



United States Department of the Interior



U.S. FISH AND WILDLIFE SERVICE
Southern Alaska Fish and Wildlife Field Office
Anchorage Fish and Wildlife Conservation Office
4700 BLM Road
Anchorage, Alaska 99507

In Reply Refer to:
FWS/R7/SAFWFO, AFWCO

To: Sharon A. Randall, Bureau of Ocean Energy Management, Anchorage, Alaska

From: *acting* Field Supervisor, Southern Alaska Fish and Wildlife Field Office, U.S. Fish and Wildlife Service, Anchorage, Alaska

Subject: Biological Opinion for Activities from Oil and Gas Lease Sale 258 in Lower Cook Inlet, Alaska (Consultation Number 2023-0029561).

This document transmits the U.S. Fish and Wildlife Service's (Service) Biological Opinion (BO) based on our review of the proposed project and its effects on the federally threatened Alaska breeding Steller's eider (*Polysticta stelleri*), the federally threatened Southwest Alaska distinct population segment (DPS) of northern sea otter (*Enhydra lutris kenyoni*), and designated critical habitat for the Southwest Alaska DPS of northern sea otter, in accordance with section 7 of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.). We received your request for formal consultation on November 10, 2022.

The Bureau of Ocean Energy Management (BOEM) proposes to conduct Outer Continental Shelf (OCS) Oil and Gas Lease Sale (LS) 258 in BOEM's Cook Inlet Planning Area. The proposed action involves exploration, development, production, and decommissioning of leased blocks associated with BOEM and the Bureau of Safety and Environmental Enforcement (BSEE) Lease Sale 258 (LS 258) in Cook Inlet.

The BOEM determined the proposed project may affect, and is likely to adversely affect, the Alaska-breeding population of Steller's eider, Southwest Alaska DPS of northern sea otter, and sea otter designated critical habitat; therefore, this biological opinion analyzes the associated effects of the respective agencies' authorizations on the Steller's eider, the northern sea otter, and sea otter designated critical habitat. Based on our analysis of the status of the species, the environmental baseline, the effects of the proposed action, and cumulative effects, we conclude the activities from Oil and Gas LS 258 in Lower Cook Inlet, Alaska is not likely to jeopardize the continued existence of the Alaska-breeding population of Steller's eider and Southwest Alaska DPS of northern sea otter and it not likely to destroy or adversely modify critical habitat for sea otters.

We based this biological opinion on information that accompanied your November 11, 2022, request for consultation, including the biological assessment (BA, BOEM 2022a), the

Final Environmental Impact Statement (BOEM 2022b), the best available scientific literature, and Service files. We can make a complete record of this consultation available at the Southern Alaska Fish and Wildlife Field Office.

Consultation History

The following is a summary of the consultation history for this project:

- November 10, 2022, the Service received a BA and request from BOEM to initiate formal consultation for effects caused by activities from oil and gas LS 258 in lower Cook Inlet.
- December 1, 2022, the Service met with BOEM staff who provided an overview of the project; the Service acknowledged receipt of this information which constituted the official initiation of formal consultation.
- April 4, 2023, the Service received updates from BOEM on bid evaluation and review process, as well as GIS shapefiles related to lease sale 258.

Thank you for your cooperation in meeting our joint responsibilities under section 7 of the ESA. If you have comments or concerns regarding this biological opinion, please contact Libby Benolkin, Fish and Wildlife Biologist, Southern Alaska Fish and Wildlife Field Office, at elizabeth_benolkin@fws.gov or 907-318-0796.

Attachment: Biological Opinion