Cleve: I am pasting my coments in below: we hare having server issues here and it does not seem to be accepting an attachment.:

Comments of Lisa M. Rotterman, Ph.D. on the revised Chukchi 193 EIS.

I don't have adequate time to provide detailed comments. However, a few things really jump out about the 193 document:

1) Section IV-5 Significance Thresholds:

The document defines threshold for significance for the following resources as:

Biological Resources (seals, walrus, beluga whale, marine and coastal birds, terrestrial mammals, lower trophic-level organisms, fishes, essential fish habitat, vegetation and wetlands, and polar bears): An adverse impact that results in a decline in abundance and/or change in distribution requiring three or more generations for the indicated population to recover to its former status; one or more generations for polar bears.

Threatened and Endangered Species: An adverse impact that results in a decline in abundance and/or change in distribution requiring one or more generations for the indicated population to recover to its former status.

I RECOMMEND STRONGLY that the significance threshold for threatened and endangered species be changed. For bowhead whales, this threshold means that MMS would have to cause an effect that would take a minimum of about 2 decades for the population to recover before we would call it significant. I also point out that this means that, at present growth rates, we could have an impact that would kill a couple of thousand whales and we might not deem it significant. At the time of the PEA, we revised this significance criterion after I asked an inter-regional, inter-agency panel of MMPA and/or ESA experts from MMS and NMFS (Judy Wilson, Brad Smith, Ken Hollingshead, and Deborah Epperson) whether they thought this threshold passed the "red face test". We all agreed that it did not. Thus, we came up, jointly, with defensible significance criteria for the PEA. We also included the CEQ guidelines for evaluation of significance in our analyses for that document. MMS went back to this (the criteria in 193 draft) for 202 because they did not want a new significant effect that would trigger the need for the preparation of an EIS. However, I strongly argued then, and I strongly argue again, that this significance criterion does not pass the red face test. This is an endangered species. It is ecologically unique. The population is important to the viability of the species as a whole. The species may be the world's longest lived mammal. The population is of huge importance culturally and as a subsistence resource for the indigenous peoples of the Alaskan Beaufort and the Chukchi Seas. There is controversy and uncertainty about potential effects on this species. Why is this unsupportable criterion still being used??

I don't have time to go through a lengthy discussion of the criteria for endangered birds and of the criteria for non-endangered marine mammals but these also need modified. They are crude, very high bars to hit. I recommend an inter-agency, inter-regional team revise these.

2) The analyses on bowhead still selectively uses a lot of what I wrote for the BE, the PEA, and that I provided for 193. It is very unclear why certain references were eliminated, why certain key conclusions were changed, yet much of the body of the analyses remains. If there is new literature, or if some of the references I cited have been clearly refuted in the scientific literature (which is not the case), the refutation should be provided. Since I wrote my sections for 193, 202 (both were not used as I submitted them), the PEA, and the BE, the scientific literature supporting my conclusions is only stronger. It is not weaker. I would be happy to provide newer references to whomever did the modification.

3) Detailed analyses of oil spill risk to bowheads have not been done (e.g., the OSRA tables have not been used) yet the author makes conclusions about alternatives that I believe are not supportable. The analyses need to be done. Further, it clearly matters where the oil spill occurs and it matters how long it takes for the oil to reach you. Exposure to fresh crude and exposure to weathered crude have vastly different risks to the animals. The conclusions about oil spill risks in the leads, to females and calves, to newborn calves, and to migrating bowheads in the leads that was in the draft are not supported by the best available science.

Lastly, sections that refer to the "unlikely" large oil spill should be modified with the probabilities given. The overall probability of one or more large spill in the Chukchi Sea is not at all unlikely. If one considers the joint probability of a spill given 202 and 193, it is even less supportable. If one would consider a truly cumulative probability for all sales, it becomes less supportable still.

I strongly recommend that the term "unlikely" referring to the probability of a spill be struck.

----- Original Message -----
From: <Lisa.Rotterman@noaa.gov>
Date: Monday, April 9, 2007 10:53 am
Subject: comments on 193
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