



August 22, 2018

VIA EMAIL ONLY

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Donna Wieting, Director  
Office of Protected Resources  
National Marine Fisheries Service  
1315 East-West Highway, 13<sup>th</sup> Floor  
Silver Spring, MD 20910

Re: Hilcorp Marine Mammal Takes in Cook Inlet, Alaska (RIN 0648-XG537)

Dear Ms. Wieting:

Cook Inletkeeper (Inletkeeper) represents over 8000 members and supporters throughout southcentral Alaska. Please accept these brief comments on the above-referenced matter.

***NMFS Must Stop Permitting More Impacts Until the Beluga Rebounds***

Less than 40 years ago, Cook Inlet supported over 1300 animals. Today, based on latest estimates, that number is under 330 individuals. Inletkeeper has had a front row seat the past 25 years as NMFS has permitted a variety of oil and gas projects, and as the Cook Inlet beluga whale population has declined. While Inletkeeper appreciates the efforts made by NMFS to mitigate certain harms, the fact remains NMFS routinely permits activities which are likely to have - or have had - negative impacts on the Cook Inlet beluga whale population. The U.S. Marine Mammal Commission has repeatedly called on NMFS to halt activities in Cook Inlet which undermine the beluga's recovery. As a result, NMFS should not permit the current activity because it will result in more than negligible harm to the Cook Inlet beluga whale population.

***NMFS Must Get Serious About Climate Change***

As a threshold issue, Inletkeeper believes climate change and its attendant consequences – including ocean warming and ocean acidification – are the gravest threats not only to the

Cook Inlet beluga whale population, but to all life on earth. The U.S. Government's recent release of the Fourth National Climate Assessment strongly supports this perspective. Climate change is already causing significant disruptions in Cook Inlet and the Gulf of Alaska, including but not limited to: increased insect infestation and resulting deforestation; warming salmon streams; warming and more acidic marine waters; seabird, otter and bivalve die-offs; and glacier recession. These and other impacts are making the recovery of the Cook Inlet beluga whale more complex and difficult, yet Hilcorp's petition does nothing to anticipate and address these impacts in the context of beluga whale behavior, nor does it address how the effects from exploratory activities will interact with them.

### ***Nearshore, Intertidal and Tidal Seismic Impacts Poorly Assessed***

One of the more concerning aspects of Hilcorp's proposal entails its seismic work nearshore and onshore, in the rich tidal and intertidal habitats on the east side of Cook Inlet. During seismic operations by Apache less than a decade ago, the east side of Cook Inlet saw precipitous declines in razor clams in close proximity to seismic operations. While no research has been conducted to draw a causal connection, the fact a variety of prey species inhabit these areas, and the fact the petition pays scant attention to effects on benthic species from bore hole impacts, reveals serious problems with the cursory analysis found in the petition.

### ***Drilling Muds & Cuttings Require Analysis***

According to its application, Hilcorp will drill 3-6 exploratory wells in the Cook Inlet OCS and elsewhere over the next five years. Yet the petition fails to cite any impacts to belugas and other whales from the discharge of drilling muds and cuttings, which typically create considerable water column turbidity, can smother local benthic communities, and contain heavy metals and other potentially harmful components. As a result, NMFS should deny the petition for its failure to consider these obvious impacts.

### ***Need for Enhanced Oversight & Enforcement***

Despite its relatively short tenure in Cook Inlet, Hilcorp has racked up a disturbing array of spills and violations. As a result, it's even more incumbent on NMFS to require on-site and unannounced inspections, in addition to third-party, independent monitoring, to ensure Hilcorp complies with the law, and harmful impacts to beluga whales do not occur.

### ***Impacts to Fisheries***

Wild salmon, cod and other species not only play a vital role as prey species for the beluga whale, but they also support commercial, sport and subsistence fisheries and coastal communities throughout southcentral Alaska. The petition fails to take a hard look at the

impacts of seismic activity on fish, and does not attempt to address how those impacts will affect predator-prey dynamics in Cook Inlet.

***The Proposed Impacts are Significant & Require an EIS***

Finally, due to the reasonably foreseeable and significant impacts likely to stem from Hilcorp's various activities under its proposal, NMFS should conduct an EIS under NEPA. Otherwise, NMFS will not have the information needed to meet its trust obligations for fish and marine mammal resources in Cook Inlet.

***Lack of Community Engagement***

Other than public notice in the federal register, there has been no effort to engage local Tribes, businesses or groups prior to the submission of this petition. While the petition notes a Plan of Cooperation will be forthcoming, that effort rings hollow when it will come on the back end of IHA permitting. This is classic oil industry behavior in Cook Inlet, where companies such as Hilcorp come in to profit off our public resources, yet pay little heed to local issues or concerns. As a result, NMFS should hold public hearings around Cook Inlet to inform and get feedback from Alaskans before any IHA issuance.

**Conclusion**

Thank you for your attention to these comments. Inletkeeper also incorporates herein by reference comments submitted on this issue by the Center for Biological Diversity. We hope you agree NMFS must require more stringent research, safeguards and mitigation measures before authorizing more beluga whale harassment in Cook Inlet, Alaska.

Yours for Cook Inlet,



Bob Shavelson  
Inletkeeper

Cc: (VIA EMAIL ONLY)  
Jim Balsiger, Alaska Regional Administrator