



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

August 27, 2007

John Goll, Regional Director
Alaska OCS Region
Minerals Management Service
3801 Centerpoint Dr., Suite 500
Anchorage, Alaska 99503-5823

RE: Liberty Expansion Project
POA-1998-1109-2

Dear Mr. Goll:

The National Marine Fisheries Service (NMFS) has reviewed the Minerals Management Service's (MMS) proposal to expand the Liberty Drill Site. Based on the information provided and our associated review of the U.S. Army Corps of Engineers (Corps) Public Notice (Department of the Army Permit Application Foggy Island Bay, POA-1998-1109-2, Foggy Island Bay) we offer the following comments specific to the Magnuson-Stevens Fishery Conservation and Management Act.

Section 305(b) of the Magnuson-Stevens Act requires federal agencies to consult with NMFS on all actions that may adversely affect Essential Fish Habitat (EFH). NMFS is required to make conservation recommendations, which may include measures to avoid, minimize, mitigate or otherwise offset adverse effects.

In our response to the Corps Public Notice (copy enclosed), NMFS offered two EFH Conservation Recommendations. Based on the information provided by MMS, we have no additional recommendations and no further EFH consultation is necessary.

Should you have any additional questions please contact either Jonathan Taylor or Jeanne Hanson of my staff at 907-271-5006.

Sincerely,

Robert D. Mecum
Acting Administrator, Alaska Region

Enclosure





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July 18, 2007

Colonel Kevin J. Wilson
U.S. Army Corps of Engineers
P.O. Box 898
Anchorage, Alaska 99506-0898

Re: Foggy Island Bay
POA-1998-1109-2

Attention: Mike Holley

Dear Colonel Wilson:

The National Marine Fisheries Service (NMFS) has reviewed the above referenced Public Notice, applicant BP Exploration (Alaska) Incorporated. The purpose of the proposed project is to recover oil from the offshore Liberty prospect. The project site is located in the North Slope of Alaska, Umiat Meridian. To take advantage of existing infrastructure at Endicott, BP proposes to drill the ultra-extended-reach-drill (uERD) wells from the Endicott Satellite Drilling Island (SDI). The project would include expansion of the existing SDI by 20 acres of fill into marine waters, 18 acres of fill would be associated with a gravel mine site adjacent to the existing Duck Island Mine site, and 0.3 acres of impacts for a boat launch. The project also includes plans for a new bridge across the West Channel of the Sagavanirktok River that will be reviewed as a modification of DA permit number POA-1992-90 or Nationwide Permit 15.

Conservation Recommendations

Fish and Essential Fish Habitat

Under Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation Management Act (Magnuson-Stevens Act), federal agencies are required to consult with the Secretary of Commerce on any action that may adversely affect EFH. The Corps has made a determination that the project may adversely affect EFH. The Magnuson-Stevens Act requires NMFS to make conservation recommendations regarding any federal action that would adversely affect EFH and The construction and operation of the proposed project would not adversely affect EFH and anadromous fish if necessary conservation measures are followed.

1. The applicant should use vegetated swales and/or an oil/water separator (or equivalent system) that remove total suspended solids (TSS) and oil and grease from the parking lot drainage, associated buildings, and roads. The applicant should also implement maintenance and monitoring plans for this system. Non-point source pollution can have deleterious effects on salmonids, particularly growth in juveniles. Petroleum hydrocarbons damage developing salmon eggs, larvae, and fry at extremely low concentrations. Sculpin eggs and larvae, and juvenile Pacific cod, which may occur in near shore areas, would likely experience similar effects.



2. Work on the new Sag River bridge should follow timing window restrictions to the best extent practicable. Timing window for the Sag River is August 15 to September 15.

Please note that under section 305(b)(4) of the Magnuson-Stevens Act, the Corps of Engineers (Corps) is required to respond in writing within 30 days to NMFS EFH Conservation Recommendations. If the Corps does not make a decision within 30 days, the Corps should provide NMFS with a letter to that effect, and indicate when a full response will be provided. Jonathan Taylor is the NMFS EFH contact for this project, and can be reached by telephone at (907) 271-2373 or e-mail at jonathan.e.taylor@noaa.gov.

Sincerely,



Robert D. Mecum
Acting Administrator, Alaska Region

cc:

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