



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

January 14, 2008

Mr. Mike Holley
U.S. Army Corps of Engineers
Regulatory Branch
P.O. Box 898
Anchorage, AK 99506-0898

Re: Pre-construction Notice
NWP #6, Beaufort Sea, Boulder Patch

Dear Mr. Holley,

The National Marine Fisheries Service (NMFS) has reviewed the above pre-construction notification regarding a proposal by BP Exploration (Alaska) Inc (BPXA) to conduct a three-dimensional (3-D) seismic survey in the Liberty area of the Alaskan Beaufort Sea during the open water season of 2008. These activities could have adverse impacts on the aquatic resources of the project area. In particular, the seismic survey could affect the area known as the Boulder Patch, located west of Tern Island in Stefansson Sound, near Prudhoe Bay, Alaska.

The Boulder Patch is an area characterized by patches of scattered rocks, ranging in size from pebbles to boulders¹. These areas of exposed rock provide attachment substrate that allows for the existence of a highly diverse and productive habitat complex, which includes kelp and sessile invertebrates². The Boulder Patch is the largest known kelp community in the Alaskan Beaufort Sea. It is a non-depositional environment and only subject to seasonal sediments influx. Further, physical disruption of cobbles and boulders from ice scour is minimal due to offshore islands and shoals which restrict the passage of large floes into Stefansson Sound³. Therefore, this rare habitat faces little disturbance and NMFS is concerned that an increase in disturbance may occur with the deployment and retrieval of a bottom-contact cable system for the proposed survey.

In the late 1990s the Minerals Management Service organized a biological task force consisting of federal and state agency representatives, including NMFS and the Corps of Engineers (Corps), to look at issues related to oil exploration, development, and production activities and possible impacts to Arctic habitat areas such as the Boulder Patch. As a result, a *manifesto* was developed and adopted. The *manifesto* contains recommendations for consideration prior to any work in the Boulder Patch. We have attached a copy of the *manifesto* and recommend this be a starting point for discussion prior to the Corps issuing the NWP.

In the information provided, BPXA maintains no long-term damage is expected from this

¹Reimnitz, E. and L. Toimil. 1976. Diving notes from three Beaufort Sea sites. In: P. Barnes and E. Reimnitz. Geologic Processes and Hazards of the Beaufort Sea Shelf and Coastal Regions. Quarterly Report, December 1976. National Oceanic Atmospheric Administration, Boulder, CO.

²LGL Ecological Research Associates, Inc., and K.H. Dunton. 1992. Endicott Beaufort Sea Boulder Patch Monitoring Program (1984-1991). Final Report. Unpublished Report by LGL Ecological Research Associates, Inc., Bryan, Texas, for BP Exploration (Alaska) Inc., Anchorage, Alaska. P.ES-1.

³Dunton, K.H., Reimnitz, E., and S.V. Schonberg. 1982. An Arctic Kelp Community in the Alaskan Beaufort Sea. Arctic 35:465-484.



project. NMFS requests that BPXA provide additional information and analysis on how they plan to avoid, minimize, and mitigate impacts to living marine resources from activities associated with cable deployment, retrieval, and air gun operations in the Boulder Patch prior to the Corps authorizing this activity under NWP 6.

We look forward to coordinating with the Corps and BPXA on this project. LT(jg) Jonathan Taylor is the NMFS contact for this project and can be reached by telephone at (907) 271-2373, or by e-mail at jonathan.e.taylor@noaa.gov.

Sincerely,

Handwritten signature of Robert O. Mecum in black ink.

for

James W. Balsiger
Administrator, Alaska Region

Enclosure – Boulder Patch Manifesto

cc:

FWS - Louise_Smith@fws.gov
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BPXA - fayce@bp.com
MMS - Dan.Sharp@mms.gov

BOULDER PATCH MANIFESTO

There will be specific planning in order to minimize any potential impact to the Boulder Patch.

- 1) Only one line will cross any High Density Area (HDA) of the Boulder Patch.
- 2) Other lines which would normally cross these HDAs will be diverted around the HDA.
- 3) Navigators will provide waypoints for each vessel to follow around the HDA.
- 4) Cable configurations will be modified so that no batteries lie in an HDA.
- 5) Recorder locations and mid-water connections will be planned to avoid HDAs.
- 6) Vessel Captains will be instructed to operate their vessels in a manner which will minimize the chance of dragging cable in a HDA. A specific speed will not be dictated since vessel control in varying weather conditions must be left to the captain's discretion.
- 7) Any snagged or tangled cable will be cut rather than dragging the cable or dumping a load at one location.
- 8) A Boulder Patch Orientation will be given to all crew members.
- 9) This Orientation will be documented with minutes and an attendance list.
- 10) The orientation will include all of the above provisions plus the showing of a boulder patch video. The video will make the crew members aware of the nature of the Boulder Patch.
- 11) Supervisors and Vessel Captains will see an additional video explaining the nature of the Boulder patch in more detail.
- 12) A tailgate meeting will be held by each crew prior to Boulder Patch operations on each shift to remind them of the requirements.
- 13) The crew will be made aware of all permit specifications before operations begin.
- 14) The telemetry Barge location will not be within a HDA.