

## Office of the Federal Coordinator Permit Summary Report

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| <b>Clean Water Act Section 404 and Rivers and Harbors Act Section 10 permit</b>   | U.S. Army Corps of Engineers                           | Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act | Section 404 of the Clean Water Act allows materials to be placed in wetlands and rivers. Section 10 of the Rivers and Harbors Act ensures that discharges in rivers or offshore areas do not harm navigability of those waters.   |
| <b>Federal right-of-way grant</b>   | Bureau of Land Management                              | Mineral Leasing Act   | Allows long-term use of federal lands for project activities associated with the pipeline and compressor stations.  |
| <b>Letter of authorization - U.S. Fish and Wildlife Service</b>                   | U.S. Fish and Wildlife Service                         | Marine Mammal Protection Act  | Preserves integrity of marine mammal populations while allowing isolated incidents of harassment, injuries or deaths as a result of activity.   |
| <b>Temporary use permits</b>  | Bureau of Land Management                              | Mineral Leasing Act   | Allows temporary use of federal land for project activities.  |
| <b>Mineral material sales contracts</b>   | Bureau of Land Management                              | Materials Act   | Allows the purchase and extraction of gravel from federal land.   |
| <b>Section 103 alternative site designation and site management plan approval</b> | U.S. Army Corps of Engineers                           | Section 103 of the Marine Protection, Research and Sanctuaries Act              | Allows single user to dispose of dredged sediment at a specified offshore site for up to 10 years. Alternative to obtaining Environmental Protection Agency's Section 102 authorization.  |
| <b>Section 103 dredged material permit</b>  | U.S. Army Corps of Engineers                           | Section 103 of the Marine Protection, Research and Sanctuaries Act              | Allows the transport of sediment from the dredged site to the offshore disposal site in ocean waters.   |
| <b>Bridge permit</b>  | U.S. Coast Guard                                       | General Bridge Act and Rivers and Harbors Appropriations Act                    | Allows bridging of rivers without harming their navigability.   |
| <b>Section 102 site designation and site management plan approval</b>             | Environmental Protection Agency                        | Section 102 of the Marine Protection, Research and Sanctuaries Act              | Allows disposal at a specified offshore site of dredged sediment.   |
| <b>Letter of authorization - National Marine Fisheries Service</b>                | National Marine Fisheries Service                      | Marine Mammal Protection Act  | Preserves integrity of marine mammal populations while allowing isolated incidents of harassment, serious injury, deaths, or a combination thereof as a result of activity.   |
| <b>Incidental harassment authorization</b>  | National Marine Fisheries Service                      | Marine Mammal Protection Act  | Preserves integrity of marine mammal populations while allowing isolated incidents of harassment as a result of activity.   |
| <b>Pipeline special permits</b>   | Pipeline and Hazardous Materials Safety Administration | Pipeline Safety Law   | Ensure that the pipeline is built and operated to meet the objectives of federal standards even though the applicant proposes to use different methods or material to achieve pipeline integrity and safety. This could include pipe coating, steel pipe properties, or the spacing of special sleeves designed to stop pipeline cracks from spreading. Applicant must obtain a permit for each departure from standards. |
| <b>Authorization to build and operate LNG export plant</b>                        | Federal Energy Regulatory Commission                   | Section 3 of the Natural Gas Act (LNG facilities)                               | Allows siting, construction and operation of an LNG export plant and related facilities.  |

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| <b>Bald and Golden Eagle Protection Act permit</b>   | U.S. Fish and Wildlife Service               | Bald and Golden Eagle Protection Act                  | Preserves integrity of eagle populations while allowing isolated incidents of disturbance, injury or death as a result of activities.  |
| <b>Endangered Species Act Section 7 biological opinion and incidental take statement - U.S. Fish and Wildlife Service</b>    | U.S. Fish and Wildlife Service               | Endangered Species Act                                | Ensure that species listed as endangered or threatened, or their habitat, are not adversely affected by activities.  |
| <b>Endangered Species Act Section 7 biological opinion and incidental take statement - National Marine Fisheries Service</b> | National Marine Fisheries Service            | Endangered Species Act                                | Ensure that species listed as endangered or threatened, or their habitat, are not adversely affected by activities.  |
| <b>Authorization for long-term export of liquefied natural gas</b>   | Department of Energy/Office of Fossil Energy | Section 3 of the Natural Gas Act (exports or imports) | Allows long-term export of natural gas from the United States.   |
| <b>Letter of recommendation - U.S. Coast Guard</b>   | U.S. Coast Guard                             | Ports and Waterways Safety Act                        | Provides expert advice to FERC on the suitability of the waterway to support LNG carrier traffic as the commission considers authorizing the siting, construction and operation of an LNG export facility. |

# Authorization for long-term export of liquefied natural gas

## Office of the Federal Coordinator Permit Report

Information current as of: 5/26/2016

**Permit Purpose:** Allows long-term export of natural gas from the United States.

### General Information

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|-------------------------------------|--|------------------------|---|
| <b>Responsible Agency:</b>          | Department of Energy/Office of Fossil Energy | <b>Agency Website:</b> | <a href="http://energy.gov/fe">http://energy.gov/fe</a> |
| <b>Permit Type:</b>                 | Federal                                      |                        |   |
| <b>NEPA Documentation Required:</b> | Yes  | <b>Decision Maker:</b> | Assistant Secretary for Fossil Energy                   |

### Laws and Regulations

|                               |  |  |  |
|-------------------------------|--|--|--|
| <b>Primary Law:</b>           | <b>Section 3 of the Natural Gas Act (exports or imports):</b> Section 3 assigns the department responsibility for authorizing imports or exports of natural gas, including liquefied natural gas. [15 U.S.C. 717b]                                     |  |  |
| <b>Other Applicable Laws:</b> | Clean Air Act  | Clean Water Act  |  |
|                               | Endangered Species Act   | Magnuson-Stevens Fishery Conservation and Management Act |  |
|                               | Marine Mammal Protection Act   | Migratory Bird Treaty Act                                |  |
|                               | National Environmental Policy Act  | National Historic Preservation Act                       |  |
| <b>Regulations:</b>           | 10 CFR Part 590  |  |  |
| <b>Application Forms:</b>     | No application form. Applicant must supply information required under 10 CFR 590.202. The information must include potential environmental impacts of the underlying project and a description of environmental assessments being done of the project. |  |  |

### Timing and Schedule Information

|                                   |   |
|-----------------------------------|---|
| <b>Project Phase:</b>             | Pre-construction  |
| <b>Approval Duration:</b>         | For a finite number of years, often 20 to 30 years, with exports to begin by a specified date. Export project owners can seek new authorizations before their initial authorizations expire.  |
| <b>Timing Notes:</b>              | The department typically withholds its final export authorization until federal environmental reviews of the project under the National Environmental Policy Act are finalized. The department will be a cooperating agency in the Federal Energy Regulatory Commission's NEPA review, and decide after that review if it wants to do any additional environmental review of its own. |
| <b>Statutory Review Timeline:</b> | None  |

### Public Notices

|                 |  |
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| <b>Notices:</b> | Notice of application published in Federal Register. Notice includes due date for petitions to intervene and for the filing of protests or other comments. |
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### Other Approval Requirements

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| <b>Additional Agency Approval:</b> | DOE will wait to finalize its authorization until after the Federal Energy Regulatory Commission has authorized the siting, construction and operation of the LNG export facilities, although DOE could issue conditional authorization pending FERC action. In the case of the Cheniere Energy export plant in Sabine Pass, La., approved in 2012, the department adopted the same 55 conditions FERC imposed as a result of the environmental review during its proceedings. |
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# Authorization to build and operate LNG export plant

## Office of the Federal Coordinator Permit Report

Information current as of: 5/26/2016

**Permit Purpose:** Allows siting, construction and operation of an LNG export plant and related facilities.

### General Information

|                                     |                                      |                                      |  |
|-------------------------------------|--------------------------------------|--------------------------------------|--|
| <b>Responsible Agency:</b>          | Federal Energy Regulatory Commission | <b>Agency Website:</b>               | <a href="http://www.ferc.gov">www.ferc.gov</a>   |
| <b>Permit Type:</b>                 | Federal                              | <b>Examples of Project Features:</b> | Dredge channel, Bridges, Roads, Temporary camps, Material sites, Pipeline, Compressor stations, Metering stations, Control rooms, Regulating stations, Gas treatment plant, Temporary contractor yards, Ocean disposal site, West Dock, Barging/Port Use, Temporary roads, Water body crossings, Camps, Ice/snow pads, Pipe storage areas, Contractor yards, Helipads, Temporary construction activities along right of way, LNG production trains, Cryogenic piping and insulation, Refrigerant tanks, LNG storage tanks, Boil-off gas compressors, Tanker terminal/pier, LNG plant utilities |
| <b>NEPA Documentation Required:</b> | Yes                                  | <b>Decision Maker:</b>               | Commissioners  |

### Laws and Regulations

|                               |  |  |  |
|-------------------------------|--|--|--|
| <b>Primary Law:</b>           | <b>Section 3 of the Natural Gas Act (LNG facilities):</b> Section 3 gives the commission responsibility for authorizing the siting, construction and operation for onshore and near-shore LNG export facilities. [15 U.S.C. 717b]  |  |  |
| <b>Other Applicable Laws:</b> | Clean Air Act<br>Coastal Zone Management Act<br>Magnuson-Stevens Fishery Conservation and Management Act<br>Migratory Bird Treaty Act<br>National Historic Preservation Act  | Clean Water Act<br>Endangered Species Act<br>Marine Mammal Protection Act<br>National Environmental Policy Act |  |
| <b>Regulations:</b>           | 18 CFR Part 157 Subpart A<br>18 CFR Part 380<br>18 CFR Part 385 Subparts T and V<br>18 CFR Part 153  |  |  |
| <b>Application Forms:</b>     | No application form. However, applicant needs to address 18 CFR 157.6 (a) and (b), 18 CFR 157.13, 18 CFR 157.14, 18 CFR 380.3.<br>Resource reports are required for application under Section 3 of the Natural Gas Act.<br>The reports are filed under the commission's regulations that implement the National Environmental Policy Act and provide the data and information necessary to complete the NEPA review document that is appropriate for each project. |  |  |

### Timing and Schedule Information

|                                   |   |
|-----------------------------------|---|
| <b>Project Phase:</b>             | Construction  |
| <b>Approval Duration:</b>         | For the life of the project. Approval for construction will only be valid for an initial specified number of years and will expire if construction is not completed within that time. |
| <b>Timing Notes:</b>              | Applicant makes its initial FERC filings, called pre-filings under 18 CFR 157.21, simultaneous with initial Coast Guard filings under 33 CFR 127.007 for an LNG project.              |
| <b>Statutory Review Timeline:</b> | None  |

### Public Notices

|                 |  |
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| <b>Notices:</b> | Notice of application issued within 10 business days of filing a complete application; then published in Federal Register and copies of such notice sent to affected states. Notice includes due date for petitions to intervene |
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and for the filing of protests or other comments.

Within 90 days of the notice of application, notice of a schedule for the environmental review will be issued and then published in the Federal Register.

### Other Approval Requirements

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**Additional Agency Approval:** FERC issues the authorization. Then, before construction and once all required federal approvals and consultations are in place, FERC issues a notice to proceed. FERC also issues a written authorization for commencement of service after the applicant has satisfied any conditions required for operations.

## Bald and Golden Eagle Protection Act permit

### Office of the Federal Coordinator Permit Report

Information current as of: 5/26/2016

**Permit Purpose:** Preserves integrity of eagle populations while allowing isolated incidents of disturbance, injury or death as a result of activities.

#### General Information

|                                     |                                |                                      |  |
|-------------------------------------|--------------------------------|--------------------------------------|--|
| <b>Responsible Agency:</b>          | U.S. Fish and Wildlife Service | <b>Agency Website:</b>               | <a href="http://alaska.fws.gov/eaglepermit/index.htm">http://alaska.fws.gov/eaglepermit/index.htm</a>  |
| <b>Permit Type:</b>                 | Federal                        | <b>Examples of Project Features:</b> | Bridges, Roads, Temporary camps, Material sites, Pipeline, Compressor stations, Gas treatment plant, Temporary contractor yards, Barging/Port Use, Temporary roads, Water body crossings, Camps, Ice/snow pads, Pipe storage areas, Contractor yards, Helipads, Temporary construction activities along right of way |
| <b>NEPA Documentation Required:</b> | Yes                            | <b>Decision Maker:</b>               | Coast Guard Captain of the Port  |

#### Laws and Regulations

|                               |  |
|-------------------------------|--|
| <b>Primary Law:</b>           | <b>Bald and Golden Eagle Protection Act:</b> The Bald and Golden Eagle Protection Act prohibits anyone, without a permit issued by the Secretary of Interior, from "taking" bald and golden eagles, including their parts, nests or eggs. The act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." [16 U.S.C. 668] |
| <b>Other Applicable Laws:</b> | National Environmental Policy Act  |
| <b>Regulations:</b>           | 50 CFR Parts 13 and 22   |
| <b>Application Forms:</b>     | Eagle Take Form 3-200-71<br>Eagle Take Form 3-200-72   |

#### Timing and Schedule Information

|                                   |   |
|-----------------------------------|---|
| <b>Project Phase:</b>             | Construction  |
| <b>Approval Duration:</b>         | Not to exceed five years, but may be renewed.   |
| <b>Timing Notes:</b>              | Applications should be submitted at least 60 days prior to activity. Depending on the complexity of the project, the processing time could take anywhere from two to 24 months to complete. |
| <b>Statutory Review Timeline:</b> | None  |

#### Public Notices

|                 |      |
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| <b>Notices:</b> | None |
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#### Other Approval Requirements

|                                  |      |
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| <b>Other Approvals Required:</b> | None |
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## Bridge permit

### Office of the Federal Coordinator Permit Report

Information current as of: 5/26/2016

**Permit Purpose:** Allows bridging of rivers without harming their navigability.

#### General Information

|                                     |                  |                                      |   |
|-------------------------------------|------------------|--------------------------------------|---|
| <b>Responsible Agency:</b>          | U.S. Coast Guard | <b>Agency Website:</b>               | <a href="http://www.uscg.mil/hq/cg5/cg551/default.asp">http://www.uscg.mil/hq/cg5/cg551/default.asp</a> |
| <b>Permit Type:</b>                 | Federal          | <b>Examples of Project Features:</b> | Bridges   |
| <b>NEPA Documentation Required:</b> | Yes              | <b>Decision Maker:</b>               | Bridge Program Administrator  |

#### Laws and Regulations

**Primary Law:** **General Bridge Act and Rivers and Harbors Appropriations Act** : The General Bridge Act and Rivers and Harbors Appropriations Act prohibit the construction of bridges or causeways over or in any navigable river or other navigable water of the U.S. without approval. [33 U.S.C. 401, 491, 525]

**Other Applicable Laws:**

|  |  |
|--|--|
| Clean Air Act  | Clean Water Act  |
| Coastal Zone Management Act                                      | Endangered Species Act                                   |
| Executive Order 11988 (Floodplain Management)                    | Executive Order 11990 (Protection of Wetlands)           |
| Executive Order 12898 (Environmental Justice)                    | Farmlands Protection Policy Act                          |
| Fish and Wildlife Coordination Act                               | Magnuson-Stevens Fishery Conservation and Management Act |
| Marine Mammal Protection Act                                     | Migratory Bird Treaty Act                                |
| National Environmental Policy Act                                | National Historic Preservation Act                       |
| Native American Grave Protection and Repatriation Act            | Noise Control Act  |
| Uniform Relocation Assistance and Real Property Acquisitions Act | Wild and Scenic Rivers Act                               |

**Regulations:** 33 CFR Parts 114 and 115

**Application Forms:** No application form. However, applicants need to submit the information contained in 33 CFR 115.50 and U.S. Coast Guard's Bridge Permit Application Guide.

#### Timing and Schedule Information

**Project Phase:** Construction

**Approval Duration:** Typically, three years for start of construction; two additional years for completion for each crossing. Time extensions may be granted.

**Timing Notes:** File final application after environmental documentation has been completed.

**Statutory Review Timeline:** None

#### Public Notices

**Notices:** After complete application, 30-day public notice distributed to known interested individuals, adjacent property owners, expertise groups and government agencies.  
Also, publish local notice to mariners, when appropriate.

#### Other Approval Requirements

**Related Permits and Approvals:** U.S. Army Corps of Engineers Section 404 of the Clean Water Act permit.

**Other Approvals Required:** Alaska Department of Environmental Conservation issues Section 401 of the Clean Water Act certificate of reasonable assurance.

# Clean Water Act Section 404 and Rivers and Harbors Act Section 10 permit

## Office of the Federal Coordinator Permit Report

Information current as of: 5/26/2016

**Permit Purpose:** Section 404 of the Clean Water Act allows materials to be placed in wetlands and rivers. Section 10 of the Rivers and Harbors Act ensures that discharges in rivers or offshore areas do not harm navigability of those waters.

### General Information

|                                     |                              |                                      |  |
|-------------------------------------|------------------------------|--------------------------------------|--|
| <b>Responsible Agency:</b>          | U.S. Army Corps of Engineers | <b>Agency Website:</b>               | <a href="http://www.poa.usace.army.mil/reg">www.poa.usace.army.mil/reg</a>   |
| <b>Permit Type:</b>                 | Federal                      | <b>Examples of Project Features:</b> | Dredge channel, Bridges, Roads, Temporary camps, Material sites, Pipeline, Compressor stations, Gas treatment plant, Temporary contractor yards, Ocean disposal site, West Dock, Temporary roads, Water body crossings, Camps, Ice/snow pads, Pipe storage areas, Contractor yards, Helipads, Temporary construction activities along right of way |
| <b>NEPA Documentation Required:</b> | Yes                          | <b>Decision Maker:</b>               | Alaska District Commander  |

### Laws and Regulations

|                               |   |  |  |
|-------------------------------|---|--|--|
| <b>Primary Law:</b>           | <b>Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act :</b> Section 404 of the Clean Water Act requires authorization for the placement or discharge of dredged and/or fill material into waters of the United States, including wetlands. [33 U.S.C. 1344]. Section 10 of the Rivers and Harbors Act of 1899 requires approval prior to the accomplishment of any work in, over, or under navigable waters of the United States, or which affects the course, location, condition or capacity of such waters. [33 U.S.C. 403] |  |  |
| <b>Other Applicable Laws:</b> | Clean Air Act<br>Coastal Zone Management Act<br>Executive Order 11988 (Floodplain Management)<br>Executive Order 12898 (Environmental Justice)<br>Executive Order 13186 (Migratory Birds)<br>Magnuson-Stevens Fishery Conservation and Management Act<br>Migratory Bird Treaty Act<br>National Historic Preservation Act<br>Wild and Scenic Rivers Act  | Clean Water Act<br>Endangered Species Act<br>Executive Order 11990 (Protection of Wetlands)<br>Executive Order 13175 (Government-to-Government consultation)<br>Fish and Wildlife Coordination Act<br>Marine Mammal Protection Act<br>National Environmental Policy Act<br>Native American Grave Protection and Repatriation Act |  |
| <b>Regulations:</b>           | 33 CFR Parts 320 - 332<br>40 CFR Part 230 [contains 404(b)(1) guidelines]   |  |  |
| <b>Application Forms:</b>     | Department of the Army Form 4345 and mitigation statement.  |  |  |

### Timing and Schedule Information

|                                   |   |
|-----------------------------------|---|
| <b>Project Phase:</b>             | Construction  |
| <b>Approval Duration:</b>         | Typically five years for construction, but may be longer at the discretion of the U.S. Army Corps of Engineers. Time extensions may be granted. Maintenance dredging permits are not to exceed ten years, but may be renewed. |
| <b>Timing Notes:</b>              | Section 10 and 404 permits are processed concurrently by the Corps. Permit decisions are made concurrently with Corps record of decision.   |
| <b>Statutory Review Timeline:</b> | None  |

### Public Notices

**Notices:** Public notice issued within 15 days of a complete application for a minimum 30-day public comment period and posted on website, mailed and emailed to public.



Comment period may be extended up to an additional 30 days.

#### Other Approval Requirements

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| <b>Coordinates With:</b>         | Environmental Protection Agency has the authority to prohibit or restrict the use of any defined area as a discharge site under Section 404(c) of the Clean Water Act. |
| <b>Other Approvals Required:</b> | Alaska Department of Environmental Conservation issues Section 401 of the Clean Water Act, certificate of reasonable assurance.  |

# Endangered Species Act Section 7 biological opinion and incidental take statement - National Marine Fisheries Service

## Office of the Federal Coordinator Permit Report

Information current as of: 5/26/2016

**Permit Purpose:** Ensure that species listed as endangered or threatened, or their habitat, are not adversely affected by activities.

### General Information

|                                     |                                   |                                      |   |
|-------------------------------------|-----------------------------------|--------------------------------------|---|
| <b>Responsible Agency:</b>          | National Marine Fisheries Service | <b>Agency Website:</b>               | <a href="http://www.fakr.noaa.gov/protectedresources/esa/">http://www.fakr.noaa.gov/protectedresources/esa/</a> |
| <b>Permit Type:</b>                 | Federal                           | <b>Examples of Project Features:</b> | Dredge channel, Ocean disposal site, West Dock, Barging/Port Use  |
| <b>NEPA Documentation Required:</b> | No                                | <b>Decision Maker:</b>               | Deputy Regional Administrator   |

### Laws and Regulations

|                               |  |
|-------------------------------|--|
| <b>Primary Law:</b>           | <b>Endangered Species Act:</b> The Endangered Species Act requires that each federal agency shall ensure that any action authorized by such agency is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat of such species which is determined to be critical. [16 U.S.C. 1531-1544]   |
| <b>Other Applicable Laws:</b> | Marine Mammal Protection Act   |
| <b>Regulations:</b>           | 50 CFR Parts 17 and 402  |
| <b>Application Forms:</b>     | No application form. However, informal and formal consultation are triggered by request from a federal agency. Informal consultation can be initiated by an agency request for a species list to NMFS or agency preparation of a species list.<br>Formal consultation and conference is initiated by a written request from a federal agency and must include a biological assessment. A draft biological assessment can be submitted to NMFS. |

### Timing and Schedule Information

|                                   |   |
|-----------------------------------|---|
| <b>Project Phase:</b>             | Construction  |
| <b>Approval Duration:</b>         | Perpetuity, unless reinitiation of consultation becomes necessary.  |
| <b>Timing Notes:</b>              | Federal agencies will consult separately with NMFS and U.S Fish and Wildlife Service for their respective species; these consultations may be concurrent.   |
| <b>Statutory Review Timeline:</b> | Within 30 days of receipt of the request for or notification of a species list, NMFS must prepare the list or concur with the list provided. The biological assessment must be completed within 180 days after preparation or concurrence of a species list from NMFS unless a different deadline is agreed to by the director of NMFS (the list should be verified for accuracy if the preparation of the biological assessment is not started within 90 days of receipt of the list). Within 30 days of receiving the biological assessment, NMFS will respond whether or not it concurs with the findings of the biological assessment. If the biological assessment makes a determination that the project is not likely to adversely affect or will have no effect on listed species or critical habitat and NMFS concurs (although not required), then the consultation process ends. If it is determined the action may adversely affect listed species or critical habitat, formal consultation proceeds. NMFS will indicate within the 30 days if the biological assessment has sufficient information for the formal consultation. Formal consultation may take up to 90 days, and typically includes active dialogue among the parties regarding project actions and their potential effect on listed species and/or critical habitat. Then NMFS has 45 days to deliver a final biological opinion, including an incidental take statement, if appropriate. Therefore, NMFS has a total of 135 days to conduct formal consultation (90 days to formally consult and 45 days to deliver a final biological opinion). Upon request by the federal agency, NMFS shall provide a draft biological opinion within 45 days of the formal consultation and prior to a final biological opinion being delivered. |

### Public Notices

|                 |      |
|-----------------|------|
| <b>Notices:</b> | None |
|-----------------|------|

### Other Approval Requirements

**Related Permits and Approvals:** Any takings of marine mammals listed as threatened or endangered under the Endangered Species Act must be authorized under both the ESA and Marine Mammal Protection Act.

**Other Approvals Required:**

Consultation must occur concurrently with the Marine Mammal Protection Act review, if applicable. Incidental take statements, if needed, cannot be issued for marine mammals until authorizations under the Marine Mammal Protection Act are in effect. If there is a delay in the Marine Mammal Protection Act review, an already issued biological opinion may be amended appropriately and a final incidental take statement issued.

# Endangered Species Act Section 7 biological opinion and incidental take statement - U.S. Fish and Wildlife Service

## Office of the Federal Coordinator Permit Report

Information current as of: 5/26/2016

**Permit Purpose:** Ensure that species listed as endangered or threatened, or their habitat, are not adversely affected by activities.

### General Information

|                                     |                                |                                      |  |
|-------------------------------------|--------------------------------|--------------------------------------|--|
| <b>Responsible Agency:</b>          | U.S. Fish and Wildlife Service | <b>Agency Website:</b>               | <a href="http://alaska.fws.gov/fisheries/endangered/">http://alaska.fws.gov/fisheries/endangered/</a>  |
| <b>Permit Type:</b>                 | Federal                        | <b>Examples of Project Features:</b> | Dredge channel, Roads, Temporary camps, Material sites, Pipeline, Gas treatment plant, Temporary contractor yards, Ocean disposal site, West Dock, Barging/Port Use, Temporary roads, Water body crossings, Camps, Ice/snow pads, Pipe storage areas, Contractor yards, Temporary construction activities along right of way |
| <b>NEPA Documentation Required:</b> | No                             | <b>Decision Maker:</b>               | Alaska Region Director   |

### Laws and Regulations

|                               |   |
|-------------------------------|---|
| <b>Primary Law:</b>           | <b>Endangered Species Act:</b> The Endangered Species Act requires that each federal agency shall ensure that any action authorized by such agency is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat of such species which is determined to be critical. [16 U.S.C. 1531-1544]  |
| <b>Other Applicable Laws:</b> | Marine Mammal Protection Act  |
| <b>Regulations:</b>           | 50 CFR Parts 17 and 402   |
| <b>Application Forms:</b>     | No application form. However, informal and formal consultation are triggered by requests from a federal agency. Informal consultation can be initiated by an agency request for a species list to USFWS or agency preparation of a species list.<br>Formal consultation and conference is initiated by a written request from a federal agency and must include a biological assessment. A draft biological assessment can be submitted to USFWS. |

### Timing and Schedule Information

|                                   |  |
|-----------------------------------|--|
| <b>Project Phase:</b>             | Construction   |
| <b>Approval Duration:</b>         | Perpetuity, unless reinitiation of consultation becomes necessary.   |
| <b>Timing Notes:</b>              | Federal agencies will consult separately with USFWS and National Marine Fisheries Service for their respective species; these consultations may be concurrent.   |
| <b>Statutory Review Timeline:</b> | Within 30 days of receipt of the request for or notification of a species list, USFWS must prepare the list or concur with the list provided. The biological assessment must be completed within 180 days after preparation or concurrence of a species list from USFWS unless a different deadline is agreed to by the director of USFWS (the list should be verified for accuracy if the preparation of the biological assessment is not started within 90 days of receipt of the list). Within 30 days of receiving the biological assessment, USFWS will respond whether or not it concurs with the findings of the biological assessment. If the biological assessment makes a determination that the project is not likely to adversely affect or will have no effect on listed species or critical habitat and USFWS concurs (although not required), then the consultation process ends. If it is determined the action may adversely affect listed species or critical habitat, formal consultation proceeds. USFWS will indicate within the 30 days if the biological assessment has sufficient information for the formal consultation. Formal consultation may take up to 90 days, and typically includes active dialogue among the parties regarding project actions and their potential effect on listed species and/or critical habitat. Then USFWS has 45 days to deliver a final biological opinion, including an incidental take statement, if appropriate. Therefore, USFWS has a total of 135 days to conduct formal consultation (90 days to formally consult and 45 days to deliver a final biological opinion). Upon request by the federal agency or its representative, USFWS shall provide a draft biological opinion within 45 days of the formal consultation and prior to a final biological opinion being delivered. |

### Public Notices

**Notices:** None

### Other Approval Requirements

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**Related Permits and Approvals:** Any takings of marine mammals listed as threatened or endangered under the Endangered Species Act must be authorized under both the ESA and Marine Mammal Protection Act.

**Other Approvals Required:** Consultation must occur concurrently with the Marine Mammal Protection Act review, if applicable. Incidental take statements, if needed, cannot be issued for marine mammals until authorizations under the Marine Mammal Protection Act are in effect. If there is a delay in the Marine Mammal Protection Act review, an already issued biological opinion may be amended appropriately and a final incidental take statement issued.

# Federal right-of-way grant

## Office of the Federal Coordinator Permit Report

Information current as of: 5/26/2016

**Permit Purpose:** Allows long-term use of federal lands for project activities associated with the pipeline and compressor stations.

### General Information

|                                     |                           |                                      |   |
|-------------------------------------|---------------------------|--------------------------------------|---|
| <b>Responsible Agency:</b>          | Bureau of Land Management | <b>Agency Website:</b>               | <a href="http://www.blm.gov/ak">www.blm.gov/ak</a>                                      |
| <b>Permit Type:</b>                 | Federal                   | <b>Examples of Project Features:</b> | Roads, Material sites, Pipeline, Compressor stations, Camps, Contractor yards, Helipads |
| <b>NEPA Documentation Required:</b> | Yes                       | <b>Decision Maker:</b>               | State Director (may be elevated to Secretary of Interior)                               |

### Laws and Regulations

**Primary Law:** **Mineral Leasing Act:** The Mineral Leasing Act allows that rights-of-way through any federal lands may be granted by the Secretary of Interior or appropriate agency head for pipeline purposes for the transportation of oil, natural gas, synthetic liquid or gaseous fuels. [30 U.S.C. 185]

**Other Applicable Laws:**

|   |  |
|---|--|
| Alaska National Interest Lands Conservation Act               | Archeological Resource Protection Act                                |
| Bald and Golden Eagle Protection Act                          | Comprehensive Environmental Response, Compensation and Liability Act |
| Endangered Species Act  | Executive Order 11988 (Floodplain Management)                        |
| Executive Order 11990 (Protection of Wetlands)                | Executive Order 12898 (Environmental Justice)                        |
| Executive Order 13175 (Government-to-Government consultation) | Executive Order 13186 (Migratory Birds)                              |
| Federal Land Policy and Management Act                        | Magnuson-Stevens Fishery Conservation and Management Act             |
| Marine Mammal Protection Act                                  | Materials Act  |
| Migratory Bird Treaty Act                                     | National Environmental Policy Act                                    |
| National Historic Preservation Act                            | Paleontological Resources Preservation Act                           |
| Safe Drinking Water Act                                       | Wild and Scenic Rivers Act   |
| Wilderness Act  |  |

**Regulations:** 43 CFR Parts 2880-2888

**Application Forms:** Standard Form SF-299 and plan of development.

### Timing and Schedule Information

**Project Phase:** Construction and operations

**Approval Duration:** No greater than 30 years. Renewable, for periods of up to 30 years at a time.

**Timing Notes:** Federal right-of-way grant and temporary use permits are processed concurrently by BLM. The applicant should file an application early in the process, even if not all the information is complete. The applicant should file an application early in the process, even if not all the information is complete.

**Statutory Review Timeline:** None

### Public Notices

**Notices:** When deemed appropriate, BLM will publish a notice in the Federal Register or relevant newspaper(s) and send notice to governors, heads of local or tribal governments or jurisdictions within which the pipeline system would be located, and heads of other federal agencies whose jurisdiction includes lands within which the pipeline system would be located.

For a pipeline 24 inches or more in diameter, BLM will also send notice of the application to the U.S. House Natural Resources Committee and the U.S. Senate Energy and Natural Resources Committee. No right-of-way shall be granted until a notice of intent to grant the right-of-way, together with the agency's detailed findings as to the proposed terms and conditions to be imposed, has been submitted to the U.S. House

Natural Resources Committee and the U.S. Senate Energy and Natural Resources Committee.

### Other Approval Requirements

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|                                       |   |
|---------------------------------------|---|
| <b>Concurrence Needed:</b>            | Concurrence may be needed from other federal land-management agencies, including: Department of Defense (for military installations) and U.S. Fish and Wildlife Service (for wildlife refuges). |
| <b>Coordinates With:</b>              | BLM may coordinate with Alaska State Pipeline Coordinator's Office.   |
| <b>Related Permits and Approvals:</b> | Appropriate temporary use permits issued by BLM.  |
| <b>Additional Agency Approval:</b>    | BLM issues a notice to proceed following the right-of-way grant.  |

## Incidental harassment authorization

### Office of the Federal Coordinator Permit Report

Information current as of: 5/26/2016

**Permit Purpose:** Preserves integrity of marine mammal populations while allowing isolated incidents of harassment as a result of activity.

#### General Information

|                                     |                                   |                                      |   |
|-------------------------------------|-----------------------------------|--------------------------------------|---|
| <b>Responsible Agency:</b>          | National Marine Fisheries Service | <b>Agency Website:</b>               | <a href="http://www.nmfs.noaa.gov/pr/permits/incidental.htm">http://www.nmfs.noaa.gov/pr/permits/incidental.htm</a> |
| <b>Permit Type:</b>                 | Federal                           | <b>Examples of Project Features:</b> | Dredge channel, Ocean disposal site, West Dock, Barging/Port Use  |
| <b>NEPA Documentation Required:</b> | Yes                               | <b>Decision Maker:</b>               | Director of the Office of Protected Resources   |

#### Laws and Regulations

|                               |  |
|-------------------------------|--|
| <b>Primary Law:</b>           | <b>Marine Mammal Protection Act:</b> Section 101(a)(5) of the Marine Mammal Protection Act restricts the taking, possession, transportation, selling, offering for sale and importing of marine mammals. [16 U.S.C. 1361-1362, 1371-1389, 1401-1407, 1421, 1423] |
| <b>Other Applicable Laws:</b> | Endangered Species Act<br>Magnuson-Stevens Fishery Conservation and Management Act<br>National Environmental Policy Act  |
| <b>Regulations:</b>           | 50 CFR Part 216  |
| <b>Application Forms:</b>     | No application form. However, applicant must submit a written request that includes the information required in 50 CFR 216.104(a)(1)-(14).   |

#### Timing and Schedule Information

|                                   |   |
|-----------------------------------|---|
| <b>Project Phase:</b>             | Field work, construction, and operations  |
| <b>Approval Duration:</b>         | Not to exceed one year, but may be renewed for additional periods of time not to exceed one year each.  |
| <b>Timing Notes:</b>              | Applicant will work separately with National Marine Fisheries Service and U.S. Fish and Wildlife Service for their respective species; these permit reviews may be concurrent. A complete application must be submitted at least four months prior to the anticipated activity start date. Applicants should submit applications sooner in the event additional information will be required by NMFS. |
| <b>Statutory Review Timeline:</b> | Incidental harassment authorization will be either issued or denied within 45 days after the close of the public review period on the proposed incidental harassment authorization.   |

#### Public Notices

|                 |  |
|-----------------|--|
| <b>Notices:</b> | Application must be reviewed and notice published in the Federal Register and on website within 45 days of receipt of a complete application.<br>Notice of proposed incidental harassment authorization published in the Federal Register, on website and sent to local contacts in affected areas for a 30-day comment period.<br>Notice of decision on incidental harassment authorization must be published in the Federal Register within 30 days of final decision. |
|-----------------|--|

#### Other Approval Requirements

|                                       |  |
|---------------------------------------|--|
| <b>Concurrence Needed:</b>            | For activities that occur in Arctic waters and have the potential to affect the availability of a species or stock of marine mammals for subsistence uses, the monitoring plan for the proposed activity must be independently peer-reviewed. Arctic waters are defined as marine and estuarine waters north of 60° North latitude.                    |
| <b>Related Permits and Approvals:</b> | Any takings of marine mammals listed as threatened or endangered under the Endangered Species Act must be authorized under both the ESA and Marine Mammal Protection Act.  |
| <b>Other Approvals Required:</b>      | Incidental harassment authorization review process must occur concurrently with the ESA consultation, if applicable. However, the ESA biological opinion must be completed prior to the issuance of the letter of authorization. The incidental take statement will be appended to the biological opinion after the letter of authorization is issued. |



# Letter of authorization - National Marine Fisheries Service

## Office of the Federal Coordinator Permit Report

Information current as of: 5/26/2016

**Permit Purpose:** Preserves integrity of marine mammal populations while allowing isolated incidents of harassment, serious injury, deaths, or a combination thereof as a result of activity.

### General Information

|                                     |                                   |                                      |   |
|-------------------------------------|-----------------------------------|--------------------------------------|---|
| <b>Responsible Agency:</b>          | National Marine Fisheries Service | <b>Agency Website:</b>               | <a href="http://www.nmfs.noaa.gov/pr/permits/incidental.htm">http://www.nmfs.noaa.gov/pr/permits/incidental.htm</a> |
| <b>Permit Type:</b>                 | Federal                           | <b>Examples of Project Features:</b> | Dredge channel, Ocean disposal site, West Dock, Barging/Port Use  |
| <b>NEPA Documentation Required:</b> | Yes                               | <b>Decision Maker:</b>               | Assistant Administrator for Fisheries   |

### Laws and Regulations

|                               |  |
|-------------------------------|--|
| <b>Primary Law:</b>           | <b>Marine Mammal Protection Act:</b> Section 101(a)(5) of the Marine Mammal Protection Act restricts the taking, possession, transportation, selling, offering for sale and importing of marine mammals. [16 U.S.C. 1361-1362, 1371-1389, 1401-1407, 1421, 1423] |
| <b>Other Applicable Laws:</b> | Endangered Species Act<br>Magnuson-Stevens Fishery Conservation and Management Act<br>National Environmental Policy Act  |
| <b>Regulations:</b>           | 50 CFR Part 216  |
| <b>Application Forms:</b>     | No application form. However, applicant must submit a written request to NMFS that includes the information required in 50 CFR 216.104(a)(1)-(14).   |

### Timing and Schedule Information

|                                   |  |
|-----------------------------------|--|
| <b>Project Phase:</b>             | Field work, construction, and operations   |
| <b>Approval Duration:</b>         | Specific regulations preceding a letter of authorization are valid for up to five consecutive years. A letter of authorization can be valid for any amount of time up to five years during the time period the regulations are valid.  |
| <b>Timing Notes:</b>              | Applicant will work separately with National Marine Fisheries Service and U.S. Fish and Wildlife Service for their respective species; these permit reviews may be concurrent. Because issuance of a letter of authorization requires the promulgation of regulations, applicants should submit applications at least 12-18 months prior to the anticipated activity start date. |
| <b>Statutory Review Timeline:</b> | Letter of authorization can be issued or denied any time after the conclusion of the 30-day wait period after notice of final rule.  |

### Public Notices

|                 |   |
|-----------------|---|
| <b>Notices:</b> | After receipt of a complete application, notice of receipt is published in the Federal Register and on website for a 30-day comment period.<br>Proposed rule is published in the Federal Register and on website for a 30- to 60-day public comment period.<br>Final rule is published in Federal Register and on website and will not be effective for a 30-day wait period. |
|-----------------|---|

### Other Approval Requirements

|                                       |  |
|---------------------------------------|--|
| <b>Concurrence Needed:</b>            | For activities that occur in Arctic waters and have the potential to affect the availability of a species or stock of marine mammals for subsistence uses, the monitoring plan for the proposed activity must be independently peer-reviewed. Arctic waters are defined as marine and estuarine waters north of 60° North latitude.        |
| <b>Related Permits and Approvals:</b> | Any takings of marine mammals listed as threatened or endangered under the Endangered Species Act must be authorized under both the ESA and Marine Mammal Protection Act.  |
| <b>Other Approvals Required:</b>      | Letter of authorization review process must occur concurrently with the ESA consultation, if applicable. However, the ESA biological opinion must be completed prior to the issuance of the letter of authorization. The incidental take statement will be appended to the biological opinion after the letter of authorization is issued. |

# Letter of authorization - U.S. Fish and Wildlife Service

## Office of the Federal Coordinator Permit Report

Information current as of: 5/26/2016

**Permit Purpose:** Preserves integrity of marine mammal populations while allowing isolated incidents of harassment, injuries or deaths as a result of activity.

### General Information

|                                     |   |                                      |  |
|-------------------------------------|---|--------------------------------------|--|
| <b>Responsible Agency:</b>          | U.S. Fish and Wildlife Service                                      | <b>Agency Website:</b>               | <a href="http://alaska.fws.gov/fisheries/mmm/gen_itr_iha.htm">http://alaska.fws.gov/fisheries/mmm/gen_itr_iha.htm</a>  |
| <b>Permit Type:</b>                 | Federal   | <b>Examples of Project Features:</b> | Dredge channel, Roads, Temporary camps, Material sites, Pipeline, Gas treatment plant, Temporary contractor yards, Ocean disposal site, West Dock, Barging/Port Use, Temporary roads, Camps, Ice/snow pads, Pipe storage areas, Contractor yards, Temporary construction activities along right of way |
| <b>NEPA Documentation Required:</b> | Incidental take regulations:<br>Yes; Letter of authorization:<br>No | <b>Decision Maker:</b>               | Marine Mammals Management Office Branch Chief  |

### Laws and Regulations

|                               |  |
|-------------------------------|--|
| <b>Primary Law:</b>           | <b>Marine Mammal Protection Act:</b> Section 101(a)(5) of the Marine Mammal Protection Act restricts the taking, possession, transportation, selling, offering for sale and importing of marine mammals. [16 U.S.C. 1361-1362, 1371-1389, 1401-1407, 1421, 1423] |
| <b>Other Applicable Laws:</b> | Endangered Species Act<br>National Environmental Policy Act  |
| <b>Regulations:</b>           | 50 CFR Part 18   |
| <b>Application Forms:</b>     | No application form. However, applicant must submit a written request to the USFWS that includes the information required in 50 CFR 18.27(d)(1)(i)-(viii) and 18.124(c)(1)-(4).  |

### Timing and Schedule Information

|                                   |  |
|-----------------------------------|--|
| <b>Project Phase:</b>             | Field work, construction, and operations   |
| <b>Approval Duration:</b>         | Letters of authorization are issued for up to one year.  |
| <b>Timing Notes:</b>              | Applicant will work separately with the National Marine Fisheries Service and U.S. Fish and Wildlife Service for their respective species; these permit reviews may be concurrent. Depending of the phase of the project, letter of authorization may be authorized only for the relevant species. |
| <b>Statutory Review Timeline:</b> | No review timeframe specified in regulation. However, USFWS strives to complete its review for a letter of authorization within 90 days of receipt of the request.   |

### Public Notices

|                 |   |
|-----------------|---|
| <b>Notices:</b> | Notice of issuance is published in Federal Register within 30 days of decision and posted on website. |
|-----------------|---|

### Other Approval Requirements

|                                       |  |
|---------------------------------------|--|
| <b>Related Permits and Approvals:</b> | Any takings of marine mammals listed as threatened or endangered under the Endangered Species Act must be authorized under both the ESA and Marine Mammal Protection Act.  |
| <b>Other Approvals Required:</b>      | Letter of authorization review process must occur prior to or concurrently with the ESA consultation, if applicable.   |
| <b>Additional Agency Approval:</b>    | Incidental take regulations must be in place for a letter of authorization to be issued. The latest information on current incidental take regulations and letters of authorization can be found on the USFWS website at <a href="http://alaska.fws.gov/fisheries/mmm/itr.htm">http://alaska.fws.gov/fisheries/mmm/itr.htm</a> . |

# Letter of recommendation - U.S. Coast Guard

## Office of the Federal Coordinator Permit Report

Information current as of: 5/26/2016

**Permit Purpose:** Provides expert advice to FERC on the suitability of the waterway to support LNG carrier traffic as the commission considers authorizing the siting, construction and operation of an LNG export facility.

### General Information

|                                     |                  |                        |   |
|-------------------------------------|------------------|------------------------|---|
| <b>Responsible Agency:</b>          | U.S. Coast Guard | <b>Agency Website:</b> | <a href="http://www.uscg.mil/">http://www.uscg.mil/</a> |
| <b>Permit Type:</b>                 | Federal          |                        |   |
| <b>NEPA Documentation Required:</b> | No               | <b>Decision Maker:</b> | Coast Guard Captain of the Port                         |

### Laws and Regulations

|                               |   |   |  |
|-------------------------------|---|---|--|
| <b>Primary Law:</b>           | <b>Ports and Waterways Safety Act:</b> [33 U.S.C. 1221]                               |   |  |
| <b>Other Applicable Laws:</b> | Deepwater Port Act<br>Magnuson Act<br>Safety and Accountability For Every Port Act    | Executive Order 10173<br>Marine Transportation Security Act |  |
| <b>Regulations:</b>           | 33 CFR Part 127<br>33 CFR Part 160<br>33 CFR Parts 101 and 105                        |   |  |
| <b>Application Forms:</b>     | No application form. Applicant must supply information required under 33 CFR 127.007. |   |  |

### Timing and Schedule Information

|                                   |   |
|-----------------------------------|---|
| <b>Project Phase:</b>             | Construction and operations   |
| <b>Approval Duration:</b>         | N/A   |
| <b>Timing Notes:</b>              | The project sponsor must submit a "letter of intent" and a preliminary "water suitability assessment" to the Coast Guard's Captain of the Port no later than its application to FERC for pre-filing status. The letter of intent should describe the planned LNG facility, the ships that will call there and the frequency of their calls, and the detailed nature of the waterway and environs. The water suitability assessment should identify potential risks, covering such topics as the port, water depths, tidal range, bridges, underwater pipelines and cables, maneuvers required to berth and other safety and security matters. A follow-on water suitability assessment must be submitted no later than when the project sponsor formally applies to FERC for authorization to site, build and operate the LNG facility. The sponsor must review the water suitability assessment annually and report whether changes are required, and revise the assessment as needed. A final assessment must be filed between 30 and 60 days of LNG operations starting. |
| <b>Statutory Review Timeline:</b> | Under an interagency agreement with FERC, the Coast Guard Captain of the Port will submit the letter of recommendation and analysis to FERC staff before the staff drafts the project's environmental impact statement. The letter addresses the waterway's suitability for LNG marine traffic.   |

### Public Notices

|                 |  |
|-----------------|--|
| <b>Notices:</b> | Notice of application published in Federal Register. Notice includes due date for petitions to intervene and for the filing of protests or other comments. Before writing its letter of recommendation and analysis to FERC, the Coast Guard will invite state and local governments as well as other stakeholders to help review and validate the water suitability assessment the project sponsors submit. |
|-----------------|--|

### Other Approval Requirements

|                                    |   |
|------------------------------------|---|
| <b>Additional Agency Approval:</b> | As part of or during the FERC oversight, the Coast Guard also is involved in developing or approving the LNG terminal's emergency response, transit management and facility security plans. |
|------------------------------------|---|

## Mineral material sales contracts

### Office of the Federal Coordinator Permit Report

Information current as of: 5/26/2016

**Permit Purpose:** Allows the purchase and extraction of gravel from federal land.

#### General Information

|                                     |                           |                                      |  |
|-------------------------------------|---------------------------|--------------------------------------|--|
| <b>Responsible Agency:</b>          | Bureau of Land Management | <b>Agency Website:</b>               | <a href="http://www.blm.gov/ak">www.blm.gov/ak</a> |
| <b>Permit Type:</b>                 | Federal                   | <b>Examples of Project Features:</b> | Material sites                                     |
| <b>NEPA Documentation Required:</b> | Yes                       | <b>Decision Maker:</b>               | Field Office Manager                               |

#### Laws and Regulations

**Primary Law:** **Materials Act:** The Materials Act allows for the exploration, development and disposal of mineral material resources on public lands, and for the protection of the resources and the environment. [30 U.S.C. 601]

**Other Applicable Laws:**

|   |  |
|---|--|
| Alaska National Interest Lands Conservation Act               | Clean Air Act  |
| Clean Water Act   | Comprehensive Environmental Response, Compensation and Liability Act |
| Endangered Species Act  | Executive Order 11988 (Floodplain Management)                        |
| Executive Order 11990 (Protection of Wetlands)                | Executive Order 12898 (Environmental Justice)                        |
| Executive Order 13175 (Government-to-Government consultation) | Executive Order 13186 (Migratory Birds)                              |
| Federal Land Policy and Management Act                        | Magnuson-Stevens Fishery Conservation and Management Act             |
| Migratory Bird Treaty Act                                     | National Environmental Policy Act                                    |
| National Historic Preservation Act                            | Wild and Scenic Rivers Act   |
| Wilderness Act  |  |

**Regulations:** 43 CFR Part 3600

**Application Forms:** No application form. However, applicant must submit: written request for sale of mineral materials, mining plan containing information in 43 CFR 3601.41, and reclamation plan containing information in 43 CFR 3601.42.

#### Timing and Schedule Information

**Project Phase:** Construction

**Approval Duration:** Non-competitive contract: Not to exceed five years; one-time extension of contract not to exceed one year. Competitive contract: Not to exceed 10 years.

**Timing Notes:** None

**Statutory Review Timeline:** None

#### Public Notices

**Notices:** None

#### Other Approval Requirements

**Coordinates With:** BLM may coordinate with other users, i.e. state of Alaska or Alyeska Pipeline Service Company.

## Pipeline special permits

### Office of the Federal Coordinator Permit Report

Information current as of: 5/26/2016

**Permit Purpose:** Ensure that the pipeline is built and operated to meet the objectives of federal standards even though the applicant proposes to use different methods or material to achieve pipeline integrity and safety. This could include pipe coating, steel pipe properties, or the spacing of special sleeves designed to stop pipeline cracks from spreading. Applicant must obtain a permit for each departure from standards.

#### General Information

|                                     |  |                                      |   |
|-------------------------------------|--|--------------------------------------|---|
| <b>Responsible Agency:</b>          | Pipeline and Hazardous Materials Safety Administration | <b>Agency Website:</b>               | <a href="http://phmsa.dot.gov/pipeline/regs/special-permits">http://phmsa.dot.gov/pipeline/regs/special-permits</a> |
| <b>Permit Type:</b>                 | Federal  | <b>Examples of Project Features:</b> | Pipeline, Compressor stations, Metering stations, Control rooms, Regulating stations                                |
| <b>NEPA Documentation Required:</b> | Yes  | <b>Decision Maker:</b>               | Associate Administrator for Pipeline Safety   |

#### Laws and Regulations

|                               |  |
|-------------------------------|--|
| <b>Primary Law:</b>           | <b>Pipeline Safety Law:</b> Federal pipeline safety laws authorize waivers of compliance with one or more of the federal pipeline safety regulations, if necessary. [49 U.S.C. 60118(c)] |
| <b>Other Applicable Laws:</b> | Executive Order 12898 (Environmental Justice)<br>Executive Order 13175 (Government-to-Government consultation)<br>National Environmental Policy Act                                      |
| <b>Regulations:</b>           | 49 CFR Parts 190 - 192, 199  |
| <b>Application Forms:</b>     | No application form. However, applicant needs to submit the information contained in 49 CFR Part 190.341(c).   |

#### Timing and Schedule Information

|                                   |   |
|-----------------------------------|---|
| <b>Project Phase:</b>             | Construction and operations   |
| <b>Approval Duration:</b>         | Five years. Can be reviewed and renewed at five-year intervals.   |
| <b>Timing Notes:</b>              | Anticipated minimum one-year technical review prior to start of National Environmental Policy Act review. Draft permit applications are encouraged to be submitted early. |
| <b>Statutory Review Timeline:</b> | None  |

#### Public Notices

|                 |   |
|-----------------|---|
| <b>Notices:</b> | Public notice of application published in the Federal Register and on website.<br>Minimum 30-day public comment review, but up to 60-day public comment review allowed.<br>Final decision published in the Federal Register and on website. |
|-----------------|---|

#### Other Approval Requirements

|                          |  |
|--------------------------|--|
| <b>Coordinates With:</b> | PHMSA may coordinate with the Alaska Department of Transportation, Alaska State Fire Marshal, Alaska State Pipeline Coordinator's Office, Bureau of Land Management, Canadian National Energy Board, Department of Homeland Security, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, or U.S. Geological Survey. |
|--------------------------|--|

# Section 102 site designation and site management plan approval

## Office of the Federal Coordinator Permit Report

Information current as of: 5/26/2016

**Permit Purpose:** Allows disposal at a specified offshore site of dredged sediment.

### General Information

|                                     |   |                                      |  |
|-------------------------------------|---|--------------------------------------|--|
| <b>Responsible Agency:</b>          | Environmental Protection Agency   | <b>Agency Website:</b>               | <a href="http://www.epa.gov">www.epa.gov</a> |
| <b>Permit Type:</b>                 | Federal   | <b>Examples of Project Features:</b> | Dredge channel, Ocean disposal site          |
| <b>NEPA Documentation Required:</b> | EPA voluntarily will follow National Environmental Policy Act procedures for this approval. | <b>Decision Maker:</b>               | Regional Administrator, EPA Region 10        |

### Laws and Regulations

|                               |  |   |  |
|-------------------------------|--|---|--|
| <b>Primary Law:</b>           | <b>Section 102 of the Marine Protection, Research and Sanctuaries Act:</b> Section 102 of the Marine Protection, Research and Sanctuaries Act requires authorization for the transportation from the United States of material for the purpose of dumping it into ocean waters, or for the dumping of material into the waters described in Section 101(b) of the act. [33 U.S.C. 1412 & 1414] |   |  |
| <b>Other Applicable Laws:</b> | Coastal Zone Management Act<br>Executive Order 12898 (Environmental Justice)<br>Executive Order 13175 (Government-to-Government consultation)<br>Magnuson-Stevens Fishery Conservation and Management Act<br>National Historic Preservation Act  | Endangered Species Act<br>Executive Order 13045 (Protection of children from environmental health and safety risks)<br>Executive Order 13211 (Actions significantly affecting energy supply, distribution or use)<br>Marine Mammal Protection Act |  |
| <b>Regulations:</b>           | 40 CFR Parts 227 and 228   |   |  |
| <b>Application Forms:</b>     | No application form. However, applicant needs to address the criteria for site selection (see 40 CFR 228.5 (general criteria) and 40 CFR 228.6 (specific criteria) for more information).  |   |  |

### Timing and Schedule Information

|                                   |  |
|-----------------------------------|--|
| <b>Project Phase:</b>             | Construction   |
| <b>Approval Duration:</b>         | Permanent, but requires review every 10 years.   |
| <b>Timing Notes:</b>              | If the Environmental Protection Agency does not designate a site or designates a site that is not feasible, the U.S. Army Corps of Engineers will designate a site under Section 103 with EPA's concurrence. This can occur at any time during the Section 102 review process. |
| <b>Statutory Review Timeline:</b> | None   |

### Public Notices

|                 |  |
|-----------------|--|
| <b>Notices:</b> | Proposed Section 102 site designation and draft site management plan would be published concurrently in the Federal Register for 30- to 90-day comment periods, as determined by EPA.<br>Final rule designating the Section 102 site and the final site management plan would be published in the Federal Register no less than 30 days before its effective date. |
|-----------------|--|

### Other Approval Requirements

|                                       |   |
|---------------------------------------|---|
| <b>Related Permits and Approvals:</b> | U.S. Army Corps of Engineers Section 103 dredged material permit and U.S. Army Corps of Engineers Section 103 alternative site designation and site management plan approval. |
|---------------------------------------|---|

# Section 103 alternative site designation and site management plan approval

## Office of the Federal Coordinator Permit Report

Information current as of: 5/26/2016

**Permit Purpose:** Allows single user to dispose of dredged sediment at a specified offshore site for up to 10 years. Alternative to obtaining Environmental Protection Agency's Section 102 authorization.

### General Information

|                                     |                              |                                      |  |
|-------------------------------------|------------------------------|--------------------------------------|--|
| <b>Responsible Agency:</b>          | U.S. Army Corps of Engineers | <b>Agency Website:</b>               | <a href="http://www.poa.usace.army.mil/reg">www.poa.usace.army.mil/reg</a> |
| <b>Permit Type:</b>                 | Federal                      | <b>Examples of Project Features:</b> | Dredge channel, Ocean disposal site  |
| <b>NEPA Documentation Required:</b> | Yes                          | <b>Decision Maker:</b>               | Alaska District Commander  |

### Laws and Regulations

|                               |  |  |  |
|-------------------------------|--|--|--|
| <b>Primary Law:</b>           | <b>Section 103 of the Marine Protection, Research and Sanctuaries Act:</b> Section 103 of the Marine Protection, Research and Sanctuaries Act requires authorization for the transportation of dredged material for the purpose of dumping it into ocean waters. [33 U.S.C. 1413 & 1414] |  |  |
| <b>Other Applicable Laws:</b> | Clean Air Act  | Fish and Wildlife Coordination Act                       |  |
|                               | Clean Water Act  | Magnuson-Stevens Fishery Conservation and Management Act |  |
|                               | Coastal Zone Management Act  | Marine Mammal Protection Act                             |  |
|                               | Endangered Species Act   | Migratory Bird Treaty Act                                |  |
|                               | Executive Order 11988 (Floodplain Management)  | National Environmental Policy Act                        |  |
|                               | Executive Order 11990 (Protection of Wetlands)   | National Historic Preservation Act                       |  |
|                               | Executive Order 12898 (Environmental Justice)  | Native American Grave Protection and Repatriation Act    |  |
|                               | Executive Order 13175 (Government-to-Government consultation)  | Wild and Scenic Rivers Act                               |  |
|                               | Executive Order 13186 (Migratory Birds)  |  |  |
| <b>Regulations:</b>           | 33 CFR Parts 320 - 332<br>40 CFR Parts 225, 227, and 228   |  |  |
| <b>Application Forms:</b>     | Department of the Army Form 4345 and applicant needs to address the criteria for site selection, see 40 CFR 228.5 (general criteria) and 40 CFR 228.6 (specific criteria) for more information.  |  |  |

### Timing and Schedule Information

|                                   |   |
|-----------------------------------|---|
| <b>Project Phase:</b>             | Construction  |
| <b>Approval Duration:</b>         | Five years, with a one-time extension of up to five years.  |
| <b>Timing Notes:</b>              | Processed concurrently with U.S. Army Corps of Engineers Section 103 dredged material permit and Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act permits.   |
| <b>Statutory Review Timeline:</b> | The Environmental Protection Agency regional administrator will within 15 days of the date the public notice and other information required to be submitted by 40 CFR 225.2(a) are received by the office review the information submitted and request from the Corps any additional information deemed necessary or appropriate to evaluate the proposed dumping. Using the information submitted by the Corps, and any other information available, the EPA regional administrator will within 15 days after receipt of all requested information make an independent evaluation of the proposed dumping in accordance with the criteria and respond to the Corps pursuant to 40 CFR 225.2 (d) or (e). The EPA regional administrator may request an extension of this 15-day period to 30 days from the Corps. |

### Public Notices

|                 |  |
|-----------------|--|
| <b>Notices:</b> | Public notice issued within 15 days of a complete application for a minimum 30-day public comment period and posted on website, mailed and emailed to public.<br>Comment period may be extended up to an additional 30 days. |
|-----------------|--|

### Other Approval Requirements

|                                       |  |
|---------------------------------------|--|
| <b>Concurrence Needed:</b>            | For alternative site designation, EPA must concur on selected site.  |
| <b>Related Permits and Approvals:</b> | Environmental Protection Agency Section 102 site designation and site management plan approval and U.S. Army Corps of Engineers Section 103 dredged material permit. |

## Section 103 dredged material permit

### Office of the Federal Coordinator Permit Report

Information current as of: 5/26/2016

**Permit Purpose:** Allows the transport of sediment from the dredged site to the offshore disposal site in ocean waters.

#### General Information

|                                     |                              |                                      |  |
|-------------------------------------|------------------------------|--------------------------------------|--|
| <b>Responsible Agency:</b>          | U.S. Army Corps of Engineers | <b>Agency Website:</b>               | <a href="http://www.poa.usace.army.mil/reg">www.poa.usace.army.mil/reg</a> |
| <b>Permit Type:</b>                 | Federal                      | <b>Examples of Project Features:</b> | Dredge channel, Ocean disposal site  |
| <b>NEPA Documentation Required:</b> | Yes                          | <b>Decision Maker:</b>               | Alaska District Commander  |

#### Laws and Regulations

**Primary Law:** **Section 103 of the Marine Protection, Research and Sanctuaries Act:** Section 103 of the Marine Protection, Research and Sanctuaries Act requires authorization for the transportation of dredged material for the purpose of dumping it into ocean waters. [33 U.S.C. 1413 & 1414]

**Other Applicable Laws:**

|  |   |
|--|---|
| Clean Air Act  | Clean Water Act   |
| Coastal Zone Management Act                              | Endangered Species Act  |
| Executive Order 11988 (Floodplain Management)            | Executive Order 11990 (Protection of Wetlands)                |
| Executive Order 12898 (Environmental Justice)            | Executive Order 13175 (Government-to-Government consultation) |
| Executive Order 13186 (Migratory Birds)                  | Fish and Wildlife Coordination Act                            |
| Magnuson-Stevens Fishery Conservation and Management Act | Marine Mammal Protection Act                                  |
| Migratory Bird Treaty Act                                | National Environmental Policy Act                             |
| National Historic Preservation Act                       | Native American Grave Protection and Repatriation Act         |
| Wild and Scenic Rivers Act                               |   |

**Regulations:** 33 CFR Parts 320 - 332  
40 CFR Part 225

**Application Forms:** Department of the Army Form 4345 and applicant needs to address the criteria for site selection, see 40 CFR 228.5 (general criteria) and 40 CFR 228.6 (specific criteria) for more information.

#### Timing and Schedule Information

**Project Phase:** Construction

**Approval Duration:** Not to exceed three years; but may be renewed.

**Timing Notes:** Processed concurrently with Environmental Protection Agency Section 102 or U.S. Army Corps of Engineers Section 103 site designation, Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act permits.

**Statutory Review Timeline:** None

#### Public Notices

**Notices:** Public notice issued within 15 days of a complete application for a minimum 30-day public comment period and posted on website, mailed and emailed to public.  
Comment period may be extended up to an additional 30 days.

#### Other Approval Requirements

**Related Permits and Approvals:** Environmental Protection Agency Section 102 site designation and site management plan approval and/or U.S. Army Corps of Engineers Section 103 alternative site designation and site management plan approval.



## Temporary use permits

### Office of the Federal Coordinator Permit Report

Information current as of: 5/26/2016

**Permit Purpose:** Allows temporary use of federal land for project activities.

#### General Information

|                                     |                           |                                      |   |
|-------------------------------------|---------------------------|--------------------------------------|---|
| <b>Responsible Agency:</b>          | Bureau of Land Management | <b>Agency Website:</b>               | <a href="http://www.blm.gov/ak">www.blm.gov/ak</a>  |
| <b>Permit Type:</b>                 | Federal                   | <b>Examples of Project Features:</b> | Temporary camps, Temporary contractor yards, Temporary roads, Ice/snow pads, Pipe storage areas, Temporary construction activities along right of way |
| <b>NEPA Documentation Required:</b> | Yes                       | <b>Decision Maker:</b>               | Field Office Manager  |

#### Laws and Regulations

**Primary Law:** **Mineral Leasing Act:** The Mineral Leasing Act allows that rights-of-way through any federal lands may be granted by the Secretary of Interior or appropriate agency head for pipeline purposes for the transportation of oil, natural gas, synthetic liquid or gaseous fuels. [30 U.S.C. 185]

**Other Applicable Laws:**

|   |  |
|---|--|
| Alaska National Interest Lands Conservation Act               | Archeological Resource Protection Act                                |
| Bald and Golden Eagle Protection Act                          | Comprehensive Environmental Response, Compensation and Liability Act |
| Endangered Species Act  | Executive Order 11988 (Floodplain Management)                        |
| Executive Order 11990 (Protection of Wetlands)                | Executive Order 12898 (Environmental Justice)                        |
| Executive Order 13175 (Government-to-Government consultation) | Executive Order 13186 (Migratory Birds)                              |
| Federal Land Policy and Management Act                        | Magnuson-Stevens Fishery Conservation and Management Act             |
| Marine Mammal Protection Act                                  | Materials Act  |
| Migratory Bird Treaty Act                                     | National Environmental Policy Act                                    |
| National Historic Preservation Act                            | Paleontological Resources Preservation Act                           |
| Safe Drinking Water Act                                       | Wild and Scenic Rivers Act   |
| Wilderness Act  |  |

**Regulations:** 43 CFR Parts 2880-2888

**Application Forms:** Standard Form SF-299 and plan of development.

#### Timing and Schedule Information

**Project Phase:** Field work, construction, and operations

**Approval Duration:** Not to exceed three years; not renewable.

**Timing Notes:** Federal right-of-way grant and temporary use permits are processed concurrently by BLM. The applicant should file an application early in the process, even if not all the information is complete.

**Statutory Review Timeline:** None

#### Public Notices

**Notices:** When deemed appropriate, BLM will publish a notice in the Federal Register or relevant newspaper(s) and send notice to governors, heads of local or tribal governments or jurisdictions within which the pipeline system would be located, and heads of other federal agencies whose jurisdiction includes lands within which the pipeline system would be located.

#### Other Approval Requirements

|                                       |   |
|---------------------------------------|---|
| <b>Concurrence Needed:</b>            | Concurrence may be needed from other federal land-management agencies, including: Department of Defense (for military installations) and U.S. Fish and Wildlife Service (for wildlife refuges). |
| <b>Coordinates With:</b>              | BLM may coordinate with Alaska State Pipeline Coordinator's Office.   |
| <b>Related Permits and Approvals:</b> | Federal right-of-way grant issued by BLM.   |
| <b>Additional Agency Approval:</b>    | BLM issues a notice to proceed following the issuance of temporary use permits.   |