

United States Senate

WASHINGTON, DC 20510

June 15, 2018

The Honorable Ryan Zinke
Secretary
U.S. Department of the Interior
1849 C Street NW
Washington, D.C. 20240

Dear Mr. Secretary:

We are writing in response to the Department of the Interior's Notice of Intent to Prepare an Environmental Impact Statement for the Coastal Plain Oil and Gas Leasing Program, Alaska (83 Fed. Reg. 17562, April 20, 2018). We ask that this letter be considered as part of the public scoping process for the environmental impact statement.

While we recognize that section 20001 of Public Law 115-97 authorizes the Department of the Interior to undertake an oil and gas program on the Coastal Plain of the Arctic National Wildlife Refuge, we strenuously opposed enactment of section 20001 and believe that oil and gas development on the Coastal Plain is fundamentally incompatible with the purposes for which the Refuge was established. Oil and gas development will do irreparable harm to the Refuge, the fish and wildlife populations the Refuge was established to protect, and the native people who depend on those fish and wildlife populations for subsistence. It is clear that this provision would not have been enacted if it had not been included as part of the budget reconciliation bill, bypassing the normal legislative process.

There has been bipartisan commitment to protect the Coastal Plain of America's most iconic national wildlife refuge for more than half a century, even predating the Eisenhower Administration's establishment of the Arctic National Wildlife Range in 1960 to protect the area's "unique wildlife, wilderness, and recreational values." In 1980 Congress expanded the area and redesignated it as the Arctic National Wildlife Refuge to conserve fish and wildlife populations and habitats in their natural diversity, to fulfill international treaty obligations with respect to fish and wildlife and their habitats, to provide for continued opportunities for subsistence uses by local residents, and to ensure water quality and sufficient water quantity within the Refuge.

In 2015, following a lengthy public process, the United States Fish and Wildlife Service adopted a Comprehensive Conservation Plan for the Refuge that recommended designating the Coastal Plain as wilderness. Over 500,000 public comments were submitted during the planning process and almost all of them supported protecting the Coastal Plain as wilderness.

Given the long history of the efforts to recognize the international importance of the Refuge and to protect its unique wildlife and wilderness values, we are concerned that the Department of the Interior will now seek to expedite the planning and environmental review process for an oil and gas program in the Refuge.

Public Law 115-97 did not waive or supersede any of the environmental laws that apply to the Coastal Plain. Any process to develop and implement an oil and gas leasing program in the Arctic Refuge must fully comply with all applicable environmental laws.

Chief among these laws is the National Wildlife Refuge System Administration Act of 1966. The Coastal Plain remains an integral part of the Arctic National Wildlife Refuge. Section 4 of the Refuge Administration Act requires that the Refuge be administered by the Secretary, acting through the United States Fish and Wildlife Service. In administering the Refuge, the Secretary is still required to provide for the conservation of fish, wildlife, and plants, and their habitats; to ensure that the biological integrity, diversity, and environmental health of the Refuge are maintained for the benefit of present and future generations of Americans; and to permit only uses that are compatible with the major purposes for which the Refuge was established.

Although section 20001(b)(2)(B) added a new purpose to the Refuge, it did not repeal the Refuge's original purposes or relieve the Department of the Interior from its duty to manage the Refuge consistent with those purposes. It did not make the oil and gas program the dominant purpose of the Refuge. The Refuge Administration Act still requires uses of the Refuge to be compatible with the specific purposes for which the Arctic Refuge was established. Any action the Department takes to establish and administer an oil and gas program on the Coastal Plain must be undertaken in a manner that fulfills its continuing statutory obligation to provide for the conservation of fish and wildlife and their habitats and to ensure that the biological integrity, diversity, and environmental health of the Refuge are maintained.

Regardless of the planning process, oil and gas activities on the Coastal Plain—the biological heart of the Refuge—will inevitably adversely impact wildlife and their habitat, including the calving ground of the Porcupine Caribou herd. Disruption of the herd's calving and migration may also cause significant harm to the Gwich'in people who are heavily reliant on caribou as a major food source. Development of the Coastal Plain will also affect the most important onshore denning habitat for polar bears, a federally listed species under the Endangered Species Act.

Decades of drilling on Alaska's North Slope have shown that the negative consequences of industrial development extend far beyond the project footprint. These consequences will be compounded in a region that is affected by climate change more than almost any other area in the United States, with Arctic temperatures rising at twice the rate of the contiguous United States.

While we remain strongly opposed to sacrificing this irreplaceable area to oil and gas development, any actions to implement Public Law 115-97 must be undertaken in full compliance with all environmental laws protecting the Coastal Plain of the Arctic National Wildlife Refuge.

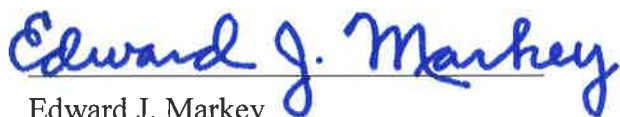
Sincerely,



Maria Cantwell
United States Senator



Charles E. Schumer
United States Senator



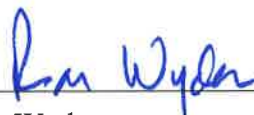
Edward J. Markey
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Thomas R. Carper
United States Senator



Tom Udall
United States Senator



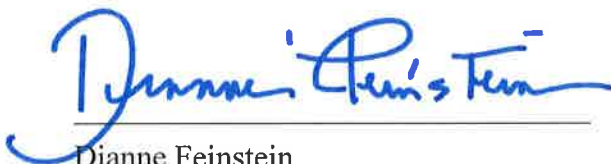
Ron Wyden
United States Senator



Michael F. Bennet
United States Senator



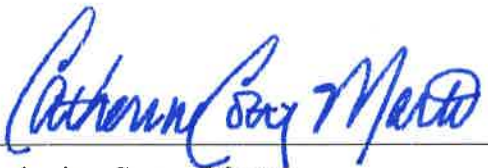
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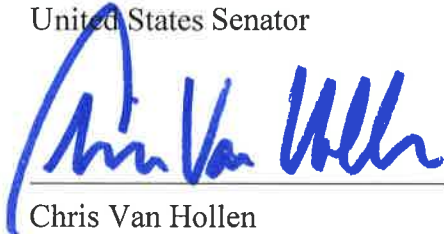
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Jeffrey A. Merkley
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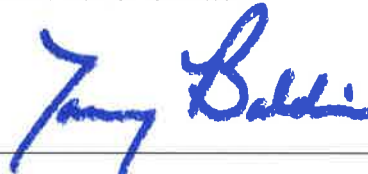
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United States Senator



Margaret Wood Hassan
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Richard J. Durbin
United States Senator



Tammy Baldwin
United States Senator



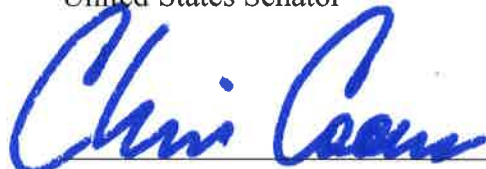
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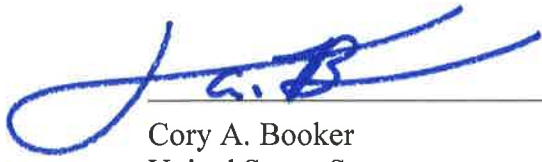
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Bernard Sanders
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