



VIA EMAIL ONLY

(john.c.sargent@usace.army.mil)

March 9, 2018

John Sargent
Army Corps of Engineers
Fairbanks Regulatory Field Office
2175 University Avenue, Suite #201E
Fairbanks, Alaska 99709-4927

Re: Usibelli Coal Mine Expansion, Healy Creek, POA-2014-375

Dear Mr. Sargent:

Please accept these comments on behalf of Cook Inletkeeper and its more than 8,000 members and supporters throughout Alaska.

Inletkeeper will not labor to submit detailed comments on the section 404 aspects of the project, because we know from experience the Corps will simply ignore our comments. That said, it is truly remarkable the Corps is considering zero mitigation for a project which will fill over 17 acres of wetlands and waters. Furthermore, the Corps' public notice makes no mention of an alternatives analysis that might obviate the need to fill 17 acres of wetlands and waters, especially when developing other available coal reserves nearby is a practicable alternative which could have far fewer impacts.

Inletkeeper will, however, focus more deliberately on the subject of climate change. As every Alaskan now knows, our climate is changing, and while some may try to debate the human role in these changes, we do not: the science is settled and our continued reliance on fossil fuels – especially coal – is a primary driver behind climate change.¹ As a result, the Corps has a legal obligation to consider the effects of this proposed project under the National Environmental Policy Act, 42 USC § 4321 *et seq.*

While the Corps' public notice does not reveal the tonnage of coal to be produced and ultimately burned, the fact that it will remove over 20 million cubic yards of topsoil and overburden assumes a large-scale industrial development that will have significant effects on the human environment. As a result, the proposed project is a "major federal action," and the

¹ See, e.g., <https://climate.nasa.gov/causes/> and <http://www.ipcc.ch/>

Corps may not issue a Finding of No Significant Impact (FONSI). Instead, the Corps must proceed with an Environmental Impact Statement to understand the project's direct, indirect and cumulative impacts to Alaska's lands, air and waters.

The Corps' requirement to produce an EIS does not rest solely on the project's impacts to water and wetlands resources, but rather, on the potential impacts from the project overall, including but not limited to climate impacts. Bituminous and subbituminous coal produce large amounts of greenhouse gases when consumed, greater than oil and gas.² According to the state of Alaska, "[t]he amount of CO₂ produced when coal is burned is significantly higher than when natural gas or petroleum is burned,"³ and coal currently produces 5% of Alaska's overall greenhouse gas emissions.⁴

Alaska is on the front lines of rapid climate, and continued inaction imperils our families, our communities and our economies. Just this year, unprecedented temperature spikes in the Arctic created significant alarm in the scientific community, raising concerns that the polar vortex and related global climate systems are rapidly changing due to greenhouse gas emissions.⁵ In fact, Alaska is warming at a rate at least twice as fast as the lower 48 due to the effects of human-caused climate change.⁶ According to the EPA:

Over the past 60 years, the average temperature across Alaska has increased by approximately 3°F. This increase is more than twice the warming seen in the rest of the United States. Warming in the winter has increased by an average of 6°F and has led to changes in ecosystems, such as earlier breakup of river ice in the spring. As the climate continues to warm, average annual temperatures in Alaska are projected to increase an additional 2 to 4°F by the middle of this century.⁷

In southcentral Alaska, Inletkeeper has spent over a decade gathering the scientific data showing our salmon streams are warming to levels in violation of state water quality standards and the federal Clean Water Act.⁸ This warming trend makes our wild salmon populations more vulnerable to pollution, predation and disease, and threatens to unravel the cultural and economic connections Alaskans currently enjoy to wild, healthy salmon.

² See U.S. Energy Information Administration (<https://www.eia.gov/tools/faqs/faq.php?id=73&t=11>).

³ State of Alaska, Alaska Greenhouse Gas Emissions Inventory 190-2015, p.22 (available at: <http://dec.alaska.gov/air/anpms/projects-reports/docs/ghg-inventory-report-013018.pdf>).

⁴ Id., p.48.

⁵ Jonathon Watts, *Arctic warming: scientists alarmed by "crazy" temperature rises*, The Guardian (Feb. 27, 2018) (available at: <https://www.theguardian.com/environment/2018/feb/27/arctic-warming-scientists-alarmed-by-crazy-temperature-rises>).

⁶ National Climate Assessment – Alaska (available at: <https://nca2014.globalchange.gov/report/regions/alaska>).

⁷ EPA, Climate Impacts in Alaska (available at: https://19january2017snapshot.epa.gov/climate-impacts/climate-impacts-alaska_.html) (citations omitted).

⁸ See Cook Inletkeeper, Stream Temperature Monitoring Network (available at: <https://inletkeeper.org/our-work/healthy-habitat/stream-temperature-monitoring-network/>).

Of course the impacts of climate change do not stop there, and I will not endeavor to list all the myriad effects from anthropogenic climate change in Alaska. Suffice to say melting permafrost; growing infrastructure instability; seabird, shellfish and marine mammal die offs; changed snow pack and precipitation patterns; and insect infestations and forest die-offs are but a few of the impacts Inletkeeper has witnessed first-hand.

Accordingly, the expansion of coal operations in the Healy area necessitates an EIS to get an accurate understanding of the impacts to our lands, air and waters from additional coal mining and combustion. In light of what we know about climate impacts already, and because climate effects are unfolding more rapidly than anticipated, any new fossil fuel production in the state must be carbon-neutral – i.e., it should produce zero net greenhouse gas emissions – either through carbon banking or some other offset mechanism.

Thank you for your attention to these comments and we hope you agree NEPA and the case law interpreting it require the Corps to produce an EIS. Please do not hesitate to contact me at 907.299.3277 or bob@inletkeeper.org if you have any questions.

Yours for Cook Inlet,

A handwritten signature in black ink, appearing to read "Bob Shavelson". The signature is fluid and cursive, with a prominent loop at the end.

Bob Shavelson
Inletkeeper

Cc: nikoosh.carlo@alaska.gov