



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

<b>PUBLIC NOTICE DATE:</b>	<b>June 11, 2013</b>
<b>EXPIRATION DATE:</b>	<b>June 26, 2013</b>
<b>REFERENCE NUMBER:</b>	<b>POA-1994-700-M6</b>
<b>WATERWAY:</b>	<b>Mikkelsen Bay</b>

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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 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: Savant Alaska LLC (Savant), Mr. Rob Crotty, (907) 433-7808, 4720 Business Park Blvd., Suite G-40, Anchorage, Alaska 99503.

AGENT: Ms. Amanda Harford, Cardno ENTRIX, (907) 261-7707.

LOCATION: The project site is located within Section 3, T. 9 N., R. 20 E.; Umiat Meridian; USGS Quad Map Beechey Point A-1, Latitude 70.1574° N., Longitude 147.0275° W.; North Slope Borough, approximately 25 miles east of Prudhoe Bay, Alaska.

PURPOSE: The applicant's stated purpose is to continue maintenance dredging of Badami Dock approach area.

PROPOSED WORK: A 600' x 300' area of Mikkelsen Bay, a water of the U. S., would be dredged using screeding techniques to scrape the seafloor and level it to a consistent depth of -6.5 feet to provide shallow draft barges access to Badami Dock. All work would be performed in accordance with the enclosed plan (sheets 1-2), dated June 2003.

ADDITIONAL INFORMATION: Savant plans to transport a drill rig for continued Badami Unit Development from Prudhoe Bay Unit West Dock to Badami Point Dock during the summer of 2013. The transport activities will be conducted using tugs and barges

capable of safely moving rig modules that have a draft of approximately 5 feet when loaded.

The original permit was issued as 2-940700, Mikkelsen Bay 2 (POA-1994-700), on February 3, 1997, for the development of the Badami Project by excavating approximately 1,067,580 cubic yards (cy) of gravel fill, material from approximately 26.9 acres of waters of the United States (U.S.), and placing approximately 1,113,810 cy of fill material into approximately 97.5 acres of waters of the U.S., thereby impacting a total of approximately 124.4 acres of waters of the U.S. for the Badami Development Project. This project includes the development of a 34.6 acre material source, including an overburden stockpile interim habitat area and water control dike; construction of an approximate 1,100' long solid fill dock; a central processing unit (CPU) pad, with flare pad; an airstrip with turnarounds; a storage/gravel stockpile pad; an in-field road system; a 25.1 mile long, 12-inch diameter, elevated, sales oil pipeline with three buried river crossings; an approximate 35-mile long, 4 or 6-inch diameter, utility pipeline extending from the existing Endicott Main Production Island to the proposed Badami CPU; eight valve pads; six riser pads; and an Endicott tie-in pad.

A modification to the permit, 1994-700-M1 (M-940700), was issued March 12, 1997, for the placement of approximately 100 cy of fill material into approx. 0.05 acre of wetlands to construct three 6' X 6' X 5' (surface area) gravel pads to support air navigational equipment near the Badami airstrip.

A second modification to the permit, 1994-700-M2 (N-940700), was issued July 21, 1997, for the placement of approximately 18,500 cy of fill material into approximately 1.5 acres of wetlands to construct a 470' X 125' X 7' (surface area) expansion to the previously authorized Storage/Gravel Stockpile Pad north of the East Badami Creek Mine Site; and the dredging and discharge of approximately 22 cy of seabed material from a 600' X 300' (4.1 acre) area seaward of the Badami Dock, as necessary to provide barge access to the dock.

A third modification to the permit, 1994-700-M3 (O-940700), was issued July 21, 1997, concurrently with M2, for the placement of approximately 700 cy of fill material into approx. 0.07 acre of wetlands to construct a gravel pad with a 43' X 68' X 5' footprint and 1.5:1 side slopes, to support a Navigation Aid Building for the Badami Airstrip .

A fourth modification to the permit, 1994-700-M4 (P-940700), was issued December 24, 1997, to excavate additional volume of approximately 567, 111 cy of material, and place an additional volume of approximately 464,899 cy of fill material, thereby temporarily impacting approximately an additional 129.6 acres of waters of the U.S. to construct the Badami Pipeline.

A fifth modification to the permit, 1994-700-M5 (Q-1994-0700), was issued July 31, 2003, to dredge to a depth of -6.5' to provide barge access at the Badami dock face and discharge the dredged material in adjacent waters.

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 area to be dredged is within waters of the U.S. and is impossible to avoid.

b. Minimization: The applicant would provided the following minimization measures:

- Sizing the screed area to the smallest square footage required for barge access (4.1 acres)
- Using current permitted project areas and infrastructure
- Using screed operations, rather than removing sediment from the area
- Moving the smallest volume of material required (22 cubic yards) for barge use
- Performing screed operations prior to the fall subsistence whaling season to minimize effects on subsistence whale hunting.

c. Compensatory Mitigation: The applicant has stated that they do not believe compensatory mitigation is appropriate for this project as the material would remain in the same general location. Therefore, the material will remain with like material and benthic effects will be minimal. In addition, the topography of the seafloor will be restored to contours likely to exist is the dock were not present.

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 Bowhead Whale (*Balaena mysticetus*), Bearded (*Erignathus barbatus*) and Ringed (*Pusa hispida*) seal, Polar bear (*Ursus maritimus*), Spectacled eider (*Somateria fischeri*), Steller's eider (*Polysticta stelleri*), and Candidate for Listing species Yellow-billed loon (*Gavia adamsii*).

We have determined the described activity may affect the threatened Polar bear. 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 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 is within the known range of the Arctic Cod (*Arctogadus glacialis*). We have determined the described activity would not adversely affect EFH in 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 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

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

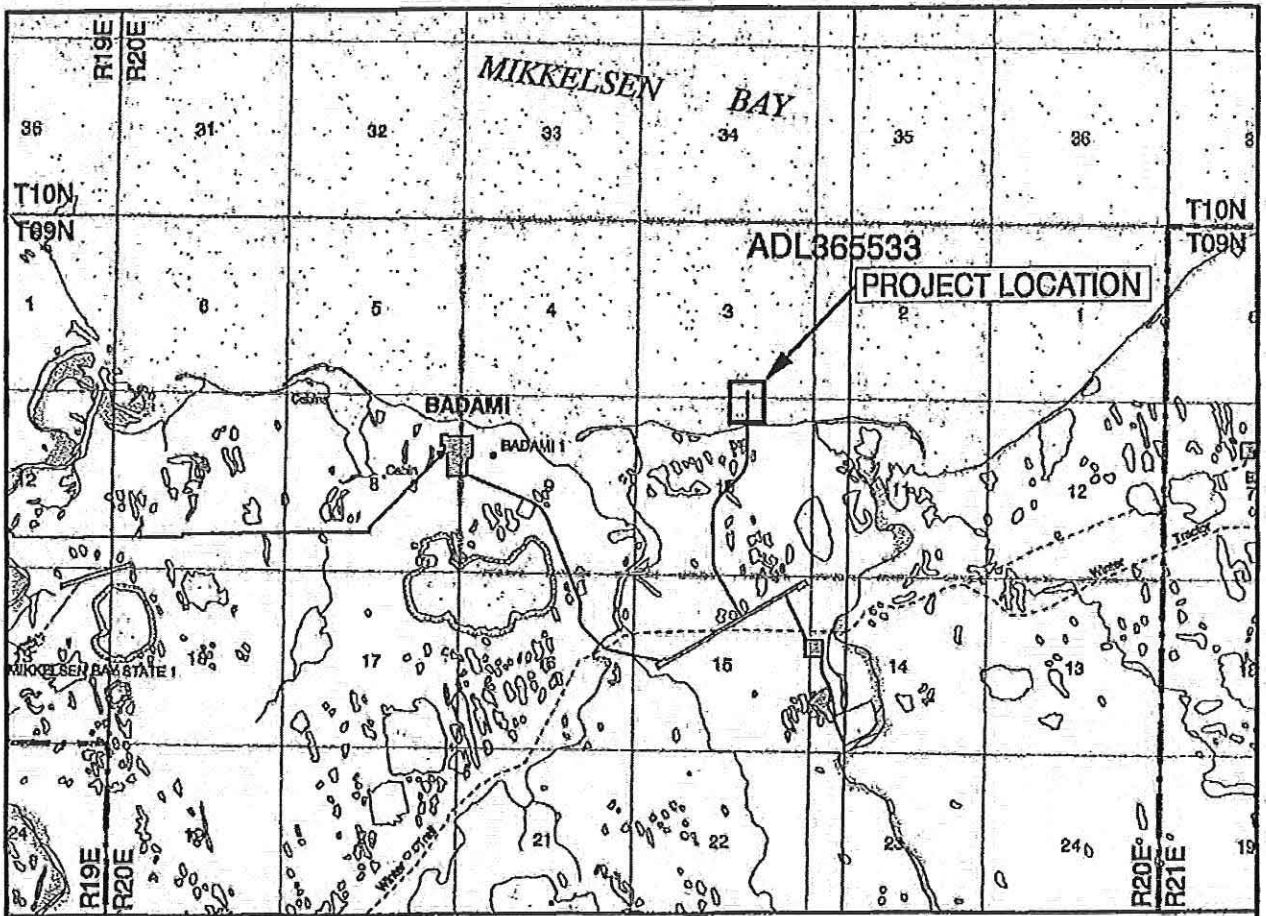
NOTICE OF APPLICATION  
FOR  
STATE WATER QUALITY CERTIFICATION

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-1994-700-M6, Mikkelsen Bay, 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 Beechay Point (B-5) and on the Unit Operator's Facility Maps.

**NORTH**

**PROJECT LOCATION:**

CENTROID FOR BADAMI DOCK

LAT. = 70° 09' 19.5" NORTH

LONG. = 147° 01' 29.2" WEST

X = 372,580.95 FEET EAST

Y = 5,907,438.1 FEET NORTH

ALASKA STATE PLANE ZONE 3, NAD 27

T09N, R20E, SECTION 3, UMIAT MERIDIAN

ADL # 365533

DATUM: MEAN SEA LEVEL

PURPOSE: DREDGING MAINTENANCE

ADJACENT PROPERTY OWNER:

STATE OF ALASKA

Q-1994-0700 Mikkelsen Bay 2

**BP EXPLORATION (ALASKA) INC.**

**BADAMI UNIT  
BADAMI DOCK  
MAINTENANCE DREDGING AND  
EROSION CONTROL  
VICINITY MAP**

DATE:  
JUNE 2003

SCALE:  
1" = 1 Mile

FIGURE:  
1

