

CEPOA-RD 1046 Marks Road

US Army Corps of Engineers Alaska District

FAIRBANKS FIELD OFFICE Regulatory Division (1145)

Fort Wainwright, Alaska 99703

Public Notice of Application for Permit

PUBLIC NOTICE DATE: 23 February 2024 EXPIRATION DATE: 25 March 2024 REFERENCE NUMBER: POA-2021-00361 WATERWAY: Putuligayuk 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 John Sargent at (907) 347-1801 or by email at John.C.Sargent@usace.army.mil if further information is desired concerning this public notice.

APPLICANT: Hilcorp North Slope, LLC, Attn: Keri Iles

<u>LOCATION</u>: The project site is located within Latitude 70.3517 ° N., Longitude 149.3638 ° W.; about 22 miles northwest of Deadhorse, Alaska.

<u>PURPOSE</u>: The applicant's stated purpose is to expand oil resource development within the Prudhoe Bay Unit to access the Schrader Bluff reservoir. A new drilling pad, Omega Pad, would provide access to 3,500 acres of undeveloped oil reserves in the Schrader Bluff Reservoir.

PROPOSED WORK: A total of 500,000 cubic yards of fill would be required to construct the new pad and associated support and access infrastructure, resulting in the filling of approximately 30 acres of wetlands. All work would be performed in accordance with the enclosed plan (sheets 1-5), dated November 20, 2023. The project elements are:

Omega Pad

The new pad would be approximately 1,700 feet in length and 600 feet in width. Gravel will be placed with a minimum compacted depth of 5 feet and will utilize a 2:1 edge slope. Fill material would be compacted at the time of placement; however, because construction activities would occur during winter months, the pad would be reworked during the summer months to ensure adequate compaction.

L Pad to Omega Pad Access Road

To connect the new Omega Pad to existing L Pad, a new road is required that can accommodate a larger drill rig and construction traffic. The access road would be approximately 5,500 feet in length and 32 feet in width. Gravel would be placed with a minimum compacted depth of 5 feet and will utilize a 2:1 edge slope. The access road is designed to safely allow bypass around existing L Pad facilities for simultaneous project construction and L Pad operations.

Culverts

Culverts will be installed as necessary to avoid disrupting natural drainage and to allow adequate fish passage. Approximately 2 culverts would be installed in the new access road between Omega Pad and L Pad. Culverts would be sized accordingly and designed based on recommendations from consulting hydrologist and the Alaska Department of Fish and Game. Fish Habitat permits would be acquired for all locations impacting anadromous waterbodies. **Construction Quantities**

The Omega Pad would fill 24 acres of wetlands with 349,500 cubic yards of fill; the access road would fill 5.5 acres of wetlands with 150,000 cubic yards of fill, and the pipe rack VSMs would fill 0.5 acre of wetlands with 500 cubic yards of fill material.

Ice Roads

A new 11-mile ice road would be constructed from the Milne Point Mine Site E to the Omega Pad location. The purpose of this ice road is to provide access for the gravel haul from the mine site to the project location. A second one (1) mile ice road would be required to install the Omega Pad flowline and gas lift line from L Pad to the new pad location. This ice road would be used to stage equipment and drive VSMs along the length of the pipe rack.

SCHEDULE AND AUTHORIZATIONS ANTICIPATED

Ice road construction and mining operations are anticipated to begin in January 2025, or as soon as conditions support ice road construction in the 2024/2025 winter season. Pad and access road construction would begin in February 2025 and be complete by April 2025. Pad infrastructure construction would begin following pad compaction. Flowline construction is anticipated to occur from December 2026 to May 2027. Omega Pad is anticipated to be fully operational in November 2027.

ADDITIONAL INFORMATION DNR DOG, LONS approval; NSB, development permit; NSB, TLUE approval:

<u>APPLICANT PROPOSED MITIGATION</u>: 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: The project minimizes crossing as many lakes, ponds, and streams (including anadromous) as practicable. Impacts to wetlands were minimized by designing the new pad, flowlines, and access road to the minimum size necessary. The selected pad development location provides access to oil reservoir targets while avoiding important cultural and natural resources.

b. Minimization: The project would minimize the gravel footprint for additional development wells and associated infrastructure to the greatest extent practicable. Gravel placement is planned for the winter construction season to minimize impacts to migratory birds and tundra habitat. Hilcorp facilities are designed and operated to minimize sight and sound impacts in areas of high residential, recreational, and subsistence use and important wildlife habitat. Adjacent pipelines and gravel pads are designed to facilitate the containment and cleanup of spilled fluids. Any water intake structures in fish bearing or non-fish bearing waters will be designed, operated, and maintained to prevent fish entrapment, entrainment, or injury.

Hilcorp proposes to consult with Alaska Department of Fish and Game (ADF&G) and U.S. Fish and Wildlife Service (USFWS) and conduct Forward Looking Infrared or other bear den detection surveys in areas of high likelihood of bear dens before commencing winter activities to identify the locations of known brown bear den and polar bear den sites that are occupied in the season of proposed activities. Exploration and production activities would not be conducted within one-half mile of occupied brown bear dens unless alternative mitigation measures are approved by ADF&G. Exploration and production activities would not be conducted within one mile of occupied polar bear dens unless alternative mitigation measures are approved by USFWS. Hilcorp has prepared and implemented a human-bear interaction plan designed to minimize conflicts between bears and humans. Permanent, staffed facilities would be placed to the extent practicable outside identified brant, white-fronted goose, snow goose, tundra swan, king eider, common eider, Steller's eider, spectacled eider, and yellow-billed loon nesting and brood rearing areas.

Secondary containment would be provided for storage of fuel or hazardous substances and sized as appropriate to container type and according to governing regulatory requirements. During equipment storage or maintenance, the site would be protected from leaking fuel and hazardous substances by the placement of drip pans or other surface liners designed to catch and hold fluids under the equipment, or by creating an area for storage or maintenance using an impermeable liner or other suitable containment mechanism. During fuel or hazardous substance transfer, secondary containment or a surface liner would be placed under all container or vehicle fuel tank inlet and outlet points, hose connections, and hose ends. Response equipment, sufficient to respond to a spill of up to five gallons, would be on hand during any transfer or handling of fuel or hazardous substances. Waste would be reduced, reused, or recycled to the maximum extent practicable. Garbage would be disposed of at an approved site. Drilling mud and cuttings would not be discharged into lakes, streams, rivers, or wetlands.

Before the construction Hilcorp proposes to conduct an inventory of prehistoric, historic, and archeological sites within the area, including a detailed analysis of the effects that might result from that construction or placement. If a site, structure, or object of prehistoric, historic, or archaeological significance is discovered during lease operations, Hilcorp proposes to report the discovery as soon as possible. Hilcorp proposes to make all reasonable efforts to preserve and protect the discovered site, structure, or object from damage until the Director, after consultation with the State Historic Preservation Office and the North Slope Borough, has directed the lessee on the course of action to take for its preservation.

c. Compensatory Mitigation: Hilcorp has worked to limit the impact to wetlands, and believes that restoring, enhancing, or establishing wetlands for compensatory mitigation is not practicable due to limited availability of sites and technical limitations. Hilcorp believes that wetlands have been avoided and impacts minimized to the extent practicable by reducing the footprint of the project, locating the pad near existing facilities, using best management practices to reduce environmental impacts, therefore minimizing impacts would be the primary means of satisfying compliance with the Guidelines.

<u>WATER QUALITY CERTIFICATION</u>: 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.

<u>CULTURAL RESOURCES</u>: 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 areas where there would be fill placed in wetlands and immediately adjacent uplands. 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 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), Federally recognized Tribes, and other consulting parties. 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. The Corps is requesting the SHPO's concurrence with this determination.

<u>ENDANGERED SPECIES</u>: The project area is within the known or historic range of the polar bear, spectacled eider and the Steller's eider.

We are currently gathering information regarding these species and have yet to make a determination of effect. Should we find that the described activity may affect the species listed above, or their designated critical habitat, we will follow the appropriate consultation procedures under section 7 of the Endangered Species Act of 1973 (87 Stat. 844). Any

comments the U.S. Fish and Wildlife Service or the National Marine Fisheries Service (NMFS) may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

<u>ESSENTIAL FISH HABITAT</u>: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens 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).

We have determined the described activity would not be within EFH and would not adversely affect EFH in the project area.

<u>TRIBAL CONSULTATION</u>: The Corps fully supports tribal self-governance and government-togovernment 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. This application is being coordinated with federally recognized tribes and other consulting parties. Any comments federal recognized tribes and other consulting parties may have concerning presently unknown archeological or historic data that may be lost or destroyed by the work under the requested permit will be considered in the Corps final assessment of the described work.

<u>PUBLIC HEARING</u>: 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.

<u>EVALUATION</u>: 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.

<u>AUTHORITY</u>: This permit will be issued or denied under the following authorities:

(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

Enclosures









