



United States Department of the Interior



U.S. FISH AND WILDLIFE SERVICE
1011 East Tudor Road
Anchorage, Alaska 99503-6199

IN REPLY REFER TO:
AFES/MMM

MAY 29 2015

Mr. John Ford
Olgoonik Specialty Contractors, LLC
3201 C Street, Suite 700
Anchorage, Alaska 99503

Dear Mr. Ford:

Thank you for submitting a request for a Letter of Authorization (LOA) for incidental take of polar bears for the 2015 demolition and remediation projects to be conducted by Olgoonik Specialty Contractors, LLC (OSC) at the Point Lonely DEW Line site, the Oliktok Point DEW Line, Bullen Point DEW Line, and at Camp Lonely on the North Slope of Alaska. In response, and in accordance with regulations listed at 76 FR 47010, dated August 3, 2011, enclosed is LOA 15-10. This LOA authorizes OSC to take small numbers of polar bears incidental to the proposed activities under the specified terms and conditions. These conditions are mandated in order to limit disturbance to polar bears and to maintain safe work conditions in polar bear habitat. If changes in the work plan develop during the period approved under this LOA, including changes in proposed activities, locations, or methods, the U.S. Fish and Wildlife Service (Service) must be notified prior to project continuation. If questions or concerns arise please contact Mr. Michael Hendrick or Mr. Christopher Putnam of our Marine Mammals Management Office at (907) 786-3479 or (907) 786-3844, respectively.

Sincerely,

Chief, Marine Mammals Management

Enclosure

Email cc: Mr. Richard Shideler, Alaska Department of Fish and Game
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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LETTER OF AUTHORIZATION Incidental Take (15-10)

ISSUED: May 21, 2015
EXPIRES: May 21, 2016

In accordance with Incidental Take Regulations listed at 76 FR 47010, dated August 3, 2011, Olgoonik Specialty Contractors, LLC (OSC) is authorized to take small numbers of polar bears incidental to activities associated with the 2015 Camp Lonely Activities, Point Lonely DEW Line Demolition, Oliktok Point DEW Line, and Bullen Point DEW Line Site programs on the North Slope of Alaska.

The proposed project includes demolition and removal of structures, and removal and clean-up of contaminated soils from four sites on the North Slope of Alaska: Camp Lonely; Point Lonely DEW Line Site; Oliktok Point DEW Line Site; and Bullen Point DEW Line Site. A full description of proposed activities is included in emails received February 7, 2014, February 9, 2015, and April 2, 2015, and in OSC's *Wildlife Avoidance and Interaction Policy, Bears (February 2014)*.

This LOA and the required conditions below apply to all OSC employees, contractors, and personnel performing OSC-approved work for the project described above. This LOA stipulates the following conditions:

1. This LOA authorizes incidental take only.
2. OSC must comply with all requirements listed at 76 FR 47010, dated August 3, 2011, and 50 CFR §18.128.
3. Project operations managers, or designees, must understand, be fully aware of, and be capable of implementing the conditions of this LOA.
4. Project field camps and personnel shall limit encounters with polar bears by being observant of approaching bears (e.g., the use of polar bear guards) and by allowing bears to pass unhindered when possible.
5. If changes develop in the project during the period approved under this LOA, such as activities, location, or methods, the Service Marine Mammals Management Office (MMM) must be notified prior to the implementation of such changes.

6. OSC must satisfy the following mitigation, monitoring, cooperation, and reporting requirements:
- (a) Mitigation: Holders of a LOA must use methods and conduct activities in a manner that minimizes to the greatest extent practicable adverse impacts of military, mining, transportation, and oil and gas industry activities (Industry) on polar bears, their habitat, and on the availability of polar bears for subsistence uses. Dynamic management approaches such as temporal or spatial limitations (work shutdown, postponement, or work site relocation) must be used to avoid or minimize interactions with polar bears and subsistence users. Avoiding and minimizing interaction is particularly important when polar bears are engaged in sensitive activities (such as denning and feeding).
 - (i) Holders of this LOA must have an approved polar bear interaction plan on file with the U.S. Fish and Wildlife Service (Service) and at work sites. The OSC *Wildlife Avoidance and Interaction Policy, Bears (February 2014)* fulfills this requirement and is incorporated by reference into this LOA. All provisions must be conducted as described in the plan unless specifically noted otherwise in this LOA.
 - (ii) OSC has not proposed to conduct activities during the polar bear denning season (November–April). Work in potential polar bear denning habitat during this time invalidates this LOA. If such work becomes necessary, the Service must be contacted in advance. Additional stipulations will apply. A map of potential coastal polar bear denning habitat can be found at: http://alaska.usgs.gov/science/biology/polar_bears/products.html.
 - (iii) No vessels or aircraft shall approach within an 805-meter radius (0.5 mi) or fly lower than 457 meters (1,500 ft) above polar bears observed on ice or land except during an emergency or in inclement weather. When weather conditions do not allow a 457-meter (1,500-ft) flying altitude, such as during severe storms or when cloud cover is low, the operator must take precautions to avoid flying directly over or within 805 meters (0.5 mile) of any area known to be occupied by one or more polar bears.
 - (iv) Holders of a LOA must conduct their activities in a manner that, to the greatest extent practicable, minimizes adverse impacts on the availability of polar bears for subsistence uses.
 - (A) OSC must contact affected subsistence communities to discuss potential conflicts caused by location, timing, and methods of proposed operations, and submit to the Service a record of communication that documents these discussions.
 - (B) Aircraft and vessels shall be routed to minimize any potential conflict with active or anticipated polar bear subsistence hunting activity as determined through community consultations.
 - (b) Monitoring:
 - (i) Polar bear awareness training must be provided to all onsite personnel. A description of the training provided shall be submitted to the Service.

- (ii) One or more trained and qualified individual(s) shall observe, record, and report on the presence of polar bears at the work site and on effects of Industry activities on polar bears.
 - (iii) One or more trained, Service-approved individual(s) shall be designated to lead onsite polar bear monitoring programs and to conduct adaptive mitigation responses.
 - (iv) OSC must develop and implement a site specific, Service-approved, marine mammal monitoring and mitigation plan to and evaluate the effects of authorized activities on polar bears and subsistence use. The plan must enumerate the number of polar bears encountered, estimate the number of incidental takes that occurred, and evaluate the effectiveness of prescribed mitigation measures used during specified activities. The OSC *Interaction Policy* cited in part 6(a)(i) of this LOA, together with the reporting documents listed in part (d) below will satisfy this requirement.
- (c) Cooperation:
- (i) Holders of a LOA must cooperate with the Service and other designated Federal, State, and local agencies to monitor the impacts of Industry on polar bears. Where insufficient information exists to evaluate the potential effects of proposed activities on polar bears and the subsistence use of this resource, holders of a LOA may be required to participate in joint monitoring and/or research efforts to address these information needs and insure the least practicable impact to these resources. Information needs in the Beaufort Sea include, but are not limited to:
 - (A) Distribution, abundance, and habitat use patterns of polar bears; and
 - (B) Cumulative effects of multiple simultaneous operations on polar bears.
- (d) Reporting:
- (i) Observation reports: OSC shall report all polar bear sightings, signs of polar bears (e.g., tracks or excavations), and any potential dens to the Service MMM using the polar bear observation report within 24 hours via email to fw7_mmm_reports@fws.gov. Information within the observation report will include, but is not limited to:
 - (A) Date, time, and location of observation;
 - (B) Number of bears, and their sex and age (if known);
 - (C) Observer name and contact information;
 - (D) Weather, visibility, and ice conditions at the time of observation;
 - (E) Estimated closest point of approach for bears from personnel and facilities;
 - (F) Industry activity at time of sighting, possible attractants present;
 - (G) Bear behavior; and
 - (H) Description of the bear's reaction to Industry activities.
 - (ii) Incident reports: OSC shall report any incident in which the presence of one or more polar bears causes any action to be taken by onsite personnel. Reports should include all information specified under the observation report, as well as a full

written description of the encounter and actions taken by the operator. Examples of incidents could include: work shutdown or delays; withdraw of personnel to a safe place; or property damage caused by a bear. The operator must report:

- (A) Type of encounter;
- (B) Duration of the encounter;
- (C) Actions taken; and
- (D) Any incidental take of a polar bear.

(iii) Final report: OSC must submit a report to the Service MMM within 90 days after completion of activities. The final report must include, at a minimum, the following information:

- (A) A summary of project-related activities, including dates and locations;
- (B) A summary of polar bear monitoring conducted including methods, dates, times, and total hours;
- (C) A summary of dates and locations of polar bears observed;
- (D) Analysis of the distribution, abundance, and behavior of polar bear sightings in relation to date, location, ice conditions and worksite operational state; and
- (E) Analysis of factors affecting the visibility and detectability of polar bears during specified monitoring activities;
- (F) A summary of polar bear activities or responses to Industry activities; including an estimated level of take;
- (G) A summary of all mitigation conducted due to presence of polar bears; and
- (H) Any other activities conducted under this LOA for which a separate report was not submitted. This may include descriptions of trainings, summaries of communications with subsistence users, findings of joint research projects, and incidental sightings of grizzly (brown bears) or walruses.
- (I) Final reports may incorporate daily polar bear watch logs.

7. If a polar bear interaction escalates into a life threatening situation, to save the life of a person in immediate danger, section 101(c) of the MMPA allows, without specific authorization, the take (including lethal take) of a polar bear. Any injury or lethal take of a polar bear must be reported to the Service immediately (within 24 hours).

The Service has completed intra-Service consultation under the Endangered Species Act of 1973, as amended (ESA), 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. If you have any questions, please contact Mr. Michael Hendrick or Mr. Christopher Putnam at (907) 786-3479 or (907) 786-3844, respectively.



Chief, Marine Mammals Management

5/28/15

Date