



IN REPLY REFER TO:

# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

1011 E. Tudor Road  
Anchorage, Alaska 99503-6199



AFES/MMM

AUG 24 2010

Ms. Julie Lina  
Regulatory and Environmental Affairs Coordinator  
Pioneer Natural Resources Alaska Inc.  
700 G Street, Suite 600  
Anchorage, Alaska 99501

Dear Ms. Lina:

Thank you for your August 2, 2010, request for Letters of Authorization (LOA) for both the incidental take and the intentional take of polar bears in association with the Pioneer Natural Resources Alaska, Inc. (Pioneer) Torok Pre-Development Project.

Enclosed is LOA (10-14) that will allow Pioneer to take small numbers of polar bears incidental to oil and gas industry activities as identified in your request. This authorization is effective from the date of issuance to October 15, 2010. Pioneer proposes to conduct field studies during the Torok Pre-Development Project in August and September 2010 to support preliminary work for a possible Oooguruk expansion that could consist of one or two drill sites with a small expansion next to Kuparuk River Unit Drillsite 3-S and associated facilities on State of Alaska oil and gas leases near the Coleville River Delta. All provisions contained within Pioneer's "Oooguruk Development Project, Bear & Pacific Walrus Avoidance & Human Interaction/Encounter Plan (Revision 2 - June 2010)" and "Oooguruk Development Project Bear & Pacific Walrus Avoidance & Human Interaction/Encounter Plan, Addendum A Torok Pre-development (July 2010)" are incorporated by reference into this LOA.

Also find enclosed an intentional take authorization LOA (10-INT-17) as authorized under Sections 101 (a)(4)(A), 109(h), and 112(c) of the Marine Mammal Protection Act (MMPA). Pioneer and its representatives are granted authorization to take polar bears by harassment or deterrent activities for the protection of both humans and polar bears while conducting activities during the Torok Pre-Development Project. This authorization is issued specifically for Pioneer employees, contractors or agents who are trained, qualified, and are assigned the task to harass or deter polar bears. It is the responsibility of Pioneer to report all polar bear harassment events to the U.S. Fish and Wildlife Service (Service) Marine Mammals Management Office (MMM) within 24 hours. This authorization is effective from the date of issuance to October 15, 2010.

All provisions contained within Pioneer's "Oooguruk Development Project, Bear & Pacific Walrus Avoidance & Human Interaction/Encounter Plan (Revision 2 - June 2010)" and "Oooguruk Development Project Bear & Pacific Walrus Avoidance & Human

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Walrus Avoidance & Human Interaction/Encounter Plan (Revision 2 – June 2010)” and “Oooguruk Development Project Bear & Pacific Walrus Avoidance & Human Interaction/Encounter Plan, Addendum A Torok Pre-development (July 2010)” are incorporated by reference into this LOA.

Pioneer personnel can limit human/polar bear interactions by being observant of approaching animals (i.e., the use of bear guards or observers) and breaking off interactions, if practicable, by allowing the animals to continue their travel. Service biologists are available for consultation if questions or concerns arise regarding polar bears during the project period at the phone numbers listed below and noted in your interaction plan.

If any changes develop in your project during the 2010 project season, such as the location of activities or the scale of operations, please notify the MMM prior to implementing the changes. This will allow us to evaluate the activity and, if appropriate, amend your LOA.

Furthermore, in accordance with Section 7 of the Endangered Species Act of 1973 (ESA), as amended, issuance of this LOA also fulfills the requirements for Tier 2 Consultation of the Programmatic Biological Opinion for the activities described herein. In the “Programmatic Biological Opinion for Polar Bears (*Ursus maritimus*) on Beaufort Sea Incidental Take Regulations” (June 2008; Tier 1 BO), the Service determined that the total take anticipated as a result of the issuance of the Regulations is not likely to result in jeopardy to the polar bear, in accordance with Section 7 of the ESA. In order for the Tier 2 BO to be consistent with the “no jeopardy” conclusion of the Tier 1 BO and for an ESA 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 any mitigation measures that the MMM believes appropriate for the specific activity and location, as described in 50 CFR §18.128, and (3) the MMM must determine that the incidental take for the specific activity will be consistent with the negligible impact finding for the total take allowed under the Regulations.

Reasonable and prudent mitigation measures, as well as implementing terms and conditions, were included for the MMM in the Tier 1 BO and have been incorporated into the LOA process. This LOA also serves as an “Incidental Take Statement” (ITS). Issuance of this LOA/ITS completes ESA requirements for authorization of incidental take of polar bears. Compliance with the terms and conditions of this LOA insures the LOA holder is also in compliance with the ESA.

An additional requirement of these LOAs is for Pioneer to provide observational data of polar bears throughout the project and a complete report of all observations at the conclusion of the project to document take. The final report will be provided to the MMM no later than 90 days after the completion of the project. The final report meets the tracking and reporting requirements relative to the documentation of take as required by the MMPA and the ESA.

Ms. Julie Lina

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This authorization is issued in accordance with our regulations listed in 71 FR 43926, dated August 2, 2006. Should you have any further questions contact Craig Perham, (907) 786-3810, or Christopher Putnam, (907) 786-3844, of our Marine Mammals Management Office, (907) 786-3800.

Sincerely,

A handwritten signature in black ink, appearing to read "Rosa Meehan". The signature is fluid and cursive, written over a light background.

Rosa Meehan, Ph.D.

Marine Mammals Management Office

Enclosure

cc: Mr. Richard Shideler, ADF&G  
Fairbanks Fish and Wildlife Field Office (FFWFO)  
USFWS Office of Law Enforcement (OLE)  
North Slope Borough Department of Law

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the success of any business and for the protection of the interests of all parties involved.

In the second part, the author outlines the various methods used to collect and analyze data. This includes a detailed description of the survey process, the selection of participants, and the use of statistical software to process the results. The goal is to provide a clear and concise summary of the findings.

The final section of the document provides a comprehensive overview of the conclusions drawn from the study. It highlights the key findings and discusses their implications for future research and practice. The author also offers some practical recommendations based on the results of the study.



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## FISH AND WILDLIFE SERVICE

1011 E. Tudor Road  
Anchorage, Alaska 99503-6199



AFES/MMM

### LETTER OF AUTHORIZATION Incidental Take (10-14)

ISSUED: August 17, 2010  
EXPIRES: October 15, 2010

Pioneer Natural Resources Alaska, Inc. (Pioneer) is hereby authorized by the U.S. Fish and Wildlife Service (Service) Marine Mammals Management Office (MMM) Office to take small numbers of polar bears (*Ursus maritimus*) incidental to activities occurring during the 2010 Torok Pre-Development Project. Detailed descriptions of the authorized activities can be found in Pioneer's "Oooguruk Development Project, Bear & Pacific Walrus Avoidance & Human Interaction/Encounter Plan (Revision 2 – June 2010)" and "Oooguruk Development Project Bear & Pacific Walrus Avoidance & Human Interaction/Encounter Plan, Addendum A Torok Pre-development (July 2010)." Pioneer proposes to conduct field studies during the Torok Pre-Development Project in August and September 2010 to support preliminary work for a possible Oooguruk expansion that could consist of one or two drill sites with a small expansion next to Kuparuk River Unit Drillsite 3-S and associated facilities on State of Alaska oil and gas leases near the Coleville River Delta.

This and the required conditions below apply to Pioneer employees, contractors or agents performing Pioneer-approved work.

This Letter of Authorization (LOA) is valid from the date of issuance through October 15, 2010. This authorization and the required conditions below apply to all employees, contractors and personnel performing Pioneer approved work under the scope of operations to be conducted. This Service authorization stipulates the following conditions:

1. Intentional take of polar bears is prohibited under this authorization.
2. Any incidental lethal take or injury of a polar bears or walruses must be reported to the Service immediately.
3. Pioneer's "Oooguruk Development Project, Bear & Pacific Walrus Avoidance & Human Interaction/Encounter Plan (Revision 2 – June 2010)" and "Oooguruk Development Project Bear & Pacific Walrus Avoidance & Human Interaction/Encounter Plan, Addendum A Torok

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Pre-development (July 2010)" are approved and all provisions must be complied with unless specifically noted otherwise in this Letter of Authorization.

4. A copy of this LOA and the approved interaction and avoidance plans listed above must be posted and available for all personnel and in the possession of the operators of all vessels and aircraft engaging in the activities approved under the authority of this LOA.
5. Pioneer operations managers, or their designates, must be fully aware, understand and be capable of implementing the conditions of this authorization.
6. This authorization is valid only for activities (including support vessels, vehicles and aircraft) associated with Pioneer's 2010 Torok Pre-Development Project, as specified in Pioneer's August 2, 2010, request for authorization.
7. At the discretion of the Service, Pioneer must allow the Service to place an observer on site, including any facilities, vessels, aircraft or vehicles, to monitor the impacts of the activity on marine mammals, when requested.
8. Polar bear monitoring, reporting and survey activities will be conducted in accordance with 50 CFR § 18.128 and must comply with the following monitoring, mitigation and reporting requirements:
  - a. Pioneer must cooperate with the Service, and other designated Federal, State or local agencies to monitor the impacts of oil and gas exploration activities on polar bears;
  - b. If any changes develop in the project during the period approved under this LOA, such as activities, location or methods, notify the MMM prior to the implementation of such changes.
  - c. Pioneer must designate a qualified individual or individuals to observe, record, and report the effects of the activity on polar bears to the Service within 24 hours of visual observation. Evidence of polar bears, such as tracks, carcass or dens will also be reported;
  - d. Pioneer must submit an annual monitoring report to the Marine Mammals Management Office as required under 50 CFR § 18.128, a draft of which will be received by MMM no later than 90 days after completion of the project. The report will describe in detail:
    - i. The operations that were conducted;
    - ii. The methods, results, and interpretation pertaining to all monitoring tasks;
    - iii. The results of the monitoring;
    - iv. Sightings (species, numbers, dates, times and locations; age/size/gender, environmental correlates, activities, and associated survey activities);

- v. Estimates of the amount and type of potential take (exposure) of polar to project activities;
  - vi. An analysis of the effects of operations (e.g., on sighting rates, sighting distances, behaviors, and movement patterns of polar bears);
  - vii. Provide an analysis of factors influencing detectability and polar bears during project operations;
  - viii. Provide summaries of communications with hunters and potential effects on subsistence uses.
9. Activities related to the monitoring described in this Authorization do not require a separate scientific research permit issued under Section 104 of the Marine Mammal Protection Act.
10. Per the "Programmatic Biological Opinion for the Beaufort Sea Incidental Take Regulations for Polar Bear (June 2008)", your request also triggers the second of the two-tiered programmatic process. In order for incidental take of the polar bear to be exempted from the prohibitions of the ESA, this LOA also serves as an "Incidental Take Statement" (ITS), required under Section 7 of the Endangered Species Act of 1973 (ESA). Issuance of the LOA/ITS fulfills the requirements for Tier 2 Consultation of the Programmatic Biological Opinion for the activities described in this letter.
11. This 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

**AUG 24 2010**  
\_\_\_\_\_  
Date

1. The first part of the document is a letter from the Secretary of the State to the Governor, dated the 10th of the month of the year 1860. It contains a report on the state of the State, and a recommendation that the Governor should call a convention of the people to be held at the city of New York, on the 1st of the month of the year 1861.

2. The second part of the document is a report on the state of the State, and a recommendation that the Governor should call a convention of the people to be held at the city of New York, on the 1st of the month of the year 1861.

3. The third part of the document is a report on the state of the State, and a recommendation that the Governor should call a convention of the people to be held at the city of New York, on the 1st of the month of the year 1861.

4. The fourth part of the document is a report on the state of the State, and a recommendation that the Governor should call a convention of the people to be held at the city of New York, on the 1st of the month of the year 1861.

5. The fifth part of the document is a report on the state of the State, and a recommendation that the Governor should call a convention of the people to be held at the city of New York, on the 1st of the month of the year 1861.