



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE

1011 E. Tudor Road
Anchorage, Alaska 99503-6199



AFES/MMM

2 FEB 2012

Mr. Brien Reep
Environmental and Regulatory Manager
Point Thomson Project
ExxonMobil Development Company
P.O. Box 241449
Anchorage, Alaska 99524

Dear Mr. Reep:

Thank you for your November 17, 2011, request for Letters of Authorization (LOA) for the incidental take of polar bears and Pacific walruses and intentional take of polar bears by harassment during activities associated with the ExxonMobil Development Company (Exxon) 2012 Point Thomson Project (Project).

Exxon, as Operator and on behalf of the Point Thomson Unit (PTU) leaseholders, has completed drilling the PTU-15 and PTU-16 wells in accordance with the Plan of Operations (February 10, 2009, amended September 26, 2011), at the Point Thomson Central Pad (gravel pad used for the PTU No. 3 well) and has demobilized the drilling rig and equipment. Helicopters, off-road (tundra travel) vehicles, a 50-mile (approximately 80-km) ice road, and possible seasonal barge traffic with shallow draft landing craft or barges that land on the beach may be used to support Point Thomson activities in the future. While no significant new operations are planned in the first half of 2012, Exxon anticipates continuing limited activities such as inspections or brief site visits will occur during that time period. In addition to these activities, some staging and preparation work may be undertaken during the summer of 2012. In the winter season of 2012-2013, Exxon plans to initiate construction activities in the Point Thomson Unit. Exxon may also perform well remediation work in compliance with Alaska Oil and Gas Conservation Commission requirements, and other remediation activities at sites on the North Slope, including inspection, soil sampling, and soil remediation activities at Point Storkersen and Gwydyr Bay.

If any changes develop in your Project during the 2012 Project season, such as changes to barge schedules or traffic, activities, or location, please notify the U.S. Fish and Wildlife Service, Marine Mammals Management Office (Service) prior to the planned operation. This will allow us to evaluate the activity and, if appropriate, amend your LOAs.

Please find enclosed LOA 12-05 granting Exxon authorization to take small numbers of polar bears and walruses incidental to oil and gas industry activities at the location identified in your

TAKE PRIDE[®]
IN AMERICA 

LOA request. Also enclosed is LOA 12-INT-06 which grants authorization for Exxon to take polar bears by harassment (deterrent activities) for the protection of both human and polar bear safety while conducting activities in polar bear habitat in all portions of the Project area. All provisions contained within Exxon's *Polar Bear and Wildlife Interaction Plan, North Slope, Alaska (October 2011)* are approved and incorporated by reference into this LOA. These LOAs are effective for the period February 1, 2012 through January 31, 2013. This authorization is issued in accordance with Marine Mammal Protection Act (MMPA) Incidental Take Regulations published in the *Federal Register (76 FR 47010)*, dated August 3, 2011. Please review these regulations. If questions or concerns arise during the project period, Service biologists are available for consultation at the phone numbers listed below and noted in your Interaction Plan.

Intentional take is authorized under sections 101 (a)(4)(A), 109(h), and 112(c) of the MMPA. This LOA is issued specifically to Exxon employees who are responsible for employing trained and qualified personnel that are assigned the task of harassing (detering) polar bears. It is the responsibility of Exxon personnel to report all polar bear harassment events to the Service, within 24 hours. The Service also seeks to limit disturbance to maternal polar bear den sites, both known dens and those areas that could possibly be preferred by denning polar bears. Disturbance during denning could lead to abandonment of dens and possible mortality to cubs. With this in mind, note that a Service-approved den detection survey was conducted in potential polar bear denning habitat within one mile (approximately 1600 meters) of the Project areas. Use of caution is advised when operating near these areas during the maternal denning period (mid-November to mid-April).

Exxon camps and personnel can limit encounters with polar bears by being aware of approaching animals (i.e., the use of polar bear guards) and breaking off interactions, if practicable, and allowing bears to continue their travel. If a polar bear interaction escalates into a life threatening situation, section 101(c) of the MMPA allows, without specific authorization, the take (including lethal take) of a polar bear if such action is necessary for self-defense or to defend the life of a person in immediate danger. Any such action or take must be reported to the Service within 24 hours.

Per the *Programmatic Biological Opinion for Polar Bears, Pacific Walrus, and Polar Bear Critical Habitat on Beaufort Sea Incidental Take Regulations (July 2011)(Tier 1 BO)*, issuance of this LOA also completes consultation for polar bears, Pacific walrus, and polar bear critical habitat pursuant to section 7 of the Endangered Species Act (ESA) of 1973, as amended. This LOA also serves as an "Incidental Take Statement" (ITS), which is required by the ESA in order for incidental take to be authorized.

Reasonable and prudent mitigation measures, as well as implementing terms and conditions were included by the Service in the Tier 1 BO and have been incorporated into the LOA process. Issuance of this ITS with the LOA completes ESA requirements for authorization of incidental take of polar bears. Compliance with the terms and conditions of this LOA ensures that the LOA holder is also in compliance with the ESA.

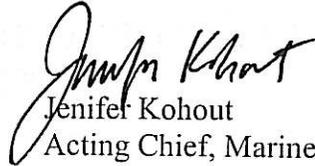
Mr. Brien Reep

3

An additional requirement of this LOA is for Exxon to provide observational data of polar bears throughout the project and a complete report of all observations at the conclusion of the Project to the Service. When complete, this report will meet the tracking and reporting requirements relative to the documentation of take as required by the MMPA and the ESA.

If you should have any further questions, please contact Mr. Craig Perham, at (907) 786-3810; or Mr. Christopher Putnam, at (907) 786-3844, of our Marine Mammals Management Office.

Sincerely,



Jenifer Kohout
Acting Chief, Marine Mammals Management

Enclosures

cc: Ms. Tracey Anderson, ExxonMobil Development Company
Mr. Richard Greer, ExxonMobil Development Company
Mr. Richard Shideler, Alaska Department of Fish and Game
Fairbanks Fish and Wildlife Field Office (FFWFO)
Office of Law Enforcement (OLE)
North Slope Borough Department of Law



IN REPLY REFER TO:

AFES/MMM

United States Department of the Interior

FISH AND WILDLIFE SERVICE

1011 E. Tudor Road
Anchorage, Alaska 99503-6199



U.S. Fish and Wildlife Service

LETTER OF AUTHORIZATION (12-05)

ISSUED: February 1, 2012
EXPIRES: January 31, 2013

ExxonMobil Development Company (Exxon) is hereby authorized to take small numbers of polar bears and Pacific walrus incidental to activities associated with the 2012 Point Thomson Project (Project). Detailed descriptions of the authorized activities can be found in the Point Thomson Project Plan of Operations (February 10, 2009, amended September 26, 2011).

This Letter of Authorization (LOA) and the required conditions below apply to Exxon employees and contractors performing Exxon-approved work under the scope of operations identified in the Point Thomson Project Plan of Operations. Exxon activities will include:

Winter 2011-2012: The drilling rig and all equipment have been de-mobilized from the Point Thomson Central Pad. No activities are anticipated to occur in the Point Thomson Unit in the winter 2011-2012 season.

Spring/Summer/Fall 2012: Exxon anticipates conducting limited activities, such as inspections or brief site visits, during the spring, summer, and fall of 2012. In addition to these activities, some pre-staging and preparation work may be undertaken. Helicopters, off-road (tundra travel vehicles) and seasonal barge traffic with shallow draft landing craft or barges that land on the beach may be used to support these activities. Exxon may also perform well remediation work in compliance with Alaska Oil and Gas Conservation Commission requirements, and other remediation activities at Point Thomson and other sites on the North Slope, including inspection, soil sampling, and soil remediation activities at Point Storkersen and Gwydyr Bay.

Winter 2012-2013: Exxon plans to initiate construction activities in the Point Thomson Unit in the winter of 2012-2013. Helicopters, off-road (tundra travel vehicles) and a 50-mile (approximately 80-km) ice road may be used to support these activities.

TAKE PRIDE
IN AMERICA 

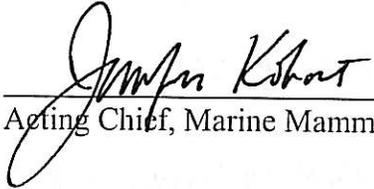
This LOA is subject to the following conditions:

1. Intentional take is prohibited under this LOA.
2. Exxon's *Polar Bear and Wildlife Interaction Plan, North Slope, Alaska (October 2011)*, is approved and all provisions must be complied with unless specifically noted otherwise in this LOA.
3. A copy of this LOA and the approved Interaction and Avoidance Plan listed above must be posted and available for all personnel engaging in the activities approved under this authorization.
4. Exxon operations managers, or their designees, must be fully aware, understand and be capable of implementing the conditions of this LOA.
5. This authorization is valid only for those activities and locations identified in Exxon's request for an LOA, dated November 17, 2011.
6. Exxon must not conduct activities that operate nor pass within one mile (approximately 1600 meters) of known polar bear dens. Any observed dens must be reported to the U.S. Fish and Wildlife Service, Marine Mammals Management Office (Service) immediately upon discovery. Should occupied dens be identified within a one-mile area, Exxon must cease work in the immediate area will contact the Service for guidance. The Service will evaluate these instances on a case-by-case basis to determine the appropriate action. Potential responses may range from cessation or modification of work to conducting additional monitoring. Exxon must comply with any additional measures specified.
7. Den detection surveys for the 2012/2013 winter season may be necessary along the ice road corridor to Point Thomson, as well as near certain water sources and the remediation sites, described to Exxon by the Service. These areas will be surveyed for potential polar bear dens prior to the use of the ice road for Project traffic and commencement of remediation activities. The planning of these surveys will be a cooperative effort between the Service and Exxon.
8. At the discretion of the Service, Exxon must allow the Service to have an observer on site, including in any facilities, vessels, aircraft, or vehicles, to monitor the impacts of the activity on marine mammals, when requested.
9. Polar bear and walrus monitoring, reporting, and survey activities must be conducted in accordance with 50 CFR § 18.128 and must comply with the following monitoring, mitigation, and reporting requirements:
 - Exxon must cooperate with the Service, and other designated Federal, State, or local agencies to monitor the impacts of oil and gas industry activities on polar bears and walruses.

- If the Project changes during the period approved under this LOA, such as modifications to activities, location, or methods, Exxon must notify the Service prior to the implementation of such changes.
 - Exxon must report all evidence of polar bears and walruses, such as tracks, carcasses, dens, or haul out sites.
 - Any incidental lethal take or injury of a polar bears or walruses must be reported to the Service within 24 hours.
10. Consistent with 50 CFR § 18.128, Exxon must submit an annual monitoring report to the Service no later than 90 days after completion of the Project activities. The report will describe in detail:
- The operations that were conducted.
 - The methods, results, and interpretation pertaining to all monitoring tasks.
 - The results of the marine mammal monitoring.
 - Marine mammal sightings (species, numbers, dates, times and locations; age/size/gender, environmental conditions, activities, associated project activities).
 - An analysis of the effects of operations (e.g., on sighting rates, sighting distances, behaviors, movement patterns of walruses and polar bears).
 - Summaries of communications with hunters and potential effects on subsistence uses.
11. In the *Programmatic Biological Opinion for Polar Bears, Pacific Walrus, and Polar Bear Critical Habitat on Beaufort Sea Incidental Take Regulations (July 2011)*, (*Regulations*), the Service determined the total incidental take anticipated as a result of the issuance of the Regulations was not likely to result in jeopardy to the polar bear or Pacific walrus, and would not adversely modify polar bear critical habitat. In order for an Incidental Take Statement (ITS) to be provided: (1) the proposed activity must provide the required information, as described in the §18.124 of the Regulations; (2) the LOA must include mitigation measures appropriate for the specific activity and location, as described in §18.128 of the Regulations; and (3) the incidental take for the specific activity must be consistent with the negligible impact finding for the total take allowed under the Regulations.

The Service has determined that the proposed actions meet these three requirements. Therefore, issuance of this LOA also satisfies Endangered Species Act (ESA) of 1973, as amended. Compliance with the terms and conditions of this LOA ensures that the LOA holder is also in compliance with the ESA.

12. This LOA 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.



Acting Chief, Marine Mammals Management

2/2/12
Date



IN REPLY REFER TO:

AFES/MMM

United States Department of the Interior

FISH AND WILDLIFE SERVICE

1011 E. Tudor Road
Anchorage, Alaska 99503-6199



U.S. Fish and Wildlife Service

AUTHORIZATION TO TAKE, BY HARASSMENT, POLAR BEARS 12-INT-06

ISSUED: February 1, 2012
EXPIRES: January 31, 2013

Under sections 101 (a)(4)(A), 109(h) and 112(c) of the Marine Mammal Protection Act of 1972 (MMPA), as amended, ExxonMobil Development Company (Exxon) is authorized to take polar bears by harassment (deterrent activities) during activities in association with the Exxon Point Thompson Project (Project).

The purpose of this Letter of Authorization (LOA) for take by harassment, or deterrence, is to maintain human and bear safety and welfare in the North Slope oilfields. Authorizing Level B harassment take reduces the likelihood of death or injury of polar bears. This is accomplished by the following objectives:

1. Prevent bears from associating food with humans and facilities.
2. "Condition" bears to avoid people (avoidance conditioning).
3. Allow bears to use travel routes (natural and man-made) to move along the coast.
4. Prevent bears from extended use of areas around facilities.
5. Prevent bears from entering the developed parts of the oilfield.

This harassment authorization is subject to the following conditions:

1. Exxon's *Polar Bear and Wildlife Interaction Plan, North Slope, Alaska (October 2011)*, is approved and all provisions must be complied with unless specifically noted otherwise in this LOA. A copy of the Polar Bear Interaction Plan must be available on site for all personnel.
2. Exxon Operations Managers, or their designees, must be fully aware, understand and be capable of implementing the conditions of this LOA.

TAKE PRIDE[®]
IN AMERICA 

3. This LOA is restricted to harassment activities.
4. Authorized individuals are responsible for documenting and reporting to the U.S. Fish and Wildlife Service, Marine Mammals Management Office (Service), at (907) 786-3800, all instances involving harassment activities as soon as possible and not later than 24 hours after the occurrence.
5. Exxon is responsible for ensuring that trained and qualified personnel are assigned the task of deterring polar bears:
 - If firearms are to be used for polar bear deterrence, Exxon is solely responsible for ensuring that their personnel assigned the task of deterring polar bears meet Federal and State laws and regulations regarding the use and carry of firearms.
 - Exxon is further responsible for ensuring that their personnel assigned the task of deterring polar bears are fully trained, qualified and current with the approved Service polar bear deterrence training.
6. Exxon will not conduct activities that operate nor pass within one mile (approximately 1600 meters) of known polar bear dens, and all observed dens will be reported to the Service immediately. Should occupied dens be identified within one mile of activities, Exxon will cease work in the immediate area and will contact the Service for guidance. The Service will evaluate these instances on a case-by-case basis to determine the appropriate action. Potential responses may range from cessation or modification of work, to conducting additional monitoring. Exxon must comply with any additional measures specified. Polar bear den detection surveys may be required prior to Exxon beginning operations.
7. Consistent with basic polar bear monitoring and reporting requirements, Exxon shall:
 - Cooperate with the Service to monitor the impacts of Exxon activities on polar bears.
 - Designate a qualified individual or individuals to observe, record, and report the sightings of polar bears.
 - Through the duration of the project, report sightings of polar bears or polar bear signs (using the polar bear observation form) within 24 hours of initial observation by FAX at (907) 786-3816, or email (craig_perham@fws.gov).
 - Submit a final report to the Service within 60 days after the expiration of this authorization.
8. Harassment, or "hazing," techniques must not cause the injury or death of a bear. Types of hazing techniques may include, but are not limited to:
 - Bear Monitors.
 - Air horns.
 - Electric fences.
 - Chemical repellents.

- Acoustic recordings.
 - Vehicles.
 - Projectiles (to be used with caution and with appropriate training): cracker shells, bean bags, rubber bullets and/or "screamers."
9. Prior to conducting a harassment activity, operators must:
- Make a reasonable effort to reduce or eliminate attractants.
 - Secure site, notify supervisor, and move personnel to safety.
 - Ensure bear has escape route(s).
 - Ensure communication with all personnel.
10. When conducting a harassment activity, operators must:
- Chose the method that will have the least adverse effect on the bear and only increase the intensity of the method, or use additional methods, if necessary.
 - Shout at the bear before using a projectile.
 - Move bear in safe direction and continue with minimal necessary deterrents to achieve desired result.
11. After a harassment event has occurred, operators must:
- Monitor bears movement (to ensure no return).
 - Notify supervisor and personnel when it is safe to resume work.
 - Fill out report to be sent to the Service as required under condition number four, above (within 24 hours).
12. This LOA 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.



Acting Chief, Marine Mammals Management

2/2/12
Date