

United States Senate

WASHINGTON, DC 20510

January 8, 2019

The Honorable David Bernhardt
Acting Secretary
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240

Dear Acting Secretary Bernhardt:

We are writing to request that you lengthen the public comment period for the Draft Environmental Impact Statement (DEIS) for the Coastal Plain Oil and Gas Leasing Program in the Arctic National Wildlife Refuge (Refuge) from 45 days to 120 days. The Department of the Interior should extend the comment period due to the extreme sensitivity of the resources affected by leasing, the great complexity of the analysis, the overlapping public comment periods for other actions taking place in the Refuge and the continued government shutdown. Congress allocated the Department of the Interior ample time to conduct robust and meaningful public engagement through the National Environmental Policy Act and to fully vet and consider the impacts of this contentious and high-stakes program. An arbitrarily short comment period restricts that process.

In developing a leasing program for the Coastal Plain, you face enormous challenges. The Refuge is one of the last truly wild places on Earth. Much of its wildlife is as sensitive and imperiled as it is iconic. Disturbing the Refuge poses an existential threat to traditional Gwich'in culture and raises human rights concerns. Climate change is affecting the entire ecosystem, including the melting of the permafrost. With all this in mind, Congress ensured our fundamental environmental laws remained in place to protect the Coastal Plain and preserve the existing protective statutory purposes of the Refuge.

Understanding all of the issues at stake in the Department of the Interior's proposal will be time-consuming. The DEIS is voluminous, replete with highly technical assertions, and based on a capacious record—much of it located in Anchorage, Alaska. The program site is the most remote part of our country and functionally inaccessible at this time of year.

Informed public participation will be further challenged by overlapping comment periods for proposed oil and gas leasing directly offshore in the Beaufort Sea and for a proposed new Integrated Activity Plan for the National Petroleum Reserve-Alaska. The Department of the Interior has also indicated that it intends to release an Environmental Assessment for seismic exploration in the Coastal Plain and hold a comment period on an associated incidental take regulation for polar bears. Public involvement and access to agency documents and staff was constrained by release of the DEIS immediately prior to the holiday season, followed by the Bureau of Land Management website going offline during the ongoing government shutdown.

There is no legitimate reason for ignoring these circumstances and rushing through this vital public review. In authorizing the leasing program, Congress established a timetable that allows the Department to fully honor the public's right to an informed voice in how officials treat our treasured public lands. Congress provided a full four years for the initial lease sale and three more for the second. Former Secretary Zinke said, "Without question, our public lands are America's treasure." We agree and ask that you treat them as such, and give the public their right to provide informed input into their management.

Thank you for your consideration.

Sincerely,



Tom Udall
United States Senator



Thomas R. Carper
United States Senator



Edward J. Markey
United States Senator



Michael F. Bennet
United States Senator



Maria Cantwell
United States Senator