

6. GOVERNMENT AGENCY INVOLVEMENT

6.1 ENTITIES THAT HAVE REGULATORY AUTHORITY OR THAT WILL BE AFFECTED BY THE PROJECT

The federal, state, and local government agencies listed in Table 7 have regulatory authority over different aspects of the ASAP project. In addition, the following Federally-recognized Tribes are considered by the USACE to be potentially affected by the ASAP project by virtue of their location along the proposed route. Government-to-government consultation between the USACE and these tribes occurred during the National Environmental Policy Act (NEPA) process.

- Alatna Village
- Allakaket Village
- Village of Anaktuvuk Pass
- Arctic Village Council
- Iñupiat Community of the Arctic Slope (ICAS) (Indian Reorganization Act [IRA])
- Native Village of Barrow Iñupiat Traditional Government
- Beaver Village Council
- Birch Creek Tribal Council
- Native Village of Cantwell
- Circle Native Community (IRA)
- Cheesh'na Tribal Council
- Chickaloon Native Village
- Native Village of Eklutna
- Evansville Village
- Gwitchyaa Gwich'in Tribal Government Native Village of Fort Yukon (IRA)
- Kaktovik Village
- Kenaitze Indian Tribe (IRA)
- Knik Village
- Manley Hot Springs Village
- Native Village of Minto (IRA)
- Nenana Native Association
- Ninilchik Traditional Council
- Native Village of Nuiqsut
- Rampart Village
- Native Village of Stevens (IRA)
- Tanacross Village Council
- Native Village of Tanana (IRA)
- Native Village of Tyonek (IRA)

Entities that may be affected by the project are described in more detail in Section 8.2.14.

Table 7. Federal, State, and Local Agencies with Regulatory Authority for Alaska Stand Alone Pipeline

JURISDICTION	AGENCIES
Federal	<ul style="list-style-type: none"> • U.S. Department of the Interior, Bureau of Land Management (BLM) • U.S. Army Corps of Engineers (USACE) • U.S. Coast Guard (USCG) • U.S. Environmental Protection Agency (USEPA) • U.S. Department of Transportation (USDOT), Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS) • U.S. Fish and Wildlife Service (USFWS) • National Marine Fisheries Service (NMFS) • National Parks Service (NPS) • Federal Aviation Administration (FAA)
State	<ul style="list-style-type: none"> • Alaska Department of Natural Resources (ADNR) <ul style="list-style-type: none"> – State Pipeline Coordinator's Office (SPCO) – Office of History and Archaeology (OHA) – Division of Mining, Land and Water (DMLW) • Mental Health Trust Authority (landowner) • Alaska Department of Environmental Conservation (ADEC) • Alaska Department of Fish and Game (ADF&G) • Alaska Department of Transportation and Public Facilities (ADOT&PF) • Regulatory Commission of Alaska (RCA) • Alaska Railroad Corporation (ARRC) • University of Alaska (landowner)
Local	<ul style="list-style-type: none"> • North Slope Borough (NSB) • Fairbanks North Star Borough (FNSB) • Denali Borough (DB) • Matanuska-Susitna Borough (MSB) • Municipality of Anchorage (MOA) • Barrow • Nuiqsut • Nenana • Wasilla • Houston

6.2 PERMITTING ORGANIZATION

Permitting for the ASAP will focus on two major efforts. First, three major permit applications listed in Table 8 were filed in November 2009. These major permit applications will allow the USACE, as lead agency, to prepare an NEPA document and complete the NEPA process, proceed to a Record of Decision (ROD), and facilitate a grant of ROW from the U.S. Department of the Interior, BLM, as well as gain approvals to use federal and state lands for the project. A subsequent effort is required to obtain all necessary permits before construction begins.

Table 8. Currently Filed Regulatory Approvals

PERMIT TYPE	PERMITTING AGENCY	ACTIVITY
Federal Pipeline Grant of ROW	BLM	Installation of a new pipeline or to convert an existing lease-term pipeline into an ROW pipeline. ROWs for pipelines through federal lands.
State Pipeline ROW Lease	ADNR, SPCO	Lease approved in July 2011, Amendment #1 submitted to ADNR January 2014
Draft Section 404/401 Approval	USACE, ADEC	Placement of fill or dredged material into WOUS (wetlands)
Note: WOUS - Waters of the United States		

6.2.1 Federal Agency Involvement

No Federal Energy Regulatory Commission (FERC) Section 7(c) application is required because the proposed action is intrastate; therefore, outside of FERC’s jurisdiction. Table 1 in Attachment 7 describes anticipated federal agency involvement.

6.2.2 State and Local Agency Involvement

Table 2 in Attachment 7 lists the State of Alaska’s involvement in permitting the ASAP project, while Table 3 in Attachment 7 identifies local jurisdiction. List of Authorizations and Pending Applications for Similar Projects

Authorizations and permits for similar projects that may provide information to authorizing agencies relevant to ASAP include:

- AK LNG released an agreement in January 2014 that aligned the interests of the parties involved in principle and set the stage for the project to proceed toward engineering, design, and permitting (AK LNG, 2014). AK LNG is routed from the North Slope to Nikiski and was formed out of the now defunct Alaska Pipeline Project (APP), which was planned to be routed into Canada. The APP previously notified FERC of its intent to submit an application for a certificate of public convenience and necessity in October 2012. TransCanada Alaska Company, LLC (TransCanada) notified FERC in May 2012 that it was discontinuing work on a pipeline to serve North American markets and was examining an LNG export project in Alaska. FERC is keeping Docket No. PF09-11 open but will not move forward to the next step in its NEPA process until TransCanada decides on its project.
- ROW applications for a smaller-diameter gas pipeline to Donlin Creek were filed with the BLM and State of Alaska (Donlin Creek AA92403) (SRK, 2012).
- The Foothills West Transportation Access Project was proposed by the ADOT&PF. The purpose of the project is to construct a road from the Dalton Highway to Umiat to provide access to oil and gas resources and the National Petroleum Reserve-Alaska. The USACE is preparing an Environmental Impact Statement (EIS) for the project, with scoping completed in 2012 (AECOM, 2012).