

COMMENTS

2 ased on the analysis contained within the current service's responsibilities under its Organic Act, Geedwoods Act Amendments, and it responsibility f the National Environmental Policy Act (NEPA), w the agency's adoption of Alternative A—The No A than the decision to prepare a more thorough Envir (EIS) for the proposed undertaking. This is becau address other reasonable alternatives to the timing activities and ignores or contains fleeting reference but unmitigable environmental impacts to, among species and the experience of visitors to the Seasho

Because Padre Island is a National Seashore—and on the Gulf Coast of Texas—the public requires be natural seashore will not be impaired. Alternative / Alternative—is not only the environmentally prefe by NPS in Section 2.4, it is also the alternative that purposes of a National Seashore and NPS principle

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NPCA's claim that an EIS is necessary for this und fact that potentially significant impacts from BNP' from the Lemon/Lemon Seed Unit Wells would inc implementation of the NPS Preferred Alternative (i

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Without more explicit documentation that these im threshold of significance, the NPS has no choice b Action" Alternative or to make a decision to prepar Lemon/Lemon Seed Unit wells.

Our specific comments follow.



NATIONAL PARKS CONSERVATION ASSOCIATION COMMENTS ON THE (REVISED) ENVIRONMENTAL ASSESSMENT FOR THE BNP PETROLEUM CORPORATION LEMON/LEMON SEED UNIT WELLS NO. 1-1000S AND NO. 1-1008S IN PADRE ISLAND NATIONAL SEASHORE, TEXAS AUGUST 26, 2002

Superintendent
Padre Island National Seashore
P.O. Box 181300
Corpus Christi, Texas 78480

Dear Superintendent Whitworth:

The National Parks Conservation Association (NPCA) once again thanks you for the opportunity to comment on the Environmental Assessment (EA) for the BNP Petroleum Corporation (BNP) Lemon/Lemon Seed Unit Wells No. 1-1000S and No. 1-1008S within the Padre Island National Seashore, Texas. As you know, NPCA is a private, non-profit advocacy organization dedicated to protecting, preserving, and enhancing the U.S. National Park System. Founded in 1919, NPCA has over 350,000 members, with over 16,000 members in Texas.

NPCA submitted comments on the adequacy of the first Lemon-Lemon Seed Unit Wells EA on May 26, 2002. We therefore respectfully request that those comments be made part of the current administrative record for BNP's application on the Lemon/Lemon Seed Unit Wells.

NPCA recognizes that BNP holds the subsurface mineral interests in the area and that congressional legislation enabling the National Seashore recognized these valid, existing interests.

However, we believe that the National Park Service (NPS) again has not provided the public sufficient information in the EA to qualify the impacts of the proposal and to determine whether these impacts would or would not result in significant adverse environmental impact or result in the impairment of park resources and values.

why would the thresholds be different?

COMMENTS

RESPONSES

Response #1: The information presented in the Environmental Assessment for the Lemon/Lemon Seed Well Drilling Program (EA), along with the analysis of impacts and the assessment of affects for the proposed action is sufficient to determine that an Environmental Impact Statement (EIS) is not required. The Oil and Gas Management Plan and EIS completed in February 2000, from which this EA is tiered, adequately addresses the expected impacts of drilling within Padre Island National Seashore for up to 17 natural gas well scenarios. The Record of Decision (ROD) documents that significant impacts would not occur at those levels. Thresholds set in the Final EIS and ROD were established and were compared to the Lemon/Lemon Seed EA for current natural gas activities and are found to be well below the impact thresholds outlined in the Oil and Gas Management Plan FEIS. Therefore the completed EA for the Lemon/Lemon Seed Well Drilling incorporated applicable impact analysis and mitigation measures found in the EIS, and the EA presented adequate alternatives for the action.

It is found that the action, approved with mitigation measures and conditions of approval, would not cause major impacts, or impairment, to the resources or park values of Padre Island NS. Compliance with environmental laws and regulations, Texas permitting requirements, etc., was completed in the development of the Lemon/Lemon Seed EA. Concurrence from U.S. Fish and Wildlife Service and the Texas Historical Commission for Endangered Species Act and Section 106 of the National Historic Preservation Act respectively, was obtained. NPS and federal Oil and Gas Regulations (36 CFR 9B) were followed, and DO-12 NEPA procedures were completed. The Environmental Assessment is deemed appropriate under these guidelines and policies.

state Historic Preservation officer (SHPO)
the standards and procedures set forth in the NPS's NFO 46 Reg (36 CFR 9B), and DO-12 NEPA guidelines.

redundant
under the NPS's RFD scenario.

COMMENTS



NATIONAL PARKS CONSERVATION ASSOCIATION
COMMENTS ON THE (REVISED) ENVIRONMENTAL ASSESSMENT FOR THE BNP
PETROLEUM CORPORATION LEMON/LEMON SEED UNIT WELLS NO. 1-1000S
AND NO. 1-1008S IN PADRE ISLAND NATIONAL SEASHORE, TEXAS
AUGUST 26, 2002

Superintendent
 Padre Island National Seashore
 P.O. Box 181300
 Corpus Christi, Texas 78480

Dear Superintendent Whitworth:

The National Parks Conservation Association (NPCA) once again thanks you for the opportunity to comment on the Environmental Assessment (EA) for the BNP Petroleum Corporation (BNP) Lemon/Lemon Seed Unit Wells No. 1-1000S and No. 1-1008S within the Padre Island National Seashore, Texas. As you know, NPCA is a private, non-profit advocacy organization dedicated to protecting, preserving, and enhancing the U.S. National Park System. Founded in 1919, NPCA has over 350,000 members, with over 16,000 members in Texas.

NPCA submitted comments on the adequacy of the first Lemon-Lemon Seed Unit Wells EA on May 26, 2002. We therefore respectfully request that those comments be made part of the current administrative record for BNP's application on the Lemon/Lemon Seed Unit Wells.

NPCA recognizes that BNP holds the subsurface mineral interests in the area and that congressional legislation enabling the National Seashore recognized these valid, existing interests.

However, we believe that the National Park Service (NPS) again has not provided the public sufficient information in the EA to qualify the impacts of the proposal and to determine whether these impacts would or would not result in significant adverse environmental impact or result in the impairment of park resources and values.

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RESPONSES

Response #1: The information presented in the Environmental Assessment for the Lemon/Lemon Seed Well Drilling Program (EA), along with the analysis of impacts and the assessment of affects for the proposed action is sufficient to determine that an Environmental Impact Statement (EIS) is not required. The Oil and Gas Management Plan and EIS completed in February 2000, from which this EA is tiered, adequately addresses the expected impacts of drilling within Padre Island National Seashore for up to 17 natural gas well scenarios. The Record of Decision (ROD) documents that significant impacts would not occur at those levels. Thresholds set in the Final EIS and ROD were established and were compared to the Lemon/Lemon Seed EA for current natural gas activities and are found to be well below the impact thresholds outlined in the Oil and Gas Management Plan FEIS. Therefore the completed EA for the Lemon/Lemon Seed Well Drilling incorporated applicable impact analysis and mitigation measures found in the EIS, and the EA presented adequate alternatives for the action.

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redundant

under the NPS's RFD scenario.

State Historic Preservation officer (SHPO)

COMMENTS

- 2 ased on the analysis contained within the current EA and upon on the Park Service's responsibilities under its Organic Act, General Authorities Act and Redwoods Act Amendments, and its responsibility for public disclosure under the National Environmental Policy Act (NEPA), we see no recourse other than the agency's adoption of Alternative A—The No Action Alternative—other than the decision to prepare a more thorough Environmental Impact Statement (EIS) for the proposed undertaking. This is because the current EA still fails to address other reasonable alternatives to the timing (i.e., seasonality) of drilling activities and ignores or contains fleeting references to potentially significant but unmitigable environmental impacts to, among other things, endangered species and the experience of visitors to the Seashore.

Because Padre Island is a National Seashore—and the only National Seashore on the Gulf Coast of Texas—the public requires better assurances that its natural seashore will not be impaired. Alternative A—the “No Action” Alternative—is not only the environmentally preferred alternative as identified by NPS in Section 2.4, it is also the alternative that is most consistent with the purposes of a National Seashore and NPS principles of good stewardship.

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NPCA's claim that an EIS is necessary for this undertaking is based upon the fact that potentially significant impacts from BNP's drilling and production from the Lemon/Lemon Seed Unit Wells would indeed result from implementation of the NPS Preferred Alternative (i.e., the Proposed Action).

And, coupled with the cumulative development scenario as described in the EA that is comprised of the drilling and production of at least 17 additional natural gas wells within the National Seashore, it is NPCA's opinion that such oil and gas activity will not be able to avoid adverse impact to the endangered Kemp's ridley sea turtle or to the experience of the many people that visit the Seashore.

Without more explicit documentation that these impacts are clearly below the threshold of significance, the NPS has no choice but to either adopt the “No Action” Alternative or to make a decision to prepare an EIS on the proposed Lemon/Lemon Seed Unit wells.

Our specific comments follow.

RESPONSES

Response # 2: Please refer to response item #1 above. Further, the U.S. Fish and Wildlife Service concurred that the drilling activity is “not likely to adversely affect” any of the 10 Federally listed species found in the park. ~~It was determined, given past numbers of nesting sea turtle activity, the imposed mitigation measures and operating requirements, and the past history of vehicle use of the seashore within the Padre Island NS, that the risk of adversely impacting sea turtle populations is negligible (See page 80 and 81 of Lemon/Lemon Seed EA for this discussion).~~ The 2000 National Park Service Management Policies states at section 1.4.7 that the land manager determines what impact thresholds are used to define impairment. We typically use those impacts categorized as “major” to begin defining what impairment means for a particular park resource, if the resource impact is not, or can not, be mitigated or somehow reduced below that threshold. The impacts to sea turtles are described on page 81, and for the visitor they can be found beginning on page 100. Neither is found to be in the “major” category, therefore impairment is not anticipated.