

small numbers of five species of marine mammals incidental to movement of the SDC from Cross Island, McCovey Prospect, AK through the Beaufort Sea to Herschel Island, Yukon Territory and associated activities beginning on or about August 1, 2003 to ice-up later in the year. The SDC will lift-off from its current location and will be towed to the new set down location. Once the SDC reaches Herschel Island, it will go into cold stack mode. Helicopter supported one-day reconnaissance trips to the SDC may occur to check on winterization conditions on-board the SDC. A detailed description of these activities proposed for 2003–2004 is contained in the application (Lynx Enterprises, Inc., 2003), which is available upon request (see **ADDRESSES**)

Description of Marine Mammals Affected by the Activity

The Beaufort Sea supports many marine mammals under NMFS jurisdiction, including bowhead whales (*Balaena mysticetus*), beluga whales (*Delphinapterus leucas*), ringed seals (*Phoca hispida*), bearded seals (*Erignathus barbatus*) and spotted seals (*Phoca largha*). Descriptions of the biology, distribution, and current status of these species can be found in NMFS Stock Assessment Reports (2000, 1999, and 1997). Please refer to those documents for more information on these species. These documents can be downloaded electronically from: http://www.nmfs.noaa.gov/pr/PR2/Stock_Assessment_Program/individual_sars.html

Potential Effects of SDC Mobilization and Associated Activities on Marine Mammals

Potential harassment of marine mammals will result from the noise generated by the operation of towing vessels during SDC mobilization between Cross Island and Herschel Island and the noise generated during equipment removal of the SDC. The physical presence of the SDC tow vessels and helicopter could also lead to disturbance of marine mammals by visual or other cues. The potential for collisions between tug vessels and whales will be reduced by the slow tow speed (2 knots) and visual monitoring by on-board marine mammal observers.

Marine mammal species with the highest likelihood of being harassed during the SDC mobilization phase (August) are: beluga whales, ringed seals, and bearded seals. Spotted seals are less likely to be harassed during the SDC mobilization phase because they reside closer to the shore. Bowhead whales are the only species listed under

the ESA that could potentially be affected by these activities. However, they are not expected to be encountered during the mobilization phase because the majority of the whales will be at their summer feeding grounds in Canada. However, a few transitory whales may be encountered along the routes. Beluga whales occur in the Beaufort Sea during the summer, but are expected to be found near the pack ice edge north of the proposed SDC relocation routes. Depending on seasonal ice conditions, it is possible that belugas may be encountered during the transit.

Based on past surveys, ringed seals should represent the vast majority of marine mammals encountered during the transit. Ringed seals are expected to be present all along the SDC mobilization routes. There is the possibility that bearded and spotted seals will also be harassed during transit. Spotted seals may be present in Prudhoe Bay, but it is likely that they may be closer to shore and therefore are not expected to be harassed during transit phase.

It is not likely that bowhead whales will be impacted by transit operations since EnCana plans to finish the relocation operations and shutdown (i.e., cold stack “quiet” mode) the SDC by late August, when bowhead whales begin their westward fall migration in the Beaufort Sea. According to 23 years of survey data collected by the Minerals Management Service (MMS), North Slope Borough, the Alaska Eskimo Whaling Commission (AEWC), and many more years of traditional knowledge from Cross Island-based whale hunters, the annual fall migration of the bowhead whales is normally many kilometers north of the McCovey Prospect, where the SDC currently resides. However, because the fall migration path of the bowhead whales is dependent on environmental conditions (i.e., extent of ice coverage) that vary from year-to-year, the extreme southern edge of the fall migration corridor may pass closer to McCovey Prospect, increasing the likelihood that bowhead whales may be harassed by activities. Transitory bowhead whales traveling ahead of the herd may be encountered during relocation. Beluga whales migrate along the pack ice edge north of the proposed relocation routes and are not expected to be seen.

Potential Effects of SDC Mobilization and Associated Activities on Habitat

The activity will not result in the disturbance of any habitat for the affected species.

Numbers of Marine Mammals Expected to Be Taken

The number of marine mammals that may be taken as a result of the SDC mobilization operation is unpredictable. Operations are scheduled to occur prior to the westward migration and associated subsistence bowhead whale hunts to purposely avoid any take of this species. Noise disturbance from vessels and helicopters or from noise generated from SDC might qualify as harassment to seals, but previous surveys have indicated little behavioral reaction from these animals to slow-moving or stationary vessels.

Effects of SDC Mobilization and Associated Activities on Subsistence Needs

No impact is anticipated on the availability of marine mammal species and stocks for subsistence uses since an amendment to the existing Conflict Avoidance Agreement (CAA) and Plan of Cooperation has been negotiated with the Alaska Eskimo Whaling Commission (AEWC) and affected village Whaling Captains Associations. EnCana has taken steps to disclose its project plans in initial consultation with the Executive Director and the president of the AEWC, the Mayor of the North Slope Borough, and village Whaling Captains. EnCana coordinated with the AEWC and amended the existing CAA to include the 2003 SDC relocation. The operation is scheduled to occur prior to the annual fall bowhead whale hunt.

Mitigation

During mobilization of the SDC from Cross Island at the McCovey Prospect through the Beaufort Sea to Herschel Island, EnCana will have on-board marine mammal monitors throughout the transit. The program will commence with the reoccupation of SDC at the current McCovey deployment and will continue on a nearly 24-hour basis until the rig exits U.S. waters and goes into cold stack mode in Canada.

EnCana proposes to mitigate the potential negative impacts from its relocation and supply removal activities by planning the timing of operations in such a way as to reduce the production of noise during the fall bowhead whale migration. This includes putting the SDC into cold stack mode during the entire bowhead migration period (approximately late-August through mid-October). In addition to these mitigation measures, EnCana worked with the AEWC, North Slope Borough, and other whaling communities and amended the existing CAA to include the 2003 relocation to eliminate impacts