Termination of the Batholiths Marine Seismic Experiment: the Scientific Method Loses to Hearsay

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BACKGROUND DOCUMENT

NOTICE OF TERMINATION

ENVIRONMENTAL ASSESSMENT SCREENING 04-01-748

BATHOLITHS: Generation and Evolution of Crust in Continental Magmatic Arcs

The Natural Sciences and Engineering Research Council of Canada (NSERC) has determined that the most appropriate course of action is to terminate Environmental Assessment Screening 04-01-748 effective immediately. The main factors that led us to that conclusion are:

- (a) the lack of sufficient and/or appropriate data to enable experts to determine (i) whether or not harm would result to marine creatures (particularly those listed under the Species at Risk Act (SARA)), and (ii) whether the mitigation measures proposed in the draft EA Screening Report are sufficient; and
- (b) the statement from the Department of Fisheries and Oceans (DFO) that it is highly unlikely that the required permits would be issued until it has completed Recovery Potential Assessments (RPAs) for the three whale species currently identified as "Threatened" under the SARA, which by DFO's estimation would not be concluded until at least 2009.

As a result of the decision to terminate Environmental Assessment Screening 04-01-748, NSERC will no longer be in a position to exercise its function under Section 5(1)(b) of the Canadian Environmental Assessment Act with regard to the BATHOLITHS Project.

This information is being provided in this format because the official Notice of Termination will post with only a generic text and, at the present time, does not allow for the inclusion of an explanation of the details specific to this case.

Note that the Notice of Termination does not allow response by proponents. NSERC arbitrarily decided we could not possibly respond.

Although DFO advised NSERC that they were particularly concerned by known occurrences of marine mammals within the study area at the proposed time of study, the text of the Notice of Termination essentially says marine seismic studies should not happen anywhere at any time until more is known about sound effects on marine mammals.

DFO stated in June, 2007 that they would write a clarification if requested by NSERC. NSERC has not made the request. (Repeated inquiries to NSERC have not been responded to)

eNGO lawyers have helped write laws in Canada and USA that, in the hands of lawyers, can stop basic research. Eloquent socioeconomic rationales for doing basic research mean little to lawyers with agendas. These rationales wither in the face of repeated use of disinformation and misinformation that alarms local coastal populations and arouses them to support initiatives to stop the science.

We learned from our experiences that the eNGOs do not want answers to questions regarding effects of airguns on marine life! Why? Possibly because such studies would show very little effect on marine life and that would stop their campaigns to stop oil exploration and Navy sonar testing.



DEAD IN THE WATER?

As of now, eNGOs (environmental Non Government Organizations) can use the Notice of Termination to stop any marine seismic study anywhere until "enough is known about airgun effects on marine life to permit marine seismic studies to resume." eNGOs can now claim that "even Canadian Government Science organizations say airguns are harmful!"

Catch 22: eNGOs will not permit careful controlled studies on the effects of airguns on marine mammals! We had the resources and setting for such controlled studies for BATHOLITHS, but the eNGOs would not consider the possibility of doing such studies. Why? Because lawyers don't understand science.

Furthermore, ACCRETE, a nearly identical study to Batholiths, had been done in coastal waters of BC at the same time of year (in 1994) without observed harm to marine life. This was ignored or dismissed by the eNGOs and the Canadian government agencies. The Canadian government agencies were also unaware of a 2005 NRC report on the effects of sound on marine mammals.

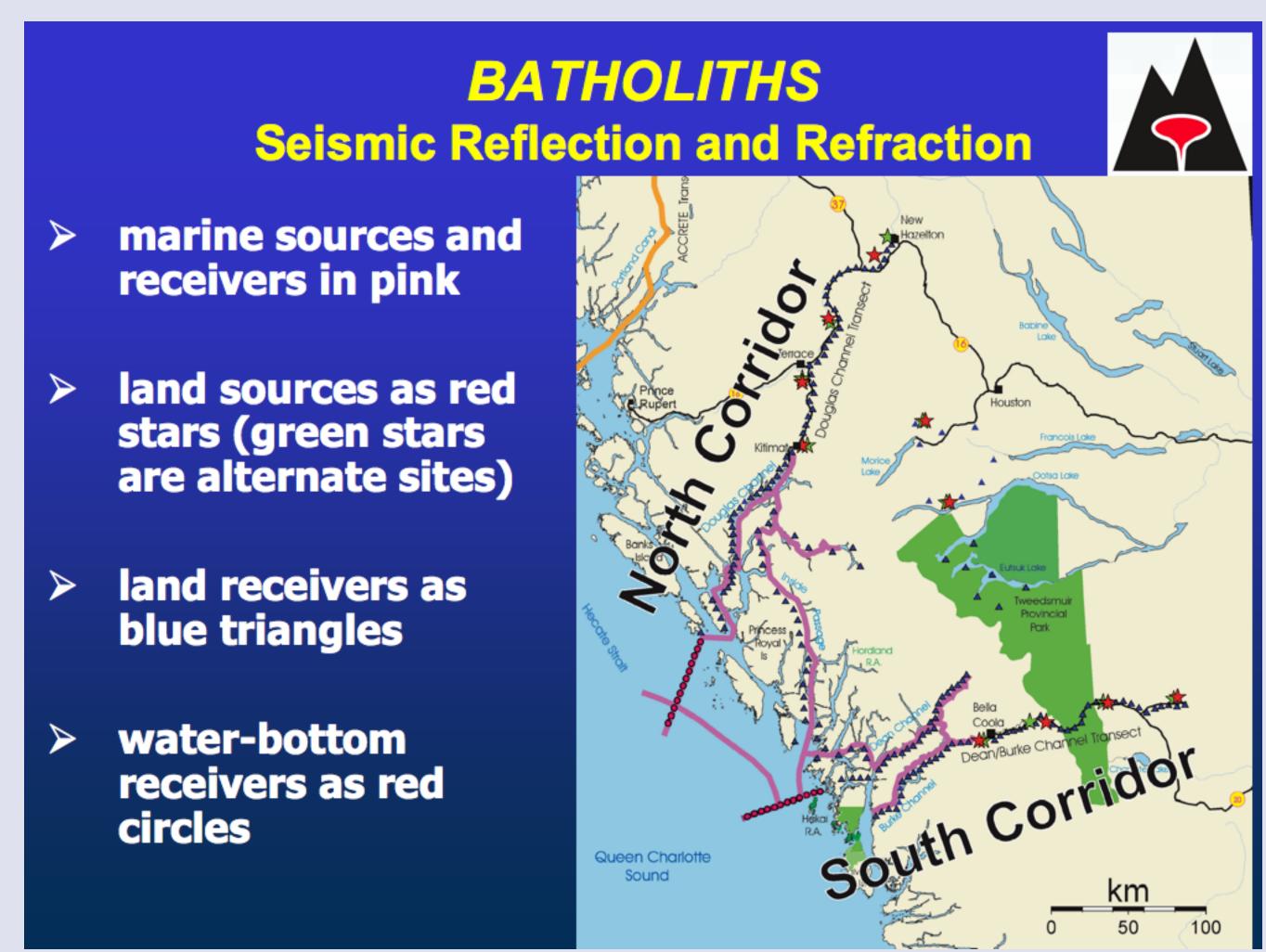
ACCRETE ----

What was lost by termination of Batholiths?

- (1) New insights on how continents form.
- (2) New insights on earthquake hazard assessment.
- (3) The educational pipeline for marine seismic studies (who wants to go through what we have gone through?).
- (4) New data on effects of airguns on marine life.

Conclusion:

Energized citizen groups (whales are really neat to watch!) can stop basic research unless the scientists are supported by government science agencies. In the case of Canada, environmental politics trumped basic research.



WHY WERE WE STOPPED?

- (1) Use of airguns in marine seismic studies is alleged to harm marine life.
- (2) Agenda to stop oil exploration in coastal waters (academics don't have deep pockets, so easy to stop us).
- (3) Agenda to stop Navy anti submarine sonar testing (we aren't fighting terrorists, so easy to stop us).

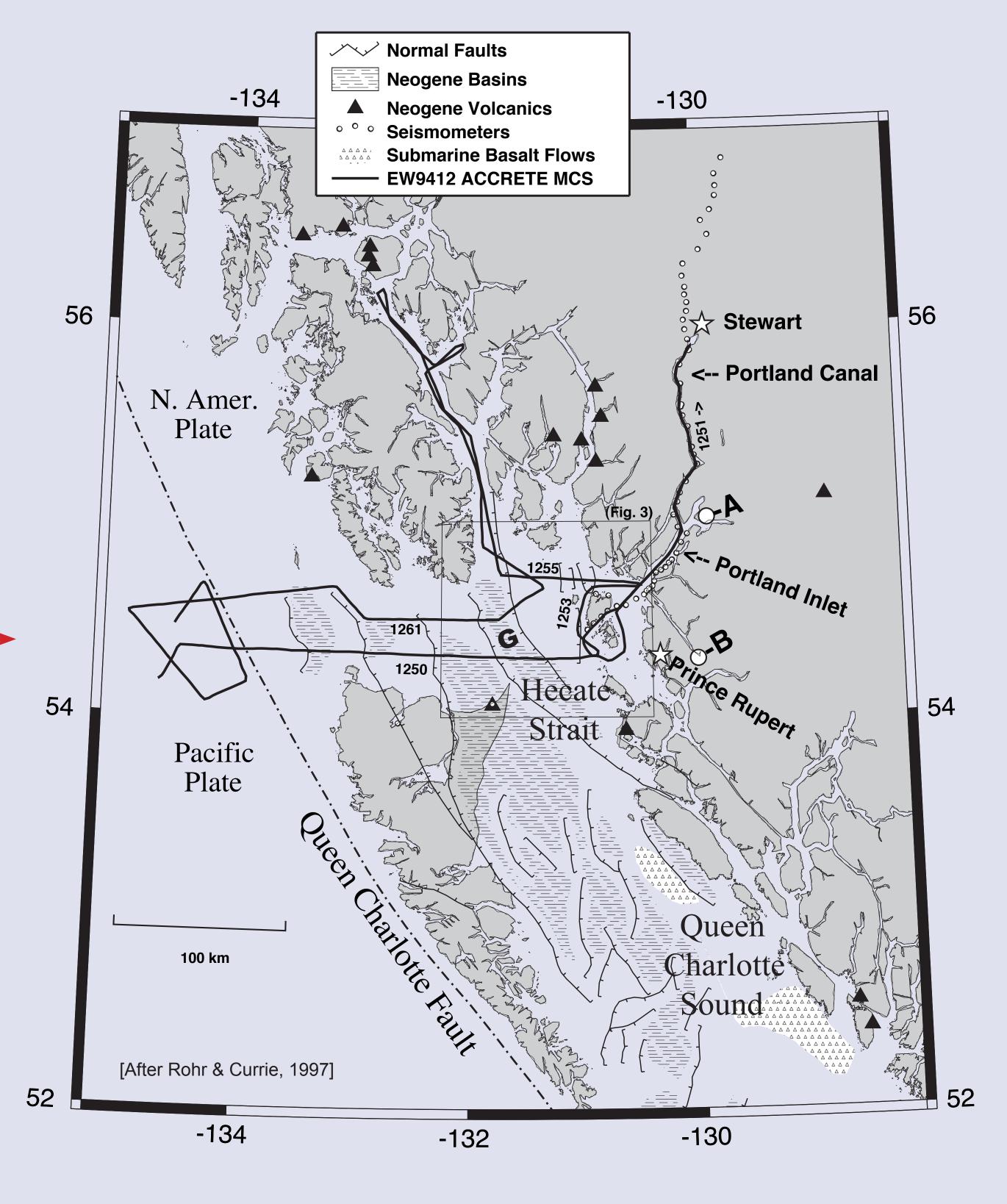


Figure 2. ACCRETE ship tracks (solid lines) and on-shore portable seismometer locations. Shows study area, grabens related to late Tertiary crustal extension (after Rohr and Currie 1997) including those identified in this study, and late Tertiary sediment basins and extrusive volcanic rocks.