



United States Department of the Interior



FISH AND WILDLIFE SERVICE

1011 E. Tudor Road
Anchorage, Alaska 99503-6199

IN REPLY REFER TO:

AFES/MMM

11 APR 2012

Mr. Erik Opstad
Alaska Operations Manager
Savant Alaska, LLC
P.O. Box 112212
Anchorage, Alaska 99516

Dear Mr. Opstad:

This responds to the letter Savant Alaska, LLC (Savant) submitted to the U.S. Fish and Wildlife Service (Service) dated January 26, 2012, requesting a Letter of Authorization (LOA) for the incidental and intentional take of polar bears and Pacific walrus for production activities in association with the Badami Unit Redevelopment Project (BURP). 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 operations in the Beaufort Sea and adjacent northern coast of Alaska were issued for a period of five years (76 FR 47010). In accordance with these regulations, enclosed is an LOA (12-09) granting Savant authorization to take small numbers of polar bears and Pacific walrus incidental to year-round oil and gas exploration, production and operations within the Badami oil and gas unit. Activities are ongoing and expected continue through the life of the regulations.

The Service has determined that protection measures for polar bears described in Savant's *Bear Interaction Plan, Badami Unit Redevelopment Project (January 2012, Revised March 2012)* contain appropriate safeguards to limit human/animal interactions and are hereby incorporated into the terms of this LOA by reference. Savant shall implement the terms of this plan. Savant field camps and personnel can limit encounters with polar bears by being observant of approaching animals (i.e., the use of polar bear guards) and breaking off interactions, if practicable, by allowing the animals to continue their travel.

Historical polar bear denning activity reveals that some coastal and river bluffs and creek cutbanks provide suitable denning habitat for polar bears, especially in and around the larger, braided rivers, such as the Colville River and Canning River deltas. Approximately 1782 miles (2870 km) of potential polar bear denning habitat is located between the Colville River and the Canning River alone. Disturbance during denning could lead to abandonment of dens and possible mortality to cubs. Savant must use caution when operating near these areas during the maternal denning period (late October to mid April). The U.S. Geological Survey has posted GIS and other information identifying polar bear denning habitat on the Alaska Science Center (ASC) website (http://alaska.usgs.gov/science/biology/polar_bears/pubs.html). Specifically, the den

TAKE PRIDE
IN AMERICA 

habitat map (ARC/INFO export file), the mapping manuscript (PDF file) and a picture of den habitat (JPG file) are now available. Use these resources when planning activities in potential denning areas and contact us immediately if any dens are found during oil and gas activities. In addition, Service biologists are available for consultation if questions or concerns arise regarding polar bears and walrus during Savant's activities.

Per the *Programmatic Biological Opinion for the Beaufort Sea Incidental Take Regulations for Polar Bear, Pacific Walrus, and Polar Bear Critical Habitat (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 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 the polar bear. Compliance with the terms and conditions of this LOA insures that the LOA holder is also in compliance with the ESA.

An additional requirement of this LOA is for Savant to provide to the Service observational data of polar bears throughout the project and a complete report of all observations at the conclusion of the project to document take. This report meets the tracking and reporting requirements relative to the documentation of take as required by the Marine Mammal Protection Act (MMPA) and the ESA.

Polar bear conservation has benefited from monitoring programs associated with the Incidental Take Program since 1993. Monitoring serves to assess the effect of industrial activities on polar bears by evaluating trends and effects of bear encounter rates, take frequency, as well as the location and timing of encounters.

This authorization is issued in accordance with our regulations listed at 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, of our Marine Mammals Management Office.

Sincerely,



Acting Chief, Marine Mammals Management

Enclosures

Mr. Erik Opstad

3

cc: Mr. Steve Lombard, Cardno ENTRIX
Mr. Richard Shideler, Alaska Department of Fish & Game
Fairbanks Fish and Wildlife Field Office (FWFO)
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



LETTER OF AUTHORIZATION (12-09)

ISSUED: April 15, 2012
EXPIRES: August 3, 2016

Savant Alaska, LLC (Savant) is hereby authorized to take small numbers of polar bears and Pacific walrus incidental to activities occurring during production activities in association with the Badami Unit Redevelopment Project (BURP) as identified in your request for a Letter of Authorization (LOA) dated January 26, 2012. This authorization and the required conditions below include contractors of Savant performing Savant-approved work under the scope of operations to be conducted. The scope of operations is limited to the activities that will be conducted during the production, operations, remediation, and rehabilitation of oil and gas facilities within the boundaries of the BURP as described in your request. In addition, it includes the travel corridors to access these sites. Activities within these areas are ongoing and are expected to continue through the end of the current Incidental Take Regulations. This authorization does not include new activities outside of these established oil field units. A detailed description of these activities can be found in your request, *Authorization for Incidental and Intentional Take of Polar Bears and Pacific Walrus, Badami Unit Redevelopment Project, Onshore Mikkelsen Bay, Alaska Savant LLC and the 9th Badami Unit Plan of Development*.

This authorization is subject to the following conditions:

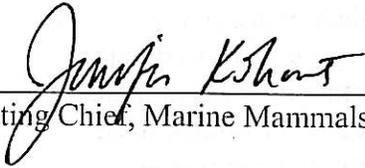
1. Savant's *Bear Interaction Plan, Badami Unit Redevelopment Project (January 2012, Revised March 2012)* is approved and all provisions must be complied with unless specifically noted otherwise in this LOA. A copy of this polar bear interaction plan must be available on site for all personnel.
2. Savant Operations Managers, or designees, must be fully aware, understand, and be capable of implementing the conditions of this LOA.
3. Intentional take is prohibited under this LOA.
4. This authorization is valid only for those activities identified in the request for a Letter of Authorization dated January 26, 2012.

TAKE PRIDE
IN AMERICA 

5. Polar bear monitoring, reporting, and survey activities will be conducted in accordance with 50 CFR §18.128. The basic monitoring and reporting requirements follow:
- Savant must cooperate with the U.S. Fish and Wildlife Service (Service), and other designated Federal, State, or local agencies to monitor the impacts of oil and gas exploration activities on polar bears and Pacific walrus.
 - Savant must not conduct activities that operate nor pass within one mile (approximately 1600 meters) of known polar bear dens, and all observed dens must be reported to the Service, Marine Mammals Management Office immediately after discovery. If occupied dens are identified within one mile of activities, work within the immediate area will cease and the Service must be contacted for guidance. The Service 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, and Savant must comply with any additional measures specified.
 - Savant will provide copies of the polar bear and Pacific walrus observation forms to all Savant contractors operating under the LOA.
 - Savant must designate a qualified individual or individuals to report any Pacific walrus and polar bear sightings, or signs of polar bears, such as tracks, scat, or diggings, to the Service by phone or using the walrus or polar bear observation forms within 24 hours of visual observation.
 - Savant must allow the Service to place an observer on the site to monitor the impacts of the activity on polar bears and Pacific walruses, at the discretion of the Service.
 - Savant must submit an annual monitoring report to the Service no later than 90 days after the expiration date of the LOA. This report meets the tracking and reporting requirements relative to the documentation of take as required by the Marine Mammal protection Act (MMPA) and the ESA.
6. In the *Programmatic Biological Opinion for Polar Bears, Pacific Walrus, and Polar Bear Critical Habitat on Beaufort Sea Incidental Take Regulations (July 2011)* the Service determined the total incidental take anticipated as a result of the issuance of the regulations (76 FR 47010, August 3, 2011) is not likely to result in jeopardy to the polar bear or Pacific walrus, and will 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 50 CFR§18.124, (2) the LOA must include mitigation measures appropriate for the specific activity and location, as described in 50 CFR§18.128, 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 action meets these three requirements. Therefore, issuance of this LOA also completes ESA requirements for authorization of incidental take of the polar bear. Compliance with the terms and conditions of this LOA insures that the LOA holder is also in compliance with the ESA.

7. This LOA is valid for the period indicated above, unless extended or terminated in writing by the Service.



Acting Chief, Marine Mammals Management

4/11/12

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-09

ISSUED: April 15, 2012
EXPIRES: April 15, 2013

Under sections 101 (a)(4)(A), 109(h) and 112(c) of the Marine Mammal Protection Act of 1972, as amended (MMPA), Savant Alaska, LLC (Savant) is authorized to take, by harassment, polar bears while conducting oil and gas industry activities on the North Slope of Alaska.

The purpose of authorizing taking 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:

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

This harassment authorization is subject to the following conditions:

1. Savant's *Bear Interaction Plan, Badami Unit Redevelopment Project (January 2012, Revised March 2012)* is approved and all provisions, unless noted specifically, are incorporated into this Letter of Authorization (LOA) by reference. A copy of the Interaction Plan must be available on site for all personnel.
2. Savant Operations Managers, or designees, must be fully aware, understand and be capable of implementing the conditions of this authorization.
3. This LOA is restricted to harassment activities.

TAKE PRIDE
IN AMERICA 

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. Savant 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, Savant is solely responsible for ensuring that personnel assigned the task of deterring polar bears meet Federal and State laws and regulations regarding the use of firearms.
 - Savant is further responsible for ensuring that personnel assigned the task of deterring polar bears are fully trained, qualified and current with the approved Service polar bear deterrence training.
6. Savant must not conduct activities that operate nor pass within one mile (approximately 1600 meters) of known polar bear dens, and all observed dens must be reported to the Service immediately after discovery. If occupied dens are identified within one mile of activities, work within the immediate area will cease and the Service must be contacted for guidance. The Service 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, and Savant must comply with any additional measures specified.
7. Consistent with basic polar bear monitoring and reporting requirements, Savant shall:
 - Cooperate with the Service to monitor the impacts of Savant 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 via email at (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, authorized personnel 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 any deterrent or 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 appropriate 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 above, unless extended or terminated in writing by the Service.



Acting Chief, Marine Mammals Management

4/11/12
Date