

### **Federal Requirements for Development in the NPRA**

Below is a summary of the various requirements by the BLM for development in the NPRA. BLM requirements, which add to existing statutory and regulatory requirements, were first imposed as stipulations attached to the oil and gas leases. Additional BLM stipulations were imposed when Alpine satellite development was first approved in 2004, when the leases were extended in 2009, when the NPRA Integrated Activity Plan was revised in 2013, and when the GMT1 EIS was supplemented in 2015.

Also described below are the U.S. Army Corps of Engineers 404 wetlands permit mitigation measures for GMT1 as well as a summary of ConocoPhillips' standard design features and practices that ConocoPhillips has developed in partial response to the BLM requirements.

- 2004 ASDP EIS<sup>1</sup> and ROD<sup>2</sup> – Preferred Alternative Required the Following Mitigation (7 measures)
  - Substantial infrastructure removed from Fish Creek, consistent with the exception clause provision of the IAP/EIS, GMT1 (formerly CD6) and some infrastructure would be allowed to be located as requested by CPAI within the setback.
  - Elevation of Pipelines raised from 5 feet to a minimum of 7 feet as measured at the VSMs.
  - Elimination of overhead powerlines.
  - Artificial lighting on structures over 20 feet tall would be controlled and directed inward and downward on taller structures.
  - The road and pipeline bridge across the Nigliq Channel would extend from bank to bank as defined by the active flow way.
  - The road and pipeline bridge across the Ublutuoch would extend from bank to bank defined as the active flow way. This would require a bridge 350 feet long (increased from 150 feet).
  - Required manual valves on either side of the Ublutuoch River bridge.
  
- 2013 BLM Lease Best Management Practices<sup>3</sup> (224 BMPs) - In 2013, the BLM released the Final NPRA Integrated Activity Plan EIS which requires 224 Best Management Practices (BMPs) that cover planning documents, consultations, and additional measures to avoid, minimize and mitigate impacts from development. The BMPs included additional waste management procedures, SPCC (spill prevention, control and countermeasure) plan requirements, water protection criteria, wildlife coordination activities, air quality standards, subsistence monitoring studies, wildlife operations practices, tundra travel standards, engineering design criteria, cultural resource protection, stream crossing standards, aircraft impact minimization requirements, abandonment expectations, and personnel training standards to the practices and requirements already in place.
  
- 2013 GMT1 Design Changes Incorporated into Proposed Project Prior to Application Submittal<sup>4</sup> (7 mitigation measures)
  - GMT1 (formerly CD6) pad moved from the location approved in the 2004 APSD EIS inside the Fish Creek setback to outside the Fish Creek setback, a documented subsistence use area for caribou, wolf and wolverine.

- Locating most of the access road outside the Fish Creek setback area including reduction in the length of the access road by 2.7 miles in the setback.
  - Reduction of road and pipeline length (reduction of 3.4 miles and a pipeline length reduction of 2.8 miles) reducing gravel fill needs by approximately 23 acres. (Current project is 72.7 acres, therefore approximate 25% reduction in gravel footprint, most of which was originally within Fish Creek.)
  - Eliminated one stream crossing (bridge) by moving GMT1 pad outside Fish Creek setback.
  - Reduced footprint under manual valves by relocating valve pads closer to the road and modifying access configuration at USACEs suggestion.
  - Reduced footprint, then eliminated the need for the Clover Mine Site.
  - Placed crude oil pipeline underneath Ublutuoch bridge structure to minimize impact of vehicles at the request of USEPA.
- 2014 GMT1 Final Supplemental Environmental Impact Statement (2 mitigation measures) (BLM 2014)
- Added three pullouts along GMT1 road route to minimize subsistence impacts by allowing for parking of community vehicles. CPAI must construct pullouts, maintain pullouts, and pay for required compensatory mitigation.
  - Flipped gravel drill site pad, moving it farther from a water body and shortened the proposed road 0.1 miles.
- Supplemental Best Management Practices (27 new SBMPs) developed as part of the GMT1 Record of Decision February 2015<sup>5</sup> – Below is a description of supplemental BMPs (SBMPs) required as part of the Record of Decision for development of GMT1.
- Compensatory Mitigation Supplemental Best Management Practice 1 (2 SBMPs):
    - A) Compensatory Mitigation Fund
    - B) Regional Mitigation Strategy
  - Atmospheric Environment Supplemental Best Management Practice 1: Air Quality (2 SBMPs)
    - A) Use of alternative power
    - B) Provide BLM oversight and technical review of air quality monitoring
  - Vegetation and Wetlands (1 SBMP) Supplemental Best Management Practice 1: Oil Field Abandonment
  - Birds/Terrestrial Mammals Supplemental Best Management Practice 1 (2 SBMPs)
    - A) Roadkill Monitoring System for Birds and Wildlife
    - B) Minimize Potential Ground Vehicle Traffic Disturbance of Caribou
  - Subsistence (8 SBMPs)
    - A) GMT1 Road Right of Access Agreement
    - B) Consultation Regarding Aircraft Communication Protocols
    - C) Aircraft Data Reporting Requirements
    - D) Reduction in Non-Essential Aircraft Traffic
    - E) Reduction in Flights by Utilizing Unmanned Aerial Vehicles

- F) Prohibit Airboats in Key Subsistence Use Areas (on BLM land)
- G) Subsistence Monitoring Studies
- H) Economic Study of Subsistence Impacts
- Public Health (2 SBMPs)
  - A) Disaster Response Plan for Nuiqsut
  - B) Minimize Idling of All Vehicles
- Spills (8 SBMPs)
  - A) Fuel Storage
  - B) Oil Spill Response Equipment
  - C) Facility Equipment and Design Criteria
  - D) Spill Prevention and Response Plan additions
  - E) Preparedness Plan additions
  - F) Prevention Plan additions
  - G) Leak Detection Criteria
  - H) Spill Minimization Measures at Ublutuoch Bridge
- General Monitoring (2 SBMPs)
  - A) Establishment and Implementation of an Effectiveness Monitoring Plan at BLM
  - B) Funding Monitoring
- 2015 USACE 404 Permit<sup>6</sup> for GMT1 (6 mitigation measures)
  - Payment of Compensatory Mitigation to Kuukpik and/or ASRC for establishment of a 342.5 acre preservation easement.
  - Increase the opening of the Crea Creek bridge from 25- feet to 40-feet between the sheet pile abutments to ensure riparian buffers are provided at each side (BLM request).
  - Report sightings of ravens, raptors, and foxes nesting, denning, and shelter sites on GMT1 (USFWS request).
  - Record sightings of spectacled eiders for number, locations, general habitat type and gender to USFWS and USACE by December 1 of each year until the eiders become delisted (USFWS request).
  - Conduct three years of hydrology monitoring including flow discharge measurements at crossings of the Ublutuoch River, Barely Creek, and Crea Creek (BLM request).
  - Coordinate the design of Barely Creek culverted road crossing with BLM, ADFG, and USACE (BLM request).
- ConocoPhillips Standard Design Features and Practices – Alpine Developments (including GMT1) incorporate 87 standard design features and practices incorporated as mitigation measures. Examples include: vehicle idling procedures; alteration of aircraft flight paths during subsistence activity; location and avoidance of polar bear dens using forward looking infrared cameras; location of bird nest during baseline studies for avoidance; restriction of gravel hauling and heavy construction activities to winter season; self-audits to ensure compliance with environmental laws

and practices; culverts designed for fish passage; consolidated facilities to minimize redundancy; rehabilitation of gravel mines; jobs and training programs for youth and adults in Nuiqsut; consultation with Kuukpikmuit Subsistence Oversight Panel to ensure operations do not adversely affect subsistence; waste reduction minimization and recycling programs, etc.

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References:

<sup>1</sup> **BLM 2004a.** Alpine Satellite Development Plan (ASDP). Final Environmental Impact Statement (EIS). Volumes 1, 2, and 3. Anchorage, Alaska. Available online at: <http://www.blm.gov/eis/AK/alpine/dspfeisdoc.html> (accessed October 2013).

<sup>2</sup> **BLM. 2004b.** Alpine Satellite Development Plan Record of Decision (ROD). BLM/AK/PL-05/002+3130+931.

<sup>3</sup> **BLM. 2013.** National Petroleum Reserve Alaska (NPRA). Final Integrated Activity Plan (IAP)/Environmental Impact Statement (EIS) Record of Decision (ROD). U.S. Department of the Interior, Bureau of Land Management, Anchorage, Alaska.

<sup>4</sup> **BLM. 2014.** Final Supplemental Environmental Impact Statement for the Alpine Satellite Development Plan for the Proposed Greater Mooses Tooth One Development Project, Volume 1. Anchorage, Alaska. Available online at: <https://www.blm.gov/epl-frontoffice/projects/nepa/37035/50832/>

<sup>5</sup> **BLM. 2015.** Supplemental Environmental Impact Statement for the Alpine Satellite Development Plan for the Proposed Greater Mooses Tooth One Development Project Record of Decision. February.

<sup>6</sup> **USACE. 2015.** Department of the Army permit, POA-2013-461, Colville River, authoring placement of fill into waters of the United States (US) to construct the Greater Mooses Tooth #1 project. January