



March 10, 2008

Ben Greene, PhD  
Alaska Department of Natural Resources  
Division of Coastal and Ocean Management  
550 West 7<sup>th</sup> Avenue, Suite 705  
Anchorage, Alaska 99501

Re: Armstrong Cook Inlet, LLC  
Alaska Coastal Management Program (ACMP) Consistency Review  
North Fork Unit Drilling Program  
Kenai Peninsula, Alaska

Dear Dr. Greene:

Enclosed is our Coastal Project Questionnaire our upcoming drilling program for the North Fork Unit and vicinity on the Kenai Peninsula near Anchor Point. We have also enclosed other relevant information including our consistency evaluations and copies of other permit applications and documentation submitted to other agencies at this time.

Should you have any questions, you can call me at (303) 623-1821 or Bob Britch at 240-5830.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Edward Teng', with a long horizontal flourish extending to the right.

Edward Teng  
Vice President, Engineering

<h2 style="margin: 0;">Coastal Project Questionnaire and Certification Statement</h2>
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The Coastal Project Questionnaire (CPQ) is a diagnostic tool that will identify the state and federal permit requirements for your project that are subject to a consistency review. You must answer all questions. If you answer "Yes" to any of the questions, please call that specific department for further instructions to avoid delay in processing your application. You can find an agency contact list online at <http://alaskacoast.state.ak.us/Contacts/PRCregcont.html>.

A complete project packet includes accurate maps and plan drawings at scales large enough to show details, copies of your state and federal permit applications, your answers to this questionnaire, and a complete consistency evaluation. DCOM will notify you within 21 days of receipt if the packet is incomplete and what information is still required.

For additional information or assistance, you may call or email the [Juneau Project Review](#) at (907) 465-2142, or the [Anchorage Project Review](#) at (907) 269-7478. This CPQ document contains numerous hyperlinks (underlined text that has a connection to an internet web page) and is best viewed on-line. Additional instructions are available at <http://www.alaskacoast.state.ak.us/Projects/pepq.html>

**■ APPLICANT INFORMATION**

1. Armstrong Cook Inlet, LLC Name of Applicant 700 17 <sup>th</sup> Street, Suite 1400 Address Denver, Colorado 80202 City/State/Zip (303) 623-1821 Ed Teng Daytime Phone (303) 623-3019    edteng@armstrongoilandgas.com Fax Number    E-mail Address	2. Robert Britch, PE, Northern Consulting Group Agent (or responsible party if other than applicant) 2454 Telequana Drive Address Anchorage, Alaska 99517 City/State/Zip (907) 243-7716 Daytime Phone bbritch@alaska.net Fax Number    E-mail Address
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**■ PROJECT INFORMATION**

1. This activity is a:  new project     modification or addition to an existing project Yes    No
2. If this is a modification or an addition, do you currently have any State, federal or local approvals for this activity?

*NOTE: Approval means any form of authorization. If "yes," please list below:*

Approval Type	Approval #	Issuance Date	Expiration Date

3. If this is a modification, was this original project reviewed for consistency with the Alaska Coastal Management Program?
- Previous ACMP I.D. Number: \_\_\_\_\_ (example: AK 0706-05AA or ID2004-0505JJ)
- Previous Project Name: \_\_\_\_\_ Previous Project Applicant: \_\_\_\_\_

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

**■ PROJECT DESCRIPTION**

**Attach** a complete and detailed narrative description of your new project or of your modification/addition including ALL associated facilities and changes to the current land or water use (if not already attached as part of an agency application). Clearly delineate the project boundaries and all property owners, including owners of adjacent land, on the site plan. The scale of the maps and plan drawings must be large enough to show pertinent details. Identify your proposed footprint or 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: March 15, 2008 Proposed ending date for project: December 31, 2008

**■ 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 4S Range 14W Section 26 Meridian Seward

Latitude/Longitude 59.7968 deg N / 151.6283 deg W (specify Decimal Degrees or Degrees, Minutes, Seconds)

USGS Quad Map Seldovia

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? .....

**■ COASTAL DISTRICT**

**Yes No**

7. Is the project located in a [coastal district](#)? .....

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.) .....

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: \_\_\_\_\_

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: Access on existing public road systems that go directly to private site.

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**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? .....

a) Location of excavation site if different than the project site: \_\_\_\_\_

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Meridian \_\_\_\_\_

4. At any one site (regardless of land ownership), do you plan any of the following? .....

- 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? .....

a) Location of fill or material disposal site if different than the project site: \_\_\_\_\_

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Meridian \_\_\_\_\_

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: \_\_\_\_\_

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: No activities on State lands

**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: Not requesting above activities

**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): Possibly in Anchor Point Area
- Stream or Lake (name): \_\_\_\_\_
- Well
- Rain catchment system
- Other: Existing private or public system

b) Intended use(s) of water: Support drilling operations

c) Amount (maximum daily, not average, in gallons per day): 3,000

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.

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- a) Name/date of Contact: N/A
- 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: Using only existing systems

**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: Not doing these activities

**DNR DIVISION OF OIL & GAS**

**Yes No**

15. a) Will you be exploring for or producing oil and/or gas? .....
- b) Will you conduct surface use activities on/within an oil and gas lease or unit? .....
- If yes, please specify: North Fork Unit and adjacent leases
16. Do you plan to drill a geothermal well (regardless of land ownership)? .....
17. If you answered yes to any question above, indicate the person you contacted at the appropriate [Division of Oil & Gas](#) office for information.
- a) Name/date of Contact: Matt Radar-various dates
- 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: \_\_\_\_\_
- Visit the [Division of Oil & Gas website](#) 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? .....
19. If you answered yes to the question above, indicate the person you contacted at the [State Historic Preservation Office](#) for information.
- a) Name/date of Contact: N/A Review by archaeologist to be submitted

**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? .....
- 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)\* *\*See the attached coastal consistency evaluation section on Natural Hazards for more detailed information.*

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21. If "YES" and you have contacted someone, please indicate the person you contacted at the [Division of Geological and Geophysical Surveys](#) or the coastal district for information.

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? .....

23. If you answered yes to any question above, indicate the person you contacted at the appropriate [DNR Division of Parks & Recreation](#) 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: No activities in these areas

**DNR OFFICE OF HABITAT MANAGEMENT & PERMITTING**

**Yes No**

24. Will you work in, remove water or material from, or place anything in, a stream, river or lake? (*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.*) .....

a) If yes, name of waterbody: \_\_\_\_\_

25. If you answered yes to any question above, indicate the person you contacted at the appropriate [Division of Habitat Management and Permitting](#) 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: No activities in these areas

**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
Lease Plan of Operations	March 2008

**■ 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? .....

2. Does your project include construction/operation of a salmon hatchery? .....

3. Does your project affect, or is it related to, a previously permitted salmon hatchery? .....

4. Does your project include construction of an aquatic farm? .....

5. If you answered yes to any questions above, indicate the person you contacted at the [Department of Fish and Game](#) for information.

a) Name/date of Contact: \_\_\_\_\_

b) Is an application required for the proposed activity? .....

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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: Project does not include any of these activities.

**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

**■ 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? (*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.*) .....
- b) Will a discharge of domestic wastewater or septage to lands, waters or the subsurface of the state occur? (*see 18 AAC 72.990 for definitions.*) .....
- c) Will the wastewater disposal activity require a mixing zone or zone of deposit to meet Water Quality Standards (WQS)? (Many disposal activities require a mixing zone to meet WQS, contact DEC if unsure.) .....
- d) Will the project include a stormwater collection/discharge system? .....
- e) Will the project include placing fill in wetlands? .....
- f) Is the surrounding area inundated with water at any time of the year? .....
- g) Do you intend to construct, install, modify or use any part of a domestic or non-domestic wastewater treatment or disposal system? .....
- 2. Does your project qualify for a general permit for wastewater? .....
- 3. If you answered yes to any questions above, indicate the person you contacted at the [DEC-Division of Water](#) 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: Project does not include any of these activities

**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? (*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.*) .....
- b) Will your project result in treatment of solid waste at the site? (*Examples of treatment methods include, but are not limited to: incineration, open burning, baling, and composting.*) .....
- c) Will your project result in storage or transfer of solid waste at the site? .....
- d) Will the project result in storage of more than 50 tons of materials for reuse, recycling, or resource recovery? .....
- e) Will any sewage solids or biosolids be disposed of or land-applied to the site? (*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.*) ..
- 5. Will your project require application of oil, pesticides, and/or any other broadcast chemicals? .....
- 6. Does your project qualify for a general permit for solid waste? .....
- 7. If you answered yes to any question above, indicate the person you contacted at the [DEC- Division of Environmental](#)

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[Health](#) 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: N/A-known requirements

**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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 actual emissions and a net emissions increase greater than:                                                                                                                                                                                                                                                   |                                     |                                     |
| <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                                                                                                                                                                                                                                                                                                                   |                                     |                                     |
| m) Will you be commencing construction or making a major modification of a Prevention of Significant Deterioration stationary source under 18 AAC 50.306? .....                                                                                                                                                                                                                               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| n) Will you be commencing construction or making a major modification of a nonattainment area major stationary source under 18 AAC 50.311? .....                                                                                                                                                                                                                                              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 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 <a href="http://www.epa.gov/ttn/oarpg/t5/memoranda/rapdef.pdf">http://www.epa.gov/ttn/oarpg/t5/memoranda/rapdef.pdf</a> .....                                                                    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 9. If you answered yes to any questions above, indicate the person you contacted at the <a href="#">DEC- Division of Air Quality</a> for information.                                                                                                                                                                                                                                         |                                     |                                     |
| a) Name/date of Contact: _____                                                                                                                                                                                                                                                                                                                                                                |                                     |                                     |
| 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                                                                                                                                                                                                                                                                           |                                     |                                     |

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isn't required. Explanation: N/A-known requirement

**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: \_\_\_\_\_
- 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: N/A-known requirements

**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
Oil Discharge Prevention and Contingency Plan	Pending if oil wells
Temporary Storage of Drilling Wastes	March 2008
Air Quality General Permit	March 2008

**■ 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](http://www.poa.usace.army.mil/reg)*) .....
3. If you answered yes to the question above, indicate the person you contacted at the [US Army Corps of Engineers](http://www.usace.army.mil) 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: Not Applicable

**BUREAU OF LAND MANAGEMENT (BLM)**

**Yes No**

4. Is the proposed project located on BLM land, or will you need to cross BLM land for access? .....
5. If you answered yes to the question above, indicate the person you contacted at the [Bureau of Land Management](http://www.blm.gov) 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: Not Applicable

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

**U.S. COAST GUARD (USCG)**

- |                                                                                                                                                                        | <b>Yes</b>               | <b>No</b>                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|
| 6 a) Do you plan to construct a bridge or causeway over tidal (ocean) waters, or navigable rivers, streams or lakes? .....                                             | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does your project involve building an access to an island? .....                                                                                                    | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Do you plan to site, construct, or operate a deepwater port? .....                                                                                                  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. If you answered yes to any question above, indicate the person you contacted at the appropriate <a href="#">US Coast Guard</a> 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: <u>Not Applicable</u> |                          |                                     |

**U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)**

- |                                                                                                                                                                                                                                                                                                     | <b>Yes</b>               | <b>No</b>                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|
| 8 a) Will the proposed project have a discharge to any waters? .....                                                                                                                                                                                                                                | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Will you dispose of sewage sludge? .....                                                                                                                                                                                                                                                         | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Will construction of your project expose 1 or more acres of soil? <i>(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.)</i> ..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 .....                      | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9. If you answered yes to any question above, indicate the person you contacted at the <a href="#">US Environmental Protection Agency</a> for information.                                                                                                                                          |                          |                                     |
| a) Name/date of Contact: _____                                                                                                                                                                                                                                                                      |                          |                                     |
| 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: <u>Not Applicable</u>                                                                                                                              |                          |                                     |

**FEDERAL AVIATION ADMINISTRATION (FAA)**

- |                                                                                                                                                          | <b>Yes</b>               | <b>No</b>                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|
| 10 a) Is your project located within five miles of any public airport? .....                                                                             | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Will you have a waste discharge that is likely to decay within 5,000 feet of any public airport? .....                                                | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 11. If you answered yes to the question above, indicate the person you contacted at the <a href="#">Federal Aviation Administration</a> for information. |                          |                                     |
| a) Name/date of Contact: _____                                                                                                                           |                          |                                     |

**FEDERAL ENERGY REGULATORY COMMISSION (FERC)**

- |                                                                                                                                                                                       | <b>Yes</b>               | <b>No</b>                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|
| 12 a) Does the project include any of the following: .....                                                                                                                            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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)? ..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? .....                | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Does the project include construction for physical interconnection of electric transmission facilities under section 202 (b) of the FPA? .....                                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 13. If you answered yes to any question above, indicate the person you contacted at the appropriate <a href="#">Federal Energy Regulatory Commission</a> office for information.      |                          |                                     |
| a) Name/date of Contact: _____                                                                                                                                                        |                          |                                     |
| 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: <u>Not Applicable</u>                |                          |                                     |

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**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](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](http://www.usfs.gov) 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: Not Applicable

**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: Not Applicable

**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](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? .....
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 112.215 \(a\)\(1\)\(c\)](#), 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](#).

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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? The site is not really dependent on being a coastal location. The site was selected because that was where the oil and gas was believe to be located.

(b) Evaluation of development priority.

- (1) How is the proposed project water-dependent? Explain.
- (2) How is the proposed project water-related? Explain.
- (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 is really not water dependent (other than water use requirements) nor water related. The project needs to be completed at the location as that is where the oil and gas reserves are believed to be located.

(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?

No-not applicable.

**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

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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.
- (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 damaged caused by known natural hazards? There are no know or identified natural hazards in the immediate area.

(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? Although there are no known natural hazards, the drilling operations

will be conducted in accordance with normal industry standards for the region in order to ensure a safe operation.

### **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 project is on private lands that are about 6 miles inland from the coast and will not impair or impact public assess.

### **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;
- (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

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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 site 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 locations were selected to minimize the environmental and social effects fo drilling the proposed wells while still allowing the drilling objectives to be met. The activities are located on lands that are owned by the applicant.
- (2) The project is located in a rural setting and private dwellings are located throughout the general area. Armstrong held a public meeting that provided local residents in the immediate project area a summary of the project. Records of this meeting are attached.
- (3) There is one wellhead in the general area that could ultimately be made a part of the project. The wellhead is located at a slightly different location in the midst of a number of residents. It is our opinion that it would be difficult to consolidate Armstrong's proposed operations at the old well location without considerable impacts to the local residents. A more isolated and confined area was therefore selected.
- (4) This project is located on land privately owned by Armstrong and this should allow for concurrent use of adjacent areas
- (5) Armstrong conducted a public meeting prior to submitting any permits in order to identify issues from local landowners. Federal and state agencies and developers may become involved in the process during review efforts as part of project permitting.
- (6) The project location is in a contiguous section of land that encompasses about 30 acres which should be more that sufficient for any permanent development
- (7) The operations are located immediately adjacent to the major road in the area. Dock and airstrips are not required for the project.
- (8) The project is not marine related and this standard is not applicable.
- (9) The project is not marine related and this standard is not applicable
- (10) The project does not include construction of any permanent facilities or clearing or dredging activities.
- (11) The project will occur in confined area and incidental spills will not pose any immediate threat fishing grounds, spawning grounds, and other biologically productive or vulnerable habitats, including marine mammal rookeries and hauling out grounds and waterfowl nesting areas. Spills,

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if they occurred will be cleaned up immediately and prior to breakup. Initial operations include drilling for natural gas. Later operations may include oil wells and possible oil production and these issues will be addressed in an Oil Discharge Prevention and Contingency Plan prior to when oil drilling operations are to occur.

- (12)The drill sites will be onshore and will not impede free passage and movement of fish and wildlife.
- (13)The proposed drill sites are not in areas of particular scenic, recreational, environmental, or culture value as identified in the CMP.
- (14)The site is controlled and provides for ready containment of spills. Armstrong will use Alaska Chadux Corporation as their response action contractor for the oil drilling operations.
- (15)The site is located in a generally unobstructed setting where winds and air currents will disperse airborne emissions. Air emissions will be below the standards for prevention of significant deterioration (PSD) avoidance criteria
- (16)The project does not include marine activities and this standard is not applicable
- (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. Armstrong has subsurface oil and gas leases for the vicinity of the well as indicated in the Plan of Operations.

**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 facility is not adjacent to beaches or shorelines.

- (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; A berm will be placed around the pad to control drainage from the pad. No other surface or surface drainage impacts are planned. Wells will be cased through groundwater aquifers to avoid contamination.
- (2) disruption in known or reasonably foreseeable wildlife transit; The general site area is already cleared of trees and shrubs and is not actively used by wildlife.
- (3) blockage of existing or traditional access.

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The area is generally subdivided and is privately owned. There are no known existing or traditional access routes through the area, but roads exist along the boundaries of the property.

**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 x

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

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**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 Applicable

**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 x

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

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(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.

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(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. The area is a rural area that is subdivided and mostly privately owned with a number of private residents and commercial operations. There is no subsistence use known to occur in the immediate site area.

(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 site is immediately adjacent to the North Fork Road which is the main road in the area. No additional transportation routes will be required.

(2) disruption in known or reasonably foreseeable wildlife transit; and Not applicable.

(3) blockage of existing or traditional access. Not applicable.

**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) tidflats;
- (5) rocky islands and sea cliffs;

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- (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
  - (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.

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**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 location is adjacent to but does not extend into the following sensitive habitats: (3) wetlands and (8) rivers, streams, and lakes. Neither wetlands nor habitat permits will be required for the project.

(b) Describe how the proposed project avoids, minimizes, or mitigates impacts to each of the identified habitat(s) in section (a) above. The wetlands area is protected by a berm around the site. The stream is located across an existing major roadway (believe State owned and maintained) and drainage across the road is controlled.

(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?

The site was review by Dr. Douglas Reger, a recognized expert, and it was noted that most of the site has been previously disturbed. Based on the current site condition and a review of regional information, the location is considered to have a low probability for cultural sites.

(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)?

Not applicable.

**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.**

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

**Applicable District Plan(s)** Kenai Peninsula Borough

**Enforceable Policy:** See Attachment A

**Evaluation:**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Enforceable Policy:** \_\_\_\_\_

**Evaluation:**  
\_\_\_\_\_  
\_\_\_\_\_  
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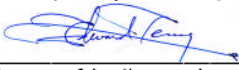
**Enforceable Policy:** \_\_\_\_\_

**Evaluation:**  
\_\_\_\_\_  
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\_\_\_\_\_

**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

March 10, 2008

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.

**ATTACHMENT A**  
**North Fork Unit and Vicinity Drilling Program**  
**Kenai Peninsula Borough Enforceable Policies and Guidance Policies**  
**Consistency Analysis**

**ENFORCEABLE POLICIES**

**1.0 Coastal Development**

**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.

Not applicable.

**1.5. Ports and Harbors.**

- a. Ports, harbors and docks placed in coastal waters shall avoid adverse impacts to erosion, deposition and related littoral processes.
- b. 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.

Not applicable.

**2.0 Natural Hazard Areas**

**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 (see Volume 2, Map Figures F1-F 10, G1-G-8).

Not applicable-site on relatively flat land.

### 3.0 Recreation and Coastal Access

#### Lakeshore and Riverfront Development Requirements

**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.

Not applicable.

#### In-water Development Requirements

**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.

Not applicable.

#### Public Access Requirements

**3.3. Public access.** An access management plan detailing how the access route will be protected from adverse physical impacts as a result of public use, shall be required for all public access routes to coastal water bodies, lakeshores and riverfronts within designated recreational use areas when municipal and state lands are leased, disposed of, or subdivided.

Not applicable-area in subdivided private lands with appropriate easements.

**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).

Not applicable-area in subdivided private lands with appropriate easements.

Conflicts with Recreational Uses and Activities

**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).

Not applicable-area in subdivided private lands with appropriate easements.

**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.

**4.0 Energy Facilities**

*There are no enforceable policies in this section.*

Not applicable.

**5.0 Transportation & Utilities Routes and Facilities**

*There are no enforceable policies in this section.*

Not applicable.

**6.0 Commercial Fishing and Seafood Processing Facilities**

**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.

Not applicable.

**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.

Not applicable.

**7.0 Mariculture (Aquatic Farming)**

*There are no enforceable policies in this section.*

Not applicable.

**8.0 Timber Harvest and Processing**

*There are no enforceable policies in this section.*

Not applicable.

**9.0 Sand and Gravel Extraction**

**9.1. Sand and Gravel Priority Areas.** 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.

Not applicable.

**10.0 Subsistence Use Areas**

*There are no enforceable policies in this section.*

Not applicable.

**11.0 Fish and Wildlife Habitat**

*There are no enforceable policies in this section.*

Not applicable.

**12.0 Air, Land and Water Quality** *There*

*are no enforceable policies in this section.*

Not applicable.

**13.0 Archaeological and Historic Resources**

*There are no enforceable policies in this section. See policy 1.2.b*

Not applicable.

## CMP GUIDANCE POLICIES

Under AS 46.40.210(7), a district coastal management plan is a plan that sets out policies and standards “to guide the public and private uses of land and water within that district...”. Guidance policies are policies that may not meet one or more tests of enforceability contained in state statute but that can help guide coastal uses within the district. Guidance policies are not enforceable and cannot be used to require conditions or stipulations on projects during the project consistency review process. The following are the guidance policies for the Kenai district.

### 1.0 Coastal Development

**G-1.1. Cumulative Impacts.** The cumulative effects of proposed new and existing development on ambient air and water quality and coastal habitats will be considered in the review or renewal of coastal projects.

The cumulative impacts associated with drilling development wells on an old oil and gas field is considered to be minor.

**G-1.2. Navigation Obstruction.** Structures, pipelines and buoys placed on the surface of navigable coastal waters should be visibly marked to minimize navigation hazards. Structures, pipelines and buoys in navigable coastal waters should be placed to avoid, minimize or mitigate navigation hazards or obstruction.

Not applicable.

**G-1.3. Timely Notification Requirement.** Within marine and estuarine waters of the coastal area, operators of activities relating to oil, gas, and mining exploration and production should provide timely written notification to a list of fishing organizations maintained by the Kenai Peninsula Borough to apprise commercial fishing interests of the schedule and location of development activities prior to initiation of the project if such project has the potential to disrupt commercial fishing activities. This notice should include a schedule of activities and a map or description of any potential conflicts or physical obstructions that may impact or preclude commercial fishing opportunities or damage/contaminate fishing gear, including but not limited to subsea pipelines, subsea wellhead structures, and modifications to the natural shoreline topography or sea-bottom profile (e.g. causeways, artificial islands, dredge spoil disposal sites).

Not applicable.

**G-1.4. Placement of Dredged or Fill Material in Important Habitats.** For a project that requires the placement of dredged or fill material in coastal water within a designated important habitat, the applicant should submit an analysis or evaluation of reasonably foreseeable adverse impacts of the project on the special productivity of the habitat as part of a consistency review packet or a consistency evaluation, as appropriate.

Not applicable.

## 2.0 Natural Hazard Areas

**G-2.1. Erosion.** The following performance standards should be considered for development on slopes exceeding 15 percent:

- a. For slopes of 15 to 30 percent, the area used for development should not exceed 25 percent of the site.
- b. For slopes of 31 percent or greater, the area used for development should not exceed 10 percent of the site.

The areas used for development includes all structures, roads and driveways.

The site is on slopes less than 15 percent.

**G-2.2. Use of Public Land.** State and Borough land in the designated 100 year floodplain and other designated hazard prone areas should be maintained in public ownership unless a greater public need would be met by disposing or developing such land.

The site is not within the 100 year floodplain.

**G-2.3. Floodway and Floodplain Development.** Bridges and culverts that cross designated floodways should be designed and maintained to accommodate flow through the structure with no increase to base flood levels and to avoid retaining and spreading flood waters behind them (see Volume 2, Map Figures F1– F10).

Not applicable

**G-2.4. Landslides, Mass Wasting, and Avalanche Hazards.** Unless there are no practicable alternatives, new development should avoid designated natural hazard areas subject to landslide, mass wasting and avalanche hazards (see Volume 2, Map Figures G1-G-5).

Not applicable

## 3.0 Recreation and Coastal Access

**G-3.1. Reclamation of Recreational Areas.** For recreational areas and trails discovered to be deteriorating because of overuse, the Borough encourages reclamation by the responsible management agency.

Not applicable.

**G-3.2. Improved Access and Facilities.** The Borough encourages the development of improved trails, boardwalks, fish cleaning stations, picnic areas, and litter and waste disposal sites within designated recreational areas to prevent or minimize any adverse effects to the surrounding natural environment that could be caused by heavy foot traffic, extensive firewood gathering, or improper disposal of waste.

Not applicable.

**G-3.3. Easements and Rights-of-way.** Section line easements and public rights-of-way that provide public access to public recreation areas or coastal water bodies should not be vacated unless equal or better access is provided or unless the public easement or right-of-way is unmanaged and adverse impacts

to sensitive habitat and adjacent private lands is occurring.

Not applicable.

**G-3.4. Open Space Areas.** Publicly owned shorelines, beaches and upland areas that possess high value recreation, scenic, wildlife or environmental quality or are subject to natural hazards, should be retained as public open space or recreation areas.

Not applicable.

#### **4.0 Energy Facilities and Industrial Development**

##### **G-4.1. Water Resources.**

- a. Commercial/Industrial operations should use necessary measures to prevent drilling wastes, oil spills, and other toxic or hazardous materials from contaminating surface and groundwater.

Armstrong will have approved Oil Discharge Prevention and Contingency Plan for oil operations. Drilling wastes to be handled in accordance with Temporary Storage Permit from ADEC.

- b. Any industrial water withdrawal must comply with the requirements of AS 46.15 and may require that aquifer testing of the production well(s) and monitoring of nearby public or private wells be conducted. Results of testing should be submitted to the Kenai Peninsula Borough and the Alaska Department of Natural Resources; these results should demonstrate what effects the withdrawal of water necessary to serve the fully developed project will have on prior water rights holders within the area of influence.

Onsite water withdrawals are not proposed at this time.

**G-4.2. Use of Existing Facilities.** Existing industrial facilities or areas and pipeline routes should be used to meet new requirements for exploration and production support bases, transmission/shipment (including pipelines and transportation systems), and distribution of energy resources.

Comment is noted.

**G-4.3. Habitat Protection.** Projects that require dredging, clearing or construction in productive habitats should be designed to keep these activities to a minimum area necessary for the project.

Not applicable-site is already developed/disturbed.

**G-4.4. Navigating and Commercial Fishing.** Activities associated with oil and gas resource exploration, industrial development, or production should minimize navigational interference and be located or timed to avoid potential damage to fishing gear. Offshore pipelines and other underwater structures should be located, designed or protected so as to allow fishing gear to pass over without snagging or otherwise damaging the structure or gear.

Not applicable.

**G-4.5. Offshore Structure Debris.** Debris from offshore construction activities should be removed to an approved onshore disposal site on or before completion of construction.

Not applicable.

**G-4.6. Oil Storage.** Oil produced in offshore areas should be transported to shore for storage unless transport is determined to have a greater potential for adverse environmental impact than offshore storage.

Not applicable.

**G-4.7. Alternative Energy.** Projects using energy sources such as wind, solar, and geothermal will be permitted provided the project conforms to the policies contained in this program and all other applicable laws.

Comment is noted.

**G-4.8. Hydroelectric Power.** Hydroelectric projects should not dam, divert, or reduce water levels in rivers, streams, or lakes that support important commercial, subsistence, or recreational fish species unless the project is designed to mitigate loss to fish production and any interference with navigation.

Not applicable.

**G-4.9. Development Plans for Public Review.** The Borough will make available for public review copies of all oil and gas exploration or development plans it receives from the state as part of the state's oil and gas lease sale process.

Comment noted.

**G-4.10. Prevention and Cleanup of Oil Spills.** The Borough shall pursue the development and adoption of policies and plans relating to the prevention and cleanup of oil spills.

Armstrong will have approved Oil Discharge Prevention and Contingency Plan for oil operations.

**G-4.1. Geophysical Surveys.**

The following guidance policy is applicable to important habitats and designated subsistence harvest areas as shown on the Volume 2, Map Figures H-H6, I-I5 and O1-O3.

- a. Geophysical surveys should be located, designed, and conducted in a manner so as to avoid disturbances to designated important habitats, and subsistence harvest areas. Seasonal restrictions, restrictions on the use of explosives, or restrictions relating to the type of transportation used in such operations should be included as necessary to mitigate potential adverse impacts.
- b. Geophysical surveys in fresh and marine waters supporting fish or wildlife should use energy sources that have been demonstrated to be harmless to fish and wildlife and human uses of fish and wildlife. Blasting for purposes other than geophysical surveys will be approved on a case-by-case basis after all steps have been taken to minimize impacts and when no practicable alternatives exist to meet the public need.

**Intent:** Guidance Policy 4.1(b) balances several uses of state concern and national interest, including the exploration and production of oil and gas resources and the protection and use of the fisheries of Cook Inlet and the Gulf of Alaska. After considering the information available on the value of the fisheries, the potential adverse impacts associated with the use of explosives in open water, and the potential

information to be derived from seismic activities in the transitional zone, the Kenai Peninsula Borough have serious concerns about the use of explosives for seismic exploration in marine waters.

Not applicable.

## **5.0 Transportation and Utilities Routes and Facilities**

**G-5.1. Road Design.** In addition to considering safety, cost, and efficiency in road design, the Borough encourages consideration of the needs of nonmotorized travelers, scenic values, and ways to minimize disruption to private lands and landowners located along rights-of-way.

Roads are already constructed to the location.

## **6.0 Fishing and Seafood Processing Facilities**

**G-6.1. Maintenance and Enhancement of Fisheries.** Maintenance and enhancement of fisheries should be given high priority in reviewing proposed projects that might adversely impact important fisheries habitat, migratory routes and harvest of fish or shellfish.

Not applicable.

**G-6.2. Placement of Structures.** All temporary and permanent developments, structures, and facilities constructed or placed in marine and estuarine waters of the Kenai Peninsula Borough area should be sited, constructed, and operated in a manner that does not create a hazard or obstruction to commercial fishing operations.

Not applicable.

**G-6.3. Fisheries Enhancement Programs.** Land and water in areas identified by the Department of Fish and Game or Cook Inlet Aquaculture Association for fisheries enhancement programs should be managed to be compatible with those programs.

Not applicable.

**G-6.4. Fish Enhancement and Stocking.** Fish enhancement and stocking projects should use local, indigenous stocks to maintain the genetic integrity of wild and indigenous fish populations.

Not applicable.

**G-6.5. Fish Passage Improvements.** The Borough favors the continued cooperative efforts by the Alaska Department of Fish and Game, Cook Inlet Aquaculture Association and other state and federal agencies to accomplish stream or fish passage improvements and increase fish habitat throughout the Borough.

Not applicable.

**G-6.6. Inventory of Commercial and Sport Fishing Interests.** The Borough Planning Department shall maintain a list of commercial and sport fishing organizations and make this list available to entities conducting activities in fishing areas within the Borough to assist in notification

requirements provided in Policy G 7.5.

Not applicable.

**G-6.7. Public Information.** The Borough Planning Department shall maintain project information and maps provided by developers conducting activities in fishing areas within the Borough and make this information available on request to the public.

Not applicable.

**G-6.8. Disposal of Wastes.** Uses of fish processing by-products and wastes should be promoted, and disposal of processing wastewater and fish scrap should meet applicable state and federal water quality and waste disposal standards.

Not applicable.

## 7.0 Mariculture

**G-7.1. Finfish Farming.** Aquatic farming of salmon or other finfish is prohibited within the marine and estuarine waters of the Kenai Peninsula Borough. Fisheries enhancement and stocking in which juvenile fish are released to marine waters to mature and be commercially harvested are acceptable fish and wildlife management practices where it has been determined to be scientifically sound and where public review shows it to be in the public interest.

Not applicable.

**G-7.2. Siting Criteria.** Mariculture facilities within the coastal boundary of the Kenai Peninsula Borough shall meet the following siting criteria:

- a. Potential mariculture sites shall be in areas of low conflict with existing uses. Where appropriate, facilities will be consolidated to minimize impacts on other users. Separation distances between farms shall be established in order to minimize cumulative impacts on water quality and potential for disease transmission.
- b. Sites must have flushing characteristics and depth necessary to ensure that existing water quality and habitats will be maintained or enhanced and to minimize the potential for disease transmission.
- c. Potential mariculture/aquaculture sites shall be in areas of low conflict with existing uses. The following areas shall be avoided where incompatible:
  - the mouth of anadromous fish streams, identified by the Alaska Department of Fish and Game;
  - important habitat areas for existing species of fish, shellfish, waterfowl, seabirds or marine mammals;
  - important kelp and eelgrass beds;
  - recreation, subsistence or sport fishing and hunting areas receiving significant public use;
  - commercial fishing areas;
  - fishery enhancement sites;
  - areas of vessel traffic;
  - tidelands contiguous to privately owned uplands.

Not applicable.

**G-7.3. Anchoring.** Mariculture facilities should be securely anchored with an anchor of sufficient size and holding capacity to keep the facility in its proper location. Shore anchoring cables or other shore attachments should not be used in areas where they could pose a hazard to navigation.

Not applicable.

**G-7.4. Visibility.** All mariculture facilities should be visibly marked with paint, buoys or lights to meet U.S. Coast Guard requirements.

Not applicable.

**G-7.5. Public Notice Requirements.** As required under Alaska Statute 38.05.945 and 38.05.856 the state shall notify the public, individuals and organizations affected by activities related to aquatic farming (mariculture), sale, lease or disposal of state land or resources. Among those notified are the Kenai Peninsula Borough, Village and Regional Corporation, Regional Fish and Game Councils, and Community Councils.

For Aquatic Farm sites (mariculture) a public hearing is required under Alaska Statute 38.05.946, in addition to the requirements under AS 38.05.945.

Not applicable.

**G-7.6. Reporting Requirements.** Mariculture permit holders should prepare reports and development plans required by permitting agencies. At a minimum these should summarize the species and volumes of seafood produced.

Not applicable.

## **8.0 Timber Harvest and Processing**

**G-8.1. Management Activities.** Forest management activities should be planned and managed so as to:

- a. Minimize adverse environmental impacts to fish and wildlife populations and their habitat;
- b. Ensure the free passage of anadromous and resident fish in rivers, streams lakes, and marine waters;
- c. Minimize conflict with recreational uses and activities;
- d. Minimize sedimentation, erosion and alteration of natural drainage patterns;
- e. Minimize adverse visual impact in areas with high scenic value;
- f. Maintain long-term productivity of forest soils and ecosystems, reduce epidemic infestations of forest pests, reduce hazard of forest fires;
- g. Promote regeneration of harvested forests.

Not applicable.

### **G-8.2. Log Transfer and Storage.**

- a. Logs shall be stored above mean higher high water (MHHW) wherever practicable.
- b. Sites for in-water dumping and storage of logs should be selected and these activities conducted so as to minimize adverse affects on the marine ecosystem, accumulation of bark and toxins, conflicts with recreational uses and activities, navigation hazards and exposure to storms.

Not applicable.

**G-8.3. Consistency Review.** The Kenai Peninsula Borough supports amendments to the Forest Practices Act to make activities associated with timber harvest subject to coastal management consistency review.

Not applicable.

## 9.0 Sand and Gravel Extraction

**G-9.1. Extraction of Sand and Gravel from Rivers and Streams.** Sand or gravel extraction from rivers or streams are subject to the following standards:

- a. Maximum use of recycled water should occur to minimize water withdrawal from the stream.
- b. Changes to channel hydraulics should be avoided.
- c. Sand and gravel pits should be located to minimize the probability of channel diversion through the site.
- d. The effects of sand and gravel removal on nearby lands and waters should be minimized by maintaining vegetative filter strips or buffers around areas of sand and gravel extraction between active channels and the work area and by avoiding in stream work, unnecessary clearing of riparian vegetation, or disturbance to natural banks.
- e. If the work area may be inundated by high water during the period of operation, temporary dikes should be constructed around the site to segregate the work area from active channels.
- f. To the extent practicable, site configurations should avoid the use of long straight lines and should be shaped to blend with physical features and surroundings.

Not applicable.

**G-9.2. Overburden Disposal.** Overburden related to sand and gravel extraction should not be disposed of in lakes, within the 100-year floodplain of streams or rivers, or below the limit of mean high water in intertidal areas and estuaries. Overburden in upland areas should be saved and replaced on the disturbed area to conform to the natural topography as part of the reclamation process.

Not applicable.

**G-9.3. Reclamation and Restoration.** Reclamation of all upland and floodplain extraction sites should be required unless such reclamation would cause greater adverse impact than would leaving the site unreclaimed. At a minimum, reclamation should include the following elements, as applicable:

- a. Topsoil should be segregated from overburden, and both shall be stored above the 100-year floodplain of watercourses.
- b. At the end of each season all disturbed areas within 100-year floodplains of streams that support anadromous fish should be regraded to stable slopes with ground contours that will not entrap fish.  
Tailings used in the construction of settling ponds and other essential facilities may be retained in place until completion of use.
- c. At the completion of gravel extraction, all disturbed areas should be graded to stable slopes that blend with the natural topography. Erosion control measures shall be implemented to stabilize the site, areas designated for revegetation should be covered with topsoil to encourage establishment of native or other selected plants, and erosion-prone areas requiring immediate cover should be seeded with a cover crop. Alternatively, excavated pits may be converted into fish and wildlife habitat areas.

Not applicable.

**G-9.4. Access to Minerals.** On public lands identified as having high potential for sand and gravel, surface uses should be managed to maintain opportunities for future extraction activities where practicable.

Not applicable-not on public lands.

## 10.0 Subsistence

**G-10.1. Subsistence Resource Mapping.** The Borough Planning Department will work with the communities of English Bay and Port Graham to designate and map subsistence areas important to these communities as part of the AMSA plan for this area.

Not applicable-not on public lands.

**G-10.2. Timing of Activities.** Timing of proposed activities should be considered when avoiding or minimizing impacts to the activities, uses or resources for which an area has been designated for subsistence use.

The applicant should provide information about the timing of proposed activities as part of the consistency review packet or the consistency evaluation. Proposed activities should be timed to avoid, minimize or mitigate impacts to the activities, uses or resources for which an area has been designated for subsistence use.

Not applicable.

## 11.0 Fish and Wildlife Habitat

**G-11.1. Appropriation of Water.** Appropriation of surface or intergravel waters from streams should not occur at a withdrawal rate or timing that adversely affects anadromous fish habitat, as determined by the Department of Natural Resources, unless the Department makes a finding based on public review that the competing use of water is in the best public interest and no practicable alternative exists.

Not applicable.

**G-11.2. Fish Passage.** Development activities, facilities and structures should be designed, sited, constructed and operated in a manner that does not impede or interfere with timely access and movement of fish. Causeways, gravel berms, culverts, and other obstructions or constrictions to fish movement are of particular concern. Existing fish passage problems, including perched culverts, man-made stream obstructions, and velocity barriers should be corrected by the entity responsible for the problem.

Not applicable.

**G-11.3. Seabird Colonies and Marine Mammal Haul-Outs.** Seabird colony sites and haul-outs and rookeries used by sea lions and harbor seals (as identified in Alaska Department of Fish and Game Regional Guides) shall not be physically altered or disturbed by structures or activities in a manner that would preclude or interfere with continued use of these sites. To the extent practicable, development structures and facilities with a high level of noise, acoustical or visual disturbance shall maintain a one-

half mile buffer from identified use areas for sea lions, harbor seals, and marine birds during periods when these species are present.

Not applicable.

**G-11.4. Whale Migration and Feeding Areas.** Uses and activities within or adjacent to coastal waters shall not interfere with migration or feeding of whales. Interference refers to conduct or activities that disrupt an animal's normal behavior or cause a significant change in the activity of the affected animal.

Not applicable.

**G-11.5. Bald Eagles and Nest Sites.** Activities shall avoid harming or disturbing bald eagles or their nest sites in accordance with the Bald Eagle Protection Act (16 USC 668) by timing operations when eagles are not breeding or nesting (generally September 1 to March 1), retaining a buffer of undisturbed natural vegetation around occupied nest trees, or both. The use and size of buffers shall be determined on a case-by-case basis by the U.S. Fish and Wildlife Service and Alaska Department of Fish and Game and may vary with topography, timber type, wind firmness, type of activity, or other factors, but will generally be about 330 feet wide.

There are no know eagle nests within 330 feet of the site.

**G-11.6. Wetlands Mapping.** The Borough shall obtain funding to research and map wetlands in developing areas and apply for Corps of Engineers General Permits in non-critical wetland areas to reduce wetland permit requirements for individuals.

Not applicable.

**G-11.7. Wetlands Ordinance.** The Borough shall develop a wetlands ordinance to address the subdivision, drainage, and filling of wetland areas for future development.

Not applicable.

**G-11.8. Water Resources.** The Borough encourages the Alaska Department of Fish and Game to both: 1) identify streams within the Kenai Peninsula Borough with the highest priority for establishing reservation of in stream flows (AS 46.15.145) and 2) work towards establishment of this reservation.

Not applicable.

**G-11.9. Priority Use.** For projects proposed within important habitats the applicant should submit an analysis or evaluation of reasonably foreseeable adverse impacts of the project on the special productivity of the habitat as part of a consistency review packet or a consistency evaluation, as appropriate.

Not applicable.

**G-11.10. Use of Explosives.** The following applies to important habitats (Volume 2, Map Figures H-H6 and I- I5), parks, refuges and sanctuaries within the designated recreation use area (Volume 2, Map Figures Q-Q3, X-X1 5) and designated subsistence use areas (Volume 2, Map Figures O-O3). To protect fish, marine mammals, and other aquatic fauna, explosives should not be detonated within, beneath, or

adjacent to marine, estuarine, or fresh waters that support fish and wildlife during periods when fish or marine mammals are present unless the detonation of the explosives produces an instantaneous pressure rise in the water body of no more than 2.5 psi (pounds per square inch) or unless the water body, including its substrate, is frozen.

Not applicable.

**G-11.11. Buffer.** A natural, undisturbed buffer of at least 100 feet should be maintained along rivers, lakes, and shorelines that are in important habitat areas. (see Volume 2, Map Figure I4). No development should be allowed within the 100-foot buffer. The distance is measured from the ordinary high water mark along rivers lakes and streams, and from mean high water for the ocean or sea.

Not applicable-the operations will be at least 100 feet from rivers, lakes or shorelines.

## 12.0 Air, Land and Water Quality

**G-12.1. Hazardous and Toxic Substances.** Hazardous materials, petroleum, or petroleum products as defined in State and federal regulations, should not be disposed of in the Borough unless done so at a facility designed and approved for this purpose.

This comment is noted and will be followed.

### **G-12.2. Storage of Petroleum Products and Other Substances.**

- a. Facilities for the storage, processing, or treatment of petroleum products and other potentially harmful substances exceeding 660 gallons capacity should not be sited within the 100-year floodplain.

Not applicable-activities not in a floodplain.

- b. Where petroleum-related storage is permitted outside of the 100-year floodplain buffer zones of not less than 100 feet should be required to separate oil storage facilities (with a capacity of 660 gallons or more) from rivers, streams, lakes, wetlands, or marine waters which provide domestic or public water supplies, or support anadromous fish populations as well as areas of human settlement or use which are highly susceptible to petroleum contamination. Buffer zone width should be established in consultation with the Borough, and the Alaska Departments of Environmental Conservation and Natural Resources and should be based on site criteria, such as depth of seasonal high water table, slope, aspect, and permeability of surrounding soils and substrata.

The proposed operations will be at least 100 feet out of the 100 year floodplain.

- c. Impermeable berms and basins capable of retaining 110 percent of storage capacity plus 12 inches of free board should be required for all above-ground storage facilities to minimize the potential for uncontained spills or leaks.

Comment is noted and this feature will be incorporated as appropriate.

**G-12.3. Monitoring.** the Kenai Peninsula Borough encourages the State of Alaska to develop monitoring procedures with latest technology.

Comment is noted.

### **13.0 Archaeological and Historic Resources**

**G-13.1. Historical and Prehistoric Sites.** Prior to development activities, historical and prehistoric sites identified and listed on the Alaska Heritage Resource Inventory will be reviewed by the Department of Natural Resources. The inventory is maintained by the Division of Parks and Outdoor Recreation, Office of History and Archaeology.

Not applicable-this is an action recommended for a state agency.

**G-13.2. Protection From Disturbance.** If previously undiscovered artifacts or areas of historic, prehistoric, or archaeological importance are encountered during development activities, the site should be protected from further disturbance and the State Historic Preservation office should immediately be notified to evaluate the site or artifacts.

Comment is noted and will be implemented.

**G-13.3. Identification and Designation of Areas.** The Borough will work with appropriate state agencies, village governments, and private organizations or individuals, as funding and staff allow, to identify and designate additional coastal areas are important to the study, understanding, or illustration of national, state, or local history or prehistory.

Comment is noted.

**Attachment C**

**Materials from Public Meeting  
February 25, 2008  
Anchor Point, Alaska**

**Public Meeting Notice**  
**North Fork Drilling Program**  
**ARMSTRONG COOK INLET, LLC**



**Time:** Monday, February 25, 2008 at 7:00 PM

**Place:** Anchor River Inn, Anchor Point, Alaska

Armstrong Cook Inlet, LLC (Armstrong) plans to develop the North Fork Field located about 8 miles east of Anchor Point. The North Fork Field has proven reserves of both natural gas and oil. Armstrong wishes to describe the project to local residents and request comments before starting the permitting process for the project. Key components for the project include:

- Initial drilling from a gravel pad located in Parcel 16528002 located at 35315 North Fork Road in Township 4 S, Range 14 W, Section 26. Armstrong owns this parcel and the adjacent parcels to the south.
- Plans are to drill the first well as a straight hole to either the natural gas formation or deeper oil formation, as early as the end of March or at the latest by the end of June 2008.
- Permits for the drilling operation will be submitted by early March 2008.

*Please direct questions, or written comments to:*

Barbara Britch  
2454 Telequana Drive  
Anchorage, AK 99517

(907) 248-2442 phone  
[bbritch@alaska.net](mailto:bbritch@alaska.net) email



**ARMSTRONG COOK INLET, LLC**



## North Fork Drilling Program Public Meeting

February 25, 2008  
Anchor River Inn

### **2008 Project Overview**

- Initial drilling from a gravel pad located in Parcel 16528002 located at 35315 North Fork Road in Township 4 S, Range 14 W, Section 26. Armstrong owns the parcel and the adjacent parcels to the south.
- Plans are to drill a first well as a straight hole to the natural gas formation, as early as the end of March or at the latest by the end of June 2008.
- Current plans are to submit permits for the gas operation by early March 2008.

ARMSTRONG COOK INLET, LLC





NORTH

FORK

ROAD

TO NIKOLAEVSK

END OF PAVEMENT

WELL PAD



0 FEET 300

## Projected 2008 Timeline

	January	February	March	April	May	June	July	August	September
Project Planning	■	■	■	■	■				
Permitting			■	■	■				
Drilling- Gas Well						■	■		

## State and Federal Permits Required

<b>Alaska Department of Natural Resources</b>	
<ul style="list-style-type: none"> <li>• Division of Coastal and Ocean Management</li> </ul>	<i>Coastal Zone Project Approval</i>
<ul style="list-style-type: none"> <li>• Division of Oil and Gas</li> </ul>	<i>Lease/Unit Plan of Operations Approval</i>
<ul style="list-style-type: none"> <li>• State Historic Preservation Office</li> </ul>	<i>Cultural Resources Review/Clearance</i>
<b>Alaska Depart. of Environmental Conservation</b>	
<ul style="list-style-type: none"> <li>• Division of Air Quality</li> </ul>	<i>Minor General Air Quality Permit</i>
<ul style="list-style-type: none"> <li>• Solid Waste</li> </ul>	<i>Permit for Temporary Storage of Drilling Wastes</i>
<ul style="list-style-type: none"> <li>• Div of Spill Prevention and Response</li> </ul>	<i>Oil Discharge Prevention and Contingency Plan</i>
<b>U.S. Environmental Protection Agency</b>	
	<i>Spill Prevention Control and Countermeasure Plan</i>
<b>Alaska Oil and Gas Conservation Commission</b>	
	<i>Application for Permit to Drill</i>

## Key Components of Drilling Program

Drilling location:	Armstrong Property on North Fork Road
Drilling rig:	Aurora Well Service Drilling Rig
Operation schedule:	24-hours a day
Personnel onsite:	30-35 per shift
Housing:	Trailer for 2 to 4 people Offsite housing at Anchor Point
Water supply:	Haul from local offsite source
Waste disposal:	Annular Injection for drilling muds All other wastes disposed of offsite
Truck operations:	20-30 during mobilization and 5-10 during demobilization

Corrected in meeting to insert “daily during operation and 20-30”

## Contractors for North Fork Drilling Program

Task	Company	Location
Drilling Management	Fairweather	Anchorage
Drilling Rig	Aurora Gas	Anchorage
Trucking	Weaver Brothers	Soldotna
Civil Engineering	McLane Consulting	Soldotna
Regulatory/Permitting	Northern Consulting Group-Bob Britch	Anchorage
Public Information	Britch & Company Barbara Britch	Anchorage
Spill Response	Alaska Chadux	Anchorage
Oilfield Related Service Companies	Will vary	Kenai, Soldotna, Anchorage

## Other Services Required Locally

- Lodging
- Potable and Non-Potable Water
- Fuel
- Waste Hauling
- Waste Disposal
- Civil Construction & Supplies
- Oil Field Related Services and Supplies
- Oil Field Related Equipment Rentals



## **North Fork Drilling Program Contacts**

Ed Kerr  
Vice President, Land and Business Development  
*303-623-1821*

Ed Teng, Engineering  
Vice President  
*303-623-1821*

Robert Britch  
Regulatory Consultant  
*907-243-7716*

Barbara Britch  
Public Information  
*907-248-2442*  
*[bbritch@alaska.net](mailto:bbritch@alaska.net)*



Armstrong Cook Inlet LLC  
**February 28, 2008 Public Meeting Notes**

**Location:** Anchor River Inn, Anchor Point, Alaska

**Time:** 7 p.m. to approximately 8:30

**Armstrong Representatives Present:** Ed Kerr, Ed Teng, Bob Britch, Barbara Britch.

**Public Present:** Mark McConnell, Diana (Kirk) Marvin, Sue Biggs, Rick and Lori Paulsrud, Starlet Tangman, Dan Wood, Jess and Jennifer Clutts, Palmer Bailey, Zach Tangman, Bryan King and Casey Shuford.

**Armstrong Presentations:**

Ed Kerr gave an overview of Armstrong in the West and history of the company's business in Alaska. He emphasized the company's alignment with its contractors, its prudent and safe operations, and said the company has never gone into debt.

Kerr introduced Ed Teng, who related his experiences with Burnett Shell in Fort Worth, which he described as "safe and efficient." Teng said the company plans on rebuilding and rehabilitating the pad, and building new berms around it. The well will be drilled to 9,100 feet deep, using multiple casings. He expects a gas trap between 6,000 to 9,000 feet.

Bob Britch talked about permitting and other items discussed in the handouts.

**Landowner Comments and Other General Comments:**

- There were concerns about potential impacts to water wells. All water will be hauled from offsite in order to minimize impacts to wells. Rock layers separate oil and gas zones from water well aquifers and the well will have multiple casings to protect wells from being contaminated. One landowner, a geologist by training, indicated that the strata was very lenticular and aquifers were discontinuous and can be quite different within a short distance.
- The operations are primarily a gas play. Armstrong believes they will find gas, but a dry hole is a real potential outcome. There is less certainty with oil.
- Drilling will take between 20-40 days per well and the rig will be removed after Armstrong is done. The drilling rig will be smaller than being used at the existing Cosmopolitan site near Stariski-that is one of the biggest rigs in Alaska. The footprint of the Armstrong operations will be much smaller than the Cosmopolitan site.
- There were concerns about noises and light. We can use mufflers to possibly reduce the noise.
- There were some concerns about visual impacts and all seemed to like the existing berms and possibly would be interested in making them bigger.
- There will be a wellhead and a well house, after the drilling is completed.
- One land owner asked if an EIS was going to be developed and Bob Britch indicated that this small scope project doesn't require an EIS or EA-there is nothing major to trigger one.
- One landowner indicated he had Eagles nesting behind his house near the North Fork River and Bob Britch indicated that would be out of the established distance

for concern. The nest also has an existing main access road between the nest and the site.

- One landowner asked about NORM (he apparently worked on cleaning drilling pipe) and potentially has concerns with respect to dust impacts to his family. We did not think that would be an issue, but said we would look into the issue further (we believed it came up as an issue about 15-20 years ago, but that there really wasn't a major problem.).
- Waste drilling mud will either be reinjected into the well or be stored in steel tanks and trucked to an approved offsite disposal location. There will not be a reserve pit on site.
- There were several comments on how the area would be developed. Enstar most likely would transport the gas to market with a buried gas line: there are probably two alternatives for a gas pipeline: one coming in from Anchor Point or another route straight down from Happy Valley. If oil is produced, it would likely hauled out by truck (possibly several trucks per week).
- There is not H<sub>2</sub>S. This is clean gas.
- Aurora, who has been working on the Peninsula since 2000, will drill the well.
- Several people asked about the pad. Gravel will be compacted in several layers, and a geotextile mat will be used beneath the gravel.
- Bob Britch asked if anyone knew the whereabouts of landowner, David Stacy who had the lot to the west (most other nearby neighbors were present or we already had communications with them). One neighbor said he lived on the lot for a bit last summer and relayed the names of several people we could call to try to track him down.
- Several persons seemed to be primarily interested in job opportunities or some of the support activities being locally provided.