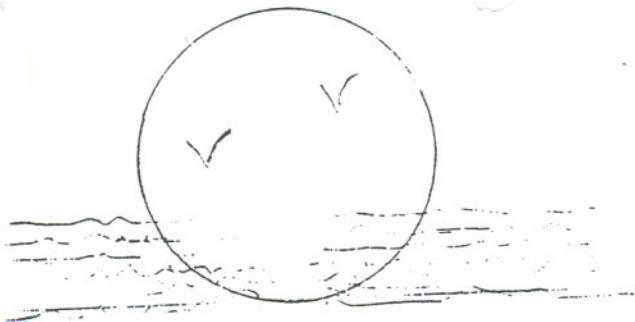




April 30, 2002

**COMMENTS ON THE ENVIRONMENTAL ASSESSMENT PREPARED BY BNP
PETROLEUM CORPORATION FOR LEMON/LEMON SEED UNIT WELLS
NO. 1-1000S AND NO. 1-1008S PADRE ISLAND NATIONAL SEASHORE,
TEXAS**

The concerns of the environmental community revolve around the cumulative impacts this activity will have in connection with the current activity of this company at Yarborough Pass. The EA and the STATEMENT OF FINDINGS FOR EXECUTIVE ORDER 11990 (PROTECTION OF WETLANDS) and the STATEMENT OF FINDINGS FOR FLOODPLAINS are inadequate in our view. We will make comments which are both general and specific to special sections.

The general comments center on the issue of protection of the resource and the desire of BNP to drill in the Padre Island National Seashore (PINS). We agree that the original legislation permitted drilling on this site. We also note that this compromise was necessary in order for Senator Yarborough to pass the bill. Another observation which we feel is very pertinent to the case is that in the era of the 1960's when the bill finally passed, very, very few people have access to Padre Island. There was no road when the Seashore was dedicated in 1968 and only the dedicated fishermen could transverse the island. Consequently, the general public was not impacted by drilling.

Over the years some 58 wells have been drilled and 23 were producers. The last one drilled was in 1995 and this one was dry. Some 71 permits have been issued including pipelines and seismic activities. We understand that BNP has been very careful with the current activity at Yarborough Pass.

Our problem with the proposed wells centers around the diminishment of the resource at PINS. The constant truck activity (141 days) is the number mentioned in the EA will impact both the enjoyment and the safety of the 700,000 visitors to the Seashore. We understand that there have already been numerous complaints by the relatively few visitors which have come to the Seashore to camp, or otherwise enjoy the beach, during the winter months. The fact that the visitors must be constantly on the alert, especially with regard to their children, is in itself, a loss.

The constant heavy truck traffic also is bad news for the beach. Not only do the

trucks compact and cause deep ruts in the beach, but they kill the little critters which live in the sand. These critters are the food resources for the birds and other wildlife which normally inhabit the beach. A storm will restore the surface of the beach, but nothing will restore the lost food resources for the birds, crabs, and other life forms which depend on the beach for survival. If this truck activity were a one time deal of 141 days and one could look forward to peace once the wells were drilled, this would be another matter. But this activity is on the heels of the current disturbance. One can envision that if drilling is to be permitted, then the beach is lost to its primary activity, the nourishment of the wildlife of the park which is dependent on the beach.

Another general comment is to question the resources of the PINS which must be devoted to monitoring the activity of BNP. What recourse does the National Park Service (NPS) have if BNP does not comply with agreed conditions. Who pays NPS to monitor compliance, and to prosecute if necessary? Under what conditions can the NPS revoke the permit? What compensation will be forthcoming to repay the lost resources to the public and wildlife resulting from the constant disturbance to the beach?

It is unclear whether the bottom hole locations offshore are within the boundaries of the seashore. BNP could access these formations with an offshore well, even if more expensive, if in fact the site will be outside the boundaries.

The EA identifies the problem of drilling rig lights and truck traffic on the endangered turtles. The EA does not specify what measures will be taken in case an incident of harm to an adult turtle or the return of the baby turtles to the sea is in any way disrupted. Who will pay for the NPS monitors who must oversee the well activity in order to insure that measures are taken to make sure that the turtles are not harmed.

We are disturbed by the cutting of a road through the dunes. It is well documented that the dunes provide protection of the mainland during Gulf storms and even the temporary opening of a passage could compromise this protection. Has anyone given consideration to construction of this well pad and drilling rigs by means of helicopter access? This would be noisy, and perhaps more expensive, but leaving the beach and the dune line unimpaired would certainly be in the public interest and would not preclude drilling by BNP. Where would the sand be placed when the road is cut through the dunes? And where will the sand be obtained when the dunes are restored at some future time when the activity at the well site is discontinued? No mention is made of this sand budget.

In case of a catastrophic event, who will pay for the cleanup and damage to PINS. Is the initial bond of a large enough amount to fully pay for the cost and the inconvenience to the park?

On September 28, 1962 the Padre Island National Seashore was established "In order to save and preserve, for purposes of public recreation, benefit, and inspiration, a portion of the diminishing seashore of the United States that remains undeveloped..." The federal government obtained the surface ownership but did not buy the subsurface mineral rights. Congress directed that oil and gas development be regulated. The National Park Service is attempting to provide BNP reasonable access to the park for exploration and development and at the same time avoid or minimize impacts on park resources and values, visitor use and human health and safety. They are also trying to prevent impairment of park resources and values. The current proposal for the drilling of the Lemon/Lemon Seed wells seem to us to be incompatible with these goals.

The EA admits that impairment to the park will occur, but they maintain that this impairment will be temporary and therefore, not important. We disagree with both statements. As mentioned above, there are alternatives to the constant truck traffic on the beach and these alternatives should be seriously examined. Will the Lemon/Lemon Seed wells be the last that BNP contemplates drilling, or will they embark on another well in the future? It is the cumulative effects of these activities which concern us.

It is ironic that last year the environmental community rallied around the National Park Service to oppose the impairment of the resources in the park which we felt would result from the use of Kennedy County as a bombing range by the Navy and this year we must express our concerns about more immediate impairment to these very same resources by the use of the park for private benefit to the detriment of the public. Both the enjoyment and safety of the public will be, and currently is, being negatively affected by truck traffic on the beach.

In short, we urge the NPS to put the drilling of these two wells on hold until further study of other alternatives be conducted. The current Environmental Assessment prepared by BNP CORPORATION is inadequate in our view.

Patricia H. Suter, President
(Chairman, Coastal Bend Sierra Club)

