

February 21, 2007

### **Supplement to the Cook Inlet Areawide Oil and Gas Lease Sale Best Interest Finding**

The Alaska Department of Fish and Game listed the Alaska breeding population of the Steller's eider as a Species of Special Concern in 1993. In 1997 the Alaska breeding population of the Steller's eider was listed as a threatened species under the Endangered Species Act. The 1999 Best Interest Finding discussed the threatened status of the Steller's eider, along with its distribution and seasonal presence in the lease sale area. Additionally, the 2004 Supplement to the Best Interest Finding addressed the Steller's eider, particularly the confirmed presence along the east side of Cook Inlet, and added a Lessee Advisory referencing the potential for additional protective measures for endangered and threatened species.

In its response to the Call for New Information and through further consultation, the USFWS provided a more specific, confirmed distribution of the Steller's eider in Cook Inlet. USFWS personnel conducted aerial surveys of the lower Cook Inlet from October through April and reported distinct locations of the Steller's eider. DO&G compared these locations to the lease sale tract map and determined that the following changes were the best way to notify lessees of the confirmed presence of the Steller's eider in the sale area and the need for additional restrictions or other modifications to protect the bird and its habitat.

#### **Mitigation Measures**

The following Mitigation Measure will be added to the Best Interest Finding:

34. The DO&G Director, in consultation with OHMP, shall restrict or modify lease related activities if scientific evidence documents the presence of Steller's eiders from the Alaska breeding population in the lease area and it is determined that oil and gas exploration and development will impact them or their over-wintering habitat in the near-shore waters of Cook Inlet.

#### **Lessee Advisories**

The following Lessee Advisory will be removed from the Best Interest Finding:

9. The DO&G Director, in consultation with OHMP, may restrict or modify lease related activities if scientific evidence documents the presence of Steller's eiders from the Alaska breeding population in the lease area and it is determined that oil and gas exploration and development will impact them or their over-wintering habitat in the near-shore waters of Cook Inlet.<sup>1</sup>

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<sup>1</sup> Only the last paragraph of Lessee Advisory 9 is removed; the rest of the Lessee Advisory remains unchanged.