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November 6, 2020

Ms. Sarah LaMarr
Bureau of Land Management, Arctic District Office
222 University Ave
Fairbanks, AK 99709
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Attention: Marsh Creek East Seismic Exploration environmental assessment

Dear Ms. LaMarr,

The Government of Canada (Canada) has reviewed the documents associated with the Marsh Creek East Seismic Exploration environmental assessment (the application) and is providing comments below. None of the comments contained herein should imply any support for the project by Canada. Significant concerns raised by Canada throughout the environmental review process related to both the Coastal Plain draft and the final Environmental Impact Statement (EIS) remain, and this project animates those concerns by facilitating development. Canada does not support the proposed development plan in the Arctic National Wildlife Refuge as identified in the Record of Decision¹ (ROD) for the Coastal Plain environmental assessment process.

Canada reviewed the application in the context of potential concerns for species covered by our three bilateral management agreements with the United States: polar bears², Porcupine caribou³, and migratory birds⁴. This project, if completed, would facilitate development in areas used by caribou for calving and areas used post-calving, areas used for denning by polar bears, and areas used by migratory birds. Project activities, as currently proposed, would overlap temporally with caribou, polar bear, and migratory bird use of the coastal plain.

Specific Comments:

- The application references Required Operation Procedure (ROP) 11 from the above-mentioned ROD as the compliance standard for frozen ground conditions and operable snow depths. This project, if undertaken without meeting those conditions for all equipment movements, may damage the tundra and/or compact the vegetation. Such habitat impacts, if they occur, may persist for many years and therefore influence habitat

¹https://eplanning.blm.gov/public_projects/102555/200241580/20024135/250030339/Coastal%20Plain%20Record%20of%20Decision.pdf

² 1973 Agreement on the Conservation of Polar Bears, the 2008 Memorandum of Understanding between Environment and Climate Change Canada and the United States Department of the Interior for the Conservation and Management of Shared Polar Bear Populations

³ 1987 Agreement Between the Government of Canada and the Government of the United States of America on the Conservation of the Porcupine Caribou Herd

⁴ Convention for the Protection of Migratory Birds in the United States and Canada

use by caribou and migratory birds. This application/project requires those specific snow conditions referenced in ROP 11 to be present over a very broad area, with little variability, given the tight spacing of source and receive lines for this project (400m and 200m spacing, respectively). Publicly available information⁵ indicates snow depth and cover will be idiosyncratic in the project area, with a possibility that snow depth in some years will not meet ROP 11 throughout the project area. Canada recommends that the Refuge management agency (United States Fish and Wildlife Service) monitor and provide oversight for compliance with ROP 11 to ensure damage to tundra does not occur.

- The end date for seismic acquisition activities is listed as May 31st or “tundra closure”. Canada recommends that timing windows from Lease Stipulation 7 in the previously referenced ROD be applied to this project. Specifically, that would mean that use of heavy equipment would cease on May 20th or sooner if Porcupine caribou arrive on the coastal plain earlier than May 20th.
- Cleanup activities are scheduled for “July to early August 2021” and involve significant low-level flying with an estimated 450-600 landings and take offs. If caribou are still present in the project area during this activity, this amount of low elevation flight activity would significantly disturb them. Canada recommends that cleanup activity not commence until after July 20 to avoid any interaction with caribou.

Canada is aware of other permits or authorizations necessary for this work to be conducted and, if necessary, will provide input therein.

Sincerely,



Eric Walsh
Director General, North America
Global Affairs Canada

⁵ https://www.geobotany.uaf.edu/library/pubs/WalkerDA2019_seismic_exploration_whitepaper.pdf