



IN REPLY REFER TO

## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

1011 E. Tudor Road  
Anchorage, Alaska 99503-6199



DEC 06 2013

AFES/MMM

Mr. Joe Robertson  
Compliance Officer  
Alyeska Pipeline Service Company  
P.O. Box 196660, MS 502  
Anchorage, Alaska 99503

Dear Mr. Robertson:

We have received your request, dated November 1, 2013, for a Letter of Authorization (LOA), for the Incidental Take of polar bears in association with the Alyeska Pipeline Service Company (Alyeska) operation and maintenance of the Trans Alaska Pipeline System (TAPS).

In response, enclosed is LOA 13-16 that will allow Alyeska to take small numbers of polar bears incidental to the year-round operation and maintenance of the TAPS, provided annual monitoring reports of the previous year's activities are received by January 15 of each year. A detailed description of the authorized activities can be found at: <http://tapseis.anl.gov/index.cfm>.

On August 3, 2011, final regulations that authorize the incidental, unintentional take of small numbers of polar bears and Pacific walrus during year-round oil and gas industry exploration, development, and production activities in the Beaufort Sea and adjacent northern coast of Alaska were issued for a period of five years. The Alyeska TAPS activities are ongoing and expected to continue through the life of the regulations.

Our Incidental Take Regulations authorize incidental takes of polar bears within 25 miles (approximately 40 kilometers) of the Beaufort Sea coast. The majority of the TAPS and its associated facilities are located outside the 25-mile (40-meter) area identified in our regulations. Past experiences at sites which are located at farther distances from the coast indicate that it is unlikely that polar bears will be encountered in these areas. Regardless, please use caution and report any polar bear sightings to the U.S. Fish and Wildlife Service (Service), Marine Mammals Management Office (MMM).

All provisions contained within Alyeska's Polar Bear Interaction Plan, (*Alyeska's Polar Bear Interaction Plan, Number ENV-30, Revision 2, December 28, 2011, Part of the Environmental Plan, Pump Station 1 & Pipeline Right of Way*), are incorporated by reference into this LOA. The Alyeska personnel can limit human/polar bear interactions by being observant of approaching animals avoiding interactions by allowing bears to continue their travel undisturbed.



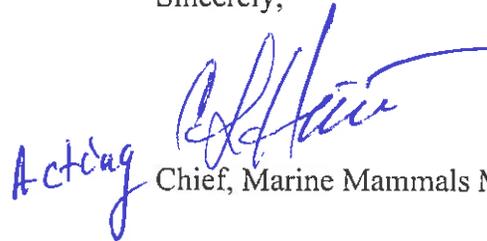
Service biologists are available if questions or concerns arise regarding polar bears at the phone numbers listed below and noted in your interaction plan.

Furthermore, Alyeska will: 1) Provide copies of the polar bear observation form to all Alyeska contractors operating under this LOA; 2) report any polar bear sightings, or signs of polar bears, such as tracks or digging, to the Service by phone or using the polar bear observation form; 3) report any possible den locations that are found during work activities within 12 hours to the Service; and 4) institute a one-mile (1600-meter) buffer immediately upon discovery of a maternal den site.

The Service has completed intra-Service consultation under the Endangered Species Act of 1973, as amended (ESA), on the issuance of this LOA and has determined that the issuance this LOA is not likely to jeopardize the continuing existence of polar bears. No additional authorization under the ESA is required.

This authorization is issued in accordance with MMPA Incidental Take Regulations published in the *Federal Register* (76 FR 47010), dated August 3, 2011. Please review these regulations. If you should have any further questions, please contact Mr. Craig Perham, at (907) 786-3810, or Mr. Christopher Putnam, at (907) 786-3844.

Sincerely,

 Chief, Marine Mammals Management

Enclosures

cc: Mr. Kenneth Wilson, Alyeska Pipeline Service Company  
Mr. Richard Shideler, Alaska Department of Fish and Game (email)  
U.S. Fish and Wildlife Service, Fairbanks Fish and Wildlife Field Office  
U.S. Fish and Wildlife Service, Office of Law Enforcement  
North Slope Borough, Department of Law



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### U.S. Fish and Wildlife Service

## LETTER OF AUTHORIZATION (13-16)

ISSUED: December 1, 2013

EXPIRES: August 2, 2016

Alyeska Pipeline Service Company (Alyeska) is hereby authorized to take small numbers of polar bears incidental to the year-round operation and maintenance of the Trans Alaska Pipeline System (TAPS), provided annual monitoring reports of the previous year's activities are received by **January 15, of each year.**

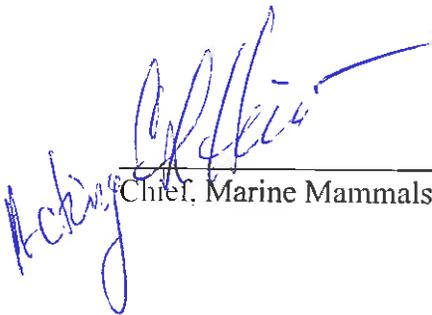
This Letter of Authorization (LOA) is subject to the following conditions:

1. Intentional take is prohibited under this LOA.
2. Alyeska Operations Manager, or equivalent, will be fully aware, understand and capable of implementing the conditions of this LOA.
3. This authorization is valid only for activities associated with Alyeska's year-round operation and maintenance of that portion of the TAPS within 25 miles (40 kilometers [km]) of the Beaufort Sea coast, as specified in Alyeska's November 1, 2011, request for a LOA and described at <http://tapseis.anl.gov/index.cfm>.
4. The Polar Bear Interaction Plan (*Alyeska's Polar Bear Interaction Plan, Number ENV-30, Revision 2, December 28, 2011, Part of the Environmental Plan, Pump Station 1 & Pipeline Right of Way*) is hereby approved, and all provisions unless specifically noted are incorporated into this authorization by reference. A copy of the current Polar Bear Interaction Plan must be available on site for all personnel.
5. At the discretion of the U.S. Fish and Wildlife Service (Service), Alyeska must allow the Service to place an observer on site, including any facilities, aircraft or vehicles, to monitor the impacts of the activity on marine mammals, when requested.
6. Polar bear monitoring, reporting, and survey activities will be conducted in accordance with 50 CFR §18.128. The basic monitoring and reporting requirements follow:

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- Alyeska must not conduct activities that operate nor pass within one mile (1.6 km) of known polar bear dens. All observed dens must be reported to the Service, Marine Mammals Management Office (MMM) within 12 hours of discovery. Should occupied dens be identified within one mile of project activities work in the immediate area will cease and the Service, MMM must be contacted for guidance. The Service, MMM will evaluate these instances on a case-by-case basis to determine the appropriate action. Potential actions may range from cessation or modification of work to conducting additional monitoring. Alyeska must comply with any additional measures specified;
- If any changes develop in the project during the period approved under this LOA, such as activities, location or methods, Alyeska must notify the Service, MMM prior to the implementation of such changes;
- Designate a qualified individual or individuals to observe, record, and report the sightings of polar bears;
- Alyeska will report sightings of polar bears or polar bear signs (using the polar bear observation form) through the duration of the project within 24 hours of initial observation by FAX at (907) 786-3816 or email at [craig\\_perham@fws.gov](mailto:craig_perham@fws.gov);
- Alyeska must submit an annual monitoring report to the Service, MMM as required under 50 CFR § 18.128, which will be received no later than **January 15, of each year.**
- The annual monitoring report will discuss all polar bear observations, and include a copy of all polar bear observation reports, of the previous calendar year.

This Letter of Authorization is valid for the period indicated on this authorization, unless extended or terminated in writing by the U.S. Fish and Wildlife Service, Marine Mammals Management Office.



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Chief, Marine Mammals Management

DEC 06 2013

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Date