

To: Darrell Christie
Environmental Impact Screening Committee Coordinator

RE: Beaufort Sea Exploration Joint Venture Drilling Program – Project # 09-13-01

In a general sense, many of the concerns associated with offshore drilling and potential effects of such programs on environmental values were previously conveyed from Yukon to the National Energy Board (NEB) during the Arctic Offshore Drilling Review. As the comments are generally applicable to this project review, we recommend that the EISC consider them during the screening process. For a March 22nd, 2011 letter from Yukon Government to the NEB highlights these general issues and concerns: https://www.neb-one.gc.ca/ll-eng/livellink.exe/fetch/2000/90463/621169/649241/679878/A1Y4Y8_-_Letter_from_Yukon_office_of_the_Minister_dated_5_April_2011.pdf?nodeid=679879&vernum=0

With respect to this project proposal, the Yukon Government, Department of Environment identified several substantive concerns for consideration by the Environmental Impact Screening Committee (EISC). These concerns are consistent with our previous comments to the NEB:

1) Potential effects of project on Herschel Island – Qikiqtaruk Territorial Park

The Herschel Island –Qikiqtaruk Territorial Park is managed by the Department of Environment, Yukon Parks Branch. Our specific concerns relate to potential environmental effects resulting from any oil spill that could end up on the shores of Herschel Island. If an oil spill occurred and made it to Herschel Island, there would likely be substantial impacts both short and long term in nature. We are presently unclear if the proposed drilling activities and measures to prevent or stop an oil blowout or related spill are equivalent to the NEB requirement for a same season relief well. Yukon Parks Branch has commitments under the Inuvialuit Final Agreement (IFA) that direct us on how we manage the park as follows:

- Yukon Parks has the mandate to protect the parks wilderness characteristic to the greatest extent possible, and to protect and manage the wildlife populations, and the wildlife habitat as outlined in the IFA, Section 12.(6). This Section further directs us to manage the park in a similar manner as that of a wilderness orientated national park.
- Section 12. (18) of the IFA also directs us to protect the existing historical, cultural, archaeological and paleontological resources adjacent to Pauline Cove in a similar manner to that of national historic park.
- Yukon Parks is obligated to provide the Inuvialuit with the opportunity to use the area in support of their traditional lifestyles, while providing any economic opportunities arising out of the operations and management of the park to the Inuvialuit on a preferred basis and in accordance with the IFA sections 12.(2,42,43,44).
- Herschel Island is part of the Yukon North Slope and falls under the special conservation regime whose dominant purpose is the conservation of wildlife, habitat and traditional native use as outlined under section 12.(2) of the IFA.
- The 2006 Herschel Island – Qikiqtaruk Territorial Park Management plan mirrors this conservation regime and addresses our additional commitments under the IFA.

Potential impacts to Herschel Island from an oil spill would likely be long term in nature, especially in consideration of the offshore waters and the Beaufort Gyre’s churning action. The low lands and spits on the island would likely be further impacted because of their intertidal nature with the possibility of storm surges exacerbating clean-up efforts. Sea ice could also hamper clean-up efforts. If indeed an oil spill made it on to the shores of Herschel Island, it would likely impact the environmental, historical and cultural resources in a negative manner. It would also likely impact traditional native use and subsequent harvesting, including those near shore harvesting opportunities for sea ducks, charr, herring etc.

If a spill response plan had been included in the proposal rather than being referenced as a future submission, it may have provided some additional detail to evaluate proposed spill response measures. In reviewing the current proposal which references production of plans for review at a later stage of assessment and licensing, it appears that further materials are needed in order to answer some of the outstanding questions especially in consideration of the size, scope, and potential impacts of this project.

2) Wildlife effects

The Department of Environment has a mandate to manage and conserve wildlife species on the Yukon North Slope. The project proposal does not indicate if any onshore or nearshore activities are planned in the Yukon, which might affect such species. The wildlife species of concern may be resident within the Yukon, or migrate seasonally through the Yukon from neighbouring jurisdictions. As one example, the proposal does not indicate or confirm if project activities such as over-flights are proposed to occur on the North Slope and adjacent nearshore environment; if such activities are planned, it will be important to consider how the proposed activities will avoid impacts to sensitive life history periods for wildlife (e.g. avoidance of calving areas and timing of calving for Porcupine caribou herd).

The proposal references the future production of Environmental Protection Plans and Wildlife Protection Plans, at a later stage of assessment and licensing. Presumably the plans will contain proposed mitigation measures for wildlife species, but the plan details are not presently available for review and comment.

Additional information that Yukon Government has previously provided to the NEB may assist the EISC in reviewing this project: https://www.neb-one.gc.ca/ll-eng/livelihood.exe/fetch/2000/90463/621169/649241/681258/A1Y5Z9_-_Letter_from_Yukon_Energy_mines_and_Resources_-_Yukon_Energy_Mines_and_Resources_Letter_Regarding_NEB_Call_for_Information_-_Arctic_Review.pdf?nodeid=681259&vernum=0

Thanks for the opportunity to comment on this project.

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