



ANCHOR POINT ENERGY, LLC

February 18, 2010

Jodi Delgado-Plikat
Alaska Department of Natural Resources
Division of Coastal and Ocean Management
550 West 7th Avenue, Suite 705
Anchorage, Alaska 99501

Re: Natural Gas Pipeline Construction and Operation
Anchor Point Energy, LLC
Kenai Peninsula Borough, Alaska

Dear Ms. Delgado-Plikat:

Enclosed is the application for Anchor Point Energy, LLC to construct and operate an eight mile long natural gas pipeline located in the Kenai Peninsula Borough near Anchor Point, Alaska. The pipeline is intended to transport natural gas from the North Fork Unit and deliver it to a sales pipeline operated by Enstar Natural Gas Company. The upland areas of the pipeline are intended to be constructed in late summer 2010 and the wetlands portions of the pipeline is intended to be constructed during winter months and be completed in early 2011.

The Coastal Project Questionnaire and other applicable information are attached to this letter.

Should you have any questions, you can call either me at 303-623-1821 or Bob Britch at 907-243-7716.

Sincerely,

Ed Teng
Vice President-Engineering

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disturbed area. If this project is a modification to an approved project, identify existing facilities and proposed changes on the site plan.

Proposed starting date for project: 6-30-2010 Proposed ending date for project: 12-31-2012

PROJECT LOCATION and LAND OWNERSHIP

Yes No

4. Describe/identify the project location on a map (Including nearest community, the name of the nearest land feature or body of water, and other legal description such as a survey or lot number.)

Township 4 & 5S Range 14 & 15W Section Varies Meridian Seward (see related permit applications)
 Latitude/Longitude 59°46'- 59°48'N / 151°37'-151°50' W" (specify Decimal Degrees or Degrees, Minutes, Seconds)
 USGS Quad Map Soldotna

5. The project is located on: State land or water* Federal land Private land Municipal land
 (Check all that apply) Mental Health Trust land University of Alaska land
 Contact the applicable landowner(s) to obtain necessary authorization. State land ownership can be verified using Alaska Mapper. *State land can be uplands, tidelands or submerged lands to 3 miles offshore.

6. Is the project within or associated with the Trans Alaska Pipeline corridor? Yes No

COASTAL DISTRICT

Yes No

7. Is the project located in a coastal district?

Yes No

If yes, identify the applicable coastal district(s) Kenai Peninsula Borough and contact them to ensure your project conforms with district policies and zoning requirements. Coastal districts are a municipality or borough, home rule or first class city, second class municipality with planning powers, or coastal resource service area. A coastal district is a participant in the State's consistency review process. Early interaction with the district can benefit you significantly; please contact the district representative listed on the contact list at <http://www.alaskacoast.state.ak.us/Contacts/PRCregcont.html>

DEPARTMENT OF NATURAL RESOURCES (DNR) APPROVALS

DNR DIVISION OF MINING, LAND & WATER- LAND SECTION

Yes No

1. Is the proposed project on State-owned land or water or will you need to cross State-owned land for access? (NOTE: State land includes the land below the ordinary high water line of navigable streams, rivers and lakes, and in marine waters, below the mean high tide line seaward for three miles. State land does not include Alaska Mental Health Trust Land or University of Alaska Land.) Yes No

2. If you answered yes to the question above, indicate the person you contacted at the appropriate Division of Mining, Land and Water regional office for information.

a) Name/date of Contact: Mike Thompson 1-7-10

b) Is an application required for the proposed activity? Yes No

c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: Permitted by Joint Pipeline Office

DNR DIVISION OF MINING, LAND & WATER- MATERIALS SECTION

Yes No

3. Do you plan to dredge or otherwise excavate or remove materials such as rock, sand, gravel, peat, or overburden from any land regardless of ownership? Yes No

a) Location of excavation site if different than the project site: Same location

Township _____ Range _____ Section _____ Meridian _____

4. At any one site (regardless of land ownership), do you plan any of the following? Yes No

Excavate five or more acres over a year's time

Excavate 50,000 cubic yards or more of materials (rock, sand, gravel, soil, peat, overburden, etc.) over a year's time

Have a cumulative, un-reclaimed, excavated area of five or more acres

5. Do you plan to place fill or excavated material on State-owned land? Yes No

a) Location of fill or material disposal site if different than the project site: Same location

Township _____ Range _____ Section _____ Meridian _____

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6. If you answered yes to any question above, indicate the person you contacted at the appropriate Division of Mining, Land and Water regional office for information.

a) Name/date of Contact: Mike Thompson 1-7-10

b) Is an application required for the proposed activity?

c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: Activities only include trenching to place a gas pipeline and then replacing the excavated materials into the trench.

DNR DIVISION OF MINING, LAND & WATER- MINING SECTION

Yes No

7. Do you plan to mine for locatable minerals such as silver, gold, or copper?

8. Do you plan to explore for or extract coal?

9. If you answered yes to any question above, indicate the person you contacted at the appropriate Division of Mining, Land and Water regional office for information.

a) Name/date of Contact: _____

b) Is an application required for the proposed activity?

c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

DNR DIVISION OF MINING, LAND & WATER- WATER SECTION

Yes No

10. Will this project or development divert, impound, withdraw, or use any fresh water (regardless of land ownership)?
(NOTE: If you know of other water users who withdraw from the same source or any potential conflicts affecting this use of water, contact the Water Section. If you are obtaining water exclusively from either an existing Public Water Supply or from a rainwater catchment system, you are not required to contact the DNR Water Section regional office.)

a) Check all points-of-withdrawal or water sources that apply:

- Public Water system (name): _____
- Stream or Lake (name): _____
- Well
- Rain catchment system
- Other: Private local gravel pits

b) Intended use(s) of water: Possible construction of winter ice roads

c) Amount (maximum daily, not average, in gallons per day): 100,000 gpd

d) Is the point of water withdrawal on property you own?

11. Do you plan to build or alter a dam (regardless of land ownership)?

12. If you answered yes to any question above, indicate the person you contacted at the appropriate Division of Mining, Land and Water regional office for information.

a) Name/date of Contact: Pending

b) Is an application required for the proposed activity?

c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

DNR DIVISION OF FORESTRY

Yes No

13. Does your operation meet both of the following criteria on any land, regardless of ownership?

a) The project will commercially harvest timber on 10 or more acres, or commercially harvest timber that intersects, encompasses, or borders on surface waters, and

b) The project involves one or more of the following: site preparation, thinning, slash treatment, construction and maintenance of roads associated with a commercial timber harvest, or any other activity leading to or connected to a commercial timber harvest operation.

14. If you answered yes to any question above, indicate the person you contacted at the appropriate Division of Forestry regional office for information.

a) Name/date of Contact: _____

b) Is an application required for the proposed activity?

c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

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DNR DIVISION OF OIL & GAS

- | | | |
|--|-------------------------------------|-------------------------------------|
| | Yes | No |
| 15. a) Will you be exploring for or producing oil and/or gas? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Will you conduct surface use activities on/within an oil and gas lease or unit? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| If yes, please specify: <u>North Fork Unit and adjacent areas</u> | | |
| 16. Do you plan to drill a geothermal well (regardless of land ownership)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 17. If you answered yes to any question above, indicate the person you contacted at the appropriate <u>Division of Oil & Gas</u> office for information. | | |
| a) Name/date of Contact: <u>John Easton-10/16/09</u> | | |
| b) Is an application required for the proposed activity? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____ | | |
| Visit the <u>Division of Oil & Gas website</u> for application forms and additional information. | | |

DNR OFFICE OF HISTORY & ARCHAEOLOGY

- | | | |
|---|--------------------------|-------------------------------------|
| | Yes | No |
| 18. Will you investigate, remove, or impact historical, archaeological or paleontological resources (anything over 50 years old) on State-owned land? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 19. If you answered yes to the question above, indicate the person you contacted at the <u>State Historic Preservation Office</u> for information. | | |
| a) Name/date of Contact: <u>S. Ludwig 1-7-10</u> | | |

DNR DIVISION OF GEOLOGICAL & GEOPHYSICAL SURVEYS

- | | | |
|---|--------------------------|-------------------------------------|
| | Yes | No |
| 20. Is the proposed project located within a natural hazard area designated by a coastal district in the approved district plan? (Refer to the <u>district plan</u> or contact the <u>coastal district office</u> .) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) If "yes", describe the measures you will take in the siting, design, construction, and operation of the proposed activity to protect public safety, services, and the environment from potential damage caused by the designated natural hazard(s) in the Natural Hazards portion of the attached Coastal Consistency Evaluation (11 AAC 112.210). | | |
| 21. If you have contacted someone, please indicate the person you contacted at the <u>Coastal District</u> or the <u>State</u> for information. The <u>Division of Geological & Geophysical Survey</u> may have additional information on hazards for the area. | | |
| a) Name/date of Contact: _____ | | |

DNR DIVISION OF PARKS & OUTDOOR RECREATION

- | | | |
|---|--------------------------|-------------------------------------|
| | Yes | No |
| 22. Is the proposed project located in a unit of the Alaska State Park System including navigable waters, tidelands or submerged lands to three miles offshore? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 23. If you answered yes to any question above, indicate the person you contacted at the appropriate <u>DNR Division of Parks & Recreation</u> office for information. | | |
| a) Name/date of Contact: _____ | | |
| b) Is an application required for the proposed activity? | <input type="checkbox"/> | <input type="checkbox"/> |
| c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____ | | |

DNR APPROVALS

List the Department of Natural Resources permits or authorizations required for your project below:

Types of project approvals or permits needed.

Date application submitted

| | |
|--------------|---------------|
| Right of Way | February 2010 |
| | |
| | |

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■ DEPARTMENT OF FISH AND GAME (DFG) APPROVALS

- | | | |
|--|-------------------------------------|-------------------------------------|
| | Yes | No |
| 1. Is your project located in a designated State Game Refuge, Critical Habitat Area or State Game Sanctuary? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Does your project include construction/operation of a salmon hatchery? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Does your project affect, or is it related to, a previously permitted salmon hatchery? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Does your project include construction of an aquatic farm? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Will you work in, remove water or material from, or place anything in, a stream, river or lake? <i>(NOTE: This includes work or activities below the ordinary high water mark or on ice, in the active flood plain, on islands, in or on the face of the banks, or, for streams entering or flowing through tidelands, above the level of mean lower low tide. If the proposed project is located within a special flood hazard area, a municipal floodplain development permit may be required. Contact the affected city or borough planning department for additional information and a floodplain determination.)</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) If yes, name of waterbody: <u>North Fork Anchor River and other minor unnamed stream crossings</u> | | |
| 6. If you answered yes to any questions above, indicate the person you contacted at the appropriate <u>Department of Fish and Game</u> office for information. <i>(For projects involving Hatcheries or Aquatic Farms, please contact the <u>Division of Commercial Fisheries</u>. Other projects should contact the <u>Division of Habitat</u>.)</i> | | |
| a) Name/date of Contact: <u>G. Litchfield 1-7-10</u> | | |
| b) Is an application required for the proposed activity? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____ | | |

DFG APPROVALS

List the Department of Fish and Game permits or authorizations required for your project below:

Types of project approvals or permits needed.

Date application submitted

| | |
|----------------|---------------|
| Habitat Permit | February 2010 |
| | |
| | |

■ DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) APPROVALS

DEC DIVISION OF WATER

- | | | |
|--|--------------------------|-------------------------------------|
| | Yes | No |
| 1 a) Will a discharge of non-domestic wastewater to lands, waters, or the subsurface of the state occur? <i>(NOTE: Non-domestic wastewater includes wastewater from commercial or industrial facilities, excavation projects, wastewater from man-made containers or containment areas, or any other non-domestic wastewater disposal activities see 18 AAC 72.990 for definitions.)</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Will a discharge of domestic wastewater or septage to lands, waters or the subsurface of the state occur? <i>(see 18 AAC 72.990 for definitions.)</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Will the wastewater disposal activity require a mixing zone or zone of deposit to meet Water Quality Standards (WQS)? <i>(Many disposal activities require a mixing zone to meet WQS, contact DEC if unsure.)</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Will the project include a stormwater collection/discharge system? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Will the project include placing fill in wetlands? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Is the surrounding area inundated with water at any time of the year? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Do you intend to construct, install, modify or use any part of a domestic or non-domestic wastewater treatment or disposal system? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Does your project qualify for a general permit for wastewater? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. If you answered yes to any questions above, indicate the person you contacted at the <u>DEC-Division of Water</u> for information. | | |
| a) Name/date of Contact: _____ | | |
| b) Is an application required for the proposed activity? | <input type="checkbox"/> | <input type="checkbox"/> |
| c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____ | | |

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DEC DIVISION OF ENVIRONMENTAL HEALTH

- | | Yes | No |
|--|--------------------------|-------------------------------------|
| 4 a) Will your project result in construction, modification, or operation of a facility for solid waste disposal? <i>(NOTE: Solid waste means drilling wastes, household garbage, refuse, sludge, construction or demolition wastes, industrial solid waste, asbestos, and other discarded, abandoned, or unwanted solid or semi-solid material, whether or not subject to decomposition, originating from any source. Disposal means placement of solid waste on land.)</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Will your project result in treatment of solid waste at the site? <i>(Examples of treatment methods include, but are not limited to: incineration, open burning, baling, and composting.)</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Will your project result in storage or transfer of solid waste at the site? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Will the project result in storage of more than 50 tons of materials for reuse, recycling, or resource recovery? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Will any sewage solids or biosolids be disposed of or land-applied to the site? <i>(NOTE: Sewage solids include wastes that have been removed from a wastewater treatment plant system, such as a septic tank lagoon dredge, or wastewater treatment sludge that contain no free liquids. Biosolids are the solid, semi- solid or liquid residues produced during the treatment of domestic septage in a treatment works which are land applied for beneficial use.)</i> .. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Will your project require application of oil, pesticides, and/or any other broadcast chemicals? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Does your project qualify for a general permit for solid waste? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. If you answered yes to any question above, indicate the person you contacted at the <u>DEC- Division of Environmental Health</u> for information. | | |
| a) Name/date of Contact: _____ | | |
| b) Is an application required for the proposed activity? | <input type="checkbox"/> | <input type="checkbox"/> |
| c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____ | | |

DEC DIVISION OF AIR QUALITY

- | | Yes | No |
|---|--------------------------|-------------------------------------|
| 8 a) Will you have an asphalt plant designed to process no less than <i>five tons per hour</i> of product? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Will you have a thermal remediation unit with a rated capacity of at least five tons per hours of untreated material? .. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Will you have a rock crusher with a rated capacity of at least five tons per hour? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Will you have one or more incinerators with a cumulative rated capacity of 1,000 pounds or more per hour? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Will you have a coal preparation plant? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Will you have a Port of Anchorage stationary source? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Will you have a facility with the potential to emit no less than 100 tons per year of any regulated air contaminant?..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Will you have a facility with the potential to emit no less than 10 tons per year of any hazardous air contaminant or 25 tons per year of all hazardous air contaminants?..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Will you be constructing a new stationary source with a potential to emit greater than: | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> 15 tons per year (tpy) of PM-10 | | |
| <input type="checkbox"/> 40 tpy of nitrogen oxides | | |
| <input type="checkbox"/> 40 tpy of sulfur dioxide | | |
| <input type="checkbox"/> 0.6 tpy of lead; or | | |
| <input type="checkbox"/> 100 tpy of CO within 10 km of a nonattainment area | | |
| j) Will you be commencing construction, or <i>(if not already authorized under 18 AAC 50)</i> relocating a portable oil and gas operation? <i>(answer "yes" unless you will comply with an existing operating permit developed for the portable oil and gas operation at the permitted location; or you will operate as allowed under AS 46.14.275 without an operating permit)</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| k) Will you be commencing construction or <i>(if not already authorized under 18 AAC 50)</i> relocating an emission unit with a rated capacity of 10 million Btu or more per hour in a sulfur dioxide special protection area established under 18 AAC 50.025? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| l) Will you be commencing a physical change to or a change in the method of construction of an existing stationary source with a potential to emit an air pollutant greater than an amount listed in g) that will cause for that pollutant an emission increase (calculated at your discretion) as either an increase in potential to emit that is greater than: | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> 10 tpy of PM-10 | | |
| <input type="checkbox"/> 10 tpy of sulfur dioxide | | |
| <input type="checkbox"/> 10 tpy of nitrogen oxides; or | | |
| <input type="checkbox"/> 100 tpy of CO within 10 km of a nonattainment area; or | | |

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actual emissions and a net emissions increase greater than:

- 10 tpy of PM-10
- 10 tpy of sulfur dioxide
- 10 tpy of nitrogen oxides; or
- 100 tpy of CO within 10 km of a nonattainment area

- m) Will you be commencing construction or making a major modification of a Prevention of Significant Deterioration stationary source under 18 AAC 50.306?
 - n) Will you be commencing construction or making a major modification of a nonattainment area major stationary source under 18 AAC 50.311?
 - o) Will you be commencing construction or reconstructing a major stationary source under 18 AAC 50.316, for hazardous air pollutants? Definition of Regulated Air Pollutants can be found at <http://www.epa.gov/ttn/oarpg/t5/memoranda/rapdef.pdf>
9. If you answered yes to any questions above, indicate the person you contacted at the DEC- Division of Air Quality for information.
- a) Name/date of Contact: _____
 - b) Is an application required for the proposed activity?
 - c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

DEC DIVISION OF SPILL PREVENTION AND RESPONSE

- | | | |
|--|------------|-----------|
| | Yes | No |
|--|------------|-----------|
- 10 a) Will your project involve the operation of waterborne tank vessels or oil barges that carry crude or non crude oil as bulk cargo, or the transfer of oil or other petroleum products to or from such a vessel or a pipeline system?
 - b) Will your project require or include onshore or offshore oil facilities with an effective aggregate storage capacity of greater than 5,000 barrels of crude oil or greater than 10,000 barrels of non-crude oil?
 - c) Will you operate facilities on land or water for exploration or production of hydrocarbons?
11. If you answered yes to any questions above, indicate the person you contacted at the DEC-Division of Spill Prevention and Response office for information.
- a) Name/date of Contact: N/A
 - b) Is a plan required for the proposed activity?
 - c) If "YES" then submit a signed copy of the completed Oil Discharge Prevention & Contingency Plan to the DCOM. If "No", explain why an application isn't required. Explanation: Activity is associated with a natural gas gathering line system but does not contain liquid hydrocarbons and a C-Plan is not required.

DEC APPROVALS

List the Department of Environmental Conservation permits or authorizations required for your project below:

| Types of plan approvals or permits needed | Date application submitted |
|---|----------------------------|
| | |
| | |
| | |

■ FEDERAL APPROVALS

U.S. ARMY CORPS OF ENGINEERS (USACE)

- | | | |
|--|------------|-----------|
| | Yes | No |
|--|------------|-----------|
- 1. Will you discharge dredged and/or fill material or perform dredging activities in waters of the U.S? Section 404 of the Clean Water Act requires that a Department of the Army permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including wetlands (33 U.S.C. 1344). (Your application to the USACE would also serve as application for DEC Water Quality Certification.)
 - 2. Will you place fill or structures or perform work in waters of the U.S? Section 10 of the Rivers and Harbors Act of 1899 requires that a Department of the Army permit be obtained for structures or work in or affecting navigable waters of the U.S. (33 U.S.C. 403) (Waters of the U.S. include marine waters subject to the ebb and flow of the tide, rivers, streams, lakes tributaries, and wetlands. If you are not certain whether your proposed project is located within a wetland, contact the USACE Regulatory Division to request a wetlands determination. For additional information about the Regulatory Program, visit www.poa.usace.army.mil/reg)

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3. If you answered yes to the question above, indicate the person you contacted at the US Army Corps of Engineers for information.

a) Name/date of Contact: K. McCafferty 1-7-10

b) Is an application required for the proposed activity? Yes No

c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

BUREAU OF LAND MANAGEMENT (BLM)

4. Is the proposed project located on BLM land, or will you need to cross BLM land for access? Yes No

5. If you answered yes to the question above, indicate the person you contacted at the Bureau of Land Management for information.

a) Name/date of Contact: _____

b) Is an application required for the proposed activity? Yes No

c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

U.S. COAST GUARD (USCG)

6 a) Do you plan to construct a bridge or causeway over tidal (ocean) waters, or navigable rivers, streams or lakes? Yes No

b) Does your project involve building an access to an island? Yes No

c) Do you plan to site, construct, or operate a deepwater port? Yes No

7. If you answered yes to any question above, indicate the person you contacted at the appropriate US Coast Guard office for information.

a) Name/date of Contact: _____

b) Is an application required for the proposed activity? Yes No

c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)

8 a) Will the proposed project have a discharge to any waters? Yes No

b) Will you dispose of sewage sludge? Yes No

c) Will construction of your project expose 1 or more acres of soil? (NOTE: This applies to the total amount of land disturbed, even if disturbance is distributed over more than one season, and also applies to areas that are part of a larger common plan of development or sale.) Yes No

d) Is your project an industrial facility that will have stormwater discharge directly related to manufacturing, processing, or raw materials storage areas at an industrial plant? If you answered yes to c) or d), your project may require an NPDES Stormwater permit Yes No

9. If you answered yes to any question above, indicate the person you contacted at the US Environmental Protection Agency for information.

a) Name/date of Contact: _____

b) Is an application required for the proposed activity? Yes No

c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

FEDERAL AVIATION ADMINISTRATION (FAA)

10 a) Is your project located within five miles of any public airport? Yes No

b) Will you have a waste discharge that is likely to decay within 5,000 feet of any public airport? Yes No

11. If you answered yes to the question above, indicate the person you contacted at the Federal Aviation Administration for information.

a) Name/date of Contact: _____

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FEDERAL ENERGY REGULATORY COMMISSION (FERC)

Yes No

- 12 a) Does the project include any of the following:
- 1) a non-federal hydroelectric project on any navigable body of water
 - 2) locating a hydro project on federal land (including transmission lines)
 - 3) using surplus water from any federal government dam for a hydro project
- b) Does the project include construction and operation, or abandonment of interstate natural gas pipeline facilities under sections 7 (b) and (c) of the Natural Gas Act (NGA)?
- c) Does the project include construction and operation of natural gas or liquefied natural gas importation or exportation facilities under section 3 of the NGA?
- d) Does the project include construction for physical interconnection of electric transmission facilities under section 202 (b) of the FPA?

13. If you answered yes to any question above, indicate the person you contacted at the appropriate Federal Energy Regulatory Commission office for information.

- a) Name/date of Contact: _____
- b) Is an application required for the proposed activity?
- c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

U.S. FOREST SERVICE (USFS)

Yes No

- 14 a) Does the proposed project involve construction on USFS land?
- b) Does the proposed project involve the crossing of USFS land with a water line?
- c) The current list of Forest Service permits that require ACMP consistency review are online at http://alaskacoast.state.ak.us/Clawhome/handbook/pdf/11_AAC_110.pdf in Article 4, 11 AAC 110.400, pages 28-30. Does your proposed project include any of Forest Service authorizations found on pages 28-30 of the ACMP Handbook?

15. If you answered yes to any question above, indicate the person you contacted at United States Forest Service for information.

- a) Name/date of Contact: _____
- b) Is an application required for the proposed activity?
- c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

U.S. FISH AND WILDLIFE SERVICE (USFWS)

Yes No

- 16 a) Is your proposed project on land managed by the USFWS?
- b) Does your project require a Right of Way from the USFWS under 50 C.F.R. 29 and 50 C.F.R 36?
17. If you answered yes to any question above, indicate the person you contacted at the US Fish and Wildlife Service for information.
- a) Name/date of Contact: _____
- b) Is an application required for the proposed activity?
- c) If "YES" then submit a signed copy of the completed application to the DCOM. If "No", explain why an application isn't required. Explanation: _____

OTHER FEDERAL AGENCY APPROVALS

Yes No

- 18 a) Other Federal agencies with authorizations reviewable under the Alaska Coastal Management Program are posted online at http://alaskacoast.state.ak.us/Clawhome/handbook/pdf/11_AAC_110.pdf in Article 4, 11 AAC 110.400, pages 28-30. Does your proposed project include any of the Federal agency authorizations found on pages 28-30 of the ACMP Handbook?
- b) If yes, which federal authorizations? _____

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19. Have you applied for any other federal permits or authorizations?

| Agency | Approval Type | Date Submitted |
|--------|---------------|----------------|
| | | |
| | | |

Note: The Coastal Project Questionnaire (CPQ) identifies state and federal permits subject to a consistency review. You may need additional permits from other agencies or the affected city and borough government to proceed with your activity. Attach the documentation requested under the Project Description.

ACMP Consistency Evaluation & Certification Statement

Pursuant to 11 AAC 110.215 (a)(1)(c), the applicant shall submit an evaluation of how the proposed project is consistent with the statewide standards at 11 AAC 112.200 - 11 AAC 112.990 and with the applicable district enforceable policies, sufficient to support the consistency certification. Evaluate your project against each section of the state standards and applicable district enforceable policies using the template below or by submitting a narrative description in letter or report form. District enforceable policies are available on the ACMP website at <http://www.alaskacoast.state.ak.us>. Definitions of key terms can be found at: 11 AAC 110.990, 11 AAC 112.990 and 11 AAC 114.990.

If you need more space for an adequate explanation of any of the applicable standards, please attach additional pages to the end of this document. Be sure to include references to the specific sections and subsections that you are evaluating.

STATEWIDE STANDARDS

11 AAC 112.200. Coastal Development

Standard:

- (a) In planning for and approving development in or adjacent to coastal waters, districts and state agencies shall manage coastal land and water uses in such a manner that those uses that are economically or physically dependent on a coastal location are given higher priority when compared to uses that do not economically or physically require a coastal location.
- (b) Districts and state agencies shall give, in the following order, priority to
 - (1) water-dependent uses and activities;
 - (2) water-related uses and activities; and
 - (3) uses and activities that are neither water-dependent nor water-related for which there is no practicable inland alternative to meet the public need for the use or activity.
- (c) The placement of structures and the discharge of dredged or fill material into coastal water must, at a minimum, comply with the standards contained in 33 CFR Parts 320 - 323, revised as of July 1, 2003.

Evaluation:

- (a) How is your project economically or physically dependent on a coastal location? Why are you proposing to place the project at the selected location? Although the project is physically within the coastal zone, it is neither economically nor physically dependent on being in the coastal zone.
- (b) Evaluation of development priority.
 - (1) How is the proposed project water-dependent? Explain. See above response
 - (2) How is the proposed project water-related? Explain. See above response
 - (3) If the proposed project is neither water-dependent nor water-related, please explain why there is not a practicable inland alternative that meets the public need for the use or activity. Explain. The project exists in the coastal zone because the gas resources and the markets for the natural gas sales are both in the coastal zone.
- (c) *DCOM defers to the United States Corps of Engineers (USACE) to interpret compliance with the referenced standards.* If you plan to discharge or fill waters of the US, have you applied to the Corps of Engineers for the appropriate authorization? A USACE permit will be required to construct the pipeline in wetlands areas. There will only be minor temporary disturbances to the wetlands and there will be no permanent facilities such as roads or pads placed in the wetlands.

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11 AAC 112.210. Natural hazard areas.

Standard:

- (a) In addition to those identified in 11 AAC 112.990, the department, or a district in a district plan, may designate other natural processes or adverse conditions that present a threat to life or property in the coastal area as natural hazards. Such designations must provide the scientific basis for designating the natural process or adverse condition as a natural hazard in the coastal area, along with supporting scientific evidence for the designation.
- (b) Areas likely to be affected by the occurrence of a natural hazard may be designated as natural hazard areas by a state agency or, under 11 AAC 114.250(b), by a district.
- (c) Development in a natural hazard area may not be found consistent unless the applicant has taken appropriate measures in the siting, design, construction, and operation of the proposed activity to protect public safety, services, and the environment from potential damage caused by known natural hazards.
- (d) For purposes of (c) of this section, "appropriate measures in the siting, design, construction, and operation of the proposed activity" means those measures that, in the judgment of the coordinating agency, in consultation with the department's division of geological and geophysical surveys, the Department of Community and Economic Development as state coordinating agency for the National Flood Insurance Program under 44 C.F.R. 60.25, and other local and state agencies with expertise,
- (1) satisfy relevant codes and safety standards; or
- (2) in the absence of such codes and standards;
- (A) the project plans are approved by an engineer who is registered in the state and has engineering experience concerning the specific natural hazard; or
- (B) the level of risk presented by the design of the project is low and appropriately addressed by the project plans.

Evaluation:

- (a) Describe the natural hazards designated in the district plan as they affect this site. There are no unusual hazards that are unique to the project. The entire area is subject to seismic impacts and the crossing of the North Fork River could be subject to flooding.
- (b) Describe how the proposed project is designed to accommodate the designated hazards. How will you use site design and operate the proposed activity to protect public safety, services and the environment from potential damage caused by known natural hazards? The pipeline will be constructed to meet seismic design criteria for the area. The river crossing will be horizontally drilled beneath the floodplain.
- (d)(1) Describe the measures you will take to meet relevant codes and safety standards in the siting, design, construction and operation of the proposed activity.
- (d)(2)(A) If your project is located in an area without codes and safety standards, how is your project engineered for the specific natural hazard? Give the name of the appropriately qualified registered engineer who will approve the plans for protecting public safety, services, and the environment from damage caused by hazards OR
- (d)(2)(B) If the level of risk presented by the design of the project is low, how do the project plans and project design address the potential natural hazard? The pipeline and facilities will be designed by a local engineering firm to appropriate engineering design standards.

11 AAC 112.220. Coastal access.

Standard:

Districts and state agencies shall ensure that projects maintain and, where appropriate, increase public access to, from, and along coastal water.

Evaluation:

Please explain how the proposed project will maintain and, where appropriate, increase public access to, from and along coastal water. The pipeline will be buried along its entire length and will not impair access to, from, or along coastal waters.

11 AAC 112.230. Energy facilities.

Standard:

(a) The siting and approval of major energy facilities by districts and state agencies must be based, to the extent practicable, on the following standards:

- (1) site facilities so as to minimize adverse environmental and social effects while satisfying industrial requirements;

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- (2) site facilities so as to be compatible with existing and subsequent adjacent uses and projected community needs;
 - (3) consolidate facilities;
 - (4) consider the concurrent use of facilities for public or economic reasons;
 - (5) cooperate with landowners, developers, and federal agencies in the development of facilities;
 - (6) select sites with sufficient acreage to allow for reasonable expansion of facilities;
 - (7) site facilities where existing infrastructure, including roads, docks, and airstrips, is capable of satisfying industrial requirements;
 - (8) select harbors and shipping routes with least exposure to reefs, shoals, drift ice, and other obstructions;
 - (9) encourage the use of vessel traffic control and collision avoidance systems;
 - (10) select sites where development will require minimal site clearing, dredging, and construction;
 - (11) site facilities so as to minimize the probability, along shipping routes, of spills or other forms of contamination that would affect fishing grounds, spawning grounds, and other biologically productive or vulnerable habitats, including marine mammal rookeries and hauling out grounds and waterfowl nesting areas;
 - (12) site facilities so that design and construction of those facilities and support infrastructures in coastal areas will allow for the free passage and movement of fish and wildlife with due consideration for historic migratory patterns;
 - (13) site facilities so that areas of particular scenic, recreational, environmental, or cultural value, identified in district plans, will be protected;
 - (14) site facilities in areas of least biological productivity, diversity, and vulnerability and where effluents and spills can be controlled or contained;
 - (15) site facilities where winds and air currents disperse airborne emissions that cannot be captured before escape into the atmosphere;
 - (16) site facilities so that associated vessel operations or activities will not result in overcrowded harbors or interfere with fishing operations and equipment.
- (b) The uses authorized by the issuance of state and federal leases, easements, contracts, rights-of-way, or permits for mineral and petroleum resource extraction are uses of state concern.

Evaluation:

- (a) If this standard applies to your project, please describe in detail how the proposed project is designed to meet each applicable section of this standard:
- (1)The gas pipeline will be buried mostly in wetlands areas that do not appear to have a very high value for wildlife.
 - (2)The gas pipeline will be buried to the extent possible in areas away from existing developed areas.
 - (3)For safety reasons, it is desirable to keep the pipeline in relatively unpopulated areas. Local facilities and housing will be used to support construction activities. Construction camps and additional permanent access roads will not be required.
 - (4)See above response
 - (5)These activities occur as part of the permitting process.
 - (6)The pipeline route is located in an area that could provide area for expansion of the system.
 - (7) See above response.
 - (8)Not associated with harbors or shipping
 - (9)Not associated with vessel traffic
 - (10)The pipeline will be placed mostly through wetlands and in existing ROWs that will require only a minimum of clearing for construction activities.
 - (11)There is a potential for minor spills during construction, but the pipelines will not contain liquid hydrocarbons and there is negligible chance of a spill (and only from operating equipment) during pipeline operations.
 - (12) The gas pipeline will be buried and will not impair wildlife passage
 - (13)The pipeline will be buried in an area that has little recreational activities and no identified cultural resources. Construction practices to be employed are designed to minimize ground disturbances that could lead to environmental impacts.
 - (14)There is no spill potential or effluents from the activity
 - (15)There are no significant airborne emissions from the pipeline operation. The pipeline is located away from existing development in order to minimize impacts should a pipeline rupture occur.

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(16) Not associated with a harbor.

(b) List the authorizations for state and federal leases, easements, contracts, rights-of-way, water rights, or permits for mineral and petroleum resource extraction you have applied for or received. Application for Pipeline ROW submitted as part of this project. A Temporary Water Use Permit may be requested from ADNR.

11 AAC 112.240. Utility routes and facilities.

Standard:

- (a) Utility routes and facilities must be sited inland from beaches and shorelines unless
- (1) the route or facility is water-dependent or water related; or
 - (2) no practicable inland alternative exists to meet the public need for the route or facility.
- (b) Utility routes and facilities along the coast must avoid, minimize, or mitigate
- (1) alterations in surface and ground water drainage patterns;
 - (2) disruption in known or reasonably foreseeable wildlife transit;
 - (3) blockage of existing or traditional access.

Evaluation:

- (a) If the proposed utility route or facility is sited adjacent to beaches or shorelines, explain how the route or facility is water dependent water related or why no practical inland alternative exists. The pipeline route is not located adjacent to beaches or shorelines. The project is in the coastal zone because the gas reservoir and point of sales are both in the coastal zone.
- (b) If the proposed utility route or facility is sited along the coast, explain how you will avoid, minimize or mitigate:
- (1) alterations in surface and ground water drainage patterns; The pipeline will be buried and the ground surface will be restored to preconstruction conditions to the extent possible.
 - (2) disruption in known or reasonably foreseeable wildlife transit; The pipeline will be buried in order avoid disruption of wildlife movement.
 - (3) blockage of existing or traditional access. See above response

11 AAC 112.250. Timber harvest and processing.

Standard:

AS 41.17 (Forest Resources and Practices Act) and the regulations adopted under that chapter with respect to the harvest and processing of timber are incorporated into the program and constitute the components of the program with respect to those purposes.

Evaluation:

Does your activity involve harvesting or processing of timber? Yes _____ No

If yes, please explain how your proposed project meets the standards of the State Forest Resources and Practices Act.

11 AAC 112.260. Sand and gravel extraction.

Standard:

Sand and gravel may be extracted from coastal waters, intertidal areas, barrier islands, and spits if there is no practicable alternative to coastal extraction that will meet the public need for the sand or gravel.

Evaluation:

If your proposed project includes extracting sand or gravel from coastal waters, intertidal areas, barrier islands or spits, please explain why there is no practicable alternative to coastal extraction that meets the public need for sand or gravel.
Not associated with the project

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11 AAC 112.270. Subsistence.

Standard:

- (a) A project within a subsistence use area designated by the department or under 11 AAC 114.250(g) must avoid or minimize impacts to subsistence uses of coastal resources.
- (b) For a project within a subsistence use area designated under 11 AAC 114.250(g), the applicant shall submit an analysis or evaluation of reasonably foreseeable adverse impacts of the project on subsistence use as part of
 - (1) a consistency review packet submitted under 11 AAC 110.215; and
 - (2) a consistency evaluation under 15 C.F.R. 930.39, 15 C.F.R. 930.58, or 15 C.F.R. 930.76.
- (c) Repealed 10/29//2004, Register 172.
- (d) Except in nonsubsistence areas identified under AS 16.05.258, the department may, after consultation with the appropriate district, federally recognized Indian tribes, Native corporations, and other appropriate persons or groups, designate areas in which a subsistence use is an important use of coastal resources as demonstrated by local usage.
- (e) For purposes of this section, "federally recognized Indian tribe," "local usage", and "Native corporation" have the meanings given in 11 AAC 114.990.

Evaluation:

- (a) Is your proposed project located within a subsistence use area designated by a coastal district?

Yes _____ No

If yes, please describe how the proposed project is designed to "avoid or minimize impacts to subsistence uses of coastal resources:"

The project is located in an area where there are no known subsistence activities.

- (b) If your project is located in a subsistence use area designated by the coastal district, provide an analysis or evaluation of its reasonably foreseeable adverse impacts to the subsistence uses. See above response

- (c) No response required.

(d) If your project is not located in a designated subsistence use area, please describe any subsistence uses of coastal resources within the project area. Please be advised that subsistence use areas may be designated by the department during a review. None are known to occur in the immediate area because of the general absence of accessible fishing areas, limited wildlife for hunting, and generally poor access across wetlands areas. Most subsistence use area are located on the beaches of the Cook Inlet and further inland where wildlife is more abundant.

- (e) No response required.

11 AAC 112.280. Transportation routes and facilities.

Standard:

Transportation routes and facilities must avoid, minimize, or mitigate

- (1) alterations in surface and ground water drainage patterns;
- (2) disruption in known or reasonably foreseeable wildlife transit; and
- (3) blockage of existing or traditional access.

Evaluation:

If your proposed project includes transportation routes or facilities, describe how it avoids, minimizes, or mitigates

- (1) alterations in surface and ground water drainage patterns; The ground surface will be disturbed during construction, but it will be restored to preconstruction conditions to the extent possible to avoid alteration of surface and groundwater drainage patterns.

- (2) disruption in known or reasonably foreseeable wildlife transit; and The pipeline will be buried to avoid issues associated with wildlife transit.

- (3) blockage of existing or traditional access. See above response

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11 AAC 112.300. Habitats.

Standard:

- (a) Habitats in the coastal area that are subject to the program are
 - (1) offshore areas;
 - (2) estuaries;
 - (3) wetlands;
 - (4) tideflats;
 - (5) rocky islands and sea cliffs;
 - (6) barrier islands and lagoons;
 - (7) exposed high-energy coasts;
 - (8) rivers, streams, and lakes and the active floodplains and riparian management areas of those rivers, streams, and lakes; and
 - (9) important habitat.
- (b) The following standards apply to the management of the habitats identified in (a) of this section:
 - (1) offshore areas must be managed to avoid, minimize, or mitigate significant adverse impacts to competing uses such as commercial, recreational, or subsistence fishing, to the extent that those uses are determined to be in competition with the proposed use;
 - (2) estuaries must be managed to avoid, minimize, or mitigate significant adverse impacts to
 - (A) adequate water flow and natural water circulation patterns; and
 - (B) competing uses such as commercial, recreational, or subsistence fishing, to the extent that those uses are determined to be in competition with the proposed use;
 - (3) wetlands must be managed to avoid, minimize, or mitigate significant adverse impacts to water flow and natural drainage patterns;
 - (4) tideflats must be managed to avoid, minimize, or mitigate significant adverse impacts to
 - (A) water flow and natural drainage patterns; and
 - (B) competing uses such as commercial, recreational, or subsistence uses, to the extent that those uses are determined to be in competition with the proposed use;
 - (5) rocky islands and sea cliffs must be managed to
 - (A) avoid, minimize, or mitigate significant adverse impacts to habitat used by coastal species; and
 - (B) avoid the introduction of competing or destructive species and predators;
 - (6) barrier islands and lagoons must be managed to avoid, minimize, or mitigate significant adverse impacts (A) to flows of sediments and water;
 - (B) from the alteration or redirection of wave energy or marine currents that would lead to the filling in of lagoons or the erosion of barrier islands; and
 - (C) from activities that would decrease the use of barrier islands by coastal species, including polar bears and nesting birds;
 - (7) exposed high-energy coasts must be managed to avoid, minimize, or mitigate significant adverse impacts
 - (A) to the mix and transport of sediments; and
 - (B) from redirection of transport processes and wave energy;
 - (8) rivers, streams, and lakes must be managed to avoid, minimize, or mitigate significant adverse impacts to
 - (A) natural water flow;
 - (B) active floodplains; and
 - (C) natural vegetation within riparian management areas; and
 - (9) important habitat
 - (A) designated under 11 AAC 114.250(h) must be managed for the special productivity of the habitat in accordance with district enforceable policies adopted under 11 AAC 114.270(g); or
 - (B) identified under (c)(1)(B) or
 - (C) of this section must be managed to avoid, minimize, or mitigate significant adverse impacts to the special productivity of the habitat.
- (c) For purposes of this section,
 - (1) "important habitat" means habitats listed in (a)(1) – (8) of this section and other habitats in the coastal area that are
 - (A) designated under 11 AAC 114.250(h);
 - (B) identified by the department as a habitat

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- (i) the use of which has a direct and significant impact on coastal water; and
- (ii) that is shown by written scientific evidence to be biologically and significantly productive; or
- (C) identified as state game refuges, state game sanctuaries, state range areas, or fish and game critical habitat areas under AS 16.20;
- (2) "riparian management area" means the area along or around a waterbody within the following distances, measured from the outermost extent of the ordinary high water mark of the waterbody:
 - (A) for the braided portions of a river or stream, 500 feet on either side of the waterbody;
 - (B) for split channel portions of a river or stream, 200 feet on either side of the waterbody;
 - (C) for single channel portions of a river or stream, 100 feet on either side of the waterbody;
 - (D) for a lake, 100 feet of the waterbody.

Evaluation:

- (a) List the habitats from (a) above that are within your proposed project area or that could be affected by your proposed project.

The project will be located in wetlands and will cross a river and a number of small unnamed streams.

- (b) Describe how the proposed project avoids, minimizes, or mitigates impacts to each of the identified habitat(s) in section (a) above. The pipeline will be buried in wetlands and it will be restored so that drainage patterns are not altered. The major river crossing will be crossed using horizontal drilling to avoid any disturbance to the channel and adjacent floodplain areas. The small stream crossings will be constructed to the extent possible during the winter when the stream channels are frozen to the bottom. If summer construction is required, blocking dams and flow diversion will be used to minimize in-channel impacts.

- (c) No response required.

11 AAC 112.310. Air, land and water quality

Standard:

Notwithstanding any other provision of this chapter, the statutes and regulations of the Department of Environmental Conservation with respect to the protection of air, land, and water quality identified in AS 46.40.040(b) are incorporated into the program and, as administered by that department, constitute the exclusive components of the program with respect to those purposes.

Evaluation: No response required.

11 AAC 112.320. Historic, prehistoric, and archeological resources.

Standard:

- (a) The department will designate areas of the coastal zone that are important to the study, understanding, or illustration of national, state, or local history or prehistory, including natural processes.
- (b) A project within an area designated under (a) of this section shall comply with the applicable requirements of AS 41.35.010 – 41.35.240 and 11 AAC 16.010 – 11 AAC 16.900.

Evaluation:

- (a) Have you contacted the State Historic Preservation Office (SHPO) to see if your project is in a designated area of the coastal zone that is important to the study, understanding, or illustration of national, state, or local history or prehistory, including natural processes? A cultural resource survey has been conducted and the report will be completed shortly. No cultural resources were identified during that survey.

- (b) If your project is within an area designated under (a) of this section, how will you comply with the applicable requirements in the statutes and regulations listed in (b)? Project is not known to be in a designated area.

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Affected Coastal District Enforceable Policies

Evaluate each applicable district enforceable policy using a format similar to the one you completed above for the State Standards. District enforceable policies are available at <http://alaskacoast.state.ak.us/>. If you need more space for an adequate explanation of any of the applicable district enforceable policies, please attach additional pages to the end of this document.

Applicable District Plan(s) Kenai Peninsula Borough

Enforceable Policy: B.1.0 Coastal Development

Evaluation: Title only-N/A

Enforceable Policy: B.1.2 Floating Facilities In determining whether to allow or prohibit any floating facility at a specific site, the following priorities shall be considered:

- a. Higher priority shall be given to those uses and activities that cater to seasonal or short term uses over long-term use.
- b. Lower priority consideration shall be given to:
 1. uses and activities that benefit only an individual or limited group,
 2. uses and activities that take up a large area, or have broader or more pronounced impacts,
 3. uses and activities located in sites that are inappropriate to accommodate a floating facility because of physical characteristics, including, but not limited to: tidal flushing, anchorage, proximity to other floating facilities or uplands users, site specificity (the need for the facility to be located at a specific site) and
- c. The following requirements shall apply to any floating facility allowed in a specific location within the District:
 1. Grounding: To the extent practicable, floating facilities shall be moored in a minimum of 12 feet of water present during mean lower low water or 0.0 tide stage, and avoid shallow areas where they could settle on or abrade the substrate during low tides.
 2. Proper Anchoring: Floating facilities shall use anchoring methods similar to a marine vessel and shall not use shore ties or other means that restrict passage around their location. Anchors shall be of sufficient weight and holding capability to keep the facility in its proper location without drifting into an unacceptable location or onto the beach.
 3. Removal: An owner or operator shall be responsible for promptly removing and disposing of floats, docks, rafts, boats, and float houses or other related materials when the lease or permit has expired. Facilities shall be removed within the time period specified by the permitting agencies. Abandonment, casting loose, or disposal on a beach are prohibited as disposal methods.

Evaluation: Not a part of this project.

Enforceable Policy: B.2.0 Natural Hazard Areas

Evaluation: Title only-N/A

Enforceable Policy: B.2.2 Erosion Developers shall retain existing vegetative cover in designated erosion-prone areas to the greatest extent practicable. In cases where development or other activities lead to removal of vegetation, erosion shall be prevented or, if it occurs, shall be remedied through revegetation (with native species if available) or by other suitable measures.

Evaluation: The majority of the route was selected to cross nearly level wetlands which according to Soil Conservation Service maps and analysis are resistant to erosion. Construction techniques proposed will minimize ground disturbances and to the extent possible, surficial soils removed will be placed on top of the

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backfilled materials in order to facilitate revegetation. Additional revegetation efforts will be conducted if it is determined to be necessary.

Enforceable Policy: B.3.0 Recreation and Coastal Access

Evaluation: Title only-N/A

Enforceable Policy: B.3.1 Priority Use Uses and activities within designated recreational use areas as shown on Map Figures A and P1- P4, that are economically or physically dependent on a lakeshore or riverfront location are given higher priority when compared to uses and activities that do not economically or physically require a lakeshore or riverfront location. Priority shall be given, in the following order, to:

- a. water-dependent uses and activities;
- b. water-related uses and activities; and
- c. uses and activities that are neither water-dependent nor water-related for which there is no practicable inland alternative to meet the public need for the use or activity.
 1. Water-dependent uses include: fish hatcheries; float plane ramps, boat launches, docks; sport-fishing and wildlife viewing facilities; and accessory attached housing; and remote recreational cabins dependent on water access.
 2. Water-related activities include: retail stores and commercial activities such as lodges, hotels, restaurants, and other similar uses that provide views and access to the lakefront or riverfront.
 3. Exceptions: Non-water-dependent and non-water-related uses and activities shall be permitted when it is not practicable to develop a site with a water-dependent or water-related use or activity due to shallow bathymetry or unusual lot characteristics such as substandard size, frontage, or steep topography, or when such uses would be inconsistent with zoning

Evaluation: The areas along the pipeline route are designated as general recreational use area; however the area is mostly wetlands and access is generally poor. As such, it does not appear that these areas would be of very high recreational use except for snow machining during winter. In any event, the pipeline will be buried and should not impact recreational use that may occur.

Enforceable Policy: B.3.2 Activities in Recreational Waters. Uses and activities in recreational waters shall meet the following requirements:

- a. Structures and buoys placed on the surface of navigable waters shall be visibly marked to minimize navigation hazards.
- b. Developments, structures, facilities and buoys in navigable coastal waters shall be placed to avoid, minimize or mitigate navigation hazards or obstruction.

Evaluation: These activities will not be a part of the proposed project.

Enforceable Policy: B.3.3 Public Access. An applicant shall detail in the project application how legal public access routes to coastal water bodies, lakeshores and riverfronts will be protected from adverse physical impacts

as a result of public use, where practicable.

Evaluation: The pipeline will be buried and will not impair public access.

Enforceable Policy: B.3.4 Capital Improvements. Capital improvements on municipal and state-owned coastal waterfront, lakefront and riverfront property shall incorporate walkways, shelters, viewing platforms and landscaping whenever practicable to increase and control public access and to facilitate public enjoyment in designated recreational use areas as described in Chapter V of the Kenai Peninsula Borough Coastal Management Plan, while protecting the resources upon which the recreation depends (as shown in the "Recreational Features" table).

Evaluation: The pipeline will be buried in riverine areas and will not impact public use of the riverfront.

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Enforceable Policy: B.3.5 Recreational Features. Proposed uses or activities in designated recreational areas as described in Chapter V of the Kenai Peninsula Borough Coastal Management Plan shall avoid, minimize or mitigate direct and significant impacts upon the existing uses and activities and the protected features on which the recreation depends (as shown in the "Recreational Features" table).

Evaluation: The pipeline will be buried in potential areas of recreational use and there should be no impacts on recreational uses.

Enforceable Policy: B.3.6 Ports, Harbors and Docks in Rivers within Designated recreational Use Areas.

(see map figure A and P1-P4).

- a. Ports, harbors and docks placed in rivers shall avoid adverse impacts to recreational activities (as shown in the "Recreational Features" table).
- b. The area immediately surrounding small boat harbors shall, to the extent practicable, be reserved for harbor-related and water-dependent uses.
- c. To the extent practicable, piers, docks, boat ramps and other waterfront facilities shall be designed and operated for cooperative or public use to avoid duplication of facilities.

Evaluation: The pipeline will not be in the vicinity of ports, harbors and/or docks.

Enforceable Policy: B.6.0 Commercial Fishing and Seafood Processing Facilities

Evaluation: Title only-N/A

Enforceable Policy: B.6.1 Suitable Areas. Uses and activities within the areas designated as suitable for the location of facilities related to commercial fishing and seafood processing as shown on Map Figures N1-N8 shall be sited to avoid or minimize adverse impacts to commercial fishing and seafood processing facilities.

Evaluation: The proposed project is not located in or near any designated seafood processing areas.

Enforceable Policy: B.6.2 Water-dependent Uses. Within the areas designated as suitable for the location of facilities related to commercial fishing and seafood processing as shown on Map Figures N1-N8, fish and seafood processing and support facilities shall be considered water-dependent uses.

Evaluation: N/A-see above response

Enforceable Policy: B.9.0 Sand and Gravel Extraction. To the extent practicable, sources of sand and gravel from coastal water shall be authorized in a descending order of priority as follows:

- a. reuse of sand and gravel from abandoned development areas;
- b. rivers, streams, and lakes that do not support fish.

Evaluation: Some minor quantities of sand may be required as bedding materials for placement of the gas pipeline. If required, materials will be obtained from existing uplands gravel pits.

Enforceable Policy: C. Port Graham/Nanwalek AMSA Enforceable Policies

Evaluation: N/A-Project is not located in these areas.

State of Alaska, Department of Natural Resources, Division of Coastal & Ocean Management

Certification Statement

The information contained herein is true and complete to the best of my knowledge. I certify that the proposed activity complies with, and will be conducted in a manner consistent with, the Alaska Coastal Management Program.



Signature of Applicant or Agent

2/18/10

Date

Note: Federal agencies conducting an activity that will affect the coastal zone are required to submit a federal consistency determination, per 15 CFR 930, Subpart C, rather than this certification statement. ACMP has developed a guide to assist federal agencies with this requirement. Contact ACMP to obtain a copy.

This certification statement will not be complete until all required State and federal authorization requests have been submitted to the appropriate agencies.

State of Alaska, Department of Natural Resources, Division of Coastal & Ocean Management

Project Description: Please provide or attach a brief description of your project including the planned work, any effects to coastal uses and resources and how your project is being designed to avoid, minimize and mitigate those effects.

See attached description in Application for Pipeline Right-of-Way Lease

Project Area: Please provide or attach a map of your project location and your proposed work. (Including nearest community, the name of the nearest land feature or body of water, and other legal description such as a survey or lot number.)

Nearest Community: Anchor Point

Nearest Waterbody: North Fork River and various small unnamed streams

Legal Survey Description: T4S, R14; T4S, R15W; T5S, R14W; T5S, R15W Seward Meridian

