



Fisheries and Oceans
Canada
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Program de protection des pêches
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Canada
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October 30th, 2013

Your file *Votre référence*
09/13-01

Our file *Notre référence*
13-HCAA-CA6-00068

Darrell Christie
EIS Coordinator
Environmental Impact Screening Committee
Joint Secretariat, Inuvialuit Renewable Resource Committees
107 Mackenzie Road, Suite 204 P.O. Box 2120
Inuvik, NT X0E 0T0

Dear Mrs. Christie:

RE: Beaufort Sea Exploration Joint Venture Drilling Program

You may be aware that the *Fisheries Act* changed on June 29, 2012; however these have not affected the review of this project at this time. For more information on current changes to the Fisheries Act, as well as changes taking effect in the coming months, please refer to the DFO website <http://www.dfo-mpo.gc.ca/habitat/habitat-eng.htm>. For more information regarding these changes please visit the following website: <http://www.dfo-mpo.gc.ca/habitat/changes-changements/index-eng.htm>.

As requested in correspondence from the Environmental Impact Screening Committee (EISC) dated September 16th, 2013, Fisheries and Oceans Canada, Fisheries Protection Program (DFO) has reviewed the project description submitted by Imperial Oil Resources Ventures Limited for the above mentioned project. Our review was limited to potential impacts of the project on fish and fish habitat pursuant to the responsibilities of DFO under the habitat protection provisions of the *Fisheries Act* or those prohibitions of the *Species at Risk Act* that apply to aquatic species.*

Our review consisted of:

- *Project Description for Beaufort Sea Exploration Joint Venture Drilling Program, September 2013*

It is our understanding that the proposal consists of:

- The offshore drilling of one or more exploration wells within exploration licences (EL) 476 (Ajurak) and 477 (Pokak);
- The potential dredging of Tuktoyaktuk Harbour;
- Marine support vessels;
- Set down of anchors; and
- Installation of docks, harbours or moorings.

It is our understanding that mitigation measures related to DFO mandates consists of:

- Develop and implement a comprehensive *Dredging Management Plan* for dredging activities that might be required alongside the dock or pier in the Tuktoyaktuk Harbour at the shore-based facility, at the entrance to the harbour or along the fairway

* Those sections most relevant to the review of development proposals include 20, 22, 32 and 35 of the *Fisheries Act* and sections 32, 33 and 58 of the *Species at Risk Act*. For more information please visit www.dfo-mpo.gc.ca.

(marine resupply corridor) to deeper water offshore. This plan will include mitigation identified during a separate and comprehensive environmental assessment of dredging that Imperial will conduct, if another party does not perform the dredging and Imperial decides to perform the dredging itself. The *Dredging Management Plan* will include performance criteria, and incorporate suggestions and recommendations from northern residents and other stakeholders, including regulators, as appropriate. This plan will also cover selection of equipment appropriate for areas or locations that need to be dredged with minimal disturbance.

- Implement a *Marine Mammal Management Plan* that includes marine mammal monitoring (to be undertaken by qualified observers) for all vessel-related activities. Establish safe vessel operations protocols (including safety perimeters, speed and course restrictions, and suspension of work requirement) to avoid marine mammals and sensitive marine mammal habitats along the marine resupply corridor route and at the drill site, whenever possible. These actions will reduce the likelihood of a vessel strike that leads to injury or mortality.
- Establish and implement an *Air Operations Plan* to provide minimum operational altitude and speeds and other operating procedures and protocols (including mapping locations of sensitive marine mammal habitats and locations along potential flight paths) to minimize potential interactions with marine mammals. This plan will cover inbound and outbound fixed-wing aircraft and helicopter operations carrying passengers or cargo to or from the fleet offshore.
- Establish and implement an ERP that provides procedures and protocols for addressing all accidents, spills or items of a similar nature to ensure that appropriate measures are in place to mitigate the potential effects of an accidental release or malfunction affecting marine mammals, including follow-up protocols to investigate and determine root causes and identify lessons learned.

It is our understanding that commitments related to DFO mandates consists of:

- Conduct a series of program risk assessment to reduce or mitigate specific risks associated with all aspects of the program to an acceptable level, taking into account environmental operating conditions that could affect the drilling program.
- Do an environmental and socio-economic assessment to address short- and long-term impacts of all program activities. The environmental assessment will use best available information from scientific and traditional knowledge sources.
- Monitor the area for the presence and impacts from icebreaking and vessels transits on marine mammals, such as polar bears and seals. This will be part of the Ice Management.
- Avoid vessel routes in the Beluga Management Zone 1A.
- Hire marine mammal observers for support vessels during the beluga harvest period to help direct vessels from beluga whale harvesting areas. The marine mammal observers will also maintain close communications with the Hunters and Trappers Committees regarding vessel transits and schedules.
- Conduct the necessary studies, using local knowledge and expertise, to understand the fate, behaviour and transport of an oil spill, and identify the most vulnerable and sensitive species, habitats and areas.

- Apply a net environmental benefit analysis to help determine the best response options that will lead to the lowest overall impacts on the environment, wildlife harvesting and the most rapid recovery.

After reviewing the Project Description, DFO would like to offer the following comments for consideration:

- Program Activity Interaction (table 5-2): DFO would like to know if the potential for program activities to interact with VECs were determined/assessed for the following: effect of site preparation and construction, drilling, well testing and Tuktoyaktuk Harbour dredging on marine and anadromous fishes. If so, DFO would like for the proponent to provide more clarification of the effect of certain activities on marine and anadromous fish.
- In table 10-4 it is mentioned that Bowhead whale have no status - no schedule under SARA. In SARA-Schedule 1, the status for Bowhead Whale Bering-Chukchi-Beaufort population is of special concern and its distribution can be seen at the following internet link: <http://www.dfo-mpo.gc.ca/species-especes/species-especes/bowheadwhale-baleineboreale1-eng.htm>.
- DFO would like to have more detail on the marine transport traffic (e.g. frequency of ship, exact traffic route).

Bowhead Whale, Bering-Chukchi-Beaufort Sea Population, which are currently listed as Special Concern (*Species at Risk Act* prohibitions do not apply to this species) in Canada, are believed to use this area and should be considered as part of this assessment. Northern Wolffish, which are currently listed as threatened in schedule 1 of the *Species at Risk Act*, are also believed to use this area and should be considered as part of this assessment. The *Species at Risk Act* prohibition applies for this species. If you would like more information about these species please visit the *Species at Risk Act* public registry at www.sararegistry.gc.ca.

If you have any questions, please contact me at (867) 669-4912, by fax at (867)669-4940, or by email at veronique.damours-gauthier@dfo-mpo.gc.ca.

Sincerely,

Véronique D'Amours-Gauthier
Fisheries Protection Biologist
Fisheries and Oceans Canada