



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: September 20, 2012
EXPIRATION DATE: October 4 2012
REFERENCE NUMBER: POA-1981-92
WATERWAY: Beaufort Sea

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.

Comments on the described work, with the reference number, 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 **Chelan Schreifels** at (907) 753-5527, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at chelan.schreifels@us.army.mil if further information is desired concerning this notice.

APPLICANT: BP Exploration Alaska, Inc, P.O. Box 196612, Anchorage, AK 99519

AGENT: Janet Sheldon, (907) 564-5020

LOCATION: The project site is located within Section 24, T. 13 N., R. 10 E., Umiat Meridian; USGS Quad Map Beechey Point B-5; Latitude 70.490° N., Longitude 149.527° W.; approximately 32 air miles northwest of Prudhoe Bay, near Prudhoe Bay, Alaska.

PURPOSE: The applicant's stated purpose is to increase the size of C Pad to accommodate drill rig access and movement. The rigs that are currently used are larger than the ones that were used when the pad was constructed.

PROPOSED WORK: The applicant proposes to expand the gravel fill pad known as the C pad in the Milne Point Unit (MPU) by placing 19,000 cubic yards of fill into 1.88 acres of wetlands. The proposed work will allow the larger Doyon drill rigs to access the existing well heads to work over the oil production wells. All work would be performed in accordance with the enclosed plan (sheets 1-5), dated June 7, 2012.

ADDITIONAL INFORMATION:

The proposed project scope will consist of the following:

- Placing approximately 19,000 cubic yards of gravel off of the existing pad on to the tundra in 1.88 acres of wetlands and waters of the U.S.
- The gravel will be spread by equipment working on the existing pad; therefore tundra travel will not be necessary.
- Gravel will come from PUT 23 or other permitted gravel source.
- The proposed project is scheduled to begin in fall/winter 2012 and will be complete by fall 2013.

The applicant is proposing to place the fill to expand the drill pad for safety clearances to accommodate the larger drill rigs that are currently being used. When the pad was originally designed and constructed the drilling rigs used were of smaller dimensions.

The C pad gravel fill was originally authorized by the Department of the Army permit number POA-1981-92, Beaufort Sea 182, which was issued to Conoco, Inc. on September 3, 1981. The permit authorized placing 761,000 cubic yards (cy) of fill into 141.2 acres of wetlands to develop the Milne Point Unit by constructing an access road from the ARCO Spine Road and construction of drill pads A, B, C and D in support of oil and gas development. Broken down as follows:

- a. Thirteen miles of roads on 76 acre consisting of 275,000 cy of gravel. The roads shall be constructed with crown of 30' with 3' thickness. A 2H:1V sloping edge shall provide for a base of 42'.
- b. Drill Site "A" construction consisting of placement of 150,000 cy of gravel on 19.1 acres consisting of a 722'x1,080'x5' drill pad and a 200'x300' camp and facilities pad.
- c. A previously permitted drill site (Drill Site "B") and an addition of 31,500 cy of gravel on 19.1 acres for a 130'x320' camp and facilities pad consisting, a 73'x100' flare pit, a 7'x200' reserve pit, and a 50'x50' fuel pit.
- d. Drill Site "C" construction consisting of placement of 152,000 cy of gravel fill on 19.1 acres consisting of a 750'x1,080'x5' drill pad and 20'x300' camp and facilities pad.
- e. Drill Site "D" construction consisting of placement of 152,000 cy of gravel on 19.1 acres consisting of a 750'x1,080'x5' drill pad and a 200'x300' camp and facilities pad.

This permit has been modified several times for the individual pads. Specifically, the C pad permit has been modified as follows:

- On April 10, 1998, nationwide permit #12 Utility Line Discharges, was verified to modify the existing power feed system at C-Pad, Milne Point Unit. The modification consisted of trenching approximately 500 feet for a buried power feeder line.
- Pad expansion on August 4, 1998 authorization for placement of approximately 3,350 cubic yards of gravel fill material into approximately 0.45 acres of waters of the U. S. (wetlands) for the expansion of the west side of the existing C Pad. The expansion of the existing C Pad facility along the western edge was necessary to ensure safe rig movement and prevention of damage to existing wells and piping during the drilling of new wells. Since the permit for C Pad was not expired, the work was relatively minor in scope, and expected to be non-controversial; the modification was evaluated as an in-house modification, and coordinated with USFWS for endangered species.
- Pad expansion on September 27, 2005 to authorize placing approximately 795 cubic yards of fill into approximately 0.11 acres of wetlands to expand the pad for well work over.

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: The north slope of Alaska near entirely made up of contiguous wetlands and waters of the U.S. Therefore, it is not possible to avoid impacts in the proposed project area.
- b. Minimization: The applicant states that they have minimized impacts by designing the proposed expansion to use the absolute minimum of gravel discharge and footprint that is required for safety. They minimized impacts to surrounding wetlands by proposing to place the gravel from the existing C pad rather than from the adjacent tundra wetlands.
- c. Compensatory Mitigation: The applicant proposes to pay compensatory mitigation to an approved in-lieu fee program to offset the unavoidable impacts to wetlands and waters of the U.S. The wetland Cowardin classifications that will be impacted are primarily palustrine emergent and scrub shrub.

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 listed or eligible properties in the vicinity of the worksite. Consultation of the AHRs constitutes the extent of cultural resource investigations by the District Commander at this time, and he is otherwise unaware of the presence of such resources. 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.

ENDANGERED SPECIES: The project area is within the known or historic range of the Spectacled eiders (*Somateria fischeri*), Alaska-breeding Steller's eiders (*Polysticta stelleri*), polar bears (*Ursus maritimus*).

We have determined the described activity may affect the Spectacled eiders (*Somateria fischeri*), Alaska-breeding Steller's eiders (*Polysticta stelleri*). We will initiate 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 NMFS 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 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 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 of Engineers 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 of Engineers 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 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 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
401 Certification Program
Non-Point Source Water Pollution Control Program

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WQM/401 CERTIFICATION
555 CORDOVA STREET
ANCHORAGE, ALASKA 99501-2617
PHONE: (907) 269-7564/FAX: (907) 334-2415

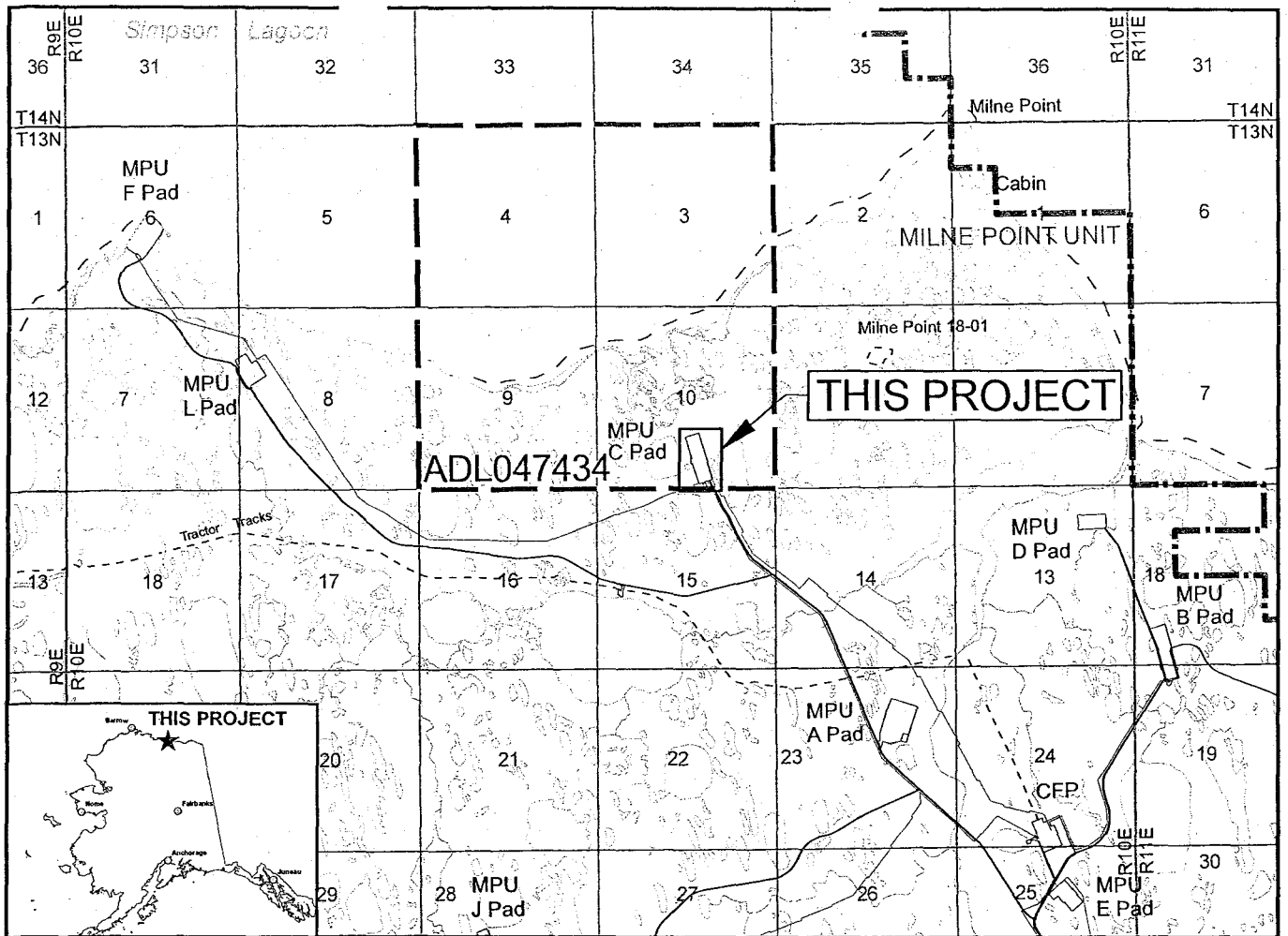
NOTICE OF APPLICATION
FOR
STATE WATER QUALITY CERTIFICATION

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 No. POA-1981-92, Beaufort Sea, 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 by the expiration date of the Corps of Engineer's Public Notice.



This map is based on U.S.G.S quad Beechey Point (B-5) and on the Unit Operator's Facility Maps.



PROJECT LOCATION:

MILNE POINT UNIT - C PAD

NAD83

LAT. = 70° 29' 22.911"

LONG. = -149° 31' 36.733"

ALASKA STATE PLANE ZONE 4, NAD83

X = 1,698,292.78 FEET

Y = 6,028,802.69 FEET

SEC. 10 T13N, R10E UMIAT M.

ADL # 047434

DATUM: MEAN SEA LEVEL

PURPOSE: GRAVEL EXPANSION

ADJACENT PROPERTY OWNER:

STATE OF ALASKA

BP EXPLORATION (ALASKA) INC.

MILNE POINT UNIT

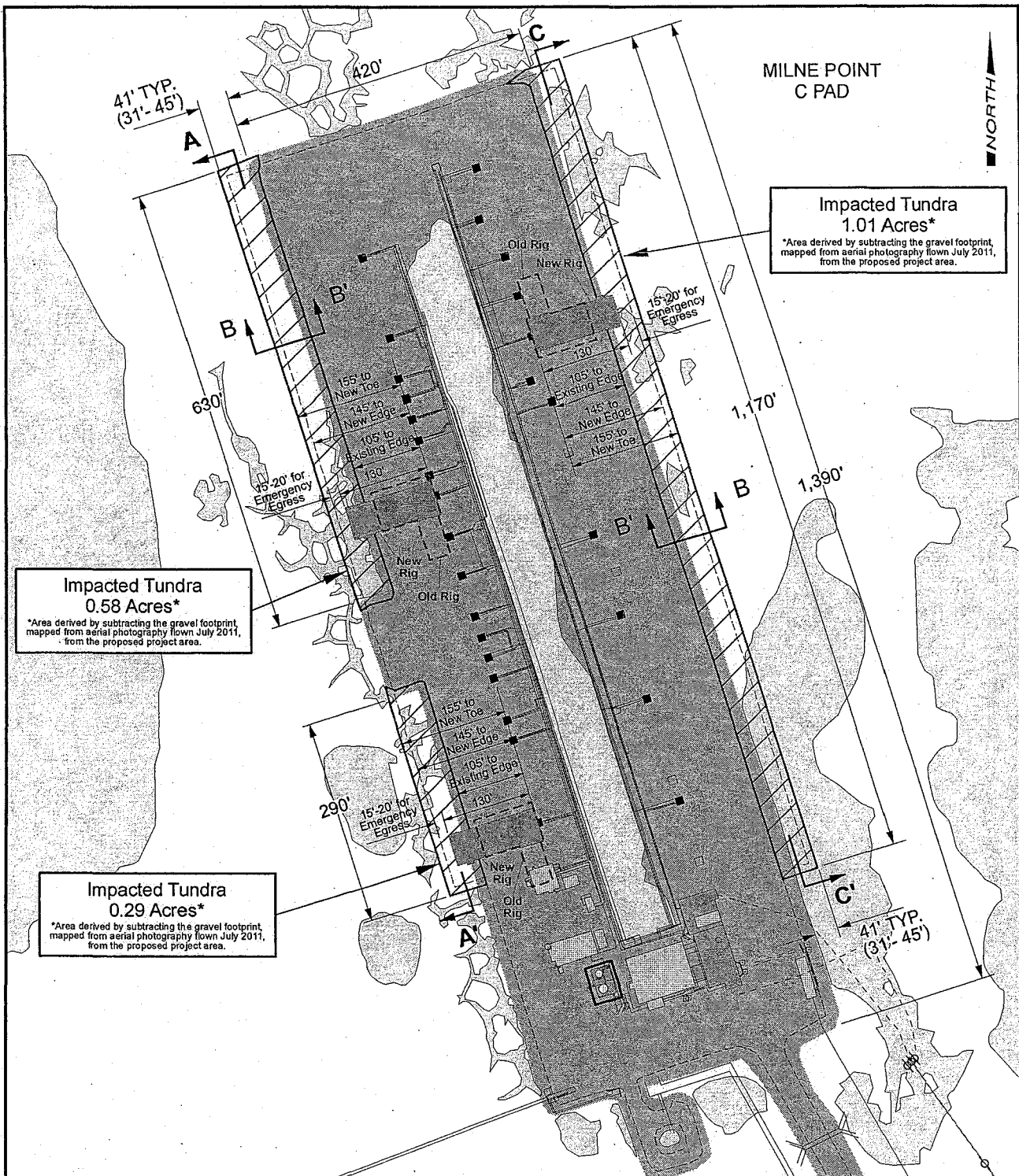
C PAD

RIG ACCESS GRAVEL EXPANSION

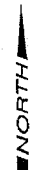
VICINITY MAP

POA-1981-92
 BEAUFORT SEA
 BPEXPLORATION ALASKA
 SEPTEMBER 18, 2012
 SHEET 1 OF 5

SCALE:
 1" = 1 Mile



MILNE POINT
C PAD




**Impacted Tundra
1.01 Acres***
*Area derived by subtracting the gravel footprint,
mapped from aerial photography flown July 2011,
from the proposed project area.

**Impacted Tundra
0.58 Acres***
*Area derived by subtracting the gravel footprint,
mapped from aerial photography flown July 2011,
from the proposed project area.

**Impacted Tundra
0.29 Acres***
*Area derived by subtracting the gravel footprint,
mapped from aerial photography flown July 2011,
from the proposed project area.

BP EXPLORATION (ALASKA) INC.

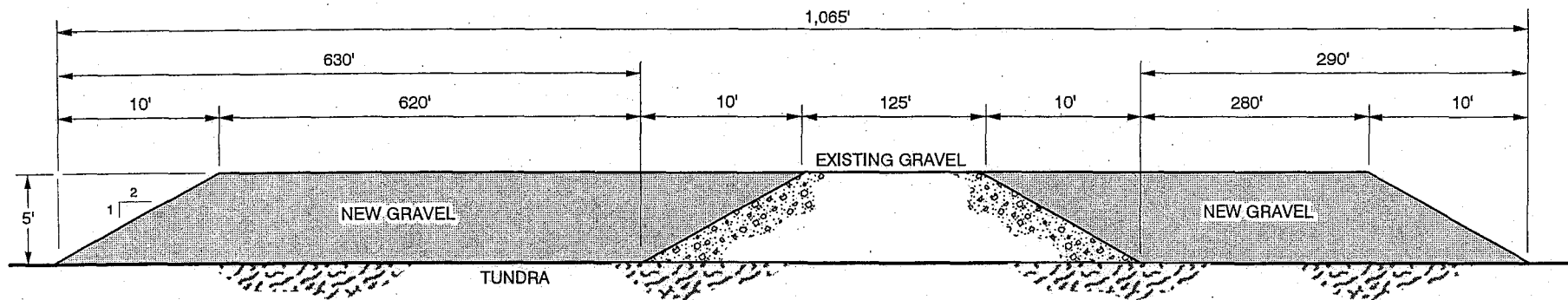
**MILNE POINT UNIT
C PAD
RIG ACCESS GRAVEL EXPANSION
LOCATION MAP**

 Proposed Location for Gravel Expansion

Impacted Tundra.....1.88 ACRES*
Gravel Expansion Volume.....19,000 CY
All Calculations are Approximate
*Area derived by subtracting the gravel footprint,
mapped from aerial photography flown July 2011,
from the proposed project area.

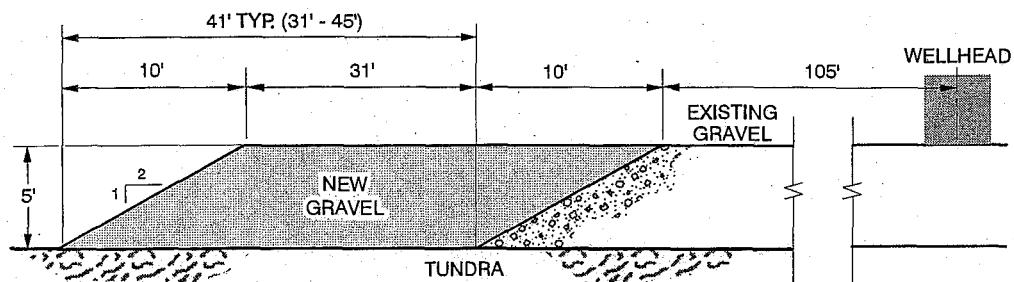
**POA-1981-92
BEAUFORT SEA
BPEXPLORATION ALASKA
SEPTEMBER 18, 2012
SHEET 2 OF 5**

SCALE:
1" = 200'



GRAVEL EXPANSION A-A'

Not to Scale



GRAVEL EXPANSION B-B'

Not to Scale

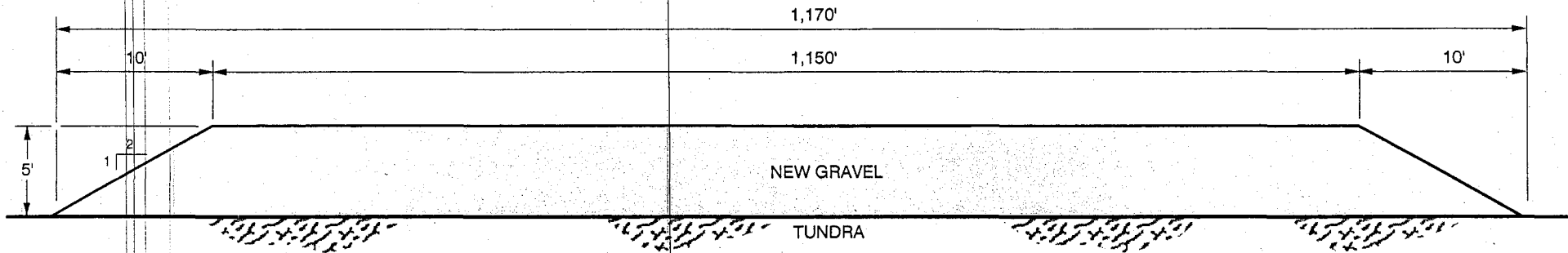
BP EXPLORATION (ALASKA) INC.

MILNE POINT UNIT
 C PAD
 RIG ACCESS GRAVEL EXPANSION
 CROSS SECTIONS

POA-1981-92
 BEAUFORT SEA
 BP EXPLORATION ALASKA
 SEPTEMBER 18, 2012
 SHEET 3 OF 5

SCALE:
 N/A

ALL DIMENSIONS ARE APPROXIMATE



GRAVEL EXPANSION C-C'
Not to Scale

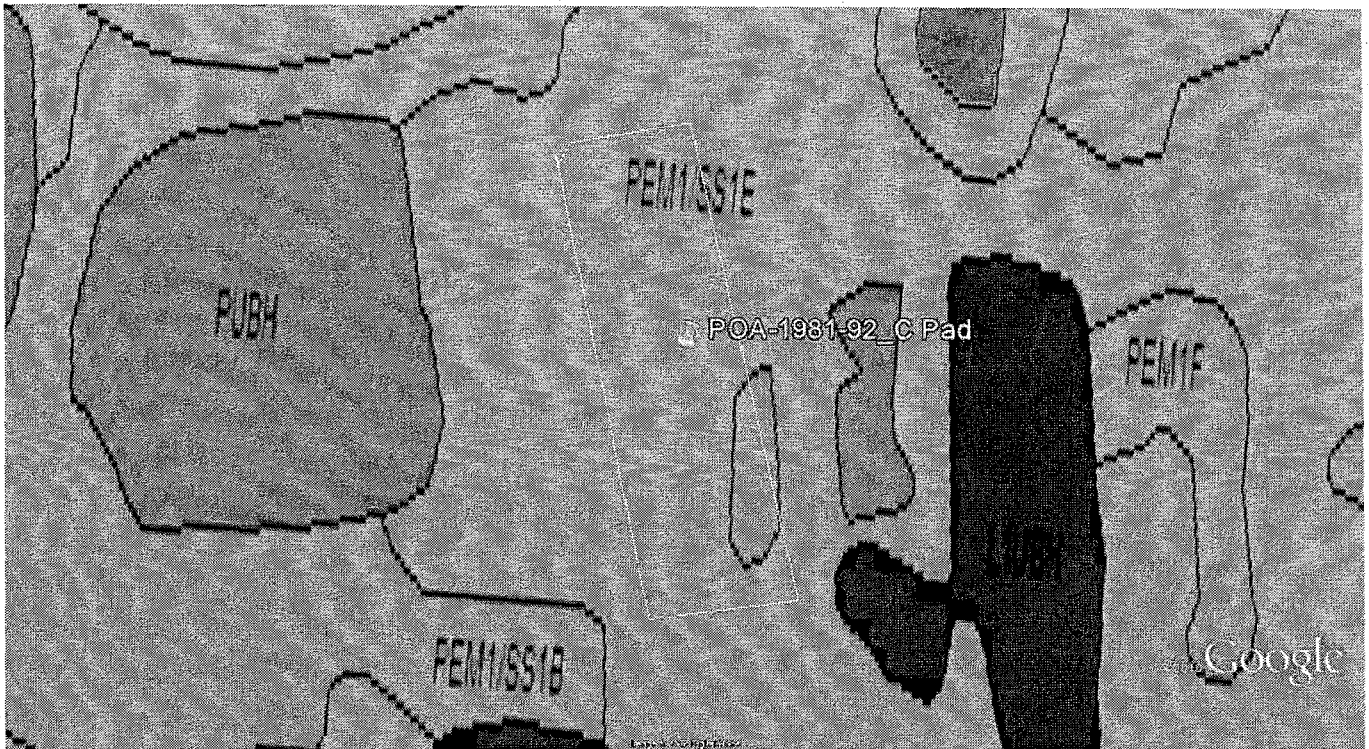
BP EXPLORATION (ALASKA) INC.

MILNE POINT UNIT
C PAD
RIG ACCESS GRAVEL EXPANSION
CROSS SECTIONS

POA-1981-92
BEAUFORT SEA
BPEXPLORATION ALASKA
SEPTEMBER 18, 2012
SHEET 4 OF 5

SCALE: N/A	
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ALL DIMENSIONS ARE APPROXIMATE



POA-1981-92_Beaufort Sea_BP Exploration Alaska, NWI Map