



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Division (1145)
CEPOA-RD
Post Office Box 6898
JBER, Alaska 99506-0898

PUBLIC NOTICE DATE:	June 10, 2020
EXPIRATION DATE:	June 25, 2020
REFERENCE NUMBER:	POA-2020-00241
WATERWAY:	Sagavanirktok River

Interested parties are hereby notified that a Department of the Army permit application has been received for work in waters of the United States (U.S.) as described below and shown on the enclosed project drawings.

All comments regarding this Public Notice (PN) should be sent to the address noted above. If you desire to submit your comments by email, you should send it to the Project Manager's email as listed below or to regpagemaster@usace.army.mil. All comments should include the PN reference number listed above.

All comments should reach this office no later than the expiration date of this PN to become part of the record and be considered in the decision. Please contact Mary Romero at (907) 753-2773, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at: Mary.R.Romero@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Raymond Latchem, SES Midstream LLC, 8505 S. Elwood Ave., Bldg. #123, Tulsa, Oklahoma 74132, 918.236.4100, Ray@SpectrumLNG.com

AGENT: Lauren Latchem, SES Midstream LLC, 8505 S. Elwood Ave., Bldg. #123, Tulsa, Oklahoma 74132, 918.236.4100, Lauren@SESMidstream.com

LOCATION: The project site is located within Section 18, T. 10 N., R. 15 E., Umiat Meridian; Latitude 70.2255° N., Longitude 148.4184° W.; in Prudhoe Bay, Alaska.

PURPOSE: The applicant's stated purpose is to treat and process gas into commercial grade products such as Compressed Natural Gas (CNG) and sales quality natural gas on par with industry standards for distribution through the local gas utility company.

PROPOSED WORK: The placement of 85,000 cubic yards of gravel fill material into 8.6 acres of Palustrine emergent (PEM) and Palustrine unconsolidated bottom (PUB) wetlands to construct a roughly shaped 1316' x 260' rectangular pad and access driveway for the processing of commercial grade products. All work would be performed in accordance with the enclosed plan (sheets 1-2), dated June 5, 2020.

ADDITIONAL INFORMATION: Facility lighting for operational safety will be installed and maintained as to minimize interference with the natural patterns of the local wildlife. Shades and directed lighting will be used to provide downward lighting.

Any towers required for communication will be mono pole type, not to exceed 200 feet AGL, and will stand without guy wires. All communication tower lighting will be in accordance with Federal Aviation Administration guidance where applicable.

APPLICANT PROPOSED MITIGATION: The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to waters of the U.S. from activities involving discharges of dredged or fill material.

a. Avoidance: The applicant has stated there are no non-wetland alternatives to the proposed site.

b. Minimization: SES Midstream selected the site because it was adjacent to Spine Road and minimizes the length of an access road, placement of fill would avoid streams and rivers and impacts to the high value wetlands is minimize as much as possible while maintain safe operations and meet required processing needs. Additionally the connection to the gas distribution system will be made with pipe buried in the driveway connecting to the Norgasco system that is existing and buried in the Spine roadbed.

c. Compensatory Mitigation: No compensatory mitigation was offered.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification, as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRs) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no cultural resources in the permit area or within the vicinity of the permit area. The permit area has been determined to be the complete project area. Consultation of the AHRs constitutes the extent of cultural resource investigations by the Corps of Engineers (Corps) at this time, and we are otherwise unaware of the presence of such resources. The Corps has made a No Historic Properties Affected (No Effect) determination for the proposed project. This application is being coordinated with the State Historic Preservation Office (SHPO).

Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work. The Corps is requesting the SHPO's concurrence with this determination.

ENDANGERED SPECIES: The project area is within the known or historic range of the polar bear (*Ursus maritimus*), Steller's eider (*Polysticta stelleri*), and spectacled eider (*Somateria fischeri*).

We have determined the described activity may affect the polar bear, Steller's and spectacled eider, but would not appreciably modify the polar bear habitat. We have initiated the appropriate consultation procedures under section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

No EFH species are known to use the project area.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between Federally recognized Tribes and the Federal government. Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This PN serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Commander during the public comment period.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments.

The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. The decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Commander determines that it would be contrary to the public interest.

The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

AUTHORITY: This permit will be issued or denied under the following authority:

(X) Discharge dredged or fill material into waters of the U.S. – Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

Project drawings and a Notice of Application for State Water Quality Certification are enclosed with this Public Notice.

District Commander
U.S. Army, Corps of Engineers

Enclosures

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER

Wastewater Discharge Authorization Program (WDAP) / 401 Certification

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WDAP/401 CERTIFICATION
555 CORDOVA STREET
ANCHORAGE, ALASKA 99501-2617
PHONE: (907) 269-6285 | EMAIL: dec-401cert@alaska.gov

NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice (PN) Reference Number **POA-2020-00241, Sagavanirktok River**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

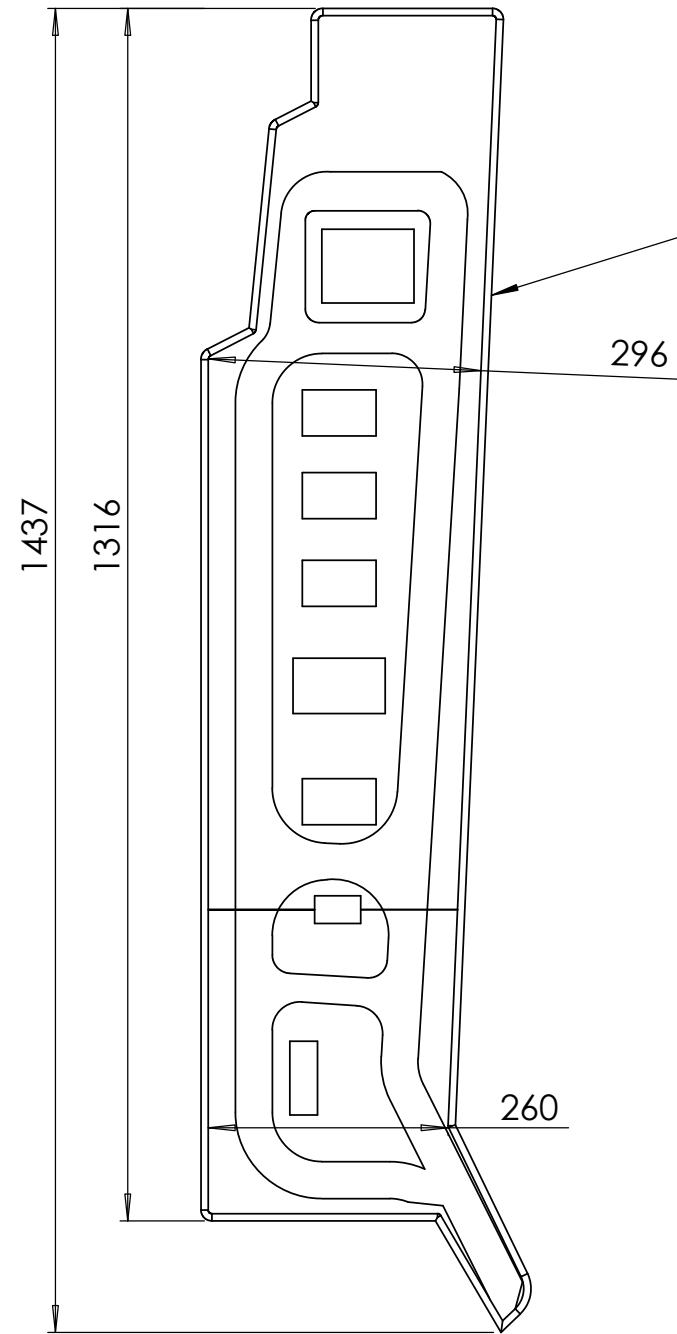
After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification, may submit written comments to the address above or via email to dec-401cert@alaska.gov by the expiration date of the Corps of Engineer's Public Notice. All comments should include the PN reference number listed above. Mailed comments must be postmarked on or before the expiration date of the public notice.

Disability Reasonable Accommodation Notice

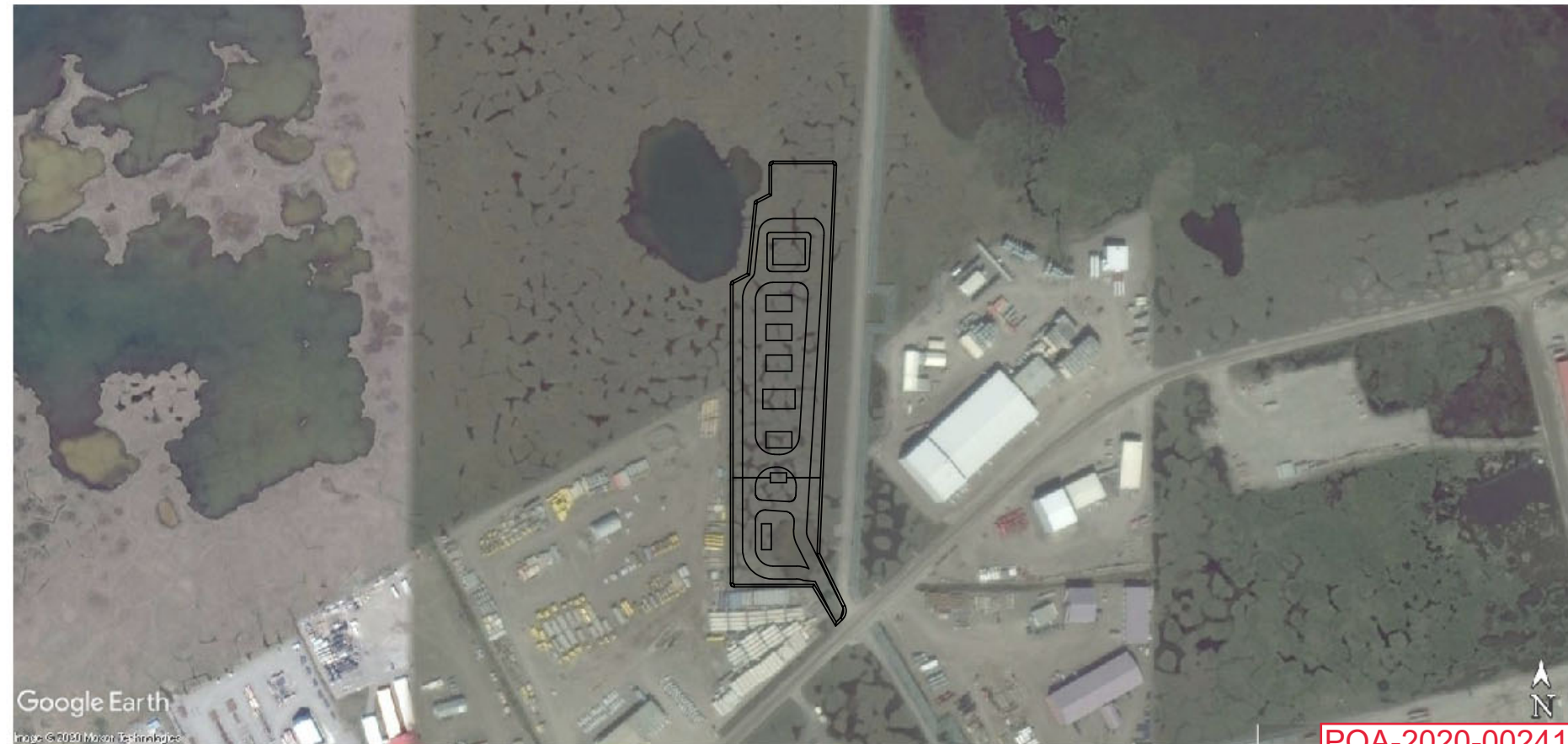
The State of Alaska, Department of Environmental Conservation complies with Title II of the Americans with Disabilities Act of 1990. If you are a person with a disability who may need special accommodation in order to participate in this public process, please contact Kate Orozco at 907-465-6171 or TDD Relay Service 1-800-770-8973/TTY or dial 711 within 5 days of the expiration date of this public notice to ensure that any necessary accommodations can be provided.

ATTACHMENT A



THE EASTERN BORDER OF THE PAD IS DEFINED BY EXISTING POWER LINES AND POLES. THE POWER LINES LIMIT CONSTRUCTION AND TRANSPORTATION AROUND AND UNDER THEM


AREA	UNITS
375,100	SQFT
8.6	ACRES



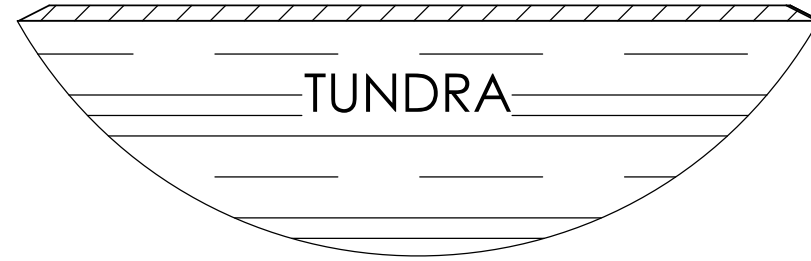
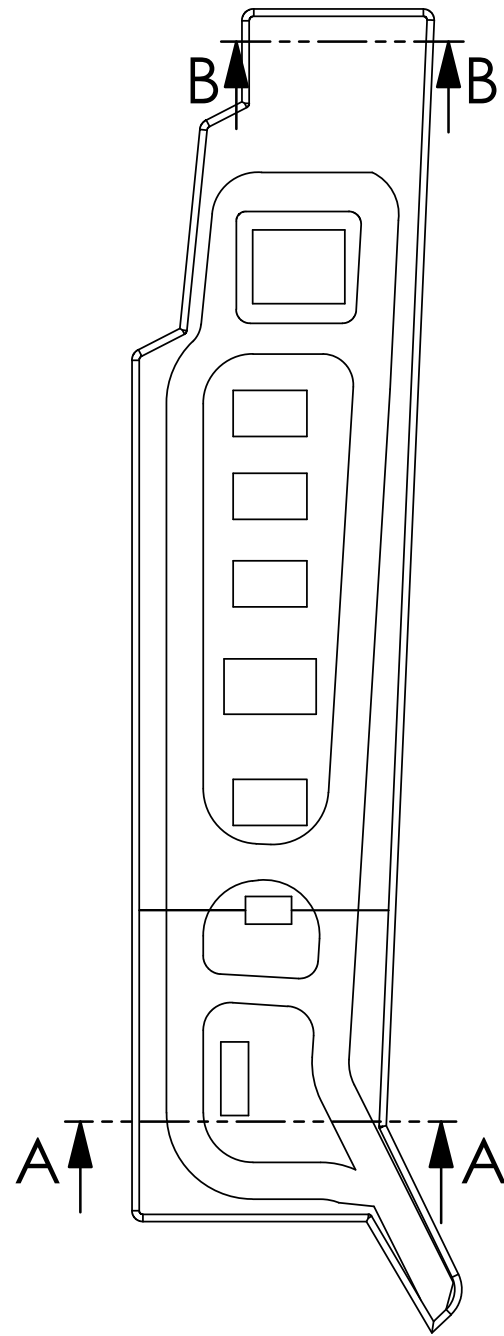
POA-2020-00241, Sagavanirktok River
SES Midstream, Gas Processing Plant
Drawings dated June 5, 2020

DESCRIPTION	DATE	BY	REV	NOTES

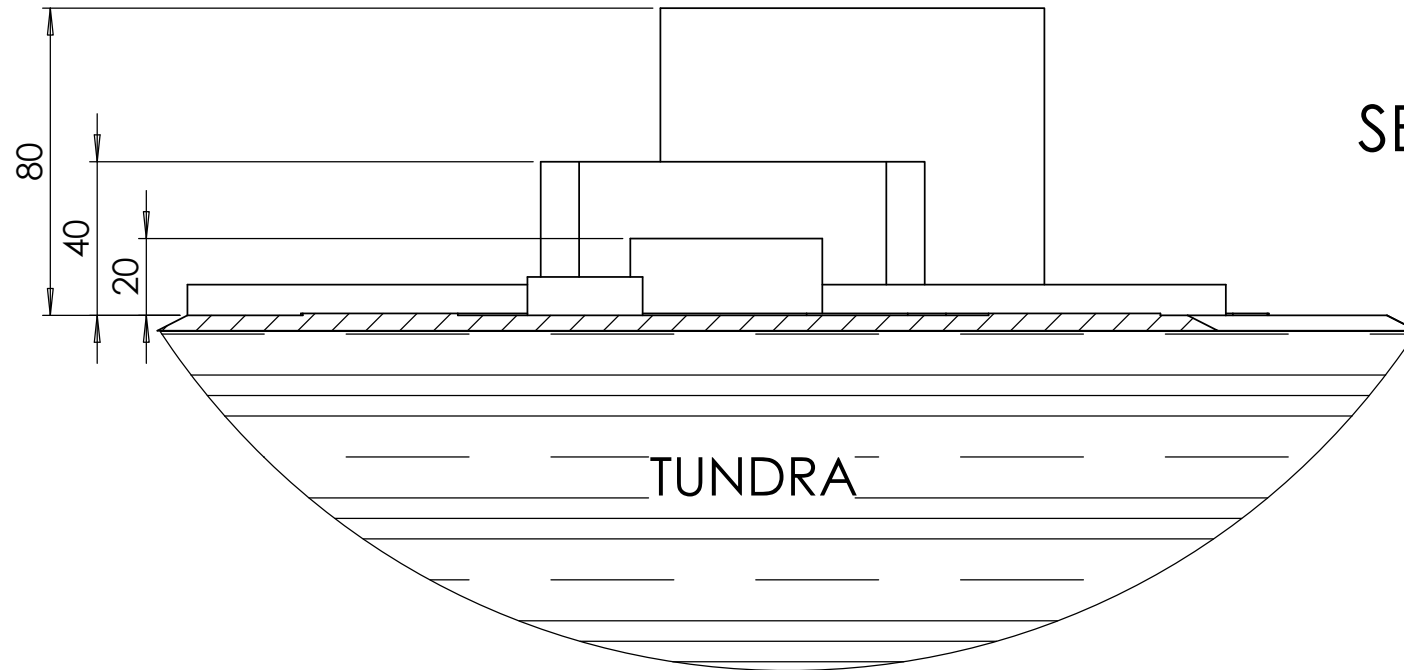
NORTH UP	
SES MIDSTREAM 1709 UTICA SQUARE, SUITE 240 TULSA, OKLAHOMA 74114	

	
DEADHORSE GAS TREATMENT FACILITY PAD DESIGN	
DRAWING NUMBER	REV
DRAWN BY L. LATCHEM	SHEET 1 OF 2

ATTACHMENT A



SECTION B-B
SCALE 1 : 600



SECTION A-A
SCALE 1 : 600

POA-2020-00241, Sagavanirktok River
SES Midstream, Gas Processing Plant
Drawings dated June 5, 2020

DESCRIPTION	DATE	BY	REV	NOTES

SES MIDSTREAM
1709 UTICA SQUARE, SUITE 240
TULSA, OKLAHOMA 74114



DEADHORSE GAS TREATMENT FACILITY PAD DESIGN			
DRAWING NUMBER	SCALE	SHEET	REV
		2 OF 2	
DRAWN BY L. LATCHEM			