



VIA EMAIL & [WWW.REGULATIONS.GOV](http://WWW.REGULATIONS.GOV)  
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Walter D. Cruickshank, Acting Director  
Bureau of Ocean Energy Management  
1849 C Street, NW  
Washington, D.C. 20240

RE: NEPA SCOPING COMMENTS ON PROPOSED LEASE SALE 244 IN LOWER COOK INLET, ALASKA

Dear Dr. Cruickshank:

Cook Inletkeeper (Inletkeeper) is an Alaskan nonprofit organization created in 1995 to protect the Cook Inlet watershed and the life it sustains. Please accept these comments for NEPA scoping and related purposes on behalf of Inletkeeper and its more than 2000 Alaskan members.

#### I. Summary Comments

Inletkeeper strongly opposes new oil and gas leasing on the Outer Continental Shelf in Lower Cook Inlet. This region supports vital salmon, halibut and other fisheries resources, which in turn support over a billion dollars a year in economic activity. The EIS for Lease Sale 149 in this same area predicted more than a 70% likelihood of a major oil spill if development ensues, and there remains no viable technology to successfully respond to an oil spill in the highly dynamic waters of Cook Inlet. The Inletkeeper Board of Directors met on December 7, 2014, and passed Resolution 2014-01, opposing Lease Sale 244; the Resolution is attached and incorporated herein.

#### II. Public Outreach

As a threshold matter, BOEM has stumbled through the public outreach process surrounding the NEPA scoping process. For example, on October 20, 2014, Inletkeeper received two hours notice of a BOEM public meeting scheduled for that same day. Needless to say, no members of the public attended the meeting, and BOEM wasted tax dollars sending staff to Homer. Additionally, for its government-to-government consultation with the Native Village of Nanwalek, BOEM failed to provide Tribal Members with briefing materials prior to the meeting, so attendees had little idea about the substance or the process for the consultation. Finally, BOEM scheduled one of its scoping hearings on a Friday evening in Soldotna; one person – Inletkeeper's President – attended. BOEM can and must do a better job communicating the lease sale process to Alaska Native Tribes, fishermen, local businesses and others who will be affected by leasing in Lower Cook Inlet.

#### III. Industry Interest

BOEM initiated the lease sale 244 process in response to industry interest. Yet when Inletkeeper requested the names of the corporations which had initiated this process, BOEM refused to divulge them, citing a FOIA exemption for confidential business information. This is unacceptable and belies the public trust. The public has a right to know what companies are interested in exploring for oil and gas in Lower Cook Inlet to understand if they have the financial wherewithal to conduct such operations, whether they have good or shoddy compliance histories, and whether they have experience in the rough and unforgiving waters of Lower Cook Inlet. Furthermore, the lease sale process will cost several million public dollars, and U.S. and Alaskan taxpayers deserve to know what corporations are driving the process. A balance of interests test assessing public vs. private costs and benefits weighs heavily toward disclosing the names of the corporations, and BOEM should not hide them behind a veil of secrecy without a compelling rationale.

#### IV. Scoping Comments

- The waters of Lower Cook Inlet are too biologically and financially valuable for oil and gas development, and as a result, BOEM should not lease this area. There remains considerable opportunity for oil and gas development in Upper Cook Inlet, near existing infrastructure, and BOEM should not spread the risk of additional development into the frontier waters of Lower Cook Inlet. Rather than simply offering a “no action” alternative with little discussion, BOEM must thoroughly analyze the value of current economies and uses which rely on the resources of Lower Cook Inlet.
- At a time when oil prices are low and the U.S. is awash in cheap oil and gas, the EIS must describe the need for opening up Lower Cook Inlet to more oil and gas, discuss the geology and prospects for oil or gas reserves in light of historic well data, reveal the names of the corporations driving this process, and detail the costs to federal taxpayers for conducting the lease sale.
- Climate change and ocean acidification must be factored into any decision to lease more lands and waters for oil and gas development, and BOEM must explain why it’s shirking its mandate to incentivize development of cleaner renewable energy resources in Lower Cook Inlet.
- Oil spill response technology remains inadequate to address a spill in the rough and unforgiving waters of Lower Cook Inlet, and dispersants will cause long term ecological harm to fisheries that support valuable commercial, sport and subsistence fisheries. BOEM must conduct realistic oil spill and response analyses, and among other things, it must explain why the 72% chance of a major oil spill identified in the Lease Sale 149 EIS has been downplayed in recent years.
- The EIS must address a variety of navigational safety issues, including the lack of tug escorts for laden tankers in Cook Inlet, the presence of drift net and other gear type fishing vessels, the tide, weather and related natural conditions in Cook Inlet, and the transit of large freight, LNG, ferry and other vessels in the lease area.
- The EIS must address the effects of seismic activity on whales and fish, with special emphasis on less mobile species unable to escape the harmful effects of seismic air gun noise and pressure.
- The EIS must address all foreseeable effects on local economies, including direct, indirect and cumulative effects on tourism, subsistence, sport fishing and commercial fishing.
- The EIS must anticipate all reasonably foreseeable infrastructure that will occur through a range of development scenarios, with special focus on platforms, pipelines, tankage, and docking facilities.

- The EIS must address worst case scenarios to for all lands and waters in and around the proposed lease area, with special attention to national and state parks and other protected areas.
- BOEM must analyze the direct, indirect and cumulative effects from exploration, development and production on the living resources throughout Cook Inlet and stretching into the Gulf of Alaska, into Shelikof Straight and out the Aleutian Chain.
- BOEM must analyze the cumulative effects of anthropogenic activities on the Cook Inlet Beluga whale, which is listed as “depleted” under the Marine Mammal Protection Act, and “endangered” under the Endangered Species Act, including impacts stemming from noise and pollution.

V. Conclusion

The intact natural resources of Lower Cook Inlet support strong local economies throughout southcentral Alaska, and oil and gas development in these frontier waters is an incompatible use. A single large spill in this area would have devastating consequences for local fisheries and the countless families they support. As a result, Cook Inletkeeper urges BOEM to forego this leasing process, and instead, and to push ahead with renewable energy research and development.

Very truly yours,



Bob Shavelson  
Executive Director

Enc. a/s



**RESOLUTION NUMBER 2014-01**

**A RESOLUTION OPPOSING OIL & GAS LEASE SALE 244 AND SUPPORTING RENEWABLE ENERGY DEVELOPMENT IN THE FEDERAL WATERS OF LOWER COOK INLET**

WHEREAS, the rich and productive waters of Cook Inlet support more than a \$1 billion a year in economic value derived from commercial, sport, personal use and subsistence fisheries;

WHEREAS, the federal Bureau of Ocean Energy & Management (BOEM) has proposed Oil and Gas Lease Sale 244 for over 1.17 million acres of waters in Lower Cook Inlet, stretching from just below Kalgin Island down to Augustine Island and across to the mouth of Kachemak Bay;

WHEREAS, there is a long history of strong opposition from Alaskans and tourists alike to oil and gas leasing, exploration and development in Lower Cook Inlet;

WHEREAS, BOEM has refused to identify the corporations that have requested BOEM to conduct Lease Sale 244, denying the public the ability to assess the financial and physical risks of the requesting companies and further that BOEM has failed to provide any public analysis or justification for its decision to go forward with Lease Sale 244;

WHEREAS, in the 1995 Environmental Impact Statement (EIS) for Lease Sale 149 in Cook Inlet, the federal government estimated a 72% chance of a large oil spill;

WHEREAS, mechanical spill response technology remains inadequate to clean-up more than 10-20% of spilled oil in ideal conditions; in the extreme tidal fluctuations of Cook Inlet, the likelihood of cleaning up spilled oil is virtually nonexistent;

WHEREAS, government agencies and oil and gas corporations are increasingly looking to oil spill dispersants to address large spills, and dispersants have been shown to increase the toxicity of spilled oil and to make it more bioavailable in the food chain, among other threats;

WHEREAS, climate change and ocean acidification pose the gravest threats to Alaska's fisheries and the economies and communities they support, and BOEM has failed to implement its legal mandate to incentivize renewable energy development in the federal waters of Cook Inlet

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF COOK INLETKEEPER DOES HEREBY RESOLVE TO OPPOSE LEASE SALE 244, AND CALLS ON BOEM TO PURSUE RENEWABLE ENERGY LEASING AND DEVELOPMENT IN THE FEDERAL WATERS OF COOK INLET.**

**HAVING BEEN DULY CONSIDERED BY THE BOARD OF DIRECTORS, THIS RESOLUTION IS HEREBY ADOPTED THIS 7th DAY OF DECEMBER 2014.**

Benjamin Jackinsky, President

December 7, 2014  
Date