



October 21, 2025

Submitted via email to: CD8EIS@dowl.com

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P.O. Box 6898
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Re: Kuukpik Corporation Scoping Comments – Colville Delta 8 (CD-8) Project /
POA-2025-00203

Dear Mr. Marye:

Kuukpik Corporation appreciates the opportunity to submit these scoping comments regarding the proposed Colville Delta 8 (CD-8) Project in response to the Corps' September 22, 2025 Notice of Intent to Prepare an Environmental Impact Statement (EIS). Kuukpik is the surface owner of nearly all lands directly affected by the project. We also represent more than 700 shareholders in Nuiqsut, Utqiagvik, Fairbanks, Anchorage and beyond, most of whom are either the original re-settlers of Nuiqsut or their descendants. We believe it is fair to say that few, if any, organizations have a deeper, more personal understanding of the issues at play in this process, or more at stake.

In the 52 years since Nuiqsut was re-established as a formal village, Kuukpik, its leadership, and other leaders in the community have seen—no, have *helped*—Nuiqsut grow into the community it is today. We did not sit idly by and watch history unfold all around us; we participated in and shaped Nuiqsut's future—as much as we could, at least, in the face of pressure from outsiders that is felt nowhere else on the North Slope. Oil companies, government and elected officials far from Nuiqsut who see and feel only the benefits of oil and gas development, never stopping to put themselves in our shoes, or to walk a mile on our ANCSA lands—lands that are now dotted with drill sites and oil production facilities as far as we can see in nearly every direction. It's easy for these decision makers to forget the consequences of all that development when they don't have to look at a drill rig every time they walk out their front door.

“Drill baby drill” they keep saying in the office buildings of Washington D.C., Juneau, and Anchorage. But we’re not saying that in Nuiqsut—not about this Project.

Throughout the history of Nuiqsut, Kuukpik has had to make hard choices. As the Alaska Native village corporation for this community, Kuukpik is responsible for both the economic and sociocultural well-being of our shareholders. These dual roles create significant challenges. For although nothing is more important to Kuukpik than ensuring that Nuiqsut’s deeply rooted, Inupiat lifestyle will thrive for generations to come, the economic opportunities available to our shareholders and their families in Nuiqsut mostly revolve around the one thing that continuously threatens the subsistence lifestyle we all hold so dear: the never-ending quest for more oil.

So Kuukpik doesn’t have the luxury of choosing between the traditional way of life and the pursuit of economic opportunities; we must have both. For over thirty years Kuukpik has sought to create economic opportunities for our shareholders in connection with oil and gas development, while also preserving their ability to practice subsistence in the ways and places the elders taught. We will continue to try to strike that balance. We have no choice.

But the proposed CD-8 project raises new and different questions—questions that go to the very core of what daily life will be like in Nuiqsut. We have said before that no one wants to practice subsistence in an oilfield; that’s true, but no one wants to *live* in an oilfield either. And CD-8 threatens to make that Nuiqsut’s new reality. It has never been easy for most of the adults in Nuiqsut—who know what it looked like before there was anything visible beyond the townsite except river and tundra—to get used to seeing oil and gas facilities all around the village. And those facilities are miles away. If you squint just right, you don’t have to pay attention to them every time you walk outside.

CD-8 would be different. The area where Conoco is proposing to build is so close to the village that there will be no way to ignore it, no way to pretend that Nuiqsut has not finally been overtaken by the oil fields. *That’s* what Nuiqsut faces with CD-8.

So as we embark on this NEPA process, we encourage the Corps to remember that behind all this analysis, there are real people—parents and kids who want to live comfortably and safely every day. This EIS isn’t just about what Conoco and the Corps can and should do to limit the impacts that another drill site will have on Nuiqsut’s subsistence resources and users. It’s about what we *all* must do to ensure that Nuiqsut—a place full of homes and people, families, a school, a playground—can continue to thrive at a most basic level.

To be clear, Kuukpik is not opposing the CD-8 project at this time. We will reserve judgment until we have seen a more complete project description and proposal, and until we understand the project’s real impacts on Nuiqsut and our shareholders. But as we stand here today, we are not aware of a single person within Kuukpik or Nuiqsut who wants to see CD-8 move forward as currently proposed.

But the NEPA process is an opportunity to try to develop an option that Kuukpik and Nuiqsut *can* support. We hope the Corps and Conoco will treat it as such.

Kuukpik Corporation therefore submits these scoping comments on behalf of our organization, our Board of Directors, and our shareholders—the Nuiqsut families who live, work, and subsist in the Colville River Delta, and who will be forced to live with the outcome of this process, whatever it is. We submit these comments in the spirit of good faith and cooperation because we understand how important continued development is for the North Slope region and our families and friends whose services, schools, and livelihoods may depend on it. But make no mistake: it is the people of Nuiqsut who will live with CD-8 in their front yards if this project is approved, and if Conoco is allowed to build where it's best for them.

Kuukpik therefore urges the Corps to look very closely at all reasonable mitigation measures and alternatives to decrease this project's impacts on Nuiqsut and its residents. The search for alternatives—including different drill site locations across the Colville River and jointly developing these resources with another operator—is probably more important in this instance than for any other project since the original decision regarding how to develop Alpine. Given the proximity to Nuiqsut, even seemingly “minor” changes in the location of the pad, required mitigation measures, and the sounds, emissions, and light that are introduced into the Nuiqsut environment may be the difference between a project that Kuukpik can support and one it will oppose. Kuukpik is committed to working with the Corps and Conoco to develop and explore numerous, meaningfully different alternatives to determine if this project can be built in a way that will not *so* dramatically alter the lives and comfort of Nuiqsut's residents.

I. The Scoping process starts with people of Nuiqsut.

Fortunately, these goals align with the Corps' mission in this process: to find the Least Environmentally Damaging Practicable Alternative¹ and to ensure that issuing a permit for CD-8 is in the public interest.² For CD-8, that begins with asking whether building a drill site two

¹ 40 C.F.R. § 230.10(a). *See also* June 15, 2018 Alaska Mitigation MOA between EPA and USACE, p. 8 (“The Guidelines require that the Corps can only authorize discharges that are the least environmentally damaging practicable alternative (‘LEDPA’), which is the practicable alternative with the least amount of adverse impact on the aquatic ecosystem so long as the alternative does not have other significant adverse environmental consequences (*see* 40 C.F.R. § 230.10(a)).”); Compensatory Mitigation Consideration for the U.S. Army Corps of Engineers, Alaska District Regulatory (Jan. 2025), p. 2-4.

² 40 C.F.R. § 230.10(a). In addition, the permitting process requires a more general balancing of the public interests advanced or adversely impacted by the proposed project. 33 C.F.R. § 320.4(a)(1):

(a) Public interest review. (1) The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts which the proposed activity may have on the public interest requires a careful weighing of all those factors which become relevant in each particular case. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably

miles from a village is appropriate at all and, if not, what alternatives could meet the purpose and need for the Project (as established by the Corps)³ without placing new heavy industry on Nuiqsut's doorstep and the banks of the Colville River.

Kuukpik can support balanced and responsible development. If such an option can be found here, we will support it. But again, we must be candid: we have seen no community support for CD-8 at the proposed Putu location. This makes a genuine search for alternatives absolutely critical. Conoco *needs* to find a different location (at a minimum) for CD-8 or it may find itself without any local support for this project at all.

And no matter where a new drill site is located, the community will never support the project if the search for alternatives is not exhaustive, transparent, and convincing. We say "convincing" because Kuukpik and the people of Nuiqsut will not accept conclusory assertions about why Conoco's preferred location is the only reasonable or economically viable option. Everyone will be looking under the hood on this one, challenging assertions that aren't supported by robust data and independent analysis or which don't align with common sense or traditional knowledge. It is not enough to go through the motions; the people of Nuiqsut have been through enough of these processes to know when a genuine effort is being made to listen to them and take their concerns to heart. In order to convince the community that this drill site can be built anywhere near Nuiqsut, Conoco and the Corps will need to demonstrate that all the other options have been tried, tested, and found to be unsuitable for legitimate and understandable reasons. Anything short of that will be rejected.

foreseeable detriments. The decision whether to authorize a proposal, and if so the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors which may be relevant to the proposal must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

³ We note that *Conoco's* stated purpose and need is not determinative for whether a proposed alternative is viable, rather the Corps retains the authority to establish the purpose and need of the project. See 33 C.F.R. § 333.22. The Corps should set a purpose and need statement broad enough to examine alternatives that expand beyond Conoco's limited viewpoint. For example, Conoco's "stated" purpose includes transporting oil and gas resources "to market via the Alpine Central Facility..." (Special Public Notice, Sept. 22, 2025 (p. 3)) But the detail of where oil is *processed* should not be the tail wagging the dog on how the oil and gas resources around Nuiqsut are developed. An alternative that extracts an economically viable amount of oil, but involves processing it elsewhere, should not be taken off the table if it might reduce the overall impacts of developing the targeted resources.

II. The EIS should emphasize impacts to the people of Nuiqsut.

At the outset, the EIS must acknowledge that building a 40-well drill site at Putu would fundamentally change the relationship between industry and Nuiqsut. At two miles away, the proposed pad would be closer to homes in Nuiqsut than any other active oil drilling or production facility in Alaska, by far. No other North Slope community (and very few in the entire country⁴) exists in such proximity to active drilling. In fact, CD-8 as proposed would put Nuiqsut's homes closer to an active oil and gas drilling operation than most people are to any type of heavy industry in Alaska or throughout the United States.

The proposed location is also practically adjacent to a Native allotment that will be irrevocably changed if CD-8 proceeds as proposed.⁵ The Kunaknana parcel has been in the family for decades and is still near several productive fishing areas. The idea that the family would be forced to accept a drill site no more than several thousand feet from their allotment is deeply concerning.

This close proximity to Nuiqsut and its people will drastically affect the nature of the Corps' analysis. For one thing, the EIS must recognize that seemingly small differences between alternatives may have vastly different impacts to locals. Moving the drill site just a mile or two from the Kunaknana allotment, for example, would do much to preserve the sanctity and

⁴ Kuukpik has recently spent considerable time looking at oil and gas facilities that exist in close proximity to residential neighborhoods in the Lower 48. There are several such facilities in the greater Los Angeles area, for example, that are hidden within or behind artificial structures (such as fake office buildings) to hide them from view. But before anyone points to these as shining examples of how oil and gas facilities can coexist in a residential neighborhood, we offer the following reality check. First, these facilities were constructed in the 1960s, before the modern era of environmental laws, public health and safety awareness, and land use planning. In fact, most have faced heavy criticism and efforts to close them down for decades. At least one (the "West Pico" site) was frequently criticized for odor problems, experienced a spill in 2021, and was cited for zoning violations before it agreed to close down. <https://beverlypress.com/2024/12/plan-leads-to-closure-of-west-pico-drill-site>. All of LA's urban oil and gas facilities are believed to be plugged or are on minimal operations and maintenance today, and efforts are underway to phase all of them out. None are engaged in active drilling as far as we know. So these facilities are not at all comparable to the current proposal to *start* active drilling and oil production near the residential area of Nuiqsut. And even in the 1960's, several of LA's oil facilities had to be approved by local voters after extensive public debate and approval of local regulatory controls. Nuiqsut is not being given the opportunity to decide whether CD-8 goes forward (and one does not have to wonder too hard what the result would be today if it were.....)

In short, while Nuiqsut would not be the only residential area in America with oil and gas facilities in close proximity to homes, churches, and schools, the overwhelming trend is against such developments, especially if the development is not supported by local residents and approved by the municipal leaders.

⁵ The Kunaknana parcel is BLM serial number AKAK10656020 (Legacy No. AKFF 011723) as shown on US Survey 9121.

viability of that lot for the future. For Nuiqsut, the difference between a drill site two miles away and four miles away may not seem like much in the abstract. It will be easy to downplay or dismiss differences in impacts associated with alternative locations as “minor” if they are only a mile or two apart. But these differences need to be thought of in comparison to each other: a drill site that is three or four miles away is twice as far as one that is one and a half or two miles away. That difference may translate to half the impacts from a visibility standpoint (or more), for example, and is therefore likely “significant” despite being a relatively short distance. While this may seem obvious, it’s important that the EIS adequately reflect seemingly subtle differences between alternatives because of the magnified importance those differences will have in Nuiqsut.

Somewhat similarly, CD-8’s sheer proximity to Nuiqsut will magnify the importance of impacts that often get very little attention in an EIS. Throughout the public scoping sessions, our shareholders and their families in Nuiqsut have consistently raised concerns about human-scale effects from development that are not typically a focal point of NEPA analyses. Outsiders and agencies tend to focus on “big” issues like climate change, endangered species, and community-wide and regional subsistence concerns like caribou migration routes and potential deflection. Nuiqsut residents care deeply about these issues; but they also care deeply about their kids being able to play safely in town without industrial traffic rumbling by. They care about turning off their houselights at night without the glare of a drill site shining through their bedroom windows. They care about getting clean drinking water from the lake upstream from the Putu site. Perhaps most of all, they care about living in a place that feels like home, where they feel like they have control over their own lives, community, and environment. They care about reducing—not increasing—the stress that comes from living amid large-scale oil and gas operations.⁶

These are some of the “significant issues...affecting the human environment” that are most important to locals. We ask that the EIS examine and highlight these kinds of human-scale impacts much more closely than is customary. Will Nuiqsut residents hear drilling from town, or smell emissions while they sit in their homes or walk to see a neighbor? How far would the pad need to be built to ensure that those impacts *don’t* occur? How bright will the lights be? Bright enough that it would hurt your eyes (or your kids’), or “only” bright enough to be annoying? Will the sights, sounds, and smells be different during winter than summer? These are the human questions our shareholders and residents have. They are not “aesthetic” concerns; they are quality of life concerns. The EIS should approach them as core issues, not sidebars.

With these concerns, of course, come significant questions about whether CD-8 will negatively impact residents’ health. Kuukpik is no expert in this field, but we are aware that there is a considerable amount of concerning data and studies indicating that there are increased

⁶ This is very different from other projects in the Lower 48 where the community welcomed and invited development because it wanted financial benefits (which, notably, tend to pass quickly after the initial construction and production is complete anyway). CD-8 will not turn Nuiqsut into a North Dakota-like boom town, nor does anyone here expect it to.

health risks associated with living in proximity to oil and gas facilities. We ask the Corps to review these studies and include appropriate summaries in the EIS so residents can understand if CD-8 will bring additional risks.

Nuiqsut residents have long worried that existing oil and gas development (which is all more than two miles away from Nuiqsut) is negatively impacting residents' personal health.⁷ Many families already report respiratory issues and stress caused by air pollution. We know the prevailing winds blow from the direction of Putu towards Nuiqsut.⁸ What impact will an additional drill site in the path of those prevailing winds have on emissions and our residents' health? What can be done to not only eliminate those impacts, but to convince residents that CD-8 would not make the perceived negative health impacts worse?

It may be necessary to conduct a Human Health and Welfare Assessment specific to Nuiqsut to both evaluate the health impacts and, if the results are favorable, convince people that the results can be trusted. A comprehensive Health Assessment would include:

- **Air Quality Modeling:** modeling of cumulative emissions from the Colville River and GMT Units, Willow, Pikka, and CD-8; additional continuous monitoring in the village; and evaluation of fine particulate, NO_x, SO₂, and volatile organic compounds.
- **Noise and Light Mapping:** 24-hour sound mapping and light modeling to quantify exposure levels in residential areas of Nuiqsut. This would include documenting how existing projects have transformed the visual and acoustic environment and should include a cumulative visual simulation showing the combined lighting from Alpine and its satellites, Pikka, GMTU, and Willow as seen from the village.
- **Mental Health and Social Stress Assessment:** evaluation of how industrial encroachment affects sense of place, sleep, and cultural well-being.

⁷ The Corps heard these concerns directly at public scoping meetings, and the sources confirming this concern and the basis for it are too numerous to list. One fairly arbitrary example from the Willow EIS (Jan. 2023), Vol. 1, p. 419) provides a concise snapshot of some of the concerns:

Project construction, combined with many of the [Reasonably foreseeable future actions] would result in increased air and noise emissions, including in currently undeveloped areas Nuiqsut residents use, as well as the areas they travel through. Air quality and air pollutant emissions may increase public health impacts (HEC 3: Exposure to Potentially Hazardous Materials) related to respiratory and cardiac conditions. Development-related noise could cause irritation, annoyance, or sleep disturbance among individuals who experience it (BLM 2012c). This would increase stress in some Nuiqsut residents and could lead to or exacerbate mental health issues such as anxiety and depression and lead to a decline in physical health and overall well-being.

⁸ Willow EIS (Jan. 2023), Vol. 1, p. 60 and Vol. 11, Appx. E.3, p.7.

- Emergency Preparedness: assessment of risk from blowouts, spills, or hazardous emissions given the limited medical and evacuation capacity in Nuiqsut.
- Traffic and Dust Impacts: analysis of vehicle routes around Nuiqsut and impacts associated with these.

This health analysis should use actual community data collected from Nuiqsut and local monitoring stations, not regional averages. It would also incorporate less tangible but equally important impacts on mental, not just physical, health by addressing cultural losses and sense of place as part of the “human environment.” Finally, the analysis should propose mitigation that is tangible to the community (*e.g.*, permanent air monitoring, road setbacks, buffer zones, *etc.*) and facilitate an informed discussion so that stakeholders can develop such proposals for themselves.

III. The alternatives analysis needs to generate a better option than drilling at Putu.

We’ve started these comments with requests for analysis and studies to emphasize the real impacts associated with building a drill site just two miles away from Nuiqsut. But these requests and impacts underscore the main point of our comments: this process needs to generate a better option than building CD-8 at Putu. The EIS therefore must include and analyze alternative drill site locations farther away from Nuiqsut.

Finding another option will be different, and more challenging, from every other alternatives analysis in recent memory. Rarely or never in Kuukpik’s experience has the fundamental question of where to build a single drill site been as challenging as it is here. We have previously debated the location of a bridge, the path of certain roads, the overall size of multi-drill site developments, and many details within those proposals. But we have never been forced to find an entirely different location to build a drill site.

That type of analysis will challenge us all because it depends so heavily on technical information that Conoco will be asked to provide. We ask the Corps to take the extra steps that will be necessary to test and challenge that information.

Kuukpik strongly believes that this NEPA process, more than any before it, should require Conoco to essentially prove that other options are not viable before the Corps considers approving the proposed project. In other words, given the incredible impacts and opposition within the community, the burden should be on Conoco to prove that their proposed location is the most appropriate, not on other stakeholders to prove it’s not. In order to do that, Conoco should be required to provide the Corps with as much information as it takes to support Conoco’s assertions regarding the technical and economic viability of all alternatives. The Corps needs and deserves to “look under the hood,” not just accept conclusions. This would likely include a full review of Conoco’s surface location screening process, rankings and selections among those locations, with integrated surface environmental, logistical and cost factors along with subsurface resource recovery data, estimated production profiles, and detailed recovery estimates on a per well basis for the proposed Putu location and other alternatives. Geotechnical experts

should look at reservoir properties, seismic data, planned wellbores, and the estimated recovery from each hypothetical wellbore within the drilling stadium options that Conoco has investigated and for potential alternatives examined during this pre-screening process. This will allow an independent analysis and verification of any assertions regarding recoverability and drilling feasibility from various alternative locations.

Additionally, Corps economic analysts can look at detailed production estimates associated with various potential drill sites and the cost differences associated with construction in those locations to independently determine economic viability of alternative locations. Not only that, the Corps should request Conoco's already completed internal analysis of all these issues as well, including the documentation and reports used to develop Conoco's cost estimate to build the proposed project and studies or analysis showing cost models for any alternate sites that have already been analyzed, the documentation used to support those estimates, and any other relevant information that shows how Conoco has evaluated the economics of alternative sites, including the documentation or reports that caused Conoco to reject those sites.

This is the type of information that will allow Corps subject matter experts to compare alternatives by calculating raw economic information for themselves, not just relying on high level conclusions provided by the applicant. That, in turn, will allow the Corps to determine, by process of elimination, whether there are any viable alternatives to the currently proposed site and what the differences among those potential alternatives would be. We understand much of that information may not be able to be made public, but it is critical that the Corps receive this information to evaluate whether Conoco's proposed location (or any alternative) strikes a reasonable balance between resource recovery and impacts/proximity to the village.

The reality is that no one is going to get everything they want out of this project. Many Nuiqsut residents don't want to see additional development around Nuiqsut at all, but might be able to live with CD-8 if it can be moved farther away and some benefits of the project are felt in the community. Conoco wants to make as much money as possible, but should be able to live with an alternative that is profitable *enough*. Ultimately, we're looking for reasonable tradeoffs. The search for the Least Environmentally Damaging Practicable Alternative requires a viable (profitable) project; it doesn't require *maximum* profits or extracting every last drop of oil.⁹ So alternatives should not be rejected simply because they don't produce quite as much oil or because they are novel or require creative thinking, planning, or execution. In fact, those types of creative alternatives may be the *most* likely to produce a genuine compromise that satisfies enough interests to build support for the project. So while the alternatives analysis is always "the heart" of the NEPA process, it is more important here than ever.

⁹ 40 C.F.R. § 230.10(a)(2) ("An alternative is practicable if it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes."); *see also Jones v. Nat'l Marine Fisheries Serv.*, 741 F.3d 989, 1002 (9th Cir. 2013) (discussing that the standard for practicability is whether the applicant can extract sufficient resources to support the activity by making the project profitable); *Louisiana Wildlife Federation, Inc. v. York*, 761 F.2d 1044 (5th Cir. 1985).

IV. Four Alternatives that might work for Nuiqsut

NEPA requires a genuine hard look at reasonable alternatives that avoid, minimize, and meaningfully mitigate harm to people and place. For Nuiqsut, a reasonable alternative would maintain a spatial buffer between heavy industry and the village, consolidate construction in existing development corridors if possible, reduce risk to village air and water, and respect subsistence needs and Nuiqsut's cultural landscape. The four alternatives below should meet that test. We believe any of these alternatives would be preferable to the current proposal and are worth exploring in further detail.

1. **Cross-River Alternative near the ASRC Mine Site:** Relocate the drill site to the eastern side of the Colville River to maintain a buffer between industrial operations and Nuiqsut. Locations anywhere between the general area around the ASRC Mine Site and the southern end of the Colville River and Pikka Units should be considered. The Mine Site Area is particularly attractive because it is already perceived as (and is) heavily developed and used by industry.
2. **Cross-River Alternative to the South:** Same concept but farther south where it may be possible to reach more oil than from the ASRC Mine Site Area.
3. **Collaborative Alternative with Santos:** Collaborate with Santos to construct a drill site on the eastern side of the River that would develop both companies' resources from a single drill site. This alternative would likely consolidate drilling, pipelines and cumulative footprint more than any other alternatives because it would eliminate a standalone drill site that, we assume, will eventually be necessary for Santos to develop its resources in this area.
4. **Northern Alternative:** Relocate the CD-8 drill site to the north, away from the River and several additional miles away from Nuiqsut.

Each of these is discussed in more detail below. Although we recognize none of these alternatives are Conoco's preference and that there are challenges with each, we must point out again that drilling at Putu is extremely challenging for Nuiqsut as well. The Corps will hear every reason why these alternatives are impossible or less desirable. We encourage you to take those arguments for what they're worth (and test them as we've described above), while also understanding that Conoco's preferred option may simply be impossible for village residents to accept.

1. Cross-River Alternative near the ASRC Mine Site

Relocating the drill site to the eastern side of the Colville River—anywhere between approximately the ASRC Mine Site and the lower boundary of the Colville River Unit—would respect the across-the-river buffer that historically has shielded Nuiqsut from industry in that direction. That separation matters. It lowers noise and light in the village, reduces daily exposure to industrial cues like alarms, exhaust smoke, lighting, odors and dust, and decreases

risks in the village associated with spills, traffic, and heavy industry generally. The Mine Site area is already developed and perceived as industrial, which makes it a more appropriate place to focus new activity than building a new pad at Nuiqsut's doorstep. The EIS should examine potential pad locations clustered near existing disturbed ground, especially along the traditional ice road routes that are already utilized nearly every year.

We understand the potential pad locations in this area will have their own challenges, but these need to be thoroughly explored and understood, not treated as deal-breakers at the alternative screening stage. Industry has literally been moving mountains to extract resources in Alaska for decades; surely it is not too much to imagine building in the vicinity of depleted mine cells or within a floodplain if that's what it takes to access the oil from a place that is farther away and preserves the sense of place for Nuiqsut residents. In fact, it is quite possible that constructing CD-8 in this already-developed area is one of, if not *the*, only option that some people in Nuiqsut could ever support. We therefore cannot emphasize enough how critical it is that Conoco and the Corps look for ways to make a pad location near the Mine Site work, not settle for reasons why it might not.

2. Cross-River Alternative to the South

It will also be worth examining potential drill sites across the river from Nuiqsut but farther south from the Mine Site area. That area is not developed (yet), but may allow greater separation between CD-8 and Nuiqsut than drilling at Putu. It may be possible to reach more oil from that area than it is from the Mine Site, which benefits Conoco. If sufficient resources can be accessed from the eastern bank of the river south of Nuiqsut, then a drill site in that area could be located farther from town and would be in a generally less visible and offensive location from Nuiqsut. The EIS should therefore look at any potential locations for a pad south of Nuiqsut on the east side of the river, even if such locations would require construction in a floodplain (which can be managed with adequate armoring and site design) or horizontal directional drilling to connect pipelines to Alpine (which was accomplished this past winter without any known incidents). Any potentially viable locations should then be analyzed in detail to compare the likely impacts on Nuiqsut in terms of distance-driven reductions in noise, light, and odors in the village, any potential reductions in aquatic impacts caused by moving the drill site out of the sensitive mid-river area around Putu, and route-by-route effects on subsistence access and caribou movement.

3. Collaborative Alternative with Santos

A collaborative option with Santos would place a single shared drill site inside the existing Pikka development corridor on the east side of the river, with a shared pipeline serving both companies' resources.¹⁰ In reality, this is the option that would make the most sense if we

¹⁰ 40 C.F.R. § 230.10(a)(2) allows "If it is otherwise a practicable alternative, an area not presently owned by the applicant which could reasonably be obtained, utilized, expanded or managed in order to fulfill the basic purpose of the proposed activity may be considered." (emphasis added) The Corps' "Alternatives Analysis Framework" that has been widely adopted by many districts helps put some parameters on this type of alternative, stating "Property ownership and zoning designations do not preclude an alternative

were starting from scratch; that is, if we were looking at development purely in terms of where to locate drill sites most efficiently while maintaining a respectful separation from Nuiqsut. If there were no unit boundary cutting right through what are probably relatively connected oil and gas resources. If there weren't two operators with different goals, schedules, and priorities competing in the same space. If the goal was to balance maximum recovery with minimum impacts, no matter who had purchased what leases years ago.

In that alternate but very rationale world, it would almost certainly make the most sense to simply extend the Pikka development one more drill site to the south, while staying far back from Nuiqsut, so that all the oil and gas under and around Nuiqsut could be accessed from the east side of the river and transported north or east, away from Nuiqsut. CD-8 wouldn't even be necessary in that world. But that, of course, is not the world we live in. Instead, we live in a world where Conoco and Santos will either end up leaving oil in the ground because they can't reach it all from their respective positions, or—more likely—they will both eventually want to build their own separate facilities within mere miles of each other, doubling the gravel footprint, road and pipeline corridors, and the impacts to Nuiqsut.¹¹

Kuukpik strongly believes that every effort should be made to avoid that outcome. It simply doesn't make sense to look at CD-8 in isolation from Pikka when taking a holistic view could generate an alternative that maximizes oil recovery in the area and only requires one drill site. The location of the drill site could be in the Pikka Unit on the east side of the river, as discussed in the first two alternatives above. But the collaborative approach could make those east side development options more financially viable if all the leases in the area were accessible from the single drill site, rather than just one company's. Development costs would also be reduced by sharing facilities. It should even be possible to phase processing to avoid bottlenecking and capacity issues and/or carry out processing at Alpine in order to avoid capacity issues at Pikka and accomplish one of Conoco's stated purposes for CD-8 (Special Public Notice, Sept. 22, 2025, p. 3).

We recognize the commercial and logistical challenges these operators would face to make this collaborative approach work. But it's worth it. Or at least it could be. The NEPA process is an opportunity to really test these ideas and see if we can find a solution. It will take creativity and a willingness to compromise. But we've said that from the beginning: no one is

from being practicable or evaluated. Zoning is a planning tool and is subject to adjustments through local land use and policy changes. However, the procedures required in a rezone request could be considered in terms of cost, existing technology, and logistics." Unitized oil and gas development boards can be considered similarly to zoning regulations. https://www.spa.usace.army.mil/Portals/16/docs/civilworks/regulatory/Standard%20Individual%20Permits/SPA_Alternatives_Analysis_Framework.pdf

¹¹ We note that Santos has never indicated it plans to build in this area and has never discussed any such plans with Kuukpik. We are simply looking at the existing map and have seen enough development to generally believe that another drill site would likely be needed to access all the resources Santos currently has leased in this area. We would love to be wrong.

going to get everything they want out of this. Conoco owes it to the people of Nuiqsut to try—genuinely try—to see if this option can accomplish enough goals to be viable.

4. Northern Alternative

Shifting the drill site north, away from the river and as much as two additional miles from Nuiqsut, would modestly reduce impacts and should allow enough access to oil and gas resources to be viable. But it's unclear whether a drill site somewhere between CD-4 and Nuiqsut would be far enough away to be any more acceptable to Nuiqsut residents than the Putu location. Better than "bad" isn't necessarily "good." A development in this area would still be the closest ever drill site to Nuiqsut, carrying with it all the same impacts discussed throughout this letter, albeit to some slightly less degree depending on where the drill site was ultimately built. Having said that, we acknowledge that distance matters. A location that is twice as far from Nuiqsut as Putu can hardly be *worse* than the proposed location, at the very least. Every extra mile lowers light pollution, audible industrial noise, and visual intrusion throughout the village. Locating CD-8 farther from the Niqliq and east channels also reduces impacts and risks to riverine habitats, resources, and users and should reduce heavy equipment use along riverbanks. Keeping activity away from riverbanks should be less disruptive to migrating caribou moving across the river in this area, but is an issue that will need careful analysis in the EIS.

The EIS should therefore analyze one or more northern locations in order to determine if any such options are less impactful and disruptive to Nuiqsut than the proposed location. Here again, the analysis should quantify the reductions in receptor-based noise and light at homes and anchor institutions like the school and clinic, the change in spill risks and consequences, total wetlands fill and habitat fragmentation, and specific effects on migration routes and access for subsistence users, including the impacts caused by Avoidance if a new drill site is built in this area.

5. Other alternatives developed by local stakeholders

While Kuukpik believes that any and all of the alternatives identified above may yield better options than the proposed alternative, we also encourage the Corps to listen carefully to other options put forward by the residents of Nuiqsut. The people here understand what development means to our community, both good and bad. They have as much experience as anyone evaluating the impacts that will flow from development in our backyard because they have seen it happen for decades. Opinions have also evolved over time. What was true years ago may not be true today, and residents deserve the opportunity to have their opinions heard.

In public scoping meetings, for example, many Nuiqsut residents have spoken out in favor of a year-round bridge over the Colville River to connect CD-8 to infrastructure on the east side of the River. Kuukpik has explored a bridge at various times as well, but has not seen a formal proposal to carry it out for many years. Whether we would ultimately support a bridge is not yet known since there is no proposal to analyze, but we acknowledge the benefits that year-

round connectivity would bring to Nuiqsut (but not without challenges and consequences, of course).

We therefore encourage the Corps to look at this alternative as well despite its challenges. It will be easy, for example, for the idea of a bridge to be rejected in this process on the economic grounds that CD-8 alone will not support the construction of a bridge. That may be true if we view CD-8 in isolation (or it may not be, given the high profits that are likely associated with this in-fill drill site). But it is probably *not* true if we consider the far-reaching impacts that CD-8 could have in the overall context of the life of the Alpine field and the ACF. Those benefits are likely nearly existential for Conoco's business in Alaska over the next couple of decades. So it is *that* value that needs to be weighed against the cost of construction, not just the value of the oil reserves that are reachable from any potential CD-8 location.

Indeed, Kuukpik firmly believes that Nuiqsut should receive some benefit from this project, if it goes forward, that is at least somewhat commensurate with its impacts. Right now, we see little or no benefits, only impacts. If a bridge is not feasible in connection with this project, then the stakeholders must come together to find benefits that are appropriate in light of the tremendous impacts CD-8 would have on daily life in Nuiqsut.

We therefore encourage the Corps to listen carefully to the ideas that emerge from Nuiqsut residents who are participating in public meetings and as representatives of cooperating agencies. This is more important now than ever because no outsiders can truly understand or explain the impacts CD-8 will have like the people who live here can. Our residents are also the most familiar with the areas that would be affected by CD-8 because these are the areas closest to home. Just as you are most familiar with the blocks and neighborhood closest to your house, so too are Nuiqsut residents most familiar with the areas just a short ATV or boat ride away—the areas that are being considered for this development.

V. Cumulative and Cultural Impacts

The CD-8 proposal cannot be evaluated in isolation. Nuiqsut is now encircled by infrastructure from the Alpine, GMT, Willow, and Pikka projects. Each successive development has chipped away at the undisturbed areas that are available for subsistence, quiet, and cultural use. CD-8 must be viewed and treated as part of a continuum of development pressure on the Colville River Delta.

Culturally, the proposed CD-8 site known as Putu (also sometimes recorded historically as "Putuu") is a place of historic and cultural importance. Elders used to tell of several families who lived and wintered at Putuu for many years, maintaining cellars, smokehouses and fish racks, and travel routes through the area that tied inland fish camps to delta hunting grounds. Several historical interviews are available where you can see for yourselves the powerful depictions of Putu as a tangible homesite, not just a concept or name on a map. In one of these interviews, Sam Kunaknana describes stopping in the area in the summer of about 1920 to "have

a visit with the people there.”¹² Separately, Sarah Kunaknana recounted her family’s migration throughout the Colville Delta and beyond during the 1930’s, including settling and living at “Putuu” for five winters. The interviewer summarizes the rest of Sarah’s story as follows:

They [the Kunaknana family] stayed there until the Colville area was empty of people (the last group of people moved away from there sometime in the ‘40’s). They have a cellar there that they still use [as of July 1978]. They fixed it up when they moved back to the Colville area in 1973 when Nuiqsut was established. When they moved back in 1973 she went to see the place where they had lived and it was like it was someone else’s story. There were no houses, only growing grass and it was like people had never lived there. Their house would have still been standing but somebody had torn it apart and moved it somewhere else.¹³

These stories underscore Putu’s importance as a historic settlement and meeting spot, not just an abstract coordinate on a map.

Several Kuukpik Board members have shared their family experiences subsisting and staying in this area. Unfortunately, they now share these stories with a tone of regretful longing, knowing that perhaps they will not spend time there in the future with their own grandchildren. Because Putu wasn’t just a camp; it was part of the web of rivers, ocean routes, caribou migration, fish runs, and seal hunts described by the Kunaknana. That web has already been surrounded and tested by development on all sides. Now our people are at risk of losing the area forever. To lose Putu is to weaken the threads that connect people, water, and animals across the Colville Delta.

In light of this cultural significance, we request a stand-alone cultural-landscape study prepared in cooperation with Kuukpik Corporation, the Native Village of Nuiqsut, and recognized elders, with findings integrated into the EIS in order to properly consider both tangible and intangible cultural values as required by Section 106 of the National Historic Preservation Act and its implementing regulations.

Putu is no longer the subsistence focal point it once was. Nevertheless, it remains a place close to Nuiqsut that is easily accessible where people can go to hunt and fish.¹⁴ Caribou still cross the rivers there; fish still swim up the rivers. But what will happen if CD-8 is built right in the middle of this river crossing and delta? Hunters and caribou alike will completely avoid it. Where they will go remains to be seen and therefore needs to be studied in the EIS.

¹² Samuel Kunaknana, *Traditional Knowledge and Colville River History Interviews*, UAF Project Jukebox (1978 recordings), pp. 155; available at <https://jukebox.uaf.edu/sarah-and-samuel-kunaknana>.

¹³ Shapiro and Metzner, *Historical References to Ice Conditions Along the Beaufort Sea Coast of Alaska* (September 1979), p. A-11-20; available at https://jukebox.uaf.edu/sites/default/files/Shapiro_Metzner_report_1979.pdf

¹⁴ See, e.g., Figure 3.17-3 of the Nanushuk EIS (Nov. 2018).

Subsistence defines who we are as Kuukpikmiut. Hunting, fishing, and gathering occur in every direction from the village, including near each of the areas that are likely to be considered as potential locations for CD-8. The EIS must therefore comply with Section 810 of ANILCA by analyzing direct, indirect, and cumulative effects on subsistence uses. This will likely include modeling caribou movement across new roads and pipelines and the effect of human presence and noise on migration paths, analysis of turbidity and hydrological changes that will result from any construction and dredge and fill activities affecting the Colville River, the impacts of lighting and communication towers on migratory birds, and analysis of the likely impacts from Avoidance.

VI. Process and Consultation

Kuukpik has accepted the Corps' invitation to participate in Government-to-Corporation consultation. As discussed at our first such consultation in October, we request regular consultation throughout scoping, draft EIS development, and decision-making. Topics for continued consultation would include:

1. Refining alternatives and screening criteria
2. Designing health and subsistence impact studies
3. Identifying opportunities for mitigation and benefits to the community
4. Coordination of Section 106 cultural consultation with the Native Village of Nuiqsut.

Going forward, Kuukpik's big picture goal is to ensure that Nuiqsut is fully informed about the options for developing CD-8 and the relative impacts of those options so that we and the rest of Nuiqsut can participate in a meaningful process of searching for a path forward, if possible. To have any hope of accomplishing that, the alternatives screening process and analysis in particular must include several options that are well-developed and specific enough to allow a fair, apples-to-apples comparison with the proposed near-village pad. The analysis should include route maps, viewshed renderings, receptor-based noise and light estimates, wetlands fill calculations, and spill consequence modeling for each case. A side-by-side community-impact table that shows how life in Nuiqsut will be impacted under each choice will help residents understand the differences. That is the hard look NEPA requires—and what our community deserves.

Conclusion

Our elders returned to the Colville River fifty-two years ago to reclaim the Kuukpikmiut homeland and rebuild a village rooted in traditional values. They could not have imagined that, within their lifetime, oil drill sites would stand in view of their homes. CD-8, as currently proposed, represents not just another project but a fundamental test of whether development on the North Slope can coexist with a living Inupiat community.

Mr. Tyler Marye
October 21, 2025
Page 17 of 17

We ask the Corps to approach this NEPA process with that understanding—to look beyond the engineering drawings and see the people who live here, the families who fish from the rivers, and the community whose future depends on the decisions you will make.

Thank you for considering these comments and for your continued commitment to meaningful consultation with Kuukpik and the people of Nuiqsut.

Sincerely,

KUUKPIK CORPORATION



George Sielak
President

cc: Kuukpik Board of Directors
Native Village of Nuiqsut
City of Nuiqsut