



October 16, 2023

Chairperson Ms. Brenda Mallory
White House Council on Environmental Quality
730 Jackson Place
Washington D.C. 20503

RE: Lack of NEPA Review for Trans-Alaska Pipeline System

Dear Chairperson Mallory:

I am writing on behalf of Public Employees for Environmental Responsibility (PEER) to draw your attention to a critical blind spot in the administration of the National Environmental Policy Act (NEPA) and the formation of a comprehensive federal strategy for combatting the adverse effects of climate change. That blind spot is the Trans-Alaska Pipeline System (TAPS).

The TAPS has operated for more than 45 years. In that time, the TAPS has undergone only two environmental assessments as outlined by NEPA: the initial pre-construction Environmental Impact Statement (EIS) in 1972 and the Reauthorization EIS in 2002. A lot has changed since then.

Neither prior EIS sufficiently addressed the potential impact of climate change on the TAPS or the impact of the TAPS on climate change. Climate change impacts along the TAPS corridor have increased dramatically since the most recent 2002 EIS was published, threatening the integrity of the pipeline and substantially increasing environmental risk, including the heightened potential for catastrophic failure of the pipeline and oil spills.

The marine environment of PWS today is substantially different from that in 2002 when the existing EIS was concluded. Dramatic increases in ocean climate impacts and marine heat waves recently in the Prince William Sound and the Gulf of Alaska (e.g., "the Blob" in 2014-2016), and the enhanced scientific understanding of such climate impacts, the interaction of climate change (warming and more acidic oceans, marine population impacts, etc.) with risks posed by the TAPS fleet requires reassessment.

Regarding the impacts of the TAPS on global climate change, the 2002 EIS was spectacularly in error, stating as follows: "Carbon dioxide (CO₂) emissions from TAPS would add little to the global CO₂ concentration level."

That, of course, refers only to emissions from the pipeline system per se, the pump stations and generators. It does not include the more than 70 million tons of CO₂ / year currently emitted

from burning the oil that the TAPS transports, which in the past has been as high as 300 million tons of CO₂ / year (at the time, more than 1% of the global total CO₂ emissions).

Neither EIS discussed the fact that the TAPS has contributed billions of tons of CO₂ to the global atmosphere (to date over 8 billion tons), perhaps half of that remaining in the global atmosphere and causing harm, as well as emitting a considerable amount of methane.

Nor did the 2002 EIS fully address long-term environmental injury from the Exxon Valdez Oil Spill (EVOS). Today, we know a great deal more than in 2002 about such long-term EVOS injuries, and this new scientific information substantially alters the environmental risk calculus regarding catastrophic oil spills from the TAPS.

Recently, PEER sent a Freedom of Information Act (FOIA) request to the U.S. Bureau of Land Management (BLM) concerning its management of the TAPS. BLM oversees the Federal Agreement and Grant of Right of Way for the 800-mile system to ensure compliance with the Grant, state and federal laws, regulations, and industry-accepted codes and standards. The BLM is also a member of the Joint Pipeline Office, which monitors environmental protection, pipeline system integrity, public and worker safety, and ensures regulatory compliance for this massive pipeline system.

In response to our FOIA request, BLM informed us of the following:

1. BLM is unaware of any analysis of climate change-induced threats to TAPS operation, including, but not limited to, permafrost thaw, substrate subsidence, frost heaves, river scouring/channel changes, channel icing, glacial outbursts, flood events, slope instability, etc., and potential impacts on pipeline integrity.
2. BLM is also “not aware of any assessments concerning climate change” relating to increased or altered maintenance costs or pressures upon the TAPS.
3. BLM “does not have records on climate change impacts in marine ecosystems” relating to transit routes of TAPS vessels or oil spills from TAPS vessels in Prince William Sound and the Gulf of Alaska.
4. BLM is not able to identify a single planning document in its possession that outlines potential steps to mitigate or prevent climate-related impacts over the projected future lifetime of the system.
5. BLM “has not discussed or estimated the climate impact of TAPS” either internally or “with the owner companies.”
6. “There have been no decisions since 2002 concerning a new or supplemental EIS for the TAPS ROW [Right-of-Way].”

As you are well aware, the White House Council on Environmental Quality has issued guidance requesting that agencies assess the potential impacts of climate change, as well as the impacts of

any major programs on climate change. We believe that the BLM is falling well short of this request with respect to the TAPS.

To fill this vacuum, PEER respectfully urges that you contact both the BLM Director and the Secretary of the Interior to explain their noncompliance with the Council's guidance on climate change with respect to the operation of the TAPS. Further, we urge you to obtain a commitment from these two officials to conduct a Supplemental Environmental Impact statement on the TAPS, including consideration of potential long-term injury from oil spills either from the TAPS itself or the fleet of ships serving TAPS.

In our view, a formal consideration of climate impacts both to and from TAPS operation is long overdue and cannot be avoided. Any coherent federal climate policy must include a clear-eyed view of the future of the TAPS and its projected petroleum sources.

Thank you for your consideration of this matter.

Respectfully,

A handwritten signature in blue ink that reads "Timothy Whitehouse". The signature is written in a cursive style with a long horizontal flourish at the end.

Timothy Whitehouse
Executive Director

cc: Secretary of the Interior Deb Haaland
BLM Director Tracy Stone-Manning