is required to account for any reasonably foreseeable changes in the natural environment, with a full accounting for any direct, indirect and cumulative effects associated with the proposed projects. We urge you to account fully for the indirect and cumulative effects the Willow Project would have on winter and summer outdoor recreation in Alaska due to climate change, as well as nationwide, beyond the project area.</p> <p>[supporting details and statistics regarding outdoor recreation in body of letter]</p>	<p>The impacts of the Willow Project's incremental contribution to climate change are analyzed using the social cost of greenhouse gas (SC-GHG) emissions. The SC-GHG is the monetary value of the net harm to society associated with adding a discrete amount of GHGs to the atmosphere in a given year. It includes the value of all climate change impacts, including (but not limited to) changes in the value of ecosystem services.</p> <p>The Willow Project's contributions to climate change, including SC-GHG, are analyzed and described in Section 3.2, <i>Climate and Climate Change</i>.</p>	Protect Our Winters

No.	Comment	Comment Response	Commenter
4293-7	<p>BLM should take two steps to better ensure that it does not undervalue the Project’s true climate costs. First, if the Working Group releases its updated values before BLM finalizes this environmental impact statement, then BLM should use those updated values. Second, if BLM finalizes this analysis before the Working Group updates its social cost valuations, it should conduct additional sensitivity analysis using lower discount rates than those that it has already applied—perhaps 2% and 1%—to reflect state-of-the-art literature on the topic and to anticipate likely updates by the Working Group. To do so, the BLM could look to the “value of carbon” estimates from the New York State Department of Environmental Conservation, which applied a 2% discount rate as its central value (and a 1% rate as an alternative value) but otherwise used the Working Group’s approach. Indeed, the Working Group has suggested that agencies conduct additional analysis using lower discount rates and explained that such analysis is consistent with longstanding White House guidance on intergenerational discounting.</p> <p>Even if BLM does not conduct additional analysis using higher climate-damage valuations, it should recognize that the valuations it applies are considered underestimates and treat them accordingly when it assesses whether to approve the Project. [see letter for additional information]</p>	<p>The Willow Supplemental EIS uses the estimates produced by the Working Group as required by Executive Order 13990. BLM uses the best available information provided by the Working Group to estimate the Social Cost of Carbon, as required by the National Environmental Policy Act.</p>	<p>Max Sarinsky, Minhong Xu, Jeremy Lieb, Ben Tettlebaum</p>
6501-138	<p>The agency should not have excluded impacts to recreation from the Willow project review in the DSEIS. This issue was raised during the informal scoping process, and the agency’s explanation — that “current recreation use is very low, and prospective future use of this area for recreation is also low.”¹⁴³⁸ — is not grounds to completely ignore foreseeable harm to recreational opportunities in the project area should an action alternative be selected...</p> <p>Despite the IAP’s recognition that the impacts to recreation could be extensive from oil and gas projects, the agency responded to informal scoping comments by stating that “land ownership and use of the area is not being changed from wildlife habitat and subsistence use, nor are protections being removed, recreation permits being changed, etc. The area retains its values related to recreation and wilderness.”¹⁴⁴³ This explanation for ignoring recreational impacts runs contrary to the IAP and common sense. BLM’s response that the agency would continue to issue recreation permits studiously ignores the fact that visitors to the Reserve are traveling there for a wilderness experience; not seeking to camp in an oil field...</p> <p>A lack of analyzing recreation impacts that result from oil and gas development in the Reserve marks a departure from how the agency has handled its obligations in reviewing other drilling projects, including both the Greater Mooses Tooth 1 & 2 projects. While the agency found impacts in both processes to be negligible to minimal, they analyzed the specifics of impacts to recreation, noting that “recreation use in the project area could be negatively impacted under all action alternatives due to the presence of permanent facilities and associated noise. However, these impacts would be localized. The duration of impacts would be temporary to long-term depending on the activity taking place.”¹⁴⁴⁴ It is worth noting that both GMT-1 and GMT-2 are much smaller than the proposed Willow development, making it even more unacceptable to skip analyzing recreation in the DSEIS.</p>	<p>BLM has issued only one recreational permit for the for the area encompassed by the Bear Tooth Unit, and development of the Willow Project is unlikely to impact the recreational use of the northeastern NPR-A. Thus, this resource was eliminated from analysis.</p>	<p>Trustees for Alaska</p>
6501-15	<p>BLM still does not identify wilderness values and characteristics in the resources and topics dismissed from detailed analysis, and simply ignores this issue entirely.⁹⁸² This continues to be an egregious error that must be corrected.</p> <p>BLM expressly recognized that there are considerable wilderness characteristics and values in the Reserve. As the agency stated, “almost all BLM-managed lands within the planning area, especially those lands that are more than five miles from villages, offer the wilderness characteristics of solitude, opportunities for primitive and unconfined recreation, and for the most part are natural.”</p> <p>BLM specifically found that the Teshekpuk Lake area, Colville River Valley, and the Ikpikpuk River had “outstanding wilderness characteristics.” Because of this, the agency concluded that the “NPR-A is one of the largest remaining wilderness resource areas in the country.”⁹⁸⁶ In adopting the 2013 IAP, the Secretary recognized that he was protecting many lands with wilderness characteristics even though no areas were recommended for Wilderness designation.⁹⁸⁷</p> <p>BLM previously recognized that oil and gas activities like those proposed as part of the Willow MDP will have impacts to wilderness values and characteristics. These impacts must be evaluated and BLM must consider how to mitigate to protect these values under its mandates.</p>	<p>A new section was added for the Final Supplemental EIS, Section 3.19, <i>Wilderness Characteristics</i>.</p>	<p>Trustees for Alaska</p>

No.	Comment	Comment Response	Commenter
6501-342	The draft EIS falls far short of considering direct, indirect, and cumulative impacts to water resources and wetlands as a result of the two gravel mines proposed for the project, especially given their location at the confluence of an important subsistence waterway. The gravel mines would be located within or directly adjacent to the floodplains of Bill’s Creek and the Ublutuooh (Tinmiaqsiugvik) River.	Direct, indirect, and cumulative impacts to water resources and wetlands that would result from the proposed gravel mine are described in Sections 3.8, 3.9, and 3.20.	Trustees for Alaska

Table B.5.34. Soils or Permafrost Comments and Responses*

No.	Comment	Comment Response	Commenter
30968-11	I need to address a comment earlier about the giant chillers. This is remarkable to me that this has been so incorrectly characterized, which just showcases that so many commenters don't understand this project. There are no giant chillers. They're called thermosiphons, and they're standard Arctic engineering practice used since the 1960's. You can find these passive engineering features. They don't require power. There's no refrigeration units out on the tundra. You can see these installed at medical clinics, schools, and other infrastructure across the Arctic, and they've been used in oil field development for decades. Continuing to recite this is fake news, frankly.	A description of thermosiphons has been added to Appendix D.1, <i>Alternatives Development</i> .	Unsigned
6501-247	<p>Gravel mining will directly cause additional ground disturbance and habitat destruction above and beyond what will be associated with the Willow project footprint and needs to be considered as a connected action in this EIS, not downplayed across resource analyses. Gravel extraction is generally done in large, open pit mines. Open pit mines require extensive overburden removal...</p> <p>The resulting overburden stockpile disturbs tundra, and the gravel pit itself causes permanent changes to the area’s thermal regime due to “thaw bulbs” forming in the permafrost around the unfrozen water during flooding.456 Indirect effects such as these have led some researchers to approximate that a one-acre gravel pit may affect as much as 25 acres surrounding the site...</p> <p>These gravel mines would irreversibly alter permafrost and it is clear the impacts will likely exceed the acres of direct impact depicted in the DEIS.458 The impacts will likely exceed the 119–189.8 acres of direct impact depicted in the DEIS, which only focuses on surface disturbance and fails to consider long-term impacts from changes to the thermal regime and the potential indirect and secondary impacts from the gravel mines.459 ConocoPhillips also proposes to include extensive ice infrastructure to support the mine — approximately 196 acres of ice pads in addition to the footprint of the mine itself.</p>	The description of the mine site development and reclamation has been added to Section 3.4.2.3.1, <i>Thawing and Thermokarsting</i> . Ground disturbance and impacts of gravel mining and ice infrastructure are detailed in the EIS (see Tables 3.4.2 and 3.4.3).	Trustees for Alaska
6501-273	The draft SEIS should have included a map and analysis of yedoma deposits that underlie the Willow project. Yedoma deposits represent those soils with the highest ice content, upwards of 30-50 percent depending upon the definition used. Note that the final EIS for the Arctic Refuge Coastal Plain area contains a map identifying the area’s yedoma deposits;635 there should be a project-specific yedoma map in for the Willow project area.	Site specific information about yedoma deposits in the Willow Project area are not available. Impacts to soils and permafrost from Project infrastructure are described in Section 3.4.	Trustees for Alaska
6501-315	The DSEIS fails to analyze the risk of earthquakes and other accidents from fracking. Studies have also drawn a strong connection between the recent rise in fracking wastewater injection and increased earthquake rates.807 Wastewater injection has been scientifically linked to earthquakes of magnitude three and greater in several states.	Risk of increased earthquakes due to wastewater injection is related to effective stress and properties of the reservoir in which the wastewater is injected. The Final Supplemental EIS addresses proposed ground disturbances at or near the surface due to wastewater injection; Section 3.4 addresses the limited likelihood of induced seismicity based on the wastewater injection plan, and the difficulty in anticipating induced seismicity.	Trustees for Alaska
6501-354	<p>The DSEIS explains that the entire project area is underlain by continuous permafrost and ice rich soils.914 This generalized, high-level information is insufficient. Permafrost soils are highly susceptible to erosion and other soil movements that can be triggered by disturbances to vegetation and cascading thawing of the permafrost. Depending on the soil type and ice content, that permafrost may be various levels of stable or unstable — and where it is unstable, there is more likely to be thawing, settlement, erosion, and other issues that will be challenging to mitigate or fix once they occur...</p> <p>Despite briefly acknowledging the potential for serious problems and the rapidly shifting nature of the conditions on the North Slope, the DSEIS does almost nothing to address these impacts or analyze potential mitigation measures specific to Willow for permafrost and soil. BLM needs to obtain site-specific information about the permafrost conditions and potential for degradation to ensure it has the baseline information necessary to consider meaningful mitigation measures that will prevent permafrost degradation.</p>	The term continuous permafrost relates to permafrost distribution based on climate and surficial geology. The Supplemental EIS addresses potential impact to permafrost and is not intended to provide site-specific information regarding the thaw susceptibility of soils at a given area. Mitigation options are presented in Section 3.4, Table 3.4.1, and Section 3.4.2.1.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-355	<p>The DSEIS arbitrarily uses a 328-foot area for analyzing the impacts for soils, permafrost, and gravel resources.⁹¹⁶ However, use of that arbitrary number fails to account for downstream impacts from permafrost, soil degradation and runoff that is likely to extend well beyond that footprint. That number appears to more directly relate to BLM’s estimated range for potential dust impacts (where a similar number is referred to in the DSEIS),⁹¹⁷ and does not adequately consider the far-reaching potential of the permafrost impacts. BLM needs to incorporate in an analysis of the runoff and downstream impacts that will occur from Willow. It is also unclear exactly how the DSEIS is defining and applying that area since the overall impacts analysis is so generalized and high-level, and whether a similar arbitrary number is being taken into consideration for impacts from gravel mining.</p> <p>Oil development impacts are not limited to the area where drill pad gravel or support beams touch the ground or to an arbitrary 328-foot area. Gravel roads cause permanent hydrological and surface morphological changes to the landscape, altering permafrost freeze-and-thaw cycles and creating issues related to thermokarst. These effects can include deeper permafrost thaw, earlier snowmelt in close proximity to the road, and alterations to hydrology.</p>	<p>The distance of 328 feet (100 meters) was not arbitrarily selected but based on the anticipated width of the dust shadow as referenced by Myers-Smith et al. 2006; Walker and Everett 1987.</p> <p>Section 3.4.2.3.1, <i>Thawing and Thermokarsting</i>, discusses that lateral extents of impacts may extend beyond 328 feet (100 meters); however, intensity of the impact can be mitigated by the measures proposed and outlined in Section 3.4.2.1.</p>	Trustees for Alaska
6501-356	<p>BLM also fails to consider the potential impacts that could occur from infrastructure, such as pipelines, that may not directly touch the ground, but could still shade areas and potentially lead to changes in vegetation and permafrost. There could also be warming that occurs around the base of the vertical support members (VSMs), which can threaten the integrity of infrastructure over time (e.g., sags in pipelines, which can lead to spills). BLM’s analysis fails to take into account the full range of significant impacts that will substantially increase the damage to tundra and other resources in a way that extends well beyond the immediate footprint of development. BLM needs to quantify and analyze the full set of impacts to soil and permafrost resources.</p> <p>To the extent the DSEIS is utilizing 328 feet for its analysis of dust impacts, even that number is inadequate to capture the full range of impacts that need to be considered.</p>	<p>Due to the rotating angle of sunlight on above the Arctic circle, shadows from infrastructure are expected to have very little impact to the thermal state of the soil. Vertical support member (VSM) designs would be based on site-specific geotechnical data and may use insulation or thermosyphons to reduce impacts to subsurface temperatures.</p>	Trustees for Alaska
6501-357	<p>BLM must clarify and quantify the extent of potential impacts to permafrost in the project area. The draft EIS does not separate out the impacts to permafrost but lumps these impacts with soils and gravel resources.</p>	<p>Section 3.4.2.3.1, <i>Thawing and Thermokarsting</i>, addresses the impacts to permafrost.</p>	Trustees for Alaska
6501-360	<p>The plans for the use of thermosiphons are also unclear. ConocoPhillips plans to use thermosiphons to maintain the existing thermal regime in areas with likely permafrost degradation.⁹²⁷ The DSEIS identifies in some areas that the thermosiphons may be used for the drill pads, but elsewhere the DSEIS indicates thermosiphons will be used in specified areas, such as near well house shelters and on maintenance shop or warehousing facilities, based on North Slope industry standard best practices. ⁹²⁸ These vague and possibly conflicting statements provide zero clarity around precisely where thermosiphons will actually be used for the project and whether they will be sufficient or effective to address the serious permafrost issues from Willow’s infrastructure. BLM needs to obtain additional information about the plans for the use of the thermosiphons and should not leave it open-ended for ConocoPhillips to make that decision based on unspecified industry practices. The DSEIS also does nothing to analyze the effectiveness of the thermosiphons or to provide any analysis or guidelines on how they might be effectively implemented to reduce permafrost impacts. BLM should update the DSEIS to fully analyze the effectiveness of that measure and incorporate clear parameters for their use into the DSEIS.</p>	<p>Thermosyphons would be used in areas where heat sources could transfer heat through gravel to the underlying permafrost (such as heated buildings on concrete pads or around wellheads). Thermosyphons may also be used as part of an adaptive management practice to prevent impacts to permafrost in areas where existing gravel and insulation is determined to be insufficient following Project construction.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-363	<p>The additional measures suggested in the DSEIS to reduce impacts to frozen soils are also inadequate and need to go further. The DSEIS proposes three additional measures: (1) separating native soils from fill using geotextiles or fabrics, (2) using thick embankments and shallow slopes, and (3) monitoring thermokarsting, depth of active layer, and compression of soil and vegetation with the ice roads.</p> <p>933 As noted above, BLM should go farther than measures 1 and 2 by requiring the use of insulation more extensively throughout the project. Rigid foam insulation board has the potential to significantly reduce thaw rates as compared to non-insulated sections. Merely requiring thicker embankments or the piling on of more gravel is unlikely to be adequate and can contribute to other problems and impacts, including those from additional gravel mines and impacts to subsistence users and wildlife that may struggle to traverse such infrastructure. BLM should consider additional measures, including insulation, to better address and minimize the potential for thawing. While monitoring under “Measure 3” should occur, it is unclear if BLM is only limiting that monitoring to ice roads or if that includes more extensive monitoring. BLM should ensure there are not only measures to prevent impacts on the front end, as discussed in these comments, but should also include a robust monitoring and adaptive management plan for addressing permafrost impacts for the entire project and not just related to ice roads. That plan should have clear, detailed parameters for how problems will be identified and fixed.</p>	<p>An insulation plan is required as part of the North Slope Borough's rezoning ordinance. A mitigation measure to require monitoring and adaptive management of permafrost is included in the Final Supplemental EIS.</p>	Trustees for Alaska
6501-364	<p>BLM failed to adequately consider impacts to soils and permafrost as a result of the gravel mines... there is no clear mine reclamation plan in the DSEIS, outside of just allowing those areas to eventually turn into ponds, even though the DSEIS states that the site would fill with surface water and accelerate permafrost thaw, create a thaw bulb, and eventually may cause the excavation walls to slough and deposit material into the pit.936 The acknowledgement of these serious and cascading impacts, without any consideration of measures that might be incorporated to mitigate those impacts, is unacceptable. Given this description of potential impacts to permafrost, as outlined in the DSEIS, it is clear the impacts of the gravel mines will far exceed the ~135.8 acres of direct impact to the surface of the mining pits.937 The area described in the DSEIS only focuses on surface disturbance and fails to adequately analyze long-term impacts from changes to the thermal regime and the potential indirect and secondary impacts from the gravel mines, including downstream impacts from runoff and overflow.938 The DSEIS also claims that the huge berms around the gravel mine will help to maintain the thermal regime.939 However, there is no analysis of how effective those berms will be at maintaining the thermal regime, despite the acknowledgement that dewatering and other aspects of gravel mining are likely to have significant impacts to the permafrost that will very clearly not be addressed by the adjacent berms. 940 BLM must revise its draft SEIS to analyze and include potential secondary and/or indirect impacts to permafrost and soils and must consider additional potential mitigation measures. The analysis contained in the DSEIS does not adequately analyze the full scope of impact from the gravel mines and needs to be updated in a revised SEIS.</p>	<p>Impacts from the gravel mine site on soils and permafrost, including any residual impacts subsequent to the mine site reclamation, are described in Section 3.4, <i>Soil, Permafrost, and Gravel Resources</i>. Additional process and reclamation discussion has been added to Section 3.4.2.3.1, <i>Thawing and Thermokarsting</i>, and the Willow Mine Site Mining and Reclamation Plan is included with the Supplemental EIS as Appendix D.2.</p>	Trustees for Alaska

Table B.5.35. Spills or Emergency Response Comments and Responses*

No.	Comment	Comment Response	Commenter
2522-3	<p>As detailed in the attached comments prepared by Dr. Susan Lubetkin,16 BLM fails to disclose the types, amounts and probabilities of a wide variety of potential oil spills over the course of the Willow project. It relies on vague, qualitative descriptions of spill risk such as “low,” “medium” and “high,” without defining these terms. It presents these qualitative assessments for an incomplete list of pollutants, ignoring others that we can fully expect to be spilled during the life of the project. It presents these vague risks in isolation, never aggregating the overall risk of spills of various substances and sizes or attempting to quantify the environmental impact of the expected spills.</p> <p>It does this even though the 2020 IAP/EIS for the Reserve presented the risk of various sizes of spills of oil and other substances in quantitative terms based on north slope spill data from 2000-2018.17 As Dr. Lubetkin notes, applying the spill rate used by BLM in its own IAP/EIS in the Reserve to the Willow production estimate of 0.6289 billion barrels yields approximately 830 spills of various sizes and types of hazardous substances, including 2-3 crude oil spills greater than 1,000 gallons, and a total of over 260,000 gallons of hazardous materials released, if the Willow project is approved. There is an 87.9% chance that at least one spill between 10,000 and 100,000 gallons would happen and a 20.9% chance that at least one spill greater than 100,000 gallons of crude oil or process water would occur if this project moves forward.</p> <p>None of this information is presented in the DSEIS. Dr. Lubetkin provides many more examples of quantifiable spill risk from the Willow project that BLM has not quantified. BLM claims that the Willow DSEIS tiers to the 2020 IAP/EIS18 but at least for the spill risk analysis, it does not.</p> <p>BLM should present the spill risks associated with Willow in quantitative terms for different types and sizes of spills, as the 2020 IAP/EIS demonstrates is entirely feasible. The cumulative case should add that risk to the risk already presented on the slope, as documented by a long spill record over many years, and to the risk posed by the lengthy list of reasonably foreseeable future actions (RFFAs) presented in the DSEIS. Until it does so, BLM is failing to present and assess the best information available to assess that risk, contrary to its statutory obligations.</p>	<p>A quantitative spill risk assessment has been added to the Final Supplemental EIS (see Section 4.5, <i>Quantitative Spill Analysis</i>) using the 2020 NPR-A Integrated Activity Plan Final EIS methodology.</p>	Defenders of Wildlife
2522-5	Subjective, qualitative, relative spill rates are insufficient to inform the public and decision-makers. [There is text and data following this comment in the letter that supports this comment]	A quantitative spill risk analysis has been added to the Final Supplemental EIS (section 4.5, <i>Quantitative Spill Analysis</i>).	Defenders of Wildlife
2522-6	Quantitative rates are not beyond the scope of North Slope EISs. [There is text and data following this comment in the letter that supports this comment]	A quantitative spill risk analysis has been added to the Final Supplemental EIS (section 4.5, <i>Quantitative Spill Analysis</i>).	Defenders of Wildlife
2522-7	Rate estimates should be based on complete, current, and correct data from the North Slope. [There is text and data following this comment in the letter that supports this comment]	<p>A quantitative spill risk analysis has been added to the Final Supplemental EIS (section 4.5, <i>Quantitative Spill Analysis</i>).</p> <p>Data used in the NPR-A Integrated Activity Plan (IAP) Final EIS spill analysis is from 2000 to 2018 and has removed spills reported in pounds or not associated with oil exploration or production (e.g., schools, military facilities). The data Dr. Lubetkin uses is from 1995 to 2021 and includes spills reported in pounds and spills associated with non-oil exploration and production records (e.g., schools, military facilities). Spills from activities not directly associated with oil and gas exploration/production may increase based on oil production rates but is unlikely to be correlated and is appropriate to remove from the analysis. Therefore, Dr. Lubetkin’s analysis overestimates the spill rate based on the data used (approximately 839 spills versus 749 spills for the life of the Project).</p>	Defenders of Wildlife
2522-8	Summary of North Slope oil production and spill data. [There is text and data following this comment in the letter that supports this comment]	A quantitative spill risk analysis has been added to the Final Supplemental EIS (section 4.5, <i>Quantitative Spill Analysis</i>).	Defenders of Wildlife
2522-9	Sample Willow Project expected spill number calculations. [There is text and data following this comment in the letter that supports this comment]	A quantitative spill risk analysis has been added to the Final Supplemental EIS (section 4.5, <i>Quantitative Spill Analysis</i>).	Defenders of Wildlife

No.	Comment	Comment Response	Commenter
26-23	The months of trash left behind in April, May, June, July and into August from these temporary pads, yet you want it to continue moving further into these developments and yet, when you come into the checkpoint near our village, the hundreds of thousands of drips of oil and power steering fluid, and all of the other fluids that accumulate from your many vehicles worry us about our traditional foods.	Protective measures have been established through lease stipulations and required operating procedures to improve the handling, disposal, and spills of waste. If the Project is approved, a subsistence foods monitoring study would be implemented. Appendix I.1, <i>Avoidance, Minimization, and Mitigation</i> , includes newly suggested mitigation measures that may be adopted to further reduce potential contamination.	John Sonin; Rosemary Ahtuanguaruak; Dyani Chapman; Christi Heun; Andy Moderow; Doug Woodby; Liam Zsolt; Pamela Miller; Barbara Brease; Danielle Stickman; Chris Warner; Lauren Hendricks; Ellen Montgomery; Sara Hersh; Dorcas Nashoalook; Sam Kunaknana; Joe Evans; Sonia Ahkiygak
30958-3	Oil/Contaminant Spill Potential: Oil and contaminant spill potential are not adequately addressed in the Willow SDEIS: “Similarly, the three Project components do not change the likelihood or impacts of potential spills, thus spills are not addressed in this chapter of the SDEIS” (SDEIS pg. 12). The Service believes the proposed crossing of the Colville River via an ice bridge substantially increases the risk of oil or other contaminants entering the Colville River. Construction of the ice bridge may necessitate slotting and/or culvert placement to allow for under-ice water flow. Therefore, contaminants entering into the sub-ice water may result in impacts upstream, due to winter storm surges, as well as downstream of the bridge crossing. Spring breakup also will increase the downstream spread of contaminants. The Service suggests analyses of potential spill scenarios and resulting impacts associated with the proposed Colville River Crossing.	Section 4.2, <i>Potential Spills during Construction</i> , includes a description of potential oil or hazardous material releases at the Colville River Crossing. Culverts are not planned for use in the ice bridge.	U.S. Fish and Wildlife Service
30964-2	Most recently ConocoPhillips have had extensive 16 gas leaks in the Nuiqsut area that was unattended and untaken care of for over two months and the village of Nuiqsut themselves evacuated several people or tens of people during this gas leak. This shows that, even under current climate conditions, this particular developer, ConocoPhillips, is unable to address climate change effects, such as thawing permafrost on these lands, which was the main reason for the gas leak that occurred.	Section 4.3, <i>Potential Spills during Drilling and Operations</i> , discusses the gas leak and CPAI's proposed mitigation measures to reduce the risk of a shallow-gas leak.	Unsigned
30965-26	The CD1 happenings and what happened over that period. What are you going to do to hold the agencies accountable for preventing another -- a leak? And we all know mistakes happen, whether it's man-made or accident or what have you, but my question is, what will BLM do to hold them accountable? What is your process in making sure that it doesn't happen again?... What will BLM do to hold them accountable in their actions, what kind of actions they're going to be taking towards whomever is -- whoever is the developers... So, we want to understand what that process will be and better, so that our community, our City of Nuiqsut, or our -- the borough is here if an event like that happens... It was chaos. And nobody knew exactly what to do. Nobody knew exactly how to deal with it.	Section 4.3, <i>Potential Spills during Drilling and Operations</i> , discusses the gas leak and CPAI's proposed mitigation measures to reduce the risk of a shallow-gas leak.	Unsigned
5228-29	Vol. 6 Appendix E.5 page 1 Option 2 of the Module Transfer Island (Point Lonely) calls for an ice road (figure 3.5.1) that could potentially be within the footprint of a contaminated site (Cleanup Complete). If Option 2 is chosen CS would need additional detail about the exact footprint of the ice road and the water source near Point Lonely to ensure sites are not impacted and contaminants do not migrate by water discharge or use of impacted surface water. Please add information to the description of Module Transfer Option 2 to provide a more completed description of environmental conditions.	Contaminated sites have been considered as part of Module Delivery Option 2, Point Lonely Module Transfer Island. The Alaska Department of Environmental Conservation has determined the sites no longer pose a risk to human health or the environment and have classified the sites at Point Lonely as cleanup complete.	State of Alaska

No.	Comment	Comment Response	Commenter
6501-26	The draft SEIS downplays the possibility oil spills, never discusses what spills would mean for fish, and fails to acknowledge the serious risks that spills of other chemicals like fracking fluids pose to fish.1012 BLM should discuss the impacts that potential oil spills or other accidental releases – particularly a worst-case scenario spill – may have on fish and fish habitat, rather than ignoring impacts based on specious claims that such spills are unlikely to occur or negatively affect fish habitat.	The spills analysis in the NPR-A Integrated Activity Plan Final EIS and Willow MDP Supplemental EIS provide quantified estimates of spill rates, likelihoods of spills to occur (by size), and qualitatively describes the most likely sources and locations of spills (e.g., on gravel pads, on gravel roads). Section 3.10.2.10, <i>Oil Spills and Other Accidental Releases</i> , describes impacts to fish and fish habitat from potential oil spills and other accidental releases. Section 4.2, <i>Potential Spills during Construction</i> , includes a description of potential oil or hazardous material releases near streams.	Trustees for Alaska
6501-37	The Colville River pipeline crossing near the ASRC mine requires greater analysis.1033 There are numerous cases where pipelines have failed,1034 ...A pipe leak could cause a significant impact. The SEIS must fully analyze and account for pipeline failure.	Section 3.10.2.10, <i>Oil Spills and Other Accidental Releases</i> , and Section 4.2, <i>Potential spills during Construction</i> , consider potential pipeline failures at the Colville River crossing location. An additional detailed description of the horizontal directional drilled crossing is provided in Appendix D.1 (Section 4.2.2.3, <i>Other Pipelines</i>). Sections 3.10 and Section 4.2 considers pipeline failure at the Colville River crossing.	Trustees for Alaska
8097-4	In March 2022 a methane gas release occurred at ConocoPhillips’ Alpine Field drilling site, not far from the proposed Willow project, leading to the evacuation of personnel from the site... The draft review included only two paragraphs acknowledging the leak at Alpine but did not include new analysis or acknowledge the impacts that the event had on the surrounding community... The Alaska Oil and Gas Conservation Commission is still undergoing a review of the accident and has not yet published its findings, which could be critical to preventing future gas leaks. Because the review is still pending, BLM’s supplemental analysis did not have all the information it needed to properly consider the risks of a similar accident at Willow.	Section 4.3 discusses the gas leak and CPAI's proposed mitigation measures to reduce the risk of a shallow-gas leak for the Willow Project. The Alaska Oil and Gas Conservation Commission report is still not finalized at the time of the Final Supplemental EIS preparation.	Petra Krumme

Table B.5.36. Stakeholder Engagement Comments and Responses*

No.	Comment	Comment Response	Commenter
24-1	I am writing to ask if BLM plans to offer Willow SEIS public meetings that will be held aligned with East Coast business hours. As it currently stands, the three virtual meetings offered on the website take place at 6 pm AK. We'd be very grateful for any updates on opportunities to join these meetings.	BLM offered five virtual public meetings at various times of the day to accommodate stakeholders in different time zones.	Evergreen Action
30964-10	There are eight North Slope Borough indigenous communities who live within or directly adjacent to the NPRA and rely on the public lands to support their subsistence way of life. Those communities deserve the opportunity for BLM to host public meetings there as well.	BLM held five virtual meetings and two in person meetings to accommodate the widest range of stakeholders. BLM only received requests for in person meetings from community leadership in Nuiqsut and Utqiagvik.	Unsigned
30966-4	Our voice gets diluted down from folks from Arizona, Colorado, Fairbanks, Southcentral, get diluted thousands of miles away to where it's just -- our voice is just totally diluted and you're not listening to the local communities. When we start talking about resource development, listen to the local communities. We can't emphasize that enough. The local people need to be heard who live here.	BLM is required to consider input from any member of the public; however, BLM has special consultation requirements with federally recognized tribes and Alaska Native Claims Settlement Act (ANCSA) Native Corporations. BLM is committed to engaging with the City of Nuiqsut, Native Village of Nuiqsut, Inupiat Community of the Arctic Slope and North Slope Borough in their role as cooperating agencies and continuing its ANCSA consultation with the Kuukpik Corporation and Arctic Slope Regional Corporation.	Unsigned

No.	Comment	Comment Response	Commenter
6740-2	<p>In other concerns, there has been a direct lack of communication between the Bureau of Land Management and the public regarding hearings. The hearings hosted by the Bureau of Land Management were not immediately available to the public in a professional and timely manner.</p> <p>I was unable to attend any virtual hearing for the Willow Master Development Plan in the year 2022 due to lack of communication from the Bureau of Land Management during one of Alaska's busiest times of the year.</p> <p>As an Iñupiaq individual, whose land, body, and family this project will impact most-I respectfully request an in person meeting at a better time, with proper advanced notice so those of us who are busy harvesting, or in my case- working two jobs while attending school at UAF, & raising a family full time, may attend.</p> <p>Realistically, the Bureau of Land Management posting one Facebook post with limited information a day or two before the hearings will not suffice in any form. Your website has nowhere for mobile users to submit a comment, only a green highlighted letters that say "Click on the green "Participate Now" button to submit a comment." But there is no green participate now option visible or accessible to a majority of the public.</p> <p>In writing, I am requesting that the Bureau of Land Management hold their hearings at a more timely manner and allow more advanced notification to the public. I'm also requesting the Bureau of Land Management hold an in person public hearing in Fairbanks, Alaska with prior informed notification, allowing the residents of Alaska to attend.</p>	<p>BLM offered five virtual public meetings at various times of the day to accommodate stakeholders in different time zones.</p>	<p>Sharla Hausmann</p>

Table B.5.37. Subsistence Comments and Responses*

No.	Comment	Comment Response	Commenter
26-39	<p>We always used to see the baby foxes around. Now, that's all not there no more, and also, the decrease on the caribou, also, and our Arctic cisco. These are our foods we have to feed our babies here, our young kids and we have to keep the elders strong with it, too. And the food is slowly declining.</p>	<p>Section 3.16.1.4 discusses existing impacts to resource availability resulting from development infrastructure and activities. Section 3.16.2.3 discusses potential impacts of the Project on resource availability of resources including furbearers, caribou, and fish, while Section 3.16.2.3.1 discusses potential impacts to overall abundance of these resources.</p>	<p>John Sonin; Rosemary Ahtuanguaruak; Dyani Chapman; Christi Heun; Andy Moderow; Doug Woodby; Liam Zsolt; Pamela Miller; Barbara Brease; Danielle Stickman; Chris Warner; Lauren Hendricks; Ellen Montgomery; Sara Hersh; Dorcas Nashoalook; Sam Kunaknana; Joe Evans; Sonia Ahkiygak</p>
26-45	<p>When I was out there scouting for some caribou last week or a week and a half ago, there was -- the vehicles the traffic diverted and split the herds into two and straight for Nuiqsut and there would have been people happy to get the caribou from home and not having to spend so much money for gas. Now, 7 bucks a gallon, almost 8 bucks a gallon for gas. And you have to travel far away to go hunting. That's - it is getting further and further, and harder for us to hunt our native food.</p>	<p>Section 3.16.2.3.2.1 discusses potential impacts to subsistence hunters resulting in diversion of caribou away from the community. Section 3.16.2.3.4 discusses potential impacts to hunters who travel farther to harvest resources, including increased costs.</p>	<p>John Sonin; Rosemary Ahtuanguaruak; Dyani Chapman; Christi Heun; Andy Moderow; Doug Woodby; Liam Zsolt; Pamela Miller; Barbara Brease; Danielle Stickman; Chris Warner; Lauren Hendricks; Ellen Montgomery; Sara Hersh; Dorcas Nashoalook; Sam Kunaknana; Joe Evans; Sonia Ahkiygak</p>

No.	Comment	Comment Response	Commenter
26-46	Ever since we've been connected, the village of Nuiqsut had been connected to Alpine via the gravel roads, and I go out in hunting or when my late mom was alive, she would always want to take a ride and see all of the birds, ducks and foxes, but nowadays, I'm starting to see hardly any. Even the flowers, where on the tundra, that's a really eye opener right there.	Potential impacts of roads on resource availability of different resources, including caribou, birds, and furbearers, are discussed in Section 3.16.2.3.2. Impacts to vegetation from roads and dust deposition are discussed in Section 3.9.2.	John Sonin; Rosemary Ahtuanguaruak; Dyani Chapman; Christi Heun; Andy Moderow; Doug Woodby; Liam Zsolt; Pamela Miller; Barbara Brease; Danielle Stickman; Chris Warner; Lauren Hendricks; Ellen Montgomery; Sara Hersh; Dorcas Nashoalook; Sam Kunaknana; Joe Evans; Sonia Ahkiyyak
2878-35	Section, 3.16.2.3.3, Subsistence and Sociocultural Systems, Page 283 BLM states: "...individuals on snow machines may periodically have to divert around certain parts of the pipeline due to snowdrifts." CPAI suggests that BLM consider removing this statement, as CPAI has not received complaints of this type in 20+ years of operating in the local community. The pipelines for Willow are a minimum of 7 feet, and in many places will be higher than 7 feet due to topography. It is very unlikely that snowmachines will be diverted.	The language regarding snow drifts under pipelines and impacts to snowmachine access has been removed.	ConocoPhillips
29597-9	SILA is concerned that the DSEIS limits analysis of Willow’s subsistence and sociocultural impacts to Nuiqsut and Utqiagvik and fails to acknowledge the interconnected nature of North Slope communities. If developed, Willow would impact numerous subsistence species and further curb access to subsistence hunting areas. These impacts would reverberate across the North Slope and must be analyzed regionally. Iñupiaq communities rely on the health and abundance of migratory species including caribou and waterfowl. We have seen the ways industrial expansion has segmented habitat and disturbed migration patterns and know that Willow’s impacts will not be confined to the project area. Reduced subsistence access and harvest success resulting from Willow will also impact numerous communities that are connected through sharing. Sharing subsistence harvests is a central part of Iñupiaq cultural identity that links communities across the North Slope. Sharing transmits needed resources as well as cultural values and traditions across the region. Reduced subsistence access or reduced hunting success in a community like Nuiqsut — where BLM anticipates Willow may directly and indirectly affect the availability of resources such as caribou ¹⁹ — will erode the important cultural practice of sharing and reduce food security in numerous other communities. BLM must acknowledge the interconnected nature of North Slope subsistence harvests and sociocultural systems in order to adequately analyze Willow’s impacts on a regional scale.	While the EIS focuses on communities that could be directly impacted by the Project, potential regional impacts, particularly as they relate to sharing between communities, is addressed in Section 3.16.2.3.4, <i>Other Subsistence and Sociocultural Impacts</i> . The text has been edited to provide additional acknowledgment of the interconnectedness of North Slope communities and potential impacts to subsistence in addition to sharing.	Sovereign Inupiat for a Living Arctic
30956-9	SILA is concerned that the DSEIS limits analysis of Willow’s subsistence and sociocultural impacts to Nuiqsut and Utqiagvik and fails to acknowledge the interconnected nature of North Slope communities. If developed, Willow would impact numerous subsistence species and further curb access to subsistence hunting areas. These impacts would reverberate across the North Slope and must be analyzed regionally. Iñupiaq communities rely on the health and abundance of migratory species including caribou and waterfowl. We have seen the ways industrial expansion has segmented habitat and disturbed migration patterns and know that Willow’s impacts will not be confined to the project area. Reduced subsistence access and harvest success resulting from Willow will also impact numerous communities that are connected through sharing. Sharing subsistence harvests is a central part of Iñupiaq cultural identity that links communities across the North Slope. Sharing transmits needed resources as well as cultural values and traditions across the region. Reduced subsistence access or reduced hunting success in a community like Nuiqsut — where BLM anticipates Willow may directly and indirectly affect the availability of resources such as caribou ¹⁹ — will erode the important cultural practice of sharing and reduce food security in numerous other communities. BLM must acknowledge the interconnected nature of North Slope subsistence harvests and sociocultural systems in order to adequately analyze Willow’s impacts on a regional scale.	While the EIS focuses on communities that could be directly impacted by the Willow Project, potential regional impacts, particularly as they relate to sharing between communities, is addressed in Section 3.16.2.3.4, <i>Other Subsistence and Sociocultural Impacts</i> . The text has been edited to provide additional acknowledgement of the interconnectedness of North Slope communities and potential impacts to subsistence in addition to sharing.	Sovereign Inupiat for a Living Arctic

No.	Comment	Comment Response	Commenter
30962-28	EPA recommends the FSEIS detail the magnitude of impacts from the proposed project, including infrastructure such as roads, on subsistence caribou harvesting practices vital to the Nuiqsut and other communities in the North Slope. ⁴⁵ EPA is concerned the document did not include the magnitude of impacts from CD5, GMT-1 and GMT-2 roads on Nuiqsut caribou harvest. ⁴⁶ The DSEIS describes how Nuiqsut is on the periphery of the two caribou herds which they rely upon and that they are particularly vulnerable to small changes in overall herd distribution or migration. The existing baselines of impacts is already substantial and adverse, as shown in the analysis – subsistence users have decreased their use of their traditional hunting grounds and shifted away from hunting in the Prudhoe Bay development area. Residents report they are unable to harvest caribou near developed areas because of the safety considerations of shooting near infrastructure, thus limiting their harvest abilities ⁴⁷ . Appendix G of the DSEIS reports that Nuiqsut subsistence users have stated the roads pose both a physical and visual barrier to the caribou and have observed changes in caribou distribution and behavior around roads, including decreased availability of caribou closer to the community, indicating the proposed project will have similar adverse impacts as compared to the established development areas. The village of Nuiqsut is bound by oil production facilities in many directions, and EPA finds the additional infrastructure described in the project will further impede the access to subsistence resources needed by the village. [see letter for additional information]	The analysis describes the existing baseline of impacts from industrial development in the area and describes the potential impacts from the Project. The analysis provides the percentage of harvesters and percentage of caribou harvests that occur within the analysis area as two measures of magnitude. Text has been added to provide a third measure of magnitude: percentage of harvesters reporting development and man-made structure impacts.	U.S. Environmental Protection Agency
30962-29	EPA recommends the FSEIS utilize the replacement cost method (RCM) and describe the monetary cost of replacing subsistence foods that may be lost due to the proposed project. RCM is a standard technique for evaluating the dollar value of ecosystem services. Project infrastructure has the potential to cause loss of access to subsistence areas, as stated in the DSEIS. When subsistence foods are not available, nutritionally comparable substitutes must be purchased, placing a direct financial burden on subsistence users in the form of lost harvest, as well as an indirect burden from stranded assets that users purchase for harvest activities (e.g., ammunition, fuel, snow machines).	Implementing the replacement cost method would require a separate analysis involving cultural anthropologists and economists. In addition, implementing the replacement cost method would not capture any of the social and cultural costs of reduced subsistence harvests on the Inupiat of the North Slope. Studies that estimate replacement costs associated with other developments in Alaska (e.g., Guettabi et al. 2016) were reviewed, in addition to the recent "Economic Study of Subsistence Impacts" (Northern Economics 2019) conducted in Nuiqsut, and text has been added to provide context to the potential economic impacts associated with loss of subsistence foods and other subsistence impacts.	U.S. Environmental Protection Agency
30964-12	The DSEIS fails to take into account subsistence perspectives from an indigenous -- indigenous lens. Indigenous communities, as they have practiced these practices for millennia, and instead the DSEIS employs federal and state definitions.	Section 3.16.1.2, <i>Definition of Subsistence</i> , notes that subsistence activities are subject to state and/or federal regulations, but does not provide state or federal subsistence definitions. To emphasize the indigenous perspective on subsistence, text has been added addressing the social and cultural importance of subsistence to Indigenous communities. While the environmental consequences sections focus on impacts to resource abundance, availability, and harvester access, Section 3.16.2.3.4 details the broader social and cultural impacts.	Unsigned
30965-14	This community goes way up to go hunt Anaktuvuk River, Chandler, Itkillikwa (ph). We go out through the Nigliq Channel to go to Fish Creek and come in the Fish Creek, Judy Creek.	Comment noted. The subsistence maps in Section 3.16.1.3.1 (Figures 3.16.1 through 3.16.3) show Nuiqsut subsistence uses of the drainages mentioned by the commenter.	Unsigned
30965-15	This community has felt the impacts of development from Kuparuk when it started coming closer. We can no longer go hunt at Prudhoe Bay. And that's something I don't want to see when we go to the west, is that we have no access to our subsistence ground. We want to have access.	Section 3.16.1.4 discusses the increase in impacts as development has moved westward into core subsistence harvesting areas. Section 3.16.2.3.3 discusses potential impacts to harvester access.	Unsigned
30965-19	I grew up at Nanuk with three other families, and that's just right next to the Nigliq Bridge, the main bridge that goes across the Colville River. That's where we grew up. From break-up time till it was time to go to school or until October or -- we -- that was our fishing spot. And today we can't even get there. We're no -- we can no longer park our boats at that point.	Section 3.16.2.3.3 discusses avoidance of traditional use areas by Nuiqsut harvesters for development reasons. Text has been added detailing the most commonly mentioned places of avoidance (which include Nanuq). Section 3.16.2.3.4 discusses negative impacts associated with a loss of traditional hunting areas.	Unsigned
30965-21	I am a subsistence hunter year-round. I use that road GMT-1, GMT-2 as much as I can without hesitation thanks to our corporation and the agreement with ConocoPhillips. We have every right to go on that right and hunt right off of the road. That's the most comfortable, easiest hunting an Inupiat would have access to without crossing rivers, going over those bridges... I want to thank my village corporation and ConocoPhillips for allowing us to use those roads on GMT-1, GMT-2. That's a 30-mile difference at Willow -- 35-mile difference. If I have to go -- if someone has to go rescue me, they can go 35 miles down that road and pick me up the rest of the way.	Section 3.16.2.3.3 discusses benefits to local hunters associated with access to Industry roads.	Unsigned
30965-28	Of course there's people that oppose industry growth, but there are the new generation that are totally for it. I watched 17-year-old kids harvest caribou right next to CD1, and I was so happy to see that. You know, I worked with subsistence hunters out on MT6, MT7 pads on the subsistence pullout.	Section 3.16.2.3.3 discusses benefits to local hunters associated with access to Industry roads.	Unsigned
30966-5	In order to pursue our culture and traditional aspects of life, whaling, hunting, and do it successfully and efficiently in a cash economy, you have to have that said cash economy. So, I would even argue that the thought of cutting a region's -- and I think somebody used the term indigenous people's area -- cutting indigenous people's economy is a direct threat to the existence of their cultures and traditions	Section 3.16.2.3.4 discusses the mixed subsistence-market economy, whereby residents invest income into their subsistence way of life. The section further discusses potential economic benefits of the Willow Project on supporting subsistence activities.	Unsigned

No.	Comment	Comment Response	Commenter
4490-3	BLM can and should consider the broader context for subsistence activities rather than focusing only on the use and harvest of wild resources. An “‘Indigenous perspective’ would expand the understanding of subsistence by recognizing how hunting and gathering related activities are deeply connected to history, culture, and tradition.” Subsistence for Alaska Native North Slope communities is a critical linkage to linguistic and cultural survival. Participation in traditional harvesting activities “provides opportunities for different generations to learn from one another and pass on critical knowledge and value systems.” Accordingly, “subsistence practices are meaningful beyond the harvest of nutritional and cultural goods as they create and reproduce linkages across multiple social and ecological domains.” BLM must analyze the importance and sustainability of subsistence activities through this wider lens.	Text has been added regarding the link between subsistence, cultural values, sharing, and relationship with the land (Section 3.16.1.2). Section 3.16.2.3.4 addresses the broader potential impacts of the Willow Project on subsistence, including social and cultural impacts, impacts to sharing and social ties, and impacts to traditional knowledge and the ability to pass on such knowledge to future generations.	The Wilderness Society
4490-4	Further, the draft SEIS’s analysis is too narrowly confined geographically. While BLM acknowledges that Willow will significantly restrict subsistence activities in Nuiqsut, the agency fails to account for the project’s likely impacts on other subsistence communities. By limiting its analysis, BLM fails to account for Willow’s ripple effects on communities throughout the region. Subsistence resources that Willow will adversely impact include migratory species such as caribou and birds that numerous North Slope communities rely on for food and other important needs. As such, impacts to these species in the Willow Project area would reverberate to other North Slope communities as affected species travel throughout their range. Moreover, reduced access or harvest success in one community is likely to be felt across the North Slope because Inupiat communities engage in “substantial sharing of traditional foods.” Given the interconnected nature of Willow’s likely subsistence impacts, BLM must revise its analysis to consider the full range of communities across the North Slope that the project will adversely impact.	The EIS analysis finds that impacts to resource availability resulting from the Willow Project would be more localized and that impacts to overall abundance of subsistence species from the Willow Project alone are unlikely. Cumulative impacts may extend beyond the communities of Nuiqsut and Utqiagvik and those are addressed in Section 3.20, <i>Cumulative Effects</i> . Text has been added to Section 3.16.2.3.4 to emphasize the interconnectedness of North Slope communities and potential impacts on sharing and subsistence networks.	The Wilderness Society
6501-139	Like the final EIS, the DSEIS diminishes Willow’s subsistence and sociocultural impacts by limiting its analysis to just two communities — Nuiqsut and Utqiagvik. ¹⁴⁴⁶ This narrow approach is insufficient because it fails to account for subsistence sharing and the migratory nature of many of the subsistence species that rely on the northeaster Reserve... For example, impacts to migratory species such as TCH will be transmitted to communities that rely on caribou for subsistence throughout the herd’s range. Any impacts to the health or abundance of the TCH will similarly reverberate across the North Slope through impacts to sharing.	The EIS analysis finds that impacts to resource availability resulting from the Willow Project would be more localized and that impacts to overall abundance of subsistence species from the Willow Project alone are unlikely. Cumulative impacts may extend beyond the communities of Nuiqsut and Utqiagvik and those other communities are addressed in Section 3.20, <i>Cumulative Effects</i> . Text has been added to Section 3.16.2.3.4 to emphasize the interconnectedness of North Slope communities and potential impacts on sharing and subsistence networks.	Trustees for Alaska
6501-141	BLM’s subsistence and sociocultural impacts analysis fails to capture the full complexity and connections between the natural environment and how subsistence and sociocultural systems may be impacted by Willow. ¹⁴⁴⁸ Notably absent from the draft SEIS is an adequately comprehensive study of the sociocultural and economic impacts that would result from constraints that development from Willow would place on subsistence activities. This baseline information should be gathered, in part, by the Subsistence Advisory Panel before BLM proceeds. Because there has been no such study, the draft SEIS fails to fully consider the adverse impacts to intertribal and intergenerational social structures, which contribute to an already heavy history of trauma. Comprehensive study is imperative given the extent of development on the North Slope and existing impacts to communities such as Nuiqsut... Without sufficient baseline data BLM’s analysis of subsistence and sociocultural systems lacks significant rigor and warrants improved citations to best available sources and resources – which includes traditional knowledge – and inclusion of robust mitigation measures. ¹⁴⁵²	The analysis is based on a number of recent economic and subsistence studies in Nuiqsut, including an Economic Study of Subsistence Impacts (Northern Economics 2019) and the multi-year Nuiqsut Caribou Subsistence Monitoring Project. Much of the environmental consequences analysis is based on observations and traditional knowledge of Nuiqsut residents. Section 3.16.2.3.4 provides analysis of the broader social and cultural impacts of the Project and has been edited to provide a more in-depth sociocultural analysis. The discussions in Sections 3.16.1.2, 3.16.1.4, and 3.16.2.3.4 have been expanded to provide additional context regarding sociocultural systems.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-142	BLM must also gather information on the potential impacts of gravel mining activities on fish resources within the Ublutuooh River. Arctic fishes of subsistence importance are highly migratory and rely on the health of entire watersheds to complete their life cycles. Discussion opportunities with the Subsistence Advisory Panel1453 would afford a platform to discuss the health of such watersheds. Life cycle research by local subsistence practitioners of fish gathering in the area could provide critical insight. Relatedly, BLM fails to consider how changes from mine development, operation, and closure will impact the physical and ecological systems that enable subsistence resources and practices within the project area. These impacts should also be analyzed in detail. This would also present an opportunity to employ local subsistence practitioners to assist in providing real-world datasets to the scientific community.	<p>The potential impacts of gravel mining on fish are described in Section 3.10.2.3.1 (Habitat Loss or Alteration). This section details the potential impact of unplanned surface water connections to the mine pit and surrounding streams. As the mine would not be connected to the surrounding streams, it is not expected to provide additional overwintering fish habitat. The analysis concludes that mining impacts would be localized. Fish monitoring studies are communicated to the Nuiqsut community shortly after each field season.</p> <p>Required operating procedure E-8 requires the design and reclamation of gravel mines to minimize the impacts of mining on fish and other important resources. Recommended mitigation measures emphasize the inclusion of community members and subsistence users as team members in environmental studies.</p> <p>The new boat ramp on the Ublutuooh (Tiḡmiaqsiuḡvik) River would increase community access and use of the Ublutuooh River. Increased subsistence access via boat ramps could result in an increased harvest of fish, leading to increases in direct mortality in areas accessible by boat (streams and lakes along the Ublutuooh River, Judy [Iqalliqpiḡ] Creek, and Fish Creek). Likely use would be by subsistence users who would access the areas with small skiffs. The use of personal watercraft would increase the potential for gas spills into waterbodies, both upstream and downstream of the ramps. The boat ramps would also create stormwater runoff directly into their receiving waterbodies, which could increase contaminants in the channel near the ramps. When the amount of available high-quality fish habitat is evaluated with the extent of the expected use of the boat ramps and associated potential spills, the effects on fish would be relatively small.</p>	Trustees for Alaska
6501-143	BLM also failed to sufficiently analyze and discuss the compounding adverse impacts of infrastructure development. The draft SEIS states that “[a]s the presence of permanent infrastructure grows throughout the construction and operations phases, the sources of impacts may change.”1454 From here, BLM proceeds to give one example about the relationship between air and ground traffic impacts. Providing one example is not enough analysis. BLM must comprehensively analyze how impacts may decrease, shift, or compound over the course of the project – and connected and related projects that impose cumulative effects – so that the true impacts are properly described and understood by BLM and affected communities. The presence of radio-collar data by trained tribal members would help the Subsistence Advisory Panel to discuss and present real-time impacts that the presence or absence of permanent structures that support carbon extraction activities, such as air traffic, have on the natural environment. Data regarding how harvester avoidance has been cumulatively compromised over time across Nuiqsut’s subsistence use area is also necessary.1455 Referencing GMT1 and GMT2 environmental impacts does not effectively capture harvester avoidance and how it has affected Nuiqsut subsistence use patterns over time.1456 BLM must gather data regarding how subsistence practices have been impacted on federal, state, and private (native corporation) owned lands. This data should be mapped and included within the SEIS.	The analysis is based on the available data regarding the proposed construction and operations schedule and frequency and levels of activities such as air and ground traffic. Sections 3.16.2.3.2 and 3.16.2.3.3 have been revised to provide additional context under each resource regarding the timing and order of different impact sources. Cumulative impacts to subsistence are described in Section 3.20, <i>Cumulative Effects</i> . The analysis includes a discussion of harvester avoidance and shifting of use areas over time away from industry to the east (Section 3.16.1.3.1), in addition to discussion of current avoidance patterns (Section 3.16.2.3.3). The analysis provides maps of subsistence use areas collected through 2019 (see Appendix A, <i>Figures</i>).	Trustees for Alaska
6501-144	BLM’s analysis is also not comprehensive enough when analyzing the connected, and often sequential, actions of oil exploration and development impacts. For example, the draft SEIS states that “while a substantial percentage of Nuiqsut harvesters reported using the Willow area over a 10-year period for all resources, fewer used the area in the 12 months prior to their interview (18% for all resources).” 1457 No reason for this reduced use is articulated and it marginalizes the project area’s significance to cultural and traditional practices. The Subsistence Advisory Panel could ensure research data is correct and reflects actual use over time. It should be incumbent upon a Subsistence Advisory Panel to explore questions such as this. Exploratory activities, such as seismic exploration, ice road development, and exploratory drilling, could explain why harvesters are already using this area less than they have historically. Restrictions on development, with actual datasets provided through a Subsistence Advisory Panel, could provide important mitigation. The Subsistence Advisory Panel could also add necessary context to the draft SEIS’s discussion of the households who use and don’t use roads.1458 Understanding this dynamic will require a systematic enumeration of data collection through local research assistants that target specific datasets. BLM should also explain how increased travel because of changes in subsistence resources and practices will increase risks to safety.1459 In sum, the connected role of exploration’s impacts should be described within this section of the document.	<p>The inclusion of data on the percentage of harvesters using the Willow area during a 12-month time period is meant to illustrate that use is variable from year to year and therefore not all harvesters will visit the entire extent of their use area every year. The data do not necessarily indicate "reduced use," only that fewer individuals use the area on an annual basis. Text has been added to provide additional context for this information.</p> <p>Section 3.16.2.3.4 includes a discussion of how traveling farther to access subsistence resources could increase risks to safety.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-147	The construction of the Module Transfer Island (MTI) or upgrades to Oliktok dock or Point Lonely during the summer months and barging activities also warrants greater analysis. Harrison Bay is an area of subsistence importance for both resources and traditional practices. Yet, regarding bowhead whales — a “key” resource with “unique cultural and social importance to the Iñupiat of the North Slope” — BLM brushes off Willow’s impacts without necessary analysis. Noting Willow’s barging activity may affect the success of whale hunts for communities including Utqiag̃vik, BLM does not indicate the extent or magnitude of anticipated impacts. This is a significant oversight given that Iñupiaq social organization is based around the species and up to 65% of Utqiag̃vik’s total subsistence harvest may consist of bowhead whale.1467 Rather, BLM simply asserts permittees for barging activities are required to coordinate with whaling officials to “minimize” impacts to subsistence whaling.1468 It is unclear how impacts to subsistence whale hunters will be minimized given extensive traditional knowledge indicating that industrial noise has pushed whales further and further offshore — severely impacting the success of subsistence whale hunts.1469 A greater analysis of how the barging in modules and associated construction activity to establish module delivery infrastructure will impact subsistence resources, including migrating whales and other marine mammals, should be included within this section of the analysis.	Additional detail regarding potential impacts to seals and bowhead whales has been incorporated. Coordination with the Alaska Eskimo Whaling Commission generally involves participation in a Conflict Avoidance Agreement, which have been described as highly effective by subsistence harvesters and whaling captains (see SRB&A 2013: Aggregate Effects of Oil Industry Operations on Iñupiaq Subsistence Activities, Nuiqsut, Alaska: A History and Analysis of Mitigation and Monitoring. OCS Study BOEM 2013-212. U.S. Department of the Interior, Bureau of Ocean Energy Management, Alaska Outer Continental Shelf Region. Anchorage, Alaska. Available online at https://srbak.squarespace.com/s/SRBA-2013-Aggregate-Effects-of-Oil-Industry-O.pdf).	Trustees for Alaska
6501-148	BLM states that the MTI will “be reshaped by waves and ice and resemble a natural barrier island within 10 to 20 years.”1470 BLM must articulate how the increase of material to Harrison Bay will, if at all, truly resemble that of a barrier island in the Beaufort Sea. Specific elements that should be addressed include the island’s make-up (substrate), how this island in its proposed location will impact physical processes, and how the island’s make-up and the associated physical process will impact ecological systems that are connected to subsistence resources and practices.	<p>The median grain size of the proposed fill is classed as fine gravels (Julien 1995), sourced from a pit adjacent to the Coleville River. An estimated 4.7% of the material is classed as fines. The gravel fill would be protected by prefabricated filter fabric panels covered by gravel bag armor units. It is anticipated that the location and size of the island would not contribute to changes in current or wave environments in Harrison Bay. It was found that neither synoptic-scale oceanographic currents nor strudel drainage will pose a threat to the side slopes of the island or exert significant, permanent impacts on the surrounding sea bottom (Coastal Frontiers 2008).</p> <p>Once all gravel slope protection materials and other anthropogenic materials would be removed from the island, two processes would be relied upon to redistribute the gravel fill: sediment entrainment by wave and currents, and displacement of material due to ice scouring. The module transfer islands’ proposed location is within a 2.5-mile radius of documented shoals, east of Atigaru Point. While the island represents a concentrated source of material to create a barrier island, rather than sourced from the littoral transport of eroded material from the coastal bluffs, the size of the material and the proximity to existing coastal landforms infers that the environmental parameters that formed the existing shoals are likely to shape unprotected fine gravels.</p>	Trustees for Alaska
6501-4	<p>The DSEIS pushes aside the impact of noise on subsistence, stating that: Subsistence users could be affected by noise if they are within the attenuation zone for noise sources, which are described in Table 3.6.3 and Figure 3.6.1. It is likely that subsistence users would avoid construction areas and areas of persistent operational noise (such as the WPF) and thus physical effects from noise on subsistence users would be minimal. The effects of avoidance of subsistence use areas as well as effects to subsistence resources and harvest are described in Section 3.16.963</p> <p>To fully understand the noise impacts, these impacts should be evaluated (or at least summarized) in the noise section. Also, the assertion that subsistence users can simply go elsewhere completely ignores the fact, which is well-known to BLM, that subsistence involves use of traditional areas. Relying on subsistence users to avoid areas of extreme noise as a way to “minimize” impacts and avoid discussion of such impacts is not a complete analysis of the impacts of the project.</p>	While the attenuation zones identified in Willow MDP EIS Section 3.6, <i>Noise</i> , Table 3.6.3 and Figure 3.6.1, include all areas where Project-related noise may be audible, the vast majority of these zones are not immediately adjacent to a Project element and would be subject to Project-related sound levels in the mid-30s to 50s dBA. Such levels, although audible, would be characterized as "very quiet" to "quiet" (see Supplemental EIS Table 3.6.1) and would not be expected to result in physical effects on subsistence users or complete avoidance of the areas. Exceptions to this include locations very near construction sites and the gravel mine during construction and very near drill sites and the Willow Processing Facility during operation, where intrusive noise levels may be found. These smaller areas may be avoided by subsistence users, an impact identified in Section 3.6 of the Supplemental EIS. This impact has been clarified in Section 3.6.2.3.	Trustees for Alaska
6501-6	There is no discussion in BLM’s noise analysis regarding how construction and operation of ConocoPhillips’ offshore gravel island could affect marine mammals and, therefore, subsistence use. The draft EIS states that “Point Lonely also has a slightly lower level of subsistence use than Atigaru Point and thus noise in this area would have a lower impact on subsistence users.”965 But, there is no discussion of the nature and extent of these potential impacts to subsistence use from noise at the island site under either alternative.	Section 3.6, <i>Noise</i> , references the subsistence section, which discusses the impacts of noise specifically on subsistence in more detail. Impacts of noise from construction and operation of the module transfer islands (Module Delivery Options 1 and 2) on marine resources and subsistence users are discussed in Section 3.16.2.7.	Trustees for Alaska

Table B.5.38. Teshekpuk and Other Special Areas Comments and Responses*

No.	Comment	Comment Response	Commenter
30962-37	EPA recommends that BLM clarify the text regarding Options 1 and 2 Module Transfer Islands to explain how the road access associated with these facilities are minimized to protect the TSLA. We note these locations are not within Bear Tooth Lease Unit where the applicant has the right to access with conditions. However, they are both located immediately adjacent to and would require extensive roads crossing out of the lease area and into the TSLA.	Ice roads for Options 1 and 2 would cross the Teshekpuk Lake Special Area (TSLA) using seasonal ice roads. This crossing would be temporary and would not occur during sensitive times for caribou or birds.	U.S. Environmental Protection Agency
6501-241	<p>As the affected environment and environmental consequences are presently set out, it is unclear how the impacts of the proposed project may impact the Special Areas, including their purposes and their ability to maintain ecological functions to meet those purposes. Despite Groups call for an analysis of the impacts of the project on the Special Areas, there is still no focused analysis of the impacts to the Special Areas...</p> <p>The maps comparing alternatives do not show the Special Area boundaries or restricted areas.440 We strongly encourage BLM to include much more detailed and comprehensive maps in its final SEIS...</p> <p>BLM should revise its analysis to specifically consider the impacts of each alternative on Special Areas and ensure that maps comparing the alternatives clearly identify the Areas and restrictions on activities or infrastructure within the Areas. Without such information, BLM is unable to ensure compliance with the maximum protection standard for Special Areas.</p>	Pertinent maps and figures have been updated to show the Special Area boundaries and surface restrictions within the Special Areas. Impacts under each alternative to important surface resources protected by the Teshekpuk Lake Special Area are in Section 3.11 (<i>Birds</i>) and 3.12 (<i>Terrestrial Mammals</i>).	Trustees for Alaska

Table B.5.39. Tribal Engagement Comments and Responses*

No.	Comment	Comment Response	Commenter
26-33	These are very extensive concerns we need to engage in and communicate more thoroughly right now, these activities don't give us enough time to be able to make those decisions and evacuate if the need arises. These are important discussions and going forward, and we want to be engaged in a more effective way. We want to have a discussion that may be a community and alternative further into this process, but with the way things have happened, we haven't had the time to do that because we have been trying to be accommodating during our heightened subsistence need to try and do, this and we're running out of time. We need to have our whalen go to Cross Island by the August 25th. People doing those things after us, their timeline is due to the changes in urgency, whereas ours is facing us, and we need to do this important thing. Feed our village for the year, and then let's get down to business and discuss this more effectively. Not ram rodding it because it is about the survival of our community, and we need to do things that protect our health, life and safety because we realize we're not well protected in the community at risk when living near these activities.	Given the limited nature of new material in the Supplemental EIS and because the majority of the document had already been through a public review, BLM determined that a 45-day public comment period was appropriate and adequate.	John Sonin; Rosemary Ahtuanguaruak; Dyani Chapman; Christi Heun; Andy Moderow; Doug Woodby; Liam Zsolt; Pamela Miller; Barbara Brease; Danielle Stickman; Chris Warner; Lauren Hendricks; Ellen Montgomery; Sara Hersh; Dorcas Nashoalook; Sam Kunaknana; Joe Evans; Sonia Ahkiygak
30956-7	Interior and BLM must engage in constructive and meaningful government-to-government consultation with all Tribes that may be affected by Willow. Interior is obligated to reach out to every tribal council for purposes of government-to-government consultation and consult with all potentially affected tribal governments who wish to do so. These steps are necessary to fulfill Secretary Haaland’s commitment to ensure Federal lands are managed “in a manner that seeks to protect the treaty, religious, subsistence, and cultural interests of federally recognized Indian Tribes.”	A table of consultation with Tribal entities is included in Section 3.17.2. Mitigation measures and information on how the Project may impact subsistence, cultural resources, and environmental justice brought up by Tribes in consultation is included in the Supplemental EIS.	Sovereign Inupiat for a Living Arctic
30962-36	EPA encourages BLM to consult with the Tribes and incorporate feedback from the Tribes when making decisions regarding the project. EPA recommends the FSEIS describe the issues raised during the consultation and how those issues were addressed.	A table of consultation with Tribal entities is included in Section 3.17.2, as well as potential mitigation measures suggested by Tribes to avoid, minimize, or compensate for impacts from the Project. Information on how the Project may impact subsistence, cultural resources, and environmental justice that was brought up by Tribes in consultation is included in the pertinent resource section.	U.S. Environmental Protection Agency
30965-10	Does each project have a different baseline? Baseline should be traditional knowledge of our elders that have been talking about this area, because if it wasn't for the elders, we wouldn't be here. Traditional knowledge should be baseline for all of this.	Traditional knowledge has been incorporated into the analysis in the Supplemental EIS (see Appendix J).	Unsigned
30965-25	We -- our village has been impacted so many years, and yet, the federal government doesn't listen to us and take notes and never share anything about what needs to be done and work on.	A table of consultation with Tribal entities is included in Section 3.17.2. Mitigation measures and information on how the Project may impact subsistence, cultural resources, and environmental justice that was brought up by Tribes in consultation is included in the Supplemental EIS.	Unsigned

No.	Comment	Comment Response	Commenter
30965-31	<p>We want to thank you all for coming. This isn't the only invite you have. We do invite you to come back. This is very important to our community. We do feel that we want to speak with you more and try to explain our concerns. Feel free to contact us back. But continue this dialogue. It's important to fully understand what we're saying and to communicate back with us and respond to our concerns...</p> <p>Feels like a lot of times we just ask in commenting, communicate, but a lot of people stated today we aren't getting answers that we need.</p> <p>So thank you for coming in. Come on back. Communicate early through a better process so that we can have a true, good meeting where we're not trying to cram a little bit of time in for this process and that we can really communicate in a good way.</p>	<p>A table of consultation with Tribal entities is included in Section 3.17.2. Mitigation measures and information on how the Project may impact subsistence, cultural resources, and environmental justice that was brought up by Tribes in consultation is included in the Supplemental EIS.</p>	Unsigned
3676-2	<p>I am concerned that the process for public engagement is happening without intentional consultation with the community of Nuiqsut.</p>	<p>Both the City of Nuiqsut and Native Village of Nuiqsut participated as cooperating agencies in the preparation of the Draft and Final Supplemental EIS. A table of consultation with Tribal entities is included in Section 3.17.2. Mitigation measures and information on how the Project may impact subsistence, cultural resources, and environmental justice that was brought up by Tribes in consultation is included in the Supplemental EIS.</p>	Erika Gavenus
4490-5	<p>We urge BLM to fully incorporate and create space for traditional knowledge, the Indigenous worldview, and future shared stewardship by Indigenous peoples. TWS encourages BLM to prioritize and honor truly meaningful and respectful government-to-government consultation with Federally recognized Tribes only (not corporations) and their community members to inform its decision regarding Willow.</p>	<p>The federally recognized tribes of the Inupiat Community of the Arctic Slope and Native Village of Nuiqsut participated as cooperating agencies in the preparation of the Draft and Final Supplemental EIS. Traditional knowledge is incorporated in the Supplemental EIS analysis (see Appendix J).</p>	The Wilderness Society
6501-140	<p>BLM should have provided more opportunities to meet with federally recognized tribes as early as possible in the planning process and, were the project to proceed, provide for government-to-government consultation throughout construction, development and operation of Willow. This would enable the agency and ConocoPhillips to anticipate and address conflicts between subsistence uses and development activities.</p>	<p>The federally recognized tribes of the Inupiat Community of the Arctic Slope and Native Village of Nuiqsut participated as cooperating agencies in the preparation of the Draft and Final Supplemental EIS. Traditional knowledge is incorporated in the Supplemental EIS analysis (see Appendix J).</p>	Trustees for Alaska
6501-155	<p>BLM claims in its analysis that the NPR-A Working Group is one of the ways in which it has provided engagement opportunities for Nuiqsut. However, as groups have previously flagged to BLM, there are significant concerns with how the Working Group has been operating, given that it appears to be an advisory group formed and operated in violation of the Federal Advisory Committee Act. While groups appreciate BLM's efforts to engage with communities on the North Slope, BLM has been less than transparent about the operations of this group, and we have significant concerns about whether this entity has in fact been a meaningful platform for Nuiqsut to voice its concerns.</p>	<p>BLM used all available outreach tools to facilitate communication with North Slope entities on the Willow Project. Additionally, both the City of Nuiqsut and Native Village of Nuiqsut participated as cooperating agencies, and BLM held several one-on-one consultations with the Kuukpik Corporation to solicit input on the Supplemental EIS.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
8097-2	<p>Many of the community members that would be impacted most by this project feel they were shut out of the process when BLM decided to continue public hearings during the COVID-19 pandemic. The current public comment period in summer 2022 was only 45 days long, although the mayor of Nuiqsut, Ms. Rosemary Ahtuanguaruak, reached out to the BLM saying that the public comment period fell into the harvest time so that the community members didn’t have time to even read the SEIS and comment on it. She also said that the BLM even asked beforehand about the harvest time but, after having received the mayor’s reply, failed to adjust the public comment period so that the subsistence activities would not be affected. We are talking about activities that are necessary for having enough food to eat and for keeping a people’s culture alive.</p> <p>This behavior violates several parts of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), i.e., the human rights of the majority of people living in that area.</p> <p>Article 25 states: “Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.”</p> <p>Article 19 emphasizes the responsibility of state governments: “States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.” Several people living in places close to Willow Project have stated that this consultation and cooperation has not taken place.</p> <p>Article 32.2 stresses more explicitly: “States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.”</p>	<p>BLM has consulted extensively with the Native Village of Nuiqsut and the Inupiat Community of the Arctic Slope, the local and regional federally recognized tribes whose elected governments represent the Inupiat community on the North Slope. Additionally, BLM has consulted with the Kuukpik Corporation, Arctic Slope Regional Corporation, the City of Nuiqsut, and the North Slope Borough. The City of Nuiqsut, Native Village of Nuiqsut, North Slope Borough, and Inupiat Community of the Arctic Slope all participated as cooperating agencies in the development of the Willow Supplemental EIS, which afforded them the opportunity to help BLM develop the range of alternatives and potential mitigation measures. These entities were also provided the opportunity to review and comment on the Draft and Final Supplemental EIS prior to their publication.</p>	<p>Petra Krumme</p>

Table B.5.40. Visual Resources Comments and Responses*

No.	Comment	Comment Response	Commenter
7150-2	<p>I ask that they consider... Dark Sky lighting at an industrial scale.</p> <p>This would require that lighting meets a basic plan of</p> <p>1) Be used only where needed</p> <p>2) Shielded with none of the light shining into the sky. Buildings lit with lights shining down not up.</p> <p>3) On timers and motion detectors where possible.</p> <p>4) LED where possible. Reduced footprint...</p> <p>Lower power requirements will be needed. Adopts an environmentally friendly policy. In many traceable instances safety can improve. Recent studies show that vision is impaired by "glare" from overly bright light sources, reducing sensitivity to fine details and color perception, especially in elderly people. Brighter lights cause shadows to appear darker. Alaska roads, buildings, and homes were impacted. This can be a low-cost high benefit effort for the company...</p> <p>Many animals are impacted by improper lighting. Travis Longcore has shown in many presentations that animals avoid lighting in their migrations. Moths which are important pollinators are attracted to these night lights and burn up due to the heated surface. Several species of birds get confused with unnatural light in their migrations. There is also the warming that comes from large NA lights. With LED lights the power generation required is significantly reduced...</p> <p>Humans...will benefit from a reduced energy requirement directly from a more efficient lighting plan. We will be able live as our ancestors did and see the night sky.</p> <p>Please include a DarkSky picture in the requirements for the Willow development.</p>	<p>Lighting measures to reduce night-sky impacts while adhering to safety protocols are described in Section 3.7, <i>Visual Resources</i> (see ROP E-10 and Section 3.7.2.1.3, <i>Additional Suggested Avoidance, Minimization, and Mitigation</i>).</p>	<p>Steven Carhart</p>

Table B.5.41. Water Resources Comments and Responses*

No.	Comment	Comment Response	Commenter
2878-25	<p>Water Resources, Section 3.8.1.1.1, Page 101,Appendix E.8B, Water Resources Ocean Point Technical Memorandums, Pages 1-3</p> <p>BLM states: "Downstream from Umiat the probability of having flow in every month of the year increases as the drainage area increases. Similarly, the magnitude of the flow is likely to increase roughly proportional to the drainage area increase. Thus, when the average monthly mean April flow is 3.1 cfs at Umiat, where the drainage area is approximately 13,860 square miles, the average monthly mean April flow may be 1.5 times than that near Nuiqsut (4.7 cfs), where the drainage area is 20,670 square miles. Therefore, flow at Ocean Point is likely higher than flow at Umiat." The probability of having late winter flow is based on more than just a ratio of drainage area. We generally agree that the drainage area ratio approach based on published flows at the USGS Umiat gaging station is the best tool available to estimate annual flows at Ocean Point for summer, fall, and early winter; however, during late winter, other factors have more control on available flow. Channel geometry (i.e. braided or narrow, or under the influence of ice), the proximity of springs, tidal influence, wind, local temperature, snow cover, etc. all contribute. CPAI recommends removing the above statement, as this comparison does not account for all factors, and instead using the actual discharges measured at Ocean Point (see CPAI response to RFI 232). Winter data collected at Ocean Point indicate that the Ocean Point Crossing grounds out and remains grounded out until spring breakup. This comment also applies to similar text in Appendix E.8A (pages 1-3).</p>	<p>The Final Supplemental EIS has been revised to include the parameters described by the commenter that can contribute to changes in available flow.</p>	ConocoPhillips
2878-26	<p>Water Resources, Section 3.8.1.1.2, Page 101</p> <p>Text reads, "Lake M0235 has an estimated volume of 237.0 MG..." This estimated volume is incorrect. The estimated volume for Lake M0235 is 327.0 MG according to the August 13, 2002, bathymetry data, and is shown correctly in Appendix D.1, Table D.4.4 Year-Round Water Source Access Summary by Water Source (page 82).</p>	<p>The text has been edited as suggested by the commenter.</p>	ConocoPhillips
2878-27	<p>Water Resources, Section 3.8.2.1.1, Page 108, Table 3.8.3, Appendix I.1, Table I.1.1</p> <p>We recommend that BLM add ROPs A-5 and B-2 (specifically ROP B-2d) to its list of Anticipated Deviations from NPR-A LS and ROPS (Table D.4.9) and in other relevant tables and text throughout the SEIS.</p>	<p>The Final Supplemental EIS has been updated to show that an exception would be required for these ROPs.</p>	ConocoPhillips
2878-28	<p>Water Resources, Section 3.8.2.3.10, Page 120</p> <p>Text regarding screeding at Oliktok Dock and in the associated barge lightering area states that "Screeding would occur twice during construction." We recommend updating this text to "up to four times during construction" for consistency with text elsewhere in the document (i.e., Section 3.13) that indicates screeding may occur for delivery of smaller modules and bulk materials included as part of all action alternatives (Alternatives B, C, D, and E). This same comment applies to similar text in Table 3.8.4, Effects to Water Resources from Action Alternatives (pg. 122); Section 3.10.2.3.1, Fish- Habitat Loss or Alteration (pg. 153); Table 3.10.4 Effects to Fish and Fish Habitat from Action Alternatives (pg. 155); Section 3.10.2.3.3, Fish- Injury or Mortality (pg. 156); Section 3.11.2.3.1, Birds- Habitat Loss or Alteration (pg. 175); Table 3.11.2. Effects to Birds and Bird Habitat from Action Alternatives (pg. 177); Section 3.11.2.3.2, Birds- Disturbance or Displacement (pg. 179); and Table 3.13.3 Effects to Marine Mammals from Action Alternatives (pg. 228).</p>	<p>The text has been updated as suggested for all noted resource sections.</p>	ConocoPhillips
2878-29	<p>Water Resources, Section 3.8.2.6, Page 121</p> <p>BLM states: "Alternative E would reduce the length of diesel pipeline by 9.4 miles (34 miles total, on the same VSMs as the Willow Pipeline)..." The diesel pipeline under Alternative E is the same length as that proposed under Alternative B (34.0 miles as shown in Table 3.8.4) connecting CP2 to the ACF at CD1. It would not share the same VSMs as the Willow Pipeline. We recommend clarifying this statement.</p>	<p>The Alternative E diesel pipeline description has been updated based on the latest Project GIS provided by CPAI.</p>	ConocoPhillips

No.	Comment	Comment Response	Commenter
2878-30	<p>Water Resources, Section 3.8.2.9, Page 125</p> <p>BLM states: "An ice road and ice bridge across the Colville River could also affect ice jam flooding that occurs downstream in the Colville River. Even if the ice road and bridge are slotted, the added ice may cause ice jam flooding within the CRD or other locations along the river to be worse than it would have been. Ice conditions in the lower Colville River are described in the Nanushuk EIS (USACE 2018, 3-144 to 3-145 and Figure 3.6.4 therein). Based on that description, ice jams occur regularly at and downstream of Ocean Point all the way to the delta; it appears that ice jam flooding is having a substantial impact on flood elevations within the delta and may control design flood elevations at some locations. It is unknown to what extent the construction of ice bridges is currently influencing ice jam flooding conditions." CPAI notes that the annual Colville River Ice Bridge crossing at the East Channel is slotted prior to spring breakup each year. Ice bridge degradation is monitored annually during spring breakup, and there has been no evidence the built-up ice is impeding breakup progression or worsening ice jams in the CRD. Consider removing this statement or rewording to acknowledge the lack of ice jam flooding in connection with the Colville River Ice Bridge crossing at the East Channel.</p>	<p>The text has been revised as suggested by the commenter.</p>	<p>ConocoPhillips</p>
2878-54	<p>Appendix E.8A, Water Resources Technical Appendix, Section 1.2.1, Page 4, Table E.8.5</p> <p>We recommend that BLM update Table E.8.5 to reflect the complete season of data for 2021 provided in CPAI's 2021 Ocean Point Discharge and Water Quality Summary Report (provided as part of response to RFI 232). Specifically, Table E.8.5 is missing data from sampling events on April 8, 2021, and April 21, 2021. During these two events, channel ice at Ocean Point was grounded out/bottomfast (0 cfs) as indicated in Table 3 of the 2021 Summary Report by a dash (-) with a footnote to state that "Channel was grounded out by ice." In addition, CPAI has provided the 2022 Ocean Point Discharge Report for inclusion in the FEIS, if appropriate. This latest report also shows that channel ice grounded out at Ocean Point in late winter.</p>	<p>The table note has been added as suggested by the commenter.</p>	<p>ConocoPhillips</p>
30962-42	<p>Temporal scale impacts of construction and infrastructure-related activities can occur long after reclamation, depending on which BMPs are put in place prior to and during the project. Removal of the infrastructure does not necessarily eliminate impacts caused by the structures after they are gone. EPA recommends the FSEIS fully describe the extended temporal scale of impacts to water resources after construction and infrastructure-removal have been completed.</p>	<p>Restoration in the Arctic can take longer than other ecosystems based on the short growing season and low temperatures. There are various best management practices and restoration techniques that speed up temporal scale of impacts to water resources after infrastructure has been removed, including using reusing tundra sod from nearby material sites or other excavations and placing geotextile over tundra before fill material is placed.</p>	<p>U.S. Environmental Protection Agency</p>
30962-43	<p>EPA remains concerned with the use of the impervious cover model to predict watershed degradation due to wetland losses within vast HUC 10 watersheds, as this tool is designed to predict water quality impacts, primarily to streams not wetlands, at much smaller scales. Watershed health is a distinct concept from impact analysis. If a watershed remains healthy because impacts are below a certain threshold, that does not mean there are no impacts. Specifically, Schueler et al (2009) found the impervious cover model “does not appear to be the best metric to predict stream quality indicators below 10%.” EPA continues to recommend the FSEIS include analysis of the impacts to aquatic resource functions and values at the site-specific scale, which will help to inform decisions regarding appropriate mitigation.</p>	<p>The North Slope Rapid Assessment Method was used for the Compensatory Mitigation Plan to determine debits and credits for the Willow Project. The North Slope Rapid Assessment Method is a U.S. Army Corps of Engineers' approved functional assessment method that incorporates variables of local landscape disturbance and landscape disturbance to analyze effects of impervious surface. The 10% metric for stream quality is a macro scale tool for analyzing watershed impacts, while the North Slope Rapid Assessment Method is a micro scale tool for evaluating specific project functions.</p>	<p>U.S. Environmental Protection Agency</p>

No.	Comment	Comment Response	Commenter
3927-6	<p>3.2.1.2. Project Climate Trends and Impacts in the Arctic and on the North Slope</p> <p>In the second paragraph of this section it states that: “Snow cover duration is expected to decrease with a later date of first snowfall and an earlier snowmelt, and growing season length is expected to increase. These changes will reduce water storage and increase the risk and extent of wildland fires and insect outbreaks.”</p> <p>This Climate Change information was newly incorporated into this draft of the document, as indicated by the yellow highlight. It does not however appear from the analysis in this DSEIS that it had much bearing in revising the projections for water consumption for this project. If the available recharge waters are diminishing due to climate change, this plan should also address how the water will be replenished from the local freshwater sources that are being tapped for the project’s needs. It has been estimated that over 1.6 billion gallons of water will be used over the life of the project. Are there any models or projections to estimate how much snowmelt and rainwater will be available to help recharge the system? If the current available freshwater that this project proposing to tap into are not currently considered to be in “excess” of what is needed for the residents of the north slope, the habitat and animals that currently inhabit the area, how will these water needs be met when so much is being drawn off for the project? It seems like there would be a deficiency showing up for the currently established water needs. If that is not the case, please explain how that freshwater will be replenished?</p>	<p>The discussion of lake loss due to climate change has been revised to include the potential loss of connectivity due to climate change. We are unaware of any studies linking reduced waterbody connectivity associated with water withdrawals.</p> <p>Water withdrawals would be authorized on a case-by-case basis. In cases where such an activity is incompatible in the location in which it is proposed, the permit would be denied.</p> <p>Water withdrawal guidelines stipulate that only a specified percentage of a lake's volume can be withdrawn. Thus, the effects of withdrawing more water would cover a larger area (i.e., greater number of lakes) but would not differ in the type, magnitude, or duration. BLM concurs with the State of Alaska's water permitting agencies (i.e., Alaska Department of Fish and Game and Alaska Department of Natural Resources) regarding the view that current guidelines for liquid water allowances are broadly protective of fish and water resources.</p>	Kathleen O'Reilly-Doyle
5067-3	<p>The water used for the ice roads is typically drawn from lakes that refill in summer due to snow melt and rain events. Climate change, however, has altered the efficacy of natural water refill of the lakes. A recent study by Gädeke et al. (2022) within the northeast portion of the NPR-A found that lake water withdrawal for infrastructure development is not reliably offset by same- year snowmelt recharge as currently assumed in land management regulations, resulting in several weeks of impassable stream conditions for fish during migration periods. Given the Service and likely others have had little time to consider the implications of this study for water management (i.e., we learned of this study the day before the comment period closed), we recommend the Final SEIS include this new information for winter lake water withdrawal requirements.</p>	<p>The text has been revised as suggested by the commenter.</p>	U.S. Fish and Wildlife Service
5228-20	<p>Chapter 3, page 117, Section 3.8.2.3.5, <i>Pipelines</i>, discusses Horizontal Directional Drilling (HDD) along with the potential for inadvertent releases to surface waters. No APDES permit is mentioned. Please mention in this section that inadvertent discharges to water for HDD can be covered under APDES General Permit AKG320000 (Statewide Oil and Gas Pipelines).</p>	<p>The text has been revised as suggested by the commenter.</p>	State of Alaska
5228-21	<p>Chapter 3, page 119, Section 3.8.2.3.7, <i>Wastewater Disposal</i>, states that “Most wastewater would be disposed into a Class 1 UIC disposal well. (Wastes allowed for reinjection include treated domestic wastewater, drilling muds and cuttings, well workover fluids, melt and stormwater, produced water, and other exempt and nonexempt nonhazardous fluids.” Please note coverage under DEC Permit 2021DB0002 – Class 1 Injection Wells is needed, in addition to authorization by the EPA. Please update Section 3.8.2.3.7 to reflect coverage for UIC is needed under DEC permit 2021DB0002- Class 1 Injection Wells, in addition to authorization by the EPA.</p>	<p>The text has been edited as suggested by the commenter.</p>	State of Alaska

No.	Comment	Comment Response	Commenter
6501-24	<p>Current water-use permits issued from the Alaska Department of Natural Resources Division of Mining Land and Water are restricted based upon general categories of water withdrawal sensitivity (non-sensitive, sensitive) for fish present and the liquid water volume available under ice. While this provides some level of protection, it does not take into account the potential spatial heterogeneity of winter dissolved oxygen (DO) levels in individual tundra ponds, which has been documented in Alaska1008 and likely driven by a combination of lake level attributes and landscape factors.1009 BLM should provide a list of all ice road source lakes as well as all physical and biological information collected at each lake (including methodology) to determine suitability for water withdrawal.</p> <p>Adequate under-ice DO concentrations are an important water quality parameter that affect fish respiration, growth, and survival. Freshwater fish require DO levels between 4 and 6 mg/l227 with lethal levels potentially occurring below 2 mg/l.228Research in the Northwest Territories, Canada has documented that water withdrawal of 20% under ice volume in small (<30 ha.) tundra pond affects oxygen concentrations beyond natural fluctuations.1010 Due to difficulties in conducting water quality measurements in winter, winter DO concentrations have only been measured sporadically across the Reserve and limited information is known about the spatial variability. Additionally, individual fish species have different oxygen requirements and in order to provide suitable overwintering habitat a species specific-oxygen requirement should be determined and implemented for sensitive fish in the region. Willow’s water withdrawals would have a substantial impact on DO concentrations, which would require significant mitigation.</p>	<p>Current water use permits issued by the Alaska Department of Natural Resources and the Alaska Department of Fish and Game and practices under required operating procedure (ROP) B-2 do consider water depth with quantification of water volume under an assumed thickness of ice (e.g., an overestimated ice depth of seven feet for lakes with the sensitive fish present, five feet for lakes with no fish present). In this course way, shallower lakes offer less volume to be permitted from and deeper lakes would offer greater volumes. Lake depth is the greatest predictor of dissolved oxygen levels in models developed for the North Slope (Leppi et al. 2016), accounting for 45% of the variation in measured dissolved oxygen levels.</p> <p>Identification of specific water sources to be used to support ice road and pad construction has not been developed by CPAI. As construction planning progresses and construction logistics are advanced, water sources would be identified by CPAI and individual water source permit applications would be submitted.</p> <p>The study referenced in the comment "Research in the Northwest Territories, Canada has documented that water withdrawal of 20% under ice volume in small (less than 30 hectare) tundra ponds affects oxygen concentrations beyond natural fluctuations.” is a 2008 study by Cott and colleagues. This study goes on to say that withdrawal had no effect on the monitored Northern Pike populations in the withdrawal lakes, only that a 20% withdrawal from a small shallow lake “is more likely to deplete oxygen concentrations to a level that is harmful for overwintering fish particularly if the oxygen budget in the lake is being stressed by environmental or (and)anthropogenic factors, in addition to the withdrawal” (Cott et al 2008). Small lakes like those reported in the Cott et al 2008 study in the Northwest Territories are infrequently permitted for water withdrawals on the North Slope. ROP B-2 mandates a maximum of 15% water withdrawal, not 20%, under 7 feet of ice (i.e., worst case scenario) with sensitive fish present. Even so this volume of water is rarely permitted, thus a more precautionary approach is taken for lakes with sensitive fish present. The Cott et al. 2008 study goes on to say that changes in dissolved oxygen concentrations and volume of overwintering habitat did not affect populations of sensitive Norther Pike species in the lake. The ice thickness is not reported for these lakes but it can be assumed to be less than 7 feet (i.e., less protective than current ROP B-2). Recommended mitigation strategies from Cott et al. 2008 are already in operation, including “... identifying and selecting nonfish-bearing waterbodies as water sources, using very large waterbodies and avoiding sensitive overwintering fish habitats, using only the maximum ice thickness in a region for lake volume calculations, and estimating water volumes using detailed bathymetric surveys...” Current water withdrawal permitting and procedures are more protective than those employed in the Cott et al. 2008 study.</p> <p>ROP B-2 states that "Additional modeling or monitoring may be required to assess water level and water quality conditions before, during, and after water use from any fish-bearing lake or lake of special concern." Furthermore, published literature on oxygen regimes of ice-covered lakes and reservoirs with and without water withdrawals suggests that current water use practices on the North Slope cause little to no change in dissolved oxygen concentration over the winter (Clilverd et al. 2009). Recent studies on hypoxia tolerance and adaptation of high latitude fish species like Arctic Grayling (Davis et al. 2019) and Alaska Blackfish (Lefevre et al. 2014) do not suggest greater dissolved oxygen demands than the 5mg/L criterion stated in Alaska State Law (18 AAC 70) and thus there is no evidence that more complex species-specific guidelines are warranted beyond what is already in place in the ROP B-2.</p> <p>Clilverd, H.M., White, D.M., & Lilly, M.R. (2009). Chemical and Physical Controls on the Oxygen Regime of Ice-Covered Arctic Lakes and Reservoirs 1. JAWRA Journal of the American Water Resources Association, 45.</p> <p>Cott, P.A., Sibley, P.K., Gordon, A.M., Bodaly, R., Mills, K.H., Somers, W.M. and Fillatre, G.A. (2008), Effects of Water Withdrawal From Ice-Covered Lakes on Oxygen, Temperature, and Fish. JAWRA Journal of the American Water Resources Association, 44: 328-342. https://doi.org/10.1111/j.1752-1688.2007.00165.x</p> <p>[Comment response continues below]</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-24 Continued	[Comment is the same as previous]	[Comment response continues from above] Davis, M.N., McMahon, T.E., Webb, M.A.H., Ilgen, J.E., Hitch, A.T., Jaeger, M.E. and Cutting, K.A. (2019), Winter Survival, Habitat Use, and Hypoxia Tolerance of Montana Arctic Grayling in a Winterkill-Prone Lake. Trans Am Fish Soc, 148: 843-856. https://doi.org/10.1002/tafs.10176 Lefevre S, Damsgaard C, Pascale DR, Nilsson GE, Stecyk JA. Air breathing in the Arctic: influence of temperature, hypoxia, activity and restricted air access on respiratory physiology of the Alaska blackfish <i>Dallia pectoralis</i> . J Exp Biol. 2014 Dec 15;217(Pt 24):4387-98. doi: 10.1242/jeb.105023. Epub 2014 Nov 13. Leppi JC, Arp CD, Whitman MS. Predicting Late Winter Dissolved Oxygen Levels in Arctic Lakes Using Morphology and Landscape Metrics. Environ Manage. 2016 Feb;57(2):463-73. doi: 10.1007/s00267-015-0622-x. PMID: 26467673; PMCID: PMC4712229.	Trustees for Alaska
6501-312	The DSEIS fails to analyze the risks of fracking on water quality. Fracking fluid (i.e., “recovered” or “flowback” fluids collected into tanks following well stimulation, but before oil and gas production starts) and wastewater (i.e. “produced water” extracted with oil and gas during production)782 from oil and gas operations are a toxic mix of chemicals harmful to human health. [Additional supporting information and references provided in the original comment letter.]	Recovered fracking fluids and production water would be disposed of using permitted underground injection control wells and would not be discharged to the surface environment. All hydraulic fracturing activities will comply with Alaska Oil and Gas Conservation Commission (AOGCC) regulation found in 20 AAC 25.283. As of July 2018, there have been no reports to AOGCC of contamination of drinking water resulting from fracking operations. Furthermore, any contamination must be reported to the Alaska Department of Environment.	Trustees for Alaska
6501-314	Fracking and other well stimulation chemicals can kill or harm a wide variety of wildlife... Fracking also increases the traffic associated with drilling because of the additional supplies needed... Fracking also uses significant amounts of water. BLM must evaluate the water withdrawal from lakes for the use in fracking. Between 2000 and 2014, the average water used for fracking a horizontal well increased from 177,000 gallons to 4 million gallons.806 The substantial water withdrawals needed for fracking could cause fish mortality and low water levels in the project area, which could also harm birds like the yellow-billed loon and spectacled eiders.	Hydraulic fracturing would only occur to stimulate reservoir flow at the production wells and is not needed for continued production during the life of the well. All hydraulic fracturing activities will comply with Alaska Oil and Gas Conservation Commission (AOGCC) regulation found in 20 AAC 25.283. As of July 2018, there have been no reports to AOGCC of increased seismicity on the North Slope or contamination of drinking water resulting from fracking operations. Oil formations in the Willow development are conventional sandstone formation and would not require continuous hydraulic fracturing like unconventional shale formations in the lower 48. Seawater sourced from the existing Kuparuk Seawater Treatment Plant would be used to support hydraulic fracturing activity. All fracking fluids and produced water would be disposed of in an underground injection control well and would not be discharged to the surface environment.	Trustees for Alaska
6501-326	The baseline information for water resources in this area is lacking. ConocoPhillips should not be permitted to rely on hydrological data within the project area that is out of date and in some instances limited to only a few, or even a single season of data.843 Data that is decades old may be problematic and may no longer reflect the realities of today. Twenty-year-old data, such as that relied on to analyze riverbed elevation and breakup conditions along Fish Creek,844 may no longer be reliable in light of current conditions, especially in consideration of climate change, highly erodible and dynamic systems, and other factors likely affecting channel and bed stability within the project area. The DSEIS needs to explain the validity and reliability of this old data to the project. More recent data should be obtained and considered as part of a revised DSEIS and prior to project construction in project waterways. Additionally, in some instances design criteria for waterway crossings relied on 17 years of data, however, for Willow Creek 8 two monitoring stations were established in 2018.845 The date of and the magnitude of the peak discharge were not recorded until 2019 and 2020.846 This appears to be very limited data to inform two crossings of this waterway and it is not clear how reliable a single summer data is for planning water crossings in a dynamic system.847 BLM must address the adequacy of this information in its EIS.	As required by BLM's required operating procedure (ROP) E-14, at least three years of hydrological data shall be collected by the lessee for any proposed crossing of a stream whose structure is designed to occur, wholly or partially, below the stream's ordinary high watermark. These data have been collected and made available on the North Slope Science Initiative website. The latest report indicates 4 years of data have been collected for Willow Creek 8. The reports cited in the comment were reviewed to identify if they were 'problematic'. The methodology recorded in the reports reflect industry standard practices for data collection with the addition of quality assurance plans, hardware and software descriptions, and pre-deployment testing routines. No concerns were identified about the practices, reliability, or data reporting. National Environmental Policy Act analysis requires the use of the best available data. The EIS' analysis aims to include all valid data to assess the potential impacts. ConocoPhillips continues to collect hydrologic data at sites of importance and proposed crossing locations which will further inform engineering design, including potential mitigation measures.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-327	<p>The draft SEIS particularly lacks important baseline information necessary to evaluate the impacts to aquatic resources and fisheries, for example at the Colville River Crossing. Despite ConocoPhillips’ technical memorandum addressing the crossing, BLM never obtained key baseline information or took a hard look at the impacts of the crossing. The technical memorandum only analyzes a hypothetical “synthetic data set” based on information from a wholly different area because there was “no flow data available” for the relevant location.⁸⁴⁹ BLM is still missing information about the location and conditions at the crossing that are critical to conducting an adequate analysis of the impacts and any necessary mitigation measures. BLM should require ConocoPhillips to conduct monitoring at the actual crossing location in order to inform it analysis of the potential impacts at the proposed crossing, rather than rush to consider Conoco’s MDP request now while such information is outstanding and the precise impacts and need for mitigation measures cannot be well understood.</p> <p>In sum, NEPA requires agencies ensure adequate data and project information exist to fully analyze the impacts before approving a project — not after.</p>	<p>As required by BLM's required operating procedure (ROP) E-14, at least three years of hydrological data shall be collected by the lessee for any proposed crossing of a stream whose structure is designed to occur, wholly or partially, below the stream's ordinary high watermark. These data have been collected and made available on the North Slope Science Initiative website. The latest report indicates 4 years of data have been collected for Willow Creek 8.</p> <p>Additional Colville River data for the proposed Module Delivery Option 3 crossing location near Ocean Point have been incorporated into Appendix E.8A of the Final Supplemental EIS. ConocoPhillips will continue to collect additional data at the proposed crossing location to further inform engineering design, including potential mitigation measures.</p>	Trustees for Alaska
6501-333	<p>The DSEIS fails to assess road impacts related to blocked surface water and groundwater flows, either qualitatively or quantitatively.</p>	<p>There are no expected groundwater flow disruptions anticipated from the construction of ice or gravel roads. Surface water connections would be maintained with the use of bridges and culverts, including cross-drainage culverts (which are estimated to be required approximately every 1,000 feet). Culvert would be installed during winter road construction and would be monitored during spring and summer; any culverts found to be blocking flows would be adjusted. Impacts from impounded water could include gravel road bank erosion (leading to increased suspended sediments, turbidity, etc.), permafrost thaw, thermokarst, and subsidence. These impacts are described in Sections 3.4, <i>Soils, Permafrost, and Gravel Resources</i>, and Section 3.8, <i>Water Resources</i>.</p>	Trustees for Alaska
6501-335	<p>It is alarming that gravel infrastructure would be permanently located in the 50- or 100-year floodplain of Fish (Uvlutuuq) Creek, Judy (Kayyaaq) Creek, Judy (Iqalliqik) Creek, Willow Creek 2, Willow Creek 4, Willow Creek 4A, and Willow Creek 8.⁸⁷⁰ These are incredibly important waterways to the area, and several are important waterways for subsistence use and access. Although the DSEIS acknowledges gravel roads or pads may lead to water impoundment, changes in flow direction, channel instability or a change in alignment, thermokarsting, erosion, and sedimentation, it does not fully address the site-specific impacts of each of these crossings or attempt to mitigate the impacts in a meaningful way.⁸⁷¹ As Dr. Fennessy explained, the draft SEIS acknowledges that such impacts could occur and that “rehabilitation” may be required at some future date, but does not specifically assess these impacts and how they would be mitigated or rehabilitated at specific locations.⁸⁷² This does not constitute the requisite hard look under NEPA.</p> <p>BLM should not permit ConocoPhillips to permanently locate infrastructure in the 50- or 100-year floodplains of any of these waterbodies. The draft EIS is estimates that there would be a 39% chance that the design flood would be exceeded for the culverts and that they would fail.⁸⁷³ This is unacceptable...Other federal agencies have expressly recognized that critical infrastructure should be elevated to the 500-year flood elevation.⁸⁷⁶ These proposed crossings are located in an area that is vulnerable to climate change, and several crossings also involve pipelines crossing the road. The proposal to construct crossings in such a manner should be flatly rejected by BLM.</p>	<p>While FEMA recommends critical facilities (e.g., schools, health care facilities, fire stations, police stations, Emergency Operation Centers) avoid the 0.2 percent (500-year) floodplain or protect the facilities to the 0.2 percent chance flood level, BLM does not have a requirement that gravel pads or bridges be constructed to the 500-year flood elevation.</p> <p>As noted in Required Operating Procedure (ROP) E-6, "Stream and marsh crossings shall be designed and constructed to ensure free passage of fish, reduce erosion, maintain natural drainage, and minimize adverse effects to natural stream flow. Note: Bridges, rather than culverts, are the preferred method for crossing rivers."</p>	Trustees for Alaska
6501-34	<p>We also have serious concerns that BLM must address regarding the ice bridge crossing at Ocean Point over the Colville River.¹⁰²⁹ The draft SEIS lacks sufficient baseline information and empirical data regarding how much streamflow will be present for the years that the ice bridge will be used.¹⁰³⁰ It can be assumed that some flow will be present every year, but the amount and where within the channel is important. Simple assumptions of streamflow have been made based on the Umiat gage, but this does not account for major rivers between Umiat and Ocean Point that likely have winter surface or subsurface flows (such as the Anaktuvuk River). These assumptions also do not take into account changes in winter climate that are reducing maximum ice thickness and increasing winter streamflow on certain years. These climate-related changes will likely equate to shorter ice duration and increased winter streamflow. BLM must properly analyze and address these factors in the SEIS...</p> <p>The draft SEIS also fails to adequately explain how the streamflow, ice bridge, and module weight will interact to allow flow below the bridge at a natural rate, increase the velocity of flow under the bridge, or restrict flow where water will be pushed up or around the bridge. With sub-freezing temperature it is possible that streamflow will be pushed upward and create thick aufeis-like features in the area.</p>	<p>The analysis includes all valid available data to assess the potential impacts. The reports analyzed included subsurface flow velocity, subsurface flow area, and average ice thickness. ConocoPhillips continues to collect hydrologic data at sites of importance and proposed crossing locations that would inform any further study, design, or operation of the structure.</p> <p>The drainage-area ratio method suggested by EPA to develop an Ocean Point discharge dataset is commonly used to estimate both flood frequency magnitudes, and individual streamflow discharges, for sites where no streamflow data are available using data from one or more nearby gaging stations (Emerson et al. 2005). The scaling of measured discharge within the basin the magnitude of the flow is likely to increase proportionally (approximately) to the drainage area increase.</p> <p>Emerson, D.G., A.V. Vecchia, and A.L. Dahl. 2005. Evaluation of drainage-area ratio method used to estimate streamflow for the Red River of the North Basin, North Dakota, and Minnesota. Scientific Investigations Report 2005-5017, U.S. Geological Survey.</p>	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-343	Impacts from large gravel pits close to rivers and streams and within their floodplains are well documented in the literature, and include the following potential that must be addressed in a revised EIS: <ul style="list-style-type: none">Extraction of alluvial material from within or near a stream bed has a direct impact on the stream or river’s physical habitat parameters such as channel geometry, bed elevation, substrate composition and stability, instream roughness elements, depth, velocity, turbidity, sediment transport, stream discharge, and temperature.Channel hydraulics, sediment transport, and morphology are directly affected by gravel mining. The immediate and direct effects are to reshape the boundary, either by removing or adding materials. The subsequent effects are to alter the flow hydraulics when water levels rise and inundate the altered features. This can lead to shifts in flow patterns of sediment transport. Local effects also lead to upstream and downstream effects.Altering habitat parameters can have deleterious impacts on instream biota, food webs, and the associated riparian habitat. Impacts to anadromous and resident fish populations due to gravel extraction can include: reduced fish populations in the disturbed area, replacement of one species by another, replacement of one age group by another, or a shift in the species and age distributions, as well as altering competitive interactions within and among species.Stockpiles of overburden and gravel left or abandoned in the channel or floodplain can alter channel hydraulics during high flows.	Required Operating Procedures (ROPs) are included in the Final Supplemental EIS. The requirements would apply to Project actions on BLM-managed lands and are intended to mitigate water resource impacts from development activity. ROPs relating to the comment include: <ul style="list-style-type: none">ROP E-6: The objective is to reduce the potential for ice-jam flooding, impacts to wetlands and floodplains, erosion, alteration of natural drainage patterns, and restriction of fish passage.ROP E-8: The objective is to minimize the impact of mineral materials mining activities on air, land, water, fish, and wildlife resources.ROP E-12: The objective is to minimize the impact of mineral materials mining activities on air, land, water, fish, and wildlife resources. There would be no mining in the stream channel, overburden would not be stored in the channel, and the Willow Mine Site Mining and Reclamation Plan is included as Appendix D.2, Willow Mining and Mine Site Reclamation Plan.	Trustees for Alaska
6501-41	New research suggests that lakes would not be recharged on certain years,1042 which BLM has not but must take into account in its analysis.	New research that describes the interaction of seasonal climate extremes and lake recharge have been review and included in the analysis (Gadeke et al. 2022, Arp and Whitman 2022).	Trustees for Alaska
6501-42	BLM must analyze the dynamics (e.g., lake expansion or drainage) of water bodies that will be used for withdrawal. BLM should consider how these dynamics function in providing aquatic habitat1043 and the risks they entail to Willow infrastructure.1044 Finally, BLM must consider the potential for any lakes used for the project to undergo future drainage events and the implications for water availability and the impacts of water use for the project.	New research that describes the interaction of seasonal climate extremes and lake recharge have been review and included in the analysis (Gadeke et al. 2022, Arp and Whitman 2022). Water withdrawals would be authorized on a case-by-case basis. In cases where such an activity is incompatible in the location in which it is proposed, the permit would be denied.	Trustees for Alaska

Table B.5.42. Wetlands and Vegetation Comments and Responses*

No.	Comment	Comment Response	Commenter
6501-334	Gravel infrastructure and culverts could alter surface flows and result in ponding, subsidence, delayed plant growth, and conversion of vegetated tundra to lakes if the impoundments become permanent.866 Increased surface water could transform the vegetation community composition into wetter tundra types and thus increase grass and sedge cover, decrease shrub cover, or lead to plant mortality.867 During spring snowmelt, natural drainage patterns could be interrupted, resulting in decreased soil moisture and subsequent changes in vegetation communities, such as an increase in shrub cover and a decrease in grass and sedge cover, as well as conversion from a wetland to an upland.	BLM's required operating procedures (ROPs) are in place to minimize impacts from gravel infrastructure and culverts, including ROP B-2, maintain natural hydrologic regimes in soils surrounding lakes and ponds, and maintain populations of, and adequate habitat for, fish, invertebrates, and waterfowl; ROP C-2, protect stream banks, minimize compaction of soils, and minimize the breakage, abrasion, compaction, or displacement of vegetation; ROP C-3, maintain natural spring runoff patterns and fish passage, avoid flooding, prevent streambed sedimentation and scour, protect water quality, and protect stream banks; ROP E-5, minimize impacts of the development footprint; and ROP E-6, reduce the potential for ice jam flooding, impacts to wetlands and floodplains, erosion, alteration of natural drainage patters, and restriction of fish passage. Potential impacts from gravel infrastructure and culverts on soils/permafrost, water resources, wetlands and vegetation, and fish are recognized and discussed in Sections 3.4.2.3.1, 3.8.2.3.4, 3.9.2.3.3., and 3.10.2.3.1, respectively.	Trustees for Alaska
6501-341	BLM should not consider impacts to hydrological systems in a vacuum in the draft SEIS and must consider Willow’s cumulative impacts to water resources in their broader context. “Water resources impacts should be crosswalked and environmental consequences with impacts to riparian or lacustrine wetlands and how the effects of the proposed in-water infrastructure could potentially increase flood flows and detention, food chain support functions, erosion control and bank stabilization and other factors that could influence the functions of the wetlands.”	All wetland impacts are considered for environmental consequences including impacts to riparian or lacustrine wetlands. The North Slope Rapid Assessment Method was used for the Willow Project's U.S. Army Corps of Engineers (USACE) Section 404 Compensatory Mitigation Plan to determine debits and credits for the Project. The North Slope Rapid Assessment Method is a USACE-approved functional assessment method that includes analysis of wetland functions for habitat, hydrology, and biogeochemical cycling. Section 3.9.2.3.3, <i>Indirect Change in Wetland Composition</i> , discusses potential impacts from in-water structures on vegetations and wetlands. Potential impacts specific to water resources (e.g., bank stabilization, erosion) from in-water structures are discussed is further detail in Section 3.8.2.3.4.	Trustees for Alaska

No.	Comment	Comment Response	Commenter
6501-347	The draft SEIS fails to provide important baseline information regarding vegetation and wetlands in the project area or describe the extent to which wetlands would be impacted... without a functional assessment and analysis, the information provided in the draft EIS is not sufficient to determine impacts. ⁸⁹⁸ The ITU methods document provided by BLM does not satisfy this requirement. ⁸⁹⁹ Indeed, both EPA and the Corps have recognized that merely providing the acres of wetland types impacted is insufficient to determine impacts from fill, and that an assessment of the functional values of wetlands is needed. ⁹⁰⁰ See Compensatory Mitigation for Losses of Aquatic Resources, 73 Fed. Reg. 19,594, 19,601–02 (Apr. 10, 2008) (EPA and Corps regulation explaining importance of assessing wetlands functions).	The North Slope Rapid Assessment Method was used to determine the Willow Project's debits and credits for the Project's U.S. Army Corps of Engineers (USACE) Section 404 Compensatory Mitigation Plan. The North Slope Rapid Assessment Method is a USACE-approved functional assessment method that includes analysis of wetland functions for habitat, hydrology, and biogeochemical cycling.	Trustees for Alaska
6501-348	BLM holistically states that the wetlands in the project area are “common” and assumes that impacts to such wetlands will not cause a significant impact... the final EIS merely stated “[b]ecause wetlands are abundant on the North Slope and the wetlands that would be impacted by the Project are not unique, the indirect effects to fish would likely not be measurable.” ⁹⁰² Such conclusory statements about the abundance of wetlands, used to minimize the context and intensity of impacts to resources, are not a hard look under NEPA. BLM and the Corps cannot make their required findings without a site-specific analysis of the impacts to wetland functions as a result of Willow.	The North Slope Rapid Assessment Method was used to determine the Willow Project's debits and credits for the Project's U.S. Army Corps of Engineers (USACE) Section 404 Compensatory Mitigation Plan. The North Slope Rapid Assessment Method is a USACE-approved functional assessment method that includes analysis of wetland functions for habitat, hydrology, and biogeochemical cycling.	Trustees for Alaska
6501-349	The DSEIS does not actually examine the differences among these alternatives — the document simply acknowledges differences in total infrastructure between alternatives on a single page. ⁹⁰³ But BLM does not describe or explain how these differences in infrastructure, particularly the presence or absence of roads, would relate to differences in impacts to wetlands. For instance, BLM repeats its statement — made verbatim throughout the DSEIS — that alternative E would lessen the severity or intensity of impacts by spreading them out over time. ⁹⁰⁴ But BLM does not explain why this delayed approach would make any difference to the severity or intensity of impacts to wetlands; permanent fill would permanently impact these special aquatic sites, and delaying such fill in certain areas by a couple of years seemingly would be a distinction without a difference. As explained by Dr. Fennessy, the differences in the presence or absence of roads warrant closer analysis. ⁹⁰⁵ BLM should include this analysis in a revised EIS.	The delayed approach to wetland impacts can make a significant difference in the arctic environment. Wetland functions that were evaluated in the Willow Project's U.S. Army Corps of Engineers Section 404 Compensatory Mitigation Plan using the North Slope Rapid Assessment Functional Assessment Method include wildlife habitat, hydrology, and biogeochemical cycling. Using these functions, the seasonality of construction includes gravel construction of roads only during winter which would limit impacts to wildlife habitat during the summer nesting season and impacts from heavy machinery on the tundra. Impacts to water quality would be limited by reducing turbidity due to fewer segments constructed during any one season. Impacts from dust deposition (i.e., dust shadow) would be reduced due to less fill material present during the entire life of the Project.	Trustees for Alaska
6501-351	The draft SEIS downplays the impacts that it does consider. For instance, the draft SEIS acknowledges that the physical and chemical effects from dust deposition on tundra from gravel infrastructure may reduce photosynthesis or change the soil pH and thus could cause vegetation mortality or a reduction of vegetation biomass. ⁹⁰⁷ However, the DSEIS should include a detailed discussion on the site-specific direct and indirect impacts to thousands of acres of wetlands, including hydrologic, water quality, and habitat functions. As described by Dr. Fennessy, the draft SEIS underestimates the indirect impacts to wetlands from fugitive dust, using an arbitrarily narrow distance for considering the of maximum dust deposition. ⁹⁰⁸ Nor does the DSEIS assess the impacts to individual waterways and wetlands from impoundment or fugitive dust deposition to wetland functions.	<p>The North Slope Rapid Assessment Method was used to determine the Willow Project's debits and credits for the Project's U.S. Army Corps of Engineers (USACE) Section 404 Compensatory Mitigation Plan. The North Slope Rapid Assessment Method is a USACE-approved functional assessment method that includes analysis of wetland functions for habitat, hydrology, and biogeochemical cycling. The functional assessment takes into consideration impacts from dust using a desktop assessment to spatially calculate dust impacts using specific buffers.</p> <p>CPAI's dust control plan is included with the Supplemental EIS (see Appendix I.3, <i>Dust Control Plan</i>). The Dust Control Plan includes gravel road watering procedures designed to minimize and mitigate fugitive dust.</p>	Trustees for Alaska
6501-352	The draft SEIS also fails to adequately consider mitigation to avoid, minimize, and compensate for the significant, and likely permanent, losses of wetlands associated with the proposed Willow Plan. The document states “[s]ome loss of wetlands and vegetation would be...the life of the Project until reclamation is complete. If reclamation did not occur, including the removal of gravel fill, the loss would be irreversible. The loss would not be irreversible if reclamation occurred, which would also prevent impacts to the long-term sustainability of wetland function in the fill footprint.” ⁹¹⁰ The draft SEIS does not justify nor substantiate the assertion that functional loss would only occur absent reclamation, implying that reclamation can avoid such loss. BLM also does not discuss which functions could be impaired or lost and for how long. There is nothing presented that would validate BLM’s claim that, if reclamation occurred, lost and impaired wetland functions would be reversible and the wetlands, their functions impacted by the project would rebound, and impacts would not be permanent. ⁹¹¹ Further, the prior 2019 draft EIS and current DSEIS also fail to consider measurable and enforceable mitigation measures. ⁹¹²	<p>The Willow Project's U.S. Army Corps of Engineers (USACE) Section 404 Compensatory Mitigation Plan describes avoidance, minimization, and compensation for wetland impacts. The North Slope Rapid Assessment Method was used for the Compensatory Mitigation Plan to determine Project's debits and credits. The North Slope Rapid Assessment Method is a USACE-approved functional assessment method that includes analysis of wetland functions for habitat, hydrology, and biogeochemical cycling. Several permittee responsible mitigation projects are proposed to offset impacts to aquatic resource functioning (see Appendix I.4, <i>Section 404 Compensatory Mitigation Plan</i>).</p> <p>Gravel roads are considered permanent infrastructure in the Supplemental EIS and are included in the disturbance acreages presented. BLM's NPR-A mitigation measures that would reduce or minimize impacts to wetlands and vegetation include required operating procedures B-2, C-2, C-3, E-5, and E-6.</p>	Trustees for Alaska

Willow Master Development Plan

Appendix C Regulatory Authorities and Framework

January 2023

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List of Acronyms

ACHP	Advisory Council on Historic Preservation
ADEC	Alaska Department of Environmental Conservation
ADF&G	Alaska Department of Fish and Game
ADHSS	Alaska Department of Health and Social Services
ADNR	Alaska Department of Natural Resources
ADOT&PF	Alaska Department of Transportation and Public Facilities
ANCSA	Alaska Native Claims Settlement Act
ANILCA	Alaska National Interest Lands Conservation Act
AOGCC	Alaska Oil and Gas Conservation Commission
APDES	Alaska Pollutant Discharge Elimination System
ASRC	Arctic Slope Regional Corporation
BGEPA	Bald and Golden Eagle Protection Act
BLM	Bureau of Land Management
CAA	Clean Air Act
CWA	Clean Water Act
DA	Department of the Army
EFH	essential fish habitat
EIS	Environmental Impact Statement
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
FCC	Federal Communications Commission
FLPMA	Federal Land Policy and Management Act
FOIA	Freedom of Information Act
FRP	Facility Response Plan
FWCA	Fish and Wildlife Coordination Act
IAP	Integrated Activity Plan
IFC	International Fire Code
ITA	Incidental Take Authorizations
Kuukpik	Kuukpik Corporation
MBTA	Migratory Bird Treaty Act
MMPA	Marine Mammal Protection Act

MSA	Magnuson-Stevens Fishery Conservation and Management Act
NAGPRA	Native American Graves Protection and Repatriation Act
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
NPRPA	Naval Petroleum Reserves Production Act
NRHP	National Register of Historic Places
NSB	North Slope Borough
NVN	Native Village of Nuiqsut
OPA	Oil Pollution Act
PHMSA	Pipeline and Hazardous Materials Safety Administration
Project	Willow Master Development Plan Project
RCRA	Resource Conservation and Recovery Act
RHA	Rivers and Harbors Act
ROW	right-of-way
SHPO	State Historic Preservation Office
SPCC	Spill Prevention, Control, and Countermeasures
TLUI	Traditional Land Use Inventory
TSCA	Toxic Substances Control Act
UIC	Underground Injection Control
USACE	U.S. Army Corps of Engineers
USCG	U.S. Coast Guard
USDOT	U.S. Department of Transportation
USFWS	U.S. Fish and Wildlife Service
WOUS	Waters of the United States

1.0 COOPERATING AGENCIES

The Bureau of Land Management (BLM) is the lead agency for the Environmental Impact Statement (EIS). Eight federal, tribal state, and local government entities are participating as cooperating agencies (Table C.1.1).

Table C.1.1. Cooperating Agencies and Their Authorities and Expertise

Agency	Authority/Expertise
U.S. Army Corps of Engineers	Permit authority for Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act
U.S. Environmental Protection Agency	Responsibilities under the Clean Air Act, the Clean Water Act, and the Oil Pollution Act
U.S. Fish and Wildlife Service	Responsibilities under the Endangered Species Act, expertise in fish and wildlife
State of Alaska (Departments of Fish and Game; Environmental Conservation; Natural Resources; Health and Social Services; and Commerce, Community, and Economic Development)	Responsible for adjudicating requests or applications for permits, easements, and leases on state land (including state submerged land within 3 miles of the coast); authority for air, water use, and wastewater permits; and expertise in sociocultural, human health, wildlife, subsistence, economic resources, off-road travel, and ice road construction
North Slope Borough	Responsible for land use planning and regulation; permit authority for rezone; and expertise in sociocultural, wildlife, subsistence, and economic resources
Native Village of Nuiqsut	Expertise in sociocultural, wildlife, subsistence, and economic resources
City of Nuiqsut	Expertise in sociocultural and economic resources
Iñupiat Community of the Arctic Slope	Expertise in sociocultural, subsistence, and economic resources

Note: The U.S. Coast Guard and U.S. Department of Transportation, Pipeline and Hazardous Materials Administration were initially invited as cooperating agencies for the Environmental Impact Statement (EIS), but they ultimately decided not to accept this role. Their decision to decline the invitation was made after publication of the Draft EIS.

2.0 OTHER AGENCIES

The Federal Aviation Administration, Bureau of Ocean Energy Management, and National Marine Fisheries Service (NMFS) were invited to be cooperating agencies but declined to participate.

3.0 PERMITTING AUTHORITIES

In proposing to undertake an action (e.g., issue an authorization), federal agencies are required under the National Environmental Policy Act (NEPA) to analyze the reasonably foreseeable environmental impacts. If more than one authorizing federal agency is involved in a related action, a single NEPA document may be developed to meet the requirements of all federal agencies. All action alternatives and module delivery options in the EIS would require authorization by BLM, the U.S. Army Corps of Engineers (USACE), and the U.S. Coast Guard (USCG).

The State of Alaska, North Slope Borough, Kuukpik Corporation (Kuukpik), Native Village of Nuiqsut (NVN), and Arctic Slope Regional Corporation (ASRC) are responsible for land management decisions, easements, leases, authorizations, and permits on their respective lands. The State of Alaska also has authority for state waters within 3 miles of the shore.

4.0 SUMMARY OF PERMITS, APPROVALS, AND CONSULTATIONS REQUIRED

Oil and gas development on Alaska's North Slope requires dozens of permits, approvals, and other reviews and consultations. Table C.4.1 provides a full list of anticipated permits, approvals, and consultations, as well as a list of applicable federal laws and executive orders.

Table C.4.1. Federal, State, and Local Applicable Laws, Executive Orders, Permits, Approvals, and Consultations

Applicability or Entity	Legal Authority	Agency Responsibility	Requirement
Federal laws and executive orders common to multiple federal agencies	National Environmental Policy Act (NEPA) of 1969 (42 USC 4321)	NEPA requires all federal agencies to prepare a detailed statement of the environmental effects of proposed major federal actions with potential to significantly affect the quality of the human environment.	Environmental Impact Statement (EIS)
Federal laws and executive orders common to multiple federal agencies	National Historic Preservation Act (NHPA) of 1966 (16 USC 470)	Before issuing a federal authorization, federal agencies must consider the effect of the undertaking on historic properties (resources listed in or determined eligible for the National Register of Historic Places [NRHP]) and must consult with State Historic Preservation Office (SHPO), Indian tribes, ^a and other parties. Federal agencies must provide the Advisory Council on Historic Preservation (ACHP) with a reasonable opportunity to comment on the Willow Master Development Plan (Project).	NHPA Section 106 consultation
Federal laws and executive orders common to multiple federal agencies	Alaska Native Claims Settlement Act (ANCSA) of 1971 (43 USC 1601 et seq.)	ANCSA required the conveyance of lands to Alaska Native regional and village corporations providing surface and subsurface rights. The Arctic Slope Regional Corporation and Kuukpik Corporation own subsurface and surface lands, respectively, in the Project area.	Coordination with ANCSA landowners
Federal laws and executive orders common to multiple federal agencies	American Indian Religious Freedom Act of 1978 (42 USC 1996)	Federal agencies must consider Native American religious concerns when a federal management decision has the potential to restrict access or ceremonial use of, or affect the physical integrity of, sacred sites (on both federal and nonfederal lands affected by the federal action).	Consideration of impacts to activities protected under this act
Federal laws and executive orders common to multiple federal agencies	Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 (25 USC 3001 et seq.)	NAGPRA establishes procedures for the inadvertent discovery or planned excavation of Native American cultural items on federal or tribal lands and establishes ownership of cultural items excavated or discovered.	Evaluation of potential impacts to resources protected under NAGPRA
Federal laws and executive orders common to multiple federal agencies	Freedom of Information Act (FOIA) of 1966 (5 USC 552)	FOIA allows for the full or partial disclosure of previously unreleased information and documents controlled by the U.S. government.	Public disclosure of project records
Federal laws and executive orders common to multiple federal agencies	Bald and Golden Eagle Protection Act (BGEPA) of 1940 (16 USC 668)	The BGEPA prohibits the “taking” of bald or golden eagles (including their parts, nests, or eggs) without a permit issued by the Secretary of the Interior.	Eagle take permit if eagles would be “disturbed,” as defined by the act
Federal laws and executive orders common to multiple federal agencies	EO 11514 (1970) – Protection and Enhancement of Environmental Quality	EO 11514 directs the U.S. government to provide leadership in protecting and enhancing the quality of the environment. Federal agencies are to initiate measures to direct their policies, plans, and programs to meet national environmental goals.	Review and evaluation of the Draft and Final EIS by the U.S. Environmental Protection Agency (EPA) for compliance with Council on Environmental Quality guidelines

Applicability or Entity	Legal Authority	Agency Responsibility	Requirement
Federal laws and executive orders common to multiple federal agencies	EO 11988 (1977) – Floodplain Management	EO 11988 requires federal agencies to reduce the risk of flood loss; to minimize the impact of floods on human safety, health, and welfare; and to restore and preserve the natural and beneficial values served by floodplains in carrying out agency responsibilities.	Establishment of procedures ensuring that the potential effects of flood hazards and floodplain management are considered for actions undertaken in a floodplain
Federal laws and executive orders common to multiple federal agencies	EO 11990 (1977) – Protection of Wetlands	EO 11990 requires federal agencies to take action to minimize the destruction, loss, or degradation of wetlands and to take action to preserve and enhance wetlands in carrying out their responsibilities.	Avoidance of short- and long-term adverse impacts to wetlands whenever a practicable alternative exists
Federal laws and executive orders common to multiple federal agencies	EO 12898 (1994) – Environmental Justice	EO 12898 requires that federal agencies identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations to the greatest extent practicable and permitted by law.	Assessment of environmental justice in the EIS
Federal laws and executive orders common to multiple federal agencies	Executive Memorandum – Government-to-Government Relationship with Native American Tribal Governments (1994)	Federal agencies must consult with tribal governments before taking actions that would affect federally recognized tribal governments or tribal trust resources. Federal agencies must act in a knowledgeable and sensitive manner respectful of tribal sovereignty.	Government-to-government relations with Native American tribal governments
Federal laws and executive orders common to multiple federal agencies	EO 12962 (1995) – Recreational Fisheries	EO 12962 requires that federal agencies improve the quantity, function, sustainable productivity, and distribution of aquatic resources for increased recreational fishing opportunities.	Evaluation of potential effects to aquatic systems and recreational fisheries
Federal laws and executive orders common to multiple federal agencies	EO 13045 (1997) – Protection of Children from Environmental Health and Safety Risks	EO 13045 requires federal agencies to assess environmental health and safety risks that may disproportionately affect children and to ensure their policies, programs, activities, and standards address the disproportionate risks to children.	Evaluation of the potential impacts to human health, including children
Federal laws and executive orders common to multiple federal agencies	EO 13112 (1999) – Invasive Species	EO 13112 aims to prevent the introduction of invasive species; to control invasive species already introduced; and to minimize the economic, ecological, and human health impacts of invasive species.	Prevention of the introduction of invasive species, control of introduced species, and restoration of native species
Federal laws and executive orders common to multiple federal agencies	EO 13175 (2000) – Consultation and Coordination with Indian Tribal Government ^b	EO 13175 requires federal departments and agencies to consult with Indian tribal governments when considering policies that would substantially impact tribal communities.	Consultation and coordination with Indian tribal governments
Federal laws and executive orders common to multiple federal agencies	EO 13186 (2001) – Responsibilities of Federal Agencies to Protect Migratory Birds	EO 13186 helps federal agencies to comply with the Migratory Bird Treaty Act (MBTA) and to reduce their liability for the unintentional take of migratory birds.	Avoidance or minimization of the impacts to migratory birds and protection of birds and their habitats
Federal laws and executive orders common to multiple federal agencies	EO 13990 (2021) – Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis	EO 13990 directs Federal agencies to review and address Federal regulations enacted during the previous four years that conflict with national objectives for public health and the environment.	Review existing regulations and address any that conflict with national objectives and immediately commence work to confront the climate crisis.

Applicability or Entity	Legal Authority	Agency Responsibility	Requirement
Federal laws and executive orders common to multiple federal agencies	EO 14008 (2021) – Tackling the Climate Crisis at Home and Abroad	EO 14008 places addressing climate change at the forefront of a government-wide approach to combat the climate crisis.	Federal agencies are directed to address climate change through the review of existing federal programs and implementation of new programs to help the U.S. achieve its climate goals of net-zero emissions, economy wide, by no later than 2050.
Federal laws and executive orders common to multiple federal agencies	Naval Petroleum Reserves Production Act (NPRPA) of 1976, as amended (42 USC 6501 et seq.)	The NPRPA excludes the National Petroleum Reserve in Alaska (NPR-A) from the application of Section 202 of the Federal Land Policy and Management Act (FLPMA) (43 USC 1701), as amended, which is the basis for BLM's resource management plans. BLM conducts planning within the NPR-A with an Integrated Activity Plan (IAP).	BLM conducts planning within the NPR-A with an IAP and complies with all applicable laws in the preparation of the IAP, including the NEPA, the Endangered Species Act (ESA) of 1973, the Marine Mammal Protection Act (MMPA) of 1972, and the NHPA
Department of Interior (DOI)	FLPMA of 1976, as amended (43 USC 1701 et seq.)	The FLPMA was enacted to establish public land policy; to establish guidelines for its administration; to provide for the management, protection, development, and enhancement of the public lands; and for other purposes.	Under the FLPMA, the Secretary of the Interior has broad authority to regulate the use, occupancy, and development of public lands and to take whatever action is required to prevent unnecessary or undue degradation of public lands (43 USC 1732)
U.S. Army Corps of Engineers (USACE)	Clean Water Act (CWA) of 1972, amended 1977 (33 USC 1344)	The CWA regulates the discharge of dredged or fill material into Waters of the United States (WOUS), including wetlands.	Department of the Army (DA)/CWA Section 404 permit
USACE	Rivers and Harbors Act (RHA) of 1899 (33 USC 403)	The RHA regulates work and structures in, over, or under navigable WOUS, as well as work and structures that affect the course, location, condition, or capacity of WOUS.	DA/RHA Section 10 permit
EPA	CWA of 1972, amended 1977 (33 USC 1251 et seq.) (40 CFR 110 and 112)	EPA has the following authority under the CWA: Section 311: EPA requires owners and operators to prepare and implement Spill Prevention, Control, and Countermeasures (SPCC) Plans for facilities storing more than 1,320 gallons in aggregate in aboveground tanks with a capacity of 55 gallons or more. Section 402: EPA oversees draft Alaska Pollutant Discharge Elimination System (APDES) permits and can object to proposed permit decisions. Section 404: EPA reviews and comments on permit applications for compliance with Section 404(b)(1) guidelines and other statutes and authorities within their jurisdiction.	Oversight of SPCC Rule requirements Review of APDES permits Review of DA (Section 404) permits

Applicability or Entity	Legal Authority	Agency Responsibility	Requirement
EPA	Clean Air Act (CAA) of 1967, amended 1990 (42 USC 7401 et seq.)	Under Section 309 of the CAA, EPA reviews and evaluates environmental effects and the adequacy of Draft and Final EIS documents. EPA has program oversight responsibilities of the Alaska Department of Environmental Conservation's (ADEC's) implementation of the CAA program in Alaska, which gives ADEC authority to issue air quality control permits.	Section 309 evaluation
EPA	Oil Pollution Act (OPA) of 1990 (40 CFR 112.20)	Section 4202 of the OPA amended CWA Section 311(j) by requiring owners and operators of tank vessels, offshore facilities, and certain onshore facilities to prepare and submit Facility Response Plans (FRPs).	Review of FRPs
EPA	Resource Conservation and Recovery Act (RCRA) of 1976 (42 USC 6901 et seq.)	The RCRA establishes criteria governing the management of hazardous waste. Any hazardous waste generated at a facility is subject to the hazardous waste regulations administered by EPA.	Permits for the transportation and storage of hazardous waste material
EPA	Toxic Substances Control Act (TSCA) of 1976 (15 USC 2601 et seq.)	Under the TSCA, the EPA is authorized to require reporting, recordkeeping, testing requirements, and restrictions related to chemical substances and mixtures.	Reporting requirements
EPA	Underground Injection Control (UIC) Program (40 CFR 144)	The UIC Program regulates construction of Class I UIC wells for nonhazardous liquids and municipal wastewater.	Class I UIC permit
EPA	Standards of Performance for New Stationary Sources (40 CFR 60) National Emission Standards for Hazardous Air Pollutants for Source Categories (40 CFR 63)	The Standards of Performance establish federal standards of performance for new, modified, and reconstructed stationary sources within certain source categories. The National Emission Standards set technology-based standards to regulate hazardous air pollutants from certain sources within specific source categories.	Compliance with certain equipment specifications and emission limits Requirements for monitoring, recordkeeping, reporting, operation, and maintenance
EPA	Noise Control Act of 1972 (42 USC 4901)	This act requires federal agencies to comply with all federal, state, and local noise control laws and regulations. In 1991, the federal government transferred primary responsibility for noise issues to state and local governments. There are no local noise thresholds at the state or local level for the Project area.	Investigate and study noise and its effects Disseminate information to the public regarding noise pollution and its adverse health effects
U.S. Coast Guard (USCG)	Navigation and Navigable Waters (33 CFR 114 and 115) RHA of 1899 and General Bridge Act of 1946 (33 USC 401, 491, 525)	USCG approves bridge permits to ensure navigability.	Bridge permits
USCG	Navigation and Navigable Waters, Subchapter P, Ports and Waterways Safety (33 CFR 160–169)	As authorized by Subchapter P, USCG approves bridge design in navigable waters, and USCG and the Department of Homeland Security approve safety features in ports and waterways.	Application for cargo transfer operations Port Operations Handbook approval FRPs Private aids to navigation authorization Tug and barge vessel inspections Notice to mariners

Applicability or Entity	Legal Authority	Agency Responsibility	Requirement
U.S. Department of Transportation (USDOT), Pipeline and Hazardous Materials Safety Administration (PHMSA)	Pipeline Safety (49 CFR 190–199) Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006 (Public Law 109-468) Pipeline Safety Statute (49 USC 60101–60301)	Pipeline transportation and pipeline facilities must meet the minimum standards for safety, inspection, protection, and enforcement as regulated by the USDOT and PHMSA. A special permit is required for any exceptions to the PHMSA regulations.	PHMSA approvals Review of FRPs
USDOT, PHMSA	Hazardous Materials Transportation Act of 1975 (49 USC 5101–5127)	Hazardous materials must be transported according to USDOT regulations. PHMSA has regulatory and civil enforcement authority over the transportation of explosive materials in commerce.	Hazardous materials transportation requirements and registration License to transport explosives
U.S. Fish and Wildlife Service (USFWS)	BGEPA of 1940 (16 USC 668 et seq.)	USFWS issues permits for the relocation of bald and golden eagle nests that interfere with resource development or recovery operations.	Permits to take, haze, relocate, or destroy birds or their nests for public safety purposes
USFWS and National Oceanic and Atmospheric Administration National Marine Fisheries Service (NMFS)	MMPA of 1972 (16 USC 1361 et seq.)	The MMPA prohibits the harassment, hunting, capture, or killing of marine mammals, or the attempt to harass, hunt, capture, or kill marine mammals, and requires Incidental Take Authorizations (ITAs) for any exemptions. The USFWS and NMFS have joint regulatory authority to implement the MMPA.	ITAs (as necessary): Letters of authorization or incidental harassment authorizations
USFWS	MBTA of 1918 (16 USC 703–709)	The MBTA prohibits the pursuit, hunt, take, capture, kill, or sale of migratory birds. USFWS is authorized to implement provisions of the MBTA and may issue waivers or permits.	USFWS consultation
USFWS and NMFS	ESA of 1973 (16 USC 1531)	USFWS and NMFS have joint regulatory authority to manage species protected under the ESA. USFWS and NMFS consult on the effects to threatened or endangered species and their designated critical habitat, as well as issue ITAs. Species include terrestrial mammals, plants, birds, and marine mammals.	ESA consultation USACE issuance of Biological Assessments USFWS/NMFS issuance of concurrence or Biological Opinion
USFWS	Fish and Wildlife Coordination Act (FWCA) of 1980 (16 USC 661 et seq.)	The FWCA authorizes USFWS to assess the potential impacts of water resource development projects on fish and wildlife resources.	Consultation and development of mitigation to offset impacts
NMFS	Magnuson-Stevens Fishery Conservation and Management Act (MSA) of 1976 (16 USC 1361 et seq.)	NMFS provides consultation on the effects to essential fish habitat (EFH), as authorized by the MSA. EFH includes habitats necessary to a species for spawning, breeding, feeding, or growth to maturity.	EFH consultation
U.S. Department of Justice – Bureau of Alcohol, Tobacco, Firearms, and Explosives	Importation, Manufacture, Distribution, and Storage of Explosive Materials (18 USC 1102, Chapter 40) Commerce in Explosives (27 CFR 555)	Bureau of Alcohol, Tobacco, Firearms, and Explosives requires that applicants obtain a permit before they purchase, store, and use explosives for blasting activities.	Permit and license for use of explosives

Applicability or Entity	Legal Authority	Agency Responsibility	Requirement
Federal Communications Commission (FCC)	Communications Act of 1934 (47 USC 151 et seq.)	FCC regulates interstate and international communications by radio, television, wire, satellite, and cable, including radio licensing.	Radio license
ADEC	CAA of 1967, amended 1990 (42 USC 7401 et seq.) Air Quality Control (18 AAC 50 et seq.)	ADEC's primary responsibility is to control and mitigate air pollution in Alaska, as well as to issue air quality control permits for construction and operations of stationary sources.	Air quality control minor permit
ADEC	CWA of 1972, amended 1977 (33 USC 1251 et seq.)	Section 401 requires (for the USACE 404 permit) ADEC to certify that discharges into WOUS will comply with the CWA, the Alaska Water Quality Standards, and other applicable state laws.	Section 401 Water Quality Certification
ADEC	CWA of 1972, amended 1977 (33 USC 1251 et seq.) Wastewater Disposal (18 AAC 72) APDES (18 AAC 83) Water Quality Standards (18 AAC 70) Drinking Water Standards (18 AAC 80)	ADEC has the following authority under the CWA: Provides approval for domestic wastewater collection, treatment, and disposal plans for domestic wastewater. Requires a permit for the disposal of domestic and nondomestic wastewater. Fully administers EPA's National Pollutant Discharge Elimination System program through the APDES. Provides approval for treatment and disposal plans for industrial wastewater. Establishes and enforces water quality standards and limits for surface waterbodies. Establishes standards for design, construction, and operation of public water systems, including contaminant monitoring requirements.	APDES permits (e.g., North Slope Oil and Gas General Permit) Review of Stormwater Pollution Prevention Plans Reviews of treatment systems for drinking water and wastewater Domestic wastewater disposal permit Nondomestic wastewater disposal permit
ADEC	Solid Waste Management (18 AAC 60; AS 46.03.100)	ADEC reviews and approves Solid Waste Processing and Temporary Storage Facilities Plans for handling and temporary storage of solid waste and landfills.	Integrated waste management permit/plan approval
ADEC	Food Permit and Registration Requirements (18 AAC 31.020)	ADEC issues permits to operate a food establishment.	Food establishment permit
ADEC	Drinking Water System Classification and Plan Approval (18 AAC 80)	ADEC may issue approval of public drinking water plans.	Potable water-well logs Approval to construct and operate a public water supply system Public water system identification number
ADEC	Safe Drinking Water Act (Part C) Wastewater Treatment and Disposal (18 AAC 72)	Grind and inject facilities require approval. EPA regulates UIC wells.	Approval for grind and inject facilities wastewater disposal permit

Applicability or Entity	Legal Authority	Agency Responsibility	Requirement
ADEC	Oil and Hazardous Substances Pollution Control Regulations (18 AAC 75; AS 46.04.040, 050)	ADEC requires an Oil Discharge Prevention and Contingency Plan and Proof of Financial Responsibility for the following: Vessels and petroleum product barges that operate on state waters Oil and gas exploration or development projects Oil terminal/storage facility capable of storing 5,000 barrels or more of crude oil or 10,000 barrels or more of refined petroleum products Aboveground or belowground storage capacity greater than 10,000 barrels (420,000 gallons) of refined petroleum products	Oil Discharge Prevention and Contingency Plan
Alaska Department of Fish and Game (ADF&G)	FWCA of 1980 (16 USC 2901; 16 USC 661 et seq.)	ADF&G provides comments and recommendations to federal agencies, pursuant to the FWCA. ADF&G also consults with USFWS to conserve and improve wildlife resources.	Wildlife consultation Fish habitat permits
ADF&G	Anadromous Fish Act (AS 16.05.871)	ADF&G provides authorization for activities that could use, divert, obstruct, pollute, or change the natural flow or bed of rivers, lakes, and streams used by anadromous fish.	Fish habitat permits
ADF&G	Fishway Act (AS 16.05.841)	ADF&G provides authorization for activities within or across a stream used by fish, if such activities have been determined to be possible impediments to the efficient passage of resident anadromous fish.	Determination of sufficient fish passage
ADF&G	License, Permit, and Tag Fees; Surcharge; Miscellaneous Permits to Take Fish and Game (AS 16.05.340)	ADF&G may issue a permit to collect fish and game, subject to limitations and provisions as appropriate, for a scientific, propagative, or educational purpose.	Permit to collect fish and game
ADF&G	Permit for Scientific, Educational, Propagative, or Public Safety Purposes (5 AAC 92.033)	ADF&G may issue a permit for the taking, possessing, importing, or exporting of game for scientific, propagative, or public safety purposes.	Fish collection permits Hazing of terrestrial mammals Lethal take (e.g., foxes and other carnivores)
Alaska Department of Natural Resources (ADNR)	Alaska Historic Preservation Act (AS 41.35.010–240) NHPA of 1966 (54 USC 300101 et seq.; 36 CFR 800.106–110) Archaeological Resources Protection Act of 1979 (16 USC 470)	Section 106 of the NHPA requires consultation with SHPO and, when there are adverse effects to cultural resources listed in or eligible for the NRHP, with ACHP. ADNR's Office of History and Archaeology issues a field archaeology permit for archaeological fieldwork on state lands; USACE would consult with the Office of History and Archaeology. SHPO issues a Cultural Resources Concurrence for projects that may affect historic or archaeological sites.	Section 106 Memorandum of Agreement or Programmatic Agreement Archaeology collection permit Field archaeology permit
ADNR	Oil and Gas Leasing, Unit Plan of Development (11 AAC 83.343) Oil and Gas Leasing, Unit Plan of Operations (11 AAC 83.346)	Unit Plans of Development and Plans of Operations are required for approval of activities on state oil and gas leases.	Unit Plan of Development Unit Plan of Operations

Applicability or Entity	Legal Authority	Agency Responsibility	Requirement
ADNR	Sale of Timber and Materials (AS 38.05.110) Permits (AS 38.05.850) Mining Sites Reclamation Plan (AS 27.19)	ADNR issues Material Sales Contracts for mining on and purchasing gravel from state lands, as well as issues right-of-way (ROW) and land use permits for the use of state land or waters and for ice road construction on state land. ADNR also approves Mining Reclamation Plans on state, federal, municipal, and private land and water.	Material Sales Contract Mining license Approval of Reclamation Plan Land use permits and leases Approval of bonding and financial assurance
ADNR	Grant of ROW Lease (AS 38.35.020)	ADNR issues pipeline ROW leases for new pipeline and pipeline-related construction and operation across state lands.	Issuance of pipeline ROW
ADNR	Water Use Act (AS 46.15)	ADNR issues a Temporary Water Use Permit for water use during construction and operation, as well as water rights permits for appropriating significant amounts of water beyond temporary uses.	Issuance of Temporary Water Use Permit Water permit/certificate to appropriate water
ADNR	Uses Requiring a Permit (11 AAC 96.010)	Permits are required for temporary use of state lands for ice infrastructure, temporary winter off-road travel, and temporary summer off-road travel.	Temporary land use permits
Alaska Oil and Gas Conservation Commission (AOGCC)	Permit to Drill (20 AAC 25.005)	AOGCC oversees permitting approval for each well to be drilled or redrilled.	Permit to drill
AOGCC	Enhanced Recovery Operations (20 AAC 25.402)	AOGCC oversees approvals to inject fluid into a well for the purpose of enhanced oil recovery.	Class I UIC enhanced oil recovery well area injection order
AOGCC	Bonding (20 AAC 25.025)	AOGCC oversees bonding requirements (bond remains active until wells are plugged and abandoned and well sites are restored).	Establishment of a single-well bond or a statewide bond with AOGCC for each operating company (as regulated under 20 ACC 25.025) to drill, produce, and maintain oil, gas, and geothermal wells
Alaska Department of Public Safety, Division of Fire and Life Safety	General Function of the Department of Public Safety with Respect to Fire Protection (AS 18.70.010) Alaska Fire and Life Safety Regulations (13 AAC 50–55)	The Alaska Division of Fire and Life Safety has statewide jurisdiction for fire code enforcement and plan review authority, except in communities that have received deferrals (the Municipality of Anchorage, Fairbanks, etc.).	Fire and Life Safety Plan checks Plan review certificate of approval for each building Fire marshal permits
Alaska Department of Public Safety, Division of Fire and Life Safety	2009 International Fire Code (IFC)	All fuel systems being developed to support port and airport operations during pipeline construction must be reviewed and found to conform to the 2009 IFC requirements. If explosive blasting is used, the storage magazine, type, and location and any barricades must meet IFC requirements.	2009 IFC requirements
Alaska Department of Transportation and Public Facilities (ADOT&PF)	Permits for Oversize or Overweight Vehicles (17 AAC 25.320)	ADOT&PF issues permits for oversize or overweight vehicles.	Oversize or overweight vehicle permits
ADOT&PF	Transportation of Hazardous Materials, Hazardous Substances, or Hazardous Waste (17 AAC 25.200)	ADOT&PF regulates the transportation of hazardous materials, hazardous substances, or hazardous waste by vehicles.	Compliance with the transportation of hazardous materials, hazardous substances, or hazardous waste regulations

Applicability or Entity	Legal Authority	Agency Responsibility	Requirement
Alaska Department of Labor and Workforce Development, Alaska Division of Labor Standards and Safety	Safety (AS 18.60; 8 AAC 61)	The Alaska Division of Labor Standards and Safety ensures that project-related activities meet standards and regulations for occupational health and safety.	Certificates of inspection for fired and unfired pressure vessels Occupational safety and health (inspections and certificates) Employer identification number
Alaska Department of Health and Social Services (ADHSS)	Alaska Best Management Practices Alaska Health Impact Assessment Program	ADHSS uses existing public health surveillance data, medical literature reviews, and field studies to evaluate the potential human health effects of new policies, programs, or development projects in Alaska.	Participation in Human Health Baseline for project
Alaska Department of Military and Veterans' Affairs	Emergency Planning Districts and Committees (AS 26.23.073) Plan Review (AS 26.23.077)	The Alaska Department of Military and Veterans' Affairs oversees planning and reporting requirements for facilities that handle, store, and manufacture hazardous materials.	Hazardous chemical inventories
Alaska Department of Military and Veterans' Affairs	Hazardous chemical inventories	The State Emergency Response Commission enforces reporting and planning requirements for facilities handling, storing, and manufacturing hazardous materials.	Reporting of hazardous chemicals, materials, and wastes handled
North Slope Borough (NSB)	Rezoning (NSB Code 19.60.060)	Code 19.60.060 regulates the process to zone specific areas for resource development and to conduct activities described in the Master Plan within the NSB.	Zoning Map Amendment
NSB	Administrator Approvals (NSB Code 19.50.010)	Code 19.50.010 regulates the approval process for development projects in the NSB.	Industrial development and use permit
NSB	Administrator Approval Criteria (NSB Codes 19.50.030) Planning and Zoning Commission Approval Criteria (NSB Code 19.60.040)	Administrator and Planning and Zoning Commission approvals require confirmation that project areas do not have identified Traditional Land Use Inventory (TLUI) sites or buffer zones for identified TLUI sites.	Certificate of Iñupiat history, language, and culture/TLUI clearance (Form 500)

^a Indian tribes, as defined by the NHPA and EO 13175, are "an Indian tribe, band, nation, or other organized group or community, including a Native village, regional corporation or village corporation, as those terms are defined in Section 3 of the Alaska Native Claims Settlement Act (43 USC 1602), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians" (16 USC 470w).

^b The relationship between federally recognized tribal entities and the U.S. government. This relationship is similar to those employed with other sovereign nations and mandates that consultations with tribes be conducted at an executive or agency-executive level (in accordance with EO 13175).

5.0 CONSULTATION AND COORDINATION

5.1 Endangered Species Act Consultation*

Consultation under Section 7 of the Endangered Species Act (ESA) is occurring or has occurred between federal authorizing agencies and the U.S. Fish and Wildlife Service (USFWS) and NMFS, as appropriate, for species listed under the ESA. Consultation with USFWS and NMFS is paralleling the NEPA process and will be completed before the issuance of any Record of Decision.

5.2 Magnuson-Stevens Fishery Conservation and Management Act Coordination

Coordination under the Magnuson-Stevens Fishery Conservation and Management Act regarding essential fish habitat is occurring between federal authorizing agencies and NMFS, as appropriate, parallel to the NEPA process.

5.3 National Historic Preservation Act Section 106 Consultation

Consultation under Section 106 of the National Historic Preservation Act was initiated on November 23, 2018, and BLM attempted continued formal and informal Section 106 consultation through the March 2019 NPR-A working group meeting. To date, no North Slope Tribal, municipal, corporation representative, North Slope community members, or non-governmental organizations have elected to consult with BLM regarding places of historic or cultural importance or traditional use. BLM's consultation efforts did not result in any responses indicating specific concerns for documented or undocumented places of historic or cultural importance or traditional use. BLM is seeking concurrence with the Alaska State Historic Preservation Officer on a Section 106 finding of No Adverse Effect to Historic Properties.

5.4 Native Consultation

BLM initiated government-to-government consultation and Alaska Native Claims Settlement Act (ANCSA) corporation consultation with the following tribes and ANCSA corporations whose members could be substantially affected by the Willow Master Development Plan Project (Project):

- NVN
- Naqragmiut Tribal Council
- Iñupiat Community of the Arctic Slope
- Kuukpik
- ASRC

Government-to-government consultation meetings have been held regularly with NVN. NVN also often participates in regularly scheduled Working Group meetings for the National Petroleum Reserve in Alaska. Kuukpik and ASRC have engaged in regular consultation with BLM during the NEPA process to date.

6.0 COMPLIANCE WITH SECTION 810 OF THE ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT*

BLM's evaluation of the effects of the Project on subsistence uses and needs, as required under Section 810 of the Alaska National Interest Lands Conservation Act (ANILCA), is in Appendix G (*Alaska National Interest Conservation Act 810 Analysis*). BLM provided notice in the *Federal Register* regarding its positive findings, pursuant to ANILCA Section 810, that Alternatives B, C, D, and E and the cumulative case presented in the Draft Supplemental EIS met the "may significantly restrict" threshold. As a result, public hearings were held in the potentially affected community of Nuiqsut to solicit public comments from the potentially affected community and subsistence users.

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