



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

ANCHORAGE
Regulatory Division (1145)
CEPOA-RD
P.O. BOX 6898
JBER, AK 99506-0898

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| PUBLIC NOTICE DATE: | July 25, 2023 |
| EXPIRATION DATE: | August 24, 2023 |
| REFERENCE NUMBER: | POA-2023-00343 |
| WATERWAY: | Kuparuk 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 as described below and shown on the enclosed project drawings.

All comments regarding this public notice 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 public notice reference number listed above.

All comments should reach this office no later than the expiration date of this public notice to become part of the record and be considered in the decision. Please contact Allen Atkins at (907) 753-2780, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at patrick.a.atkins@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Ms. Keri Iles, Hilcorp North Slope, LLC, 3800 Centerpoint Drive, Suite 1400, Anchorage, Alaska 99503.

LOCATION: The project site is located at Latitude 70.307815, Longitude -149.086678; near the Kuparuk River, North Slope Borough, Alaska.

PURPOSE: The purpose of the proposed project as stated by the applicant: “the current pipeline and header system limit the capacity to produce economic wells at L, V, W, and Z pads. The purpose of this project is to improve flow from EWE [Eileen West End] Junction to GC2 [Gathering Center 2] through the installation new production and new gas lift line. The new EWE pipelines will reduce existing constraints and improve capacity for the pursuit of economic wells at these pads.”

PROPOSED WORK: Hilcorp North Slope, LLC (Hilcorp) is proposing the installation of two new pipelines between Gathering Center 2 (GC2) and Eileen West End (EWE) located in the Western operating area of the Prudhoe Bay unit. The two pipelines as proposed will be approximately 35,000 feet long with one pipeline being 30 inches in diameter and the second pipeline being 14 inches in diameter and would be placed on a combination of new and existing vertical support members and horizontal support members. In addition to the installation of two new pipelines a pad expansion will be required at EWE junction to support pipeline tie-in infrastructure. The project as proposed will cumulatively discharge up to 13,000 cubic yards of clean gravel material from Kuparuk Mine Site C and supplemented with clean reclaimed gravel material from the Kuparuk River and 2,000 cubic yards of a sand/slurry mixture impacting 1.4 acres of palustrine emergent wetland. All work would be performed in accordance with the enclosed plan (sheets 1–12), dated April and May 2023.

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

a. Avoidance: Hilcorp avoided additional impacts to aquatic resources by adding to existing infrastructure where practicable and sharing pipe racks with other operators where feasible. The EWE pad expansion will be constructed to the minimum size necessary to support the new infrastructure needed for pipeline tie-in.

b. Minimization: Hilcorp has minimized the gravel footprint of the project to the greatest extent practicable. The placement of gravel will be planned for the winter season to reduce the potential impacts to wildlife included migratory birds and tundra habitat. The use of temporary ice roads will also be employed to reduce the impact to tundra habitat due to the size of the equipment needed for construction operations.

c. Compensatory Mitigation: The applicant proposes no mitigation.

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, however the pipeline as proposed will

about the U pad and there is potential for resources to exist in the vicinity of the pad. The permit area has been determined to be the footprint of the proposed pad and pipeline route as described in the proposed work section. Consultation of the AHRS constitutes the extent of cultural resource investigations by the U.S. Army Corps of Engineers (Corps) at this time, and we are otherwise unaware of the presence of such resources.

The Corps has determined that the project as proposed will have 'no effect' on cultural resources and this public notice will serve as the initiation of consultation with the Alaska State Historic Preservation Officer (SHPO).

Any comments SHPO, Federally recognized Tribes, and other consulting parties 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.

ENDANGERED SPECIES: The project area is within the known historic range of endangered/threatened species or critical habitat to include: polar bear (*Ursus maritimus*) and spectacled eider (*Somateria fischeri*). At this time the Corps is still evaluating if the project as proposed will have any effect on the above-mentioned species.

Any comments the U.S. Fish and Wildlife Service or the National Marine Fisheries Service (NMFS) may have concerned 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 NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

The project area as proposed crosses the Kuparuk River which is EFH for the following species: Arctic Cisco (*Coregonus autumnalis*), pink salmon (*Oncorhynchus gorbuscha*), and whitefish, undifferentiated. At this time the Corps is still evaluating if the project as proposed will have any effect on the above-mentioned species.

TRIBAL CONSULTATION: The Corps 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 Corps, 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 public notice 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 rights or resources. 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 impact which the proposed activity may have on the public interest requires a careful weighing of all those factors which 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 decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of this general balancing process. That 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, historic properties, 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 and 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 authorities:

(X) Perform work in or affecting navigable waters of the United States – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(X) Discharge dredged or fill material into waters of the United States – 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 are enclosed with this public notice.

District Commander
U.S. Army, Corps of Engineers

Enclosure