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February 27, 2012

VIA EMAIL AND U.S. MAIL

Harriet M. Deal, Esq.
Attorney-Advisor
U.S. Department of the Interior
Office of the Solicitor-Southeast Region
75 Spring Street, SW, Room 304
Atlanta, GA 30303

Re: Pre-Spill Avian Data

Dear Holly:

I write to you in your capacity on the Trustee Council Attorney Subcommittee, and ask that you coordinate a response to this request with your State counterparts. As you and I recently discussed, BP would like to have access to certain avian data from before the Deepwater Horizon spill. We believe these data are of the type routinely collected and compiled by state and federal wildlife agencies and shared with the general public upon request. These records are not confidential, nor do they constitute work product prepared in anticipation of litigation. Therefore, we do not anticipate any legal concerns associated with their release.

We request the following information from the U.S. Fish and Wildlife Service:

1. Species lists and any population trends data (for any years from 1970 through 2009) from National Wildlife Refuges ("NWRs") in the Gulf of Mexico, including but not limited to:
 - Sabine NWR
 - Lacassine NWR
 - Shell Keys NWR
 - Bayou Teche NWR
 - Mandalay NWR
 - Delta NWR
 - Breton NWR

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2. Species lists and any trends data (for any years from 1970 through 2009) on offshore islands in the Gulf of Mexico.
3. Summaries (by species) of Gulf waterfowl, shorebird, wading bird, and seabird censuses conducted between 1970 and 2009.
4. Species lists and trends data for any federal estuaries in the Gulf, such as Barataria-Terrebonne National Estuary, Gulf Island National Seashore, and Padre Island National Seashore.

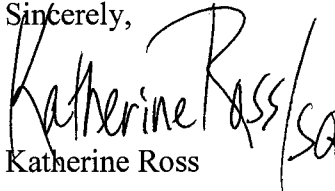
In addition, we request the following information from each of the Trustee States (Florida, Alabama, Mississippi, Louisiana, and Texas):

1. List of avian species designated by the State as endangered, threatened, or similarly protected.
2. Trends information (from 1970 through 2009) for colonial birds, waterfowl, wading birds, nesting birds, and shorebirds.
3. Any special reports (from 1970 through 2009) on Brown Pelican, Reddish Egret, Snowy Plover, Clapper Rail, Mottled Duck, Black Skimmer, and/or Laughing Gulls.

This information can be sent to me (electronically or in hard copy) at the address above; I would be glad to make arrangements for file transfer via FTP if needed. I understand that it may take some time to compile this documentation; with this in mind, we would be glad to receive these materials on a rolling basis, as they become available.

Please do not hesitate to contact me with any questions. Thank you very much for your assistance.

Sincerely,



Katherine Ross

cc via email: Administrative Record
Cynthia Dohner (DOI)
Greg Masson (DOI, Deepwater Horizon NRDAR)
Troy Baker (NOAA)

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Robert Haddad (NOAA)
Dr. Nick Tew (Geological Survey of Alabama)
N. Gunter Guy (Alabama Department of Conservation and Natural Resources)
Lee Edmiston (Florida Department of Environmental Quality)
Garret Graves (Louisiana Coastal Protection and Resource Authority)
Roland Guidry (Louisiana Oil Spill Coordinator's Office)
Peggy Hatch (Louisiana Department of Environmental Quality)
Robert Barham (Louisiana Department of Wildlife and Fisheries)
Bob Harper (Louisiana Department of Natural Resources)
Trudy D. Fisher (Mississippi Department of Environmental Quality)
Don Pitts (on behalf of Texas Trustees)
Craig R. O'Connor (NOAA)
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