

Liberty Development and Production Plan

Public Hearings

Fairbanks

2001

1 UNITED STATES DEPARTMENT OF THE INTERIOR
2 MINERALS MANAGEMENT SERVICE
3 ALASKA OCS REGION
4
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6 **OFFICIAL TRANSCRIPT - PUBLIC HEARING**
7 **DRAFT ENVIRONMENTAL IMPACT STATEMENT**
8 **FOR LIBERTY DEVELOPMENT AND PRODUCTION PLAN**
9 **OCS EIS/EA MMS 2001-001**

10
11
12 Fairbanks, Alaska
13 Thursday, February 22, 2001
14 6:20 o'clock p.m.
15

16 **MINERALS MANAGEMENT SERVICE PANEL MEMBERS**

17
18 Mr. Fred King, Chief, Environmental Assessment Section
and Liberty Project Manager

19 Dick Roberts, Liberty EIS Coordinator

20 Ted Rockwell, EPA Coordinator

21 Mr. Richard Carl, Recorder
22

23
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1 FAIRBANKS, ALASKA - THURSDAY, FEBRUARY 22, 2001

2
3 (Tape No. 1 of 1)

4 (On record at 6:20 p.m.)

5 HEARING OFFICER: Okay. I'd like to welcome
6 everybody here. This is a hearing and meeting for the -- to
7 receive comments on the Liberty EIS, which is a project that
8 has been proposed by British Petroleum in Foggy Island Bay on
9 the North Slope.

10 We'll run this meeting a little bit different than we
11 have some of our other meetings. It's going to be -- while
12 we've got a court reporter and we will take formal comment,
13 which we're taking, we will also try, if there needs to be any
14 question and answers, to have some response. The same is true
15 if somebody's testifying and, without interrupting too much or
16 maybe when they're through, if anybody in the audience has
17 questions of somebody who either testified or of us, we can ask
18 them. I won't guarantee there will always be an answer or what
19 the outcome will be, but we'll be a little bit less formal.

20 To start off with, I will also say that there were
21 some advertisements out in the paper that had this meeting at
22 7:00, so I think what I'd like to do is go ahead and start with
23 the people that are here, take the testimony. If we get
24 through before 7:00, we'll, you know, stop. If you folks want
25 to stay around, you can, see who else shows up, or if you want

1 to leave, that's fine, we've got your testimony.

2 To start off with, I would like to introduce at least
3 the hearing panel here. My name is Fred King. I am the Chief
4 of the Environmental Assessment Section for Minerals Management
5 Service in Anchorage. To my right here is Dick Roberts. He is
6 the Liberty EIS Coordinator. And then Ted Rockwell is the EPA
7 Coordinator.

8 We have two cooperating agencies on this project.
9 There's MMS as the lead agency and then EPA and the Corps are
10 cooperating agencies. We also have a bunch of participating
11 agencies, which include Fish and Wildlife Service, National
12 Marine Fisheries Service, the State of Alaska, and the North
13 Slope Borough.

14 At this point, I'm ready to start testimony unless
15 somebody has some questions or anything they want to ask before
16 we get started. Deb, are you willing to be first?

17 At this point, let me just check on one thing. I've
18 got four people who are going to testify, at least what I've
19 got, which would be Deb, Mike, Phil, and Mary. And then after
20 that, if there's anybody else walks in, or if Sally wants to
21 testify, we can work them in.

22 So if you're ready, Deb?

23 MS. MOORE: Yes, I'm ready.

24 HEARING OFFICER: Would you also state your name so
25 that -- I'll also mention Richard Carl is our court reporter,

1 and if you'll mention your name when you start, then he can get
2 your name correctly.

3 MS. MOORE: Okay. Is this thing on okay?

4 (No audible response)

5 MS. MOORE: Okay. My name is Deb Moore. Supposed to
6 spell it?

7 COURT REPORTER: Please.

8 MS. MOORE: M-o-o-r-e.

9 COURT REPORTER: Thank you.

10 MS. MOORE: Okay.

11 PUBLIC TESTIMONY OF MS. DEB MOORE

12 Good evening. My name is Deb Moore, and I represent
13 the Northern Alaska Environmental Center. Thank you for this
14 opportunity to testify.

15 The Northern Alaska Environmental Center is a
16 nonprofit conservation organization based in Fairbanks. Since
17 1971, the Northern Center has worked closely with the residents
18 of northern Alaska and across the nation to protect wilderness
19 and natural wildlife habitat in Alaska's interior and Arctic.
20 We are dedicated to preserving the natural character of Alaska
21 and believe in careful planning for our future.

22 The Northern Center urges the Minerals Management
23 Service to choose the "no action" alternative on the offshore
24 Liberty Project. The Beaufort Sea is a valuable Alaska
25 resource supporting fish, seals, polar bears, and whales, many

1 of which would be devastated by a major oil spill. The risks
2 associated with offshore development are too great to consider
3 in such a critical and sensitive part of Alaska.

4 The public has continually expressed their concern
5 over offshore development, especially over the Northstar
6 Project. The Northern Center is concerned about the use of the
7 Northstar Project as a model for the Liberty Project. Liberty
8 would use the same untested subsea bed pipeline technology, as
9 well as the same drilling technology. Given the harshness of
10 the Arctic ecosystem, including intense cold, darkness, and the
11 impacts of a dynamic ice environment and climate change, subsea
12 pipelines pose a grave risk to the fragile Arctic environment
13 of the Beaufort Sea.

14 In addition, British Petroleum has admitted to being
15 unable to respond effectively to a spill during broken ice
16 conditions at Northstar and has been restricted by the
17 Department of Environmental Conservation to drilling only in
18 solid ice conditions. The Northern Center believes that
19 British Petroleum should not be allowed to start another
20 offshore project until they've corrected the drill problems --
21 spill drill problems associated with Northstar. It is
22 irresponsible to begin another project without first ensuring
23 that an Arctic spill can be adequately cleaned up, that the
24 subsea bed technology is adequate, and that accidents, such as
25 the two spills at Prudhoe Bay on Tuesday, won't be repeated in

1 the Beaufort Sea. For this reason, the "no action" alternative
2 should be chosen.

3 The Draft EIS concludes that no significant
4 cumulative impact is predicted to occur as a result of oil
5 drilling at Liberty. (Cut out) at the Prudhoe Bay complex.
6 This is a completely unrealistic approach to analyzing
7 cumulative impacts. The results of 20 years of unanalyzed
8 projects adds up to a major increase in noise pollution,
9 wildlife disturbance, and chronic air and water degradation.
10 These effects need to be properly analyzed before we proceed
11 with another major development project.

12 The National Research Council is currently conducting
13 the first ever study of the cumulative impacts of Arctic oil
14 development on the North Slope. The Northern Center believes
15 consideration for additional on and offshore development should
16 be postponed until the results of this study are available. It
17 is critical for Alaskans to understand and respond to the
18 additive impacts of development, developing oil fields such as
19 Northstar, Alpine, Kuparuk, and other Prudhoe Bay fields,
20 rather than blindly adding to the impacts through additional
21 development. For this reason as well, the "no action"
22 alternative should be chosen.

23 The Draft EIS fails to identify significant impact
24 from oil spills, including impacts on oil -- including the
25 impacts it would have on polar bears, bowhead whales, seals,

1 and traditional subsistence hunting practice by the Alaska
2 Natives for thousands of years. As was so dramatically evident
3 following the Exxon Valdez spill in 1989, offshore oil spills
4 can have devastating impacts on the wildlife and humans who
5 rely on the coastal waters. The risk of such devastation, and
6 especially in the light of British Petroleum's inability to
7 adequately clean up an oil spill, are not acceptable in the
8 Beaufort Sea. For this reason, the "no action" alternative
9 should be chosen.

10 Lastly, but certainly not the least important, the
11 Draft Environmental Impact Statement states that there is no
12 way to calculate the global warming impact of just one offshore
13 oil project. However, as mentioned before, additional
14 development cannot be considered in terms of isolated projects.

15 Liberty must be evaluated in terms of what it will add to the
16 existing and projected burden of the oil industry's operations
17 in the Arctic. This must include how the burning of fossil
18 fuels obtained at Liberty will affect the overall global
19 warming trend.

20 In terms of climate change, the western Arctic is
21 already known as a global hot spot since it is warming three
22 times faster than the global average. This trend must be given
23 adequate consideration before additional fields are developed.

24 For this reason, the "no action" alternative should be chosen
25 for the Liberty Project. Thank you for your time.

1 HEARING OFFICER: Thank you. Did you have any
2 questions? Go ahead, Ted.

3 MR. ROCKWELL: Yeah, just one point. Ted Rockwell
4 with the EPA. And actually, I am the EPA lead on the National
5 Academy of Sciences study of cumulative impacts.

6 MS. MOORE: Okay.

7 MR. ROCKWELL: And you made the comment that you
8 recommended that the action on Liberty be postponed until after
9 that NAS study is complete. I'd like to know more about what
10 you mean by that.

11 MS. MOORE: I believe that up until now, and
12 continuing as of now, all the oil projects that are considered
13 up on the North Slope are considered as if they're occurring in
14 a vacuum, as if they have no effect on one another, and as if
15 they have no effect on the world climate. My understanding,
16 which is unfortunately fairly limited, is that the big study
17 that's going on is going to be a literature search of the
18 resources -- excuse me. It's going to be a literature search
19 to see what is known right now about the North Slope and,
20 hopefully, will start to consider how these different oil
21 fields impact each other and how they affect the global
22 climate.

23 My suggestion, which was actually broader than just
24 Liberty, was that all offshore and onshore development should
25 be -- future offshore and onshore development should be

1 postponed until a better understanding is had by all of what
2 the cumulative impacts are of oil development on the Arctic.

3 MR. ROCKWELL: Okay. One thing that I think is
4 important to note with this -- with regard to this is that the
5 funding from the congressional funding for the study
6 specifically carries with it the prohibition from Congress to
7 postpone any federal actions pending.....

8 MS. MOORE: Okay.

9 MR. ROCKWELL:the outcome of that study.

10 MS. MOORE: Okay.

11 MR. ROCKWELL: So that's why I wanted to -- that's
12 why I asked the question. While it would be nice to have the
13 information from that study, you're actually saying more than
14 holding it up for that study. You're saying we ought to know
15 about.....

16 MS. MOORE: Mm hmm (affirmative).

17 MR. ROCKWELL:everything that's going on, and
18 that may be one piece of the puzzle.

19 MS. MOORE: Right. It's unfortunate that that's the
20 way that it was written in that. That's the way it has to be.

21 MR. ROCKWELL: Right. There is -- there's going to
22 be a meeting here in Fairbanks on that study. The -- well,
23 there'll be an announcement.....

24 MS. MOORE: Okay.

25 MR. ROCKWELL:on the web page, and it's in

1 April, I believe.

2 MS. MOORE: Okay.

3 MR. ROCKWELL: But you might keep your eyes open for
4 that and.....

5 MS. MOORE: Right.

6 MR. ROCKWELL:have an opportunity to talk
7 directly with the committee that's working on the study.

8 MS. MOORE: I'll do that. Thank you.

9 HEARING OFFICER: Thank you. Do you have any extra
10 questions?

11 (No audible response)

12 HEARING OFFICER: Okay. The next one I have is Mike.

13 (Pause)

14 PUBLIC TESTIMONY OF MR. MICHAEL WALD

15 Thank you guys for holding this meeting. It's
16 particularly nice for me that it's small. I don't have to deal
17 with the stage fright. And I will be submitting -- oh, my
18 name's Michael Wald, W-a-l-d. I'll be submitting written
19 testimony, and maybe I'll alter this slightly.

20 I guess I'll start by just telling you some of my
21 investment, why I'm here, why I'm concerned. I'm really lucky.

22 I get to spend most of my year up on the North Slope. I work
23 in the Arctic Refuge as a naturalist. I work offshore at
24 Barrow as a marine researcher. When I'm not working, I'm up on
25 the Slope hunting. I've got a lot of friends up on the Slope.

1 It's my second home. And so I am immediately and personally
2 concerned with development up there and am quite concerned with
3 offshore development up there.

4 While not a scientist and not a, you know, land use
5 planner, I read the paper and try to keep myself informed. And
6 I read about -- you know, I've been trying to keep abreast of
7 the Northstar, and I'm somewhat familiar with the Environmental
8 Impact Statement for Liberty, and it concerns me greatly. It
9 seems to not address some pretty critical issues. And I know
10 you guys have been putting a tremendous amount of energy and
11 effort into writing it, and I mean no personal offense, but I
12 believe, you know, when it talks about, you know, Liberty not
13 having a significant environmental impact on the Beaufort Sea
14 ecosystem, I find that hard to believe.

15 Deb was talking about Northstar. She also talked
16 about the two spills at Prudhoe Bay on Tuesday, I think they
17 were. I'm also aware of a drilling mud spill, 20,000 gallons,
18 at Northstar recently. When I read the figure of 1 to
19 6 percent safety factor for Liberty, I really wonder where that
20 comes from. It would seem to me that as much as BP may try,
21 spills are, on some level, inevitable. And as somebody who has
22 spent a fair amount of time on sea ice, and someone who reads
23 the paper about the three failed spill drills when -- you know,
24 that's 10-percent broken ice cover at a time of year when
25 there's adequate light and moderate temperatures.

1 As somebody familiar with sea ice, it's very easy for
2 me to imagine scenario upon scenario under which there could be
3 no recovery of oil. And it seems totally irresponsible to me
4 to -- it sounds like playing with fire, offshore drilling in
5 the Arctic. Ice is unpredictable. As you know, there's people
6 at the University doing sea ice modeling. They don't know
7 what's going on with sea ice. We're having events like we had
8 this December in Barrow, unprecedented, unpredictable,
9 monumentous (sic) ice events.

10 The EIS has data talking about ice gouging in Foggy
11 Bay. I don't trust that data. It's -- those sediments are
12 being transported by wind and current. You know, I think the
13 report said, you know, maximum gouge, two feet. Okay. Maybe
14 in the past five years that's been the maximum ice gouge.
15 Maybe Foggy Bay is well protected and there's no multi-year ice
16 moving around and threatening a subsea pipeline in there now.
17 When I see monumentous (sic) events like the big ice break-off
18 in Barrow this spring, last spring in Barrow, they had
19 unrecorded (sic) wind.

20 I guess my point is we don't understand sea ice.
21 Nobody understands sea ice. And to blithely assume that sea
22 ice will continue to do what it's done, and to assume that
23 unproven technology from Northstar will adequately safeguard
24 the Beaufort Sea, I, as a citizen of Alaska, am unconvinced.

25 In addition to that, I think -- so what I'm saying is

1 that our information about sea ice is inadequate. Certainly,
2 our information about offshore drilling technology in the
3 Arctic Ocean is inadequate. I also think that it's very
4 difficult to do any sort of risk assessment for near-shore
5 Arctic environments. There really isn't any data. And if you
6 do a literature search for North Slope science in general,
7 personally, I can't find anything that's not funded by the oil
8 industry. And that's not to say that science funded by the oil
9 industry is bad science, but to me, that certainly points out
10 at least a limited scope, and that's concerning to me.

11 Furthermore, the Arctic is a difficult place to do
12 research. The logistics are onerous. The money is lacking.
13 And compared to most other habitats on Earth, it's very poorly
14 understood. And so even if I were to believe that, you know,
15 6-percent chance of spill, and even if spill recovery were to
16 get up to 95-percent chance, I don't really think we know what
17 is at stake if there was a spill. Nobody knows what the
18 effects on benthic invertebrates are. Nobody understands what
19 the effects on copapods (ph) are. And what are the
20 ramifications of eiders, which are already suffering? What are
21 the ramifications on bowhead whales? And if there are
22 ramifications on bowheads and eiders, what is the impact on
23 North Slope communities? And you guys will get an ear full of
24 that, I'm sure, when you travel up there.

25 I guess one other thing struck me about the EIS. It

1 seemed to me there was a real contradiction, and to my mind, it
2 showed somewhat of a political bias in this draft statement.
3 There was -- and I think Deb may have mentioned this as well --
4 that there was -- well, what does it say here? Oh, the EIS
5 said something like impacts on global warming could not be
6 assessed from a one -- you know, what does one offshore thing
7 have to do with global warming? But in another section, it
8 said that Liberty would decrease U.S. dependency on foreign
9 oil.

10 Now, neither of those are quantifiable. We can't say
11 if Liberty happens, we will be thus and such less dependent on
12 foreign oil, or, if Liberty happens, there will be thus and
13 such more global warming. We do know that it is guaranteed
14 that if Liberty happens, there will be more global warming.
15 I'm not convinced that Liberty will decrease dependence on
16 foreign oil. There are, no doubt, plenty of other alternatives
17 for U.S. energy needs. And I found it telling that the Draft
18 EIS was willing to go out on a limb and say foreign oil is a
19 reason that we should build Liberty, and global warming, well,
20 we can't calculate it, so that shouldn't be a valid argument.

21 Those are some of my concerns. I wish I had more
22 time to be more educated. I'm grateful to you all for
23 listening to my comments. And I would urge you to choose the
24 "no action" route for Liberty. I don't think Northstar is a
25 prototype that has been proven, and I think that Liberty is

1 playing with fire, and it's in an environment, we don't even
2 know what we're going to burn down. So thank you for your
3 time.

4 HEARING OFFICER: Thank you. Did you have any
5 questions?

6 (No audible response)

7 HEARING OFFICER: Okay. Thank you, Mike. Let's see.
8 Phil, I believe I've got you on next.

9 Okay.

10 (Pause)

11 PUBLIC TESTIMONY OF MR. PHIL WILDFANG

12 Good evening. My name is Phil Wildfang, W-i-l-d-
13 f-a-n-g. Just like it sounds. And I'm pleased to have the
14 opportunity to be able to testify tonight. I am neither a
15 scientist or a petroleum engineer or even a good student of the
16 petroleum industry, just an average guy living here in
17 Fairbanks. And I have some concerns about the offshore project
18 and only, really, experience to draw from, and I'd like to do
19 that for a moment.

20 For the past 30 years I've had the opportunity to
21 enjoy the Texas Gulf Coast on at least an annual basis and
22 often more frequently. Over the years, I've watched the
23 barrier islands and the bays and estuaries spoiled and polluted
24 by offshore drilling activities. Today, the largely
25 uninhabited barrier islands look like landfills. Literally

1 tons of garbage per mile foul the beaches and tide lines of
2 these once pristine shores, and the vast majority can be traced
3 directly to offshore drilling activities.

4 In the more heavily populated areas where tourists
5 frequent and lodging is available, motels and hotels actually
6 provide packaged, pre-wetted towelettes similar to the Wet
7 Wipes for guests who have been walking on the beaches to clean
8 the sticky, tar-like crud from their feet. And that's crude
9 oil. The towelettes are wetted with a petroleum solvent much
10 like kerosene to make them more effective.

11 Even with today's improved drilling technology, the
12 trashing of these beaches and islands continues. In the quiet,
13 protected waters of the bays, one can often observe a sheen on
14 the water that is reported by the Texas Department of Game and
15 Fish to be an artifact of offshore drilling. These conditions
16 exist in what must surely be waters that are far less
17 challenging than the harshness of the Beaufort Sea. I shudder
18 to think what will happen to the Arctic waters of Alaska as we
19 rush headlong into these Northstar and Liberty Projects,
20 trusting that untested undersea pipelines will ensure the
21 protection of these biologically rich waters.

22 We all know that any kind of meaningful response to a
23 substantial spill or undersea pipeline rupture is impossible
24 during most of the year when the affected waters will be
25 covered with ice. In my opinion, the Draft Environmental

1 Impact Study doesn't effectively address this concern or
2 adequately analyze the impact of such spills. Polar bears,
3 whales, and Native subsistence activities could all suffer
4 profound and irrevocable damage as a result of a massive spill
5 or small spills and dribbles over the months and years these
6 projects are active.

7 Much like the Texas coast, continued off and onshore
8 drilling activities will have a cumulative impact upon the
9 biological, aesthetic, and traditional values of this fragile
10 environment. One well leads to another, and additional
11 pipelines, infrastructure, and industry will be needed to
12 support yet more extraction and transportation capabilities.
13 Soon, lights, artificial islands, flares, waste pits, and
14 pipelines will light up the horizon, scar the land, and foul
15 the waters. The EIS needs to address these cumulative impacts.

16 Other issues that should also be addressed in the
17 impact statement are the effects of Liberty on global warming,
18 as Deb talked about, and our continued dependence upon oil as a
19 nation. Granted, one well's contribution to global warming or
20 energy dependency is hard to assess, but when is it time to
21 look at these issues? We must begin to develop a national
22 energy policy that emphasizes and encourages exploration for
23 alternative energy sources rather than dodging the challenge by
24 saying it's only one more well, let's go ahead and approve it.

25 I, too, urge the "no action" alternative and a

1 moratorium -- of course, I know I'm not -- that's not
2 appropriate for me to say, but I'd like to see a moratorium on
3 all offshore drilling in the Arctic. Thank you very much.

4 HEARING OFFICER: Thank you. Do you have any
5 questions?

6 (No audible response)

7 HEARING OFFICER: Okay. Thank you. The next one I
8 have is you, Mary.

9 MS. SHIELDS: Hi. My name is Mary Shields, S-h-i-e-
10 l-d-s. And I have a question. Are you the fellows who will be
11 making the decision on this, or are you just gathering
12 information for them?

13 HEARING OFFICER: No, we're actually -- well, let me
14 speak for MMS, and maybe Ted can speak, if he wants to, for
15 EPA.

16 We're actually the ones preparing the documents, and
17 that's why we're here. The decision-makers are above us, but
18 they would receive the testimony, et cetera, that we collect,
19 and the information. But neither Dick or I for MMS are the
20 decision-maker.

21 MR. ROCKWELL: For EPA, also the case, I'm simply the
22 Hearing Officer for the hearing on the EIS as well as for the
23 NPDES permit that is obtained in the EIS.

24 MS. SHIELDS: Okay.

25 HEARING OFFICER: Yeah. On the other side, from a

1 working aspect, we are the ones who will be putting your
2 comments into the EIS and responding to them.

3 PUBLIC TESTIMONY OF MS. MARY SHIELDS

4 Okay. Well, my testimony is going to be pretty short
5 and sweet compared to the elaborate, wonderful ones we've had
6 already. I just ask that you pass on my concerns to the
7 decision-makers.....

8 HEARING OFFICER: Okay.

9 BY MS. SHIELDS (Resuming):

10that they take no action at this time. I believe, from
11 what I've read and what I've heard, that global change really
12 is going to affect the Arctic more dramatically than other
13 places on the Earth. And the creatures that live there are
14 going to be very stressed just adapting to the changes from
15 that already, and they don't need to adapt to more stress
16 inflicted on them that could possibly come from Liberty.

17 I would ask the decision-makers to wait till
18 Northstar has proven that it can do this job cleanly for 10
19 years or so before you pass another -- create another well out
20 there. The oil isn't going to go anywhere. The demand for the
21 oil is not going to go anywhere. It's just going to get more
22 valuable. And I just urge that they really take their time and
23 act responsibly in this matter, and that they should know that
24 people are watching their actions and expecting them to do the
25 right thing. Thank you.

1 HEARING OFFICER: Okay. Thank you. Any questions?

2 (No audible response)

3 HEARING OFFICER: Okay. That is the end of the
4 people who, at least before we started taking testimony, had
5 indicated they wanted to speak. For some of you who came in
6 after we got started here, we actually had one set of
7 advertisement out saying we were starting the meeting at 6:00.
8 There was also some newspaper ads that started at 7:00. So we
9 did start earlier. If any of you would like to testify, you
10 can come up and state your name and testify.

11 We will probably, at this point, take the testimony
12 we've got and we'll probably -- if we don't have any more,
13 we'll probably adjourn for a few minutes and see who comes in,
14 if there's anybody who comes in from the 7:00 o'clock
15 announcement, and then start back up.

16 Is there anybody else who would like to testify?

17 MS. KREITH: I would.

18 HEARING OFFICER: Okay. Please come up, and if
19 you'll give us your name and.....

20 MS. KREITH: Okay. I actually put my name on the
21 list.

22 HEARING OFFICER: We have a court reporter here who's
23 taking verbatim testimony, so we're asking that you give your
24 name and then spell your last name for him so he gets it right.

25 MS. KREITH: Okay.

1 April that comments are due.

2 And just for those that are interested, on
3 March 19th, we will be holding meetings in Nuiqsut, on the 20th
4 in Kaktovik, and then the 21st in Barrow. So.....

5 MR. WALD: Do you know what the time line for this
6 process will be, beyond the hearings?

7 HEARING OFFICER: The approximate time line is that
8 comment period would end in -- about the -- you know, the 13th
9 of April. I am assuming that somewhere not too long after
10 that, we'll start working on the response to those comments. I
11 would anticipate that the -- if everything stays on schedule,
12 that there would be a final EIS out sometime in the December/
13 January time frame.

14 Now, I don't know the number of comments, so I don't
15 know how things like that would affect it, but that would be
16 our current goal. Then the decision process, I think by law,
17 MMS is required, at least on ours, to issue a decision within
18 60 days after the Final EIS goes out.

19 MR. WALD: So there will not be a further comment
20 period.

21 HEARING OFFICER: There is a 30-day comment period on
22 the Final EIS. By law, MMS is required to make a decision. We
23 cannot -- we have to make a decision within 60 days after the
24 Final EIS. So there's a 30-day time period after the comment
25 period on the FEIS ends. During that time period, MMS has to

1 make a decision.

2 MR. WALD: Thank you.

3 HEARING OFFICER: So that's what I know.

4 MR. WALD: So then that may be as soon as next
5 January.

6 HEARING OFFICER: Well, I would say if, for example,
7 the EIS went out, let's say, in January, January 1st for
8 talking purposes, the earliest a decision could be made would
9 be February 1st; the latest would be something like March 1st.

10 Okay? So those are the time frames that they have to work in.

11 I don't believe the other agencies have that same
12 type of time constraint.

13 MR. ROCKWELL: No, that's correct. We don't.

14 HEARING OFFICER: Yeah. Now, there's one other thing
15 that has to take place in here, too, and that is, is this thing
16 does have to go through coastal zone consistency with the
17 State, et cetera. So there's a process there that the State
18 will undertake that will take place sometime later on, and I
19 don't have the exact dates of what that process will be. But
20 there is that, and there is a hearing period -- or there is a
21 comment period on the Final EIS after it's been published.

22 Is there anybody else who would like to testify?

23 (No audible response)

24 HEARING OFFICER: If not, I guess what I'd like to do
25 is take like a 15-minute break. We'll adjourn. Anybody who'd

1 like to hang around with us is welcome to. In case some people
2 do show up and want to give additional testimony. But for
3 right now, we'll adjourn.

4 HEARING OFFICER: This document on CD, we did put
5 this out on CD, and if you want one, I do have some extra
6 copies.

7 (No audible response)

8 HEARING OFFICER: They're a hot seller. Okay?

9 (Off record at 7:00 p.m.)

10 (On record at 7:20 p.m.)

11 HEARING OFFICER: I'd like to go ahead and reconvene
12 the hearing. Is there anybody who would like to testify?

13 (No audible response)

14 HEARING OFFICER: Since I beat the bushes and hearing
15 none, at this point, I'd like to go ahead and close the
16 meeting. Because of a -- or at least we've heard there's a
17 meeting go on at the Borough till 7:30, I think the three of
18 us, or the panel here, will go ahead and stay on till about
19 8:00 or after just to make sure somebody doesn't show up, but
20 let's go ahead and let the rest of you leave and go catch some
21 sleep so you can see the end of the Quest tomorrow morning
22 about 3:00 or 4:00 as we understand it.

23 So appreciate you coming and look forward to everyone
24 here being up in Barrow with us on the 21st.

25 (Whereupon, the proceedings were adjourned at 7:45 p.m.)

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