

## **Section 5**

# **Consultation and Coordination**

## 5.1 CONSULTATION AND COORDINATION

MMS and BPXA have consulted with regulatory agencies and other stakeholders both before and subsequent to the decision to develop from onshore using uERD (August 2005) and more recently, to develop Liberty from the Endicott SDI (August 2006). These consultations have included informal meetings and briefings and formal pre-application meetings (January-March 2007). The purpose of these consultations has been to obtain comments and input on potential development alternatives, provide project progress updates, and clarify regulatory requirements. MMS and BPXA have consulted and coordinated with following agencies and organizations since August 2005:

### ➤ **Federal Agencies**

- U.S. Army Corps of Engineers
- U.S. Environmental Protection Agency
- National Marine Fisheries Service
- USDOJ, Fish and Wildlife Service
- State Agencies
- Alaska Department of Natural Resources, Office of Project Management and Permitting
- Alaska Department of Natural Resources, Office of Habitat Mgt and Permitting
- Alaska Department of Natural Resources, Division of Oil and Gas
- Alaska Department of Environmental Conservation, Division of Spill Prevention and Response
- Alaska Department of Environmental Conservation, Div of Air Quality
- Alaska Department of Natural Resources, Division of Mining, Land and Water
- Alaska Oil and Gas Conservation Commission

### ➤ **Local Agencies and Organizations**

- North Slope Borough Planning and Community Affairs Department
- North Slope Borough Wildlife Department
- North Slope Borough Planning Commission
- North Slope Borough Mayor's Office
- City of Barrow
- Native Village of Kaktovik
- Inupiat Community of the Arctic Slope
- Native Village of Barrow
- Arctic Slope Regional Corporation
- Kuukpik Corporation
- Alaska Eskimo Whaling Commission

In addition to these consultations, BPXA entered into two memoranda of understanding (MOU) with regulatory agencies to detail applicant-agency consultation processes, roles and responsibilities and the permitting processes. One MOU was executed by BPXA with the MMS, U.S. Army Corps of Engineers and State of Alaska, and the other with the State of Alaska, Department of Natural Resources.

On February 17, 2006, MMS notified FWS and NMFS (pursuant to 50 CFR 402.08) that BPXA had been designated as the non-Federal representative for ESA consultations for the Liberty development project. BPXA also is the applicant in this proposed Federal action. As the designated non-Federal representative, BPXA conducted informal consultations with FWS and NMFS and prepared requisite Biological Assessments (BA). Refer to Appendices C and D of this EA for a copy of the February 17, 2006, correspondence.

On May 4, 2007, MMS notified NMFS (pursuant to 50 CFR 600.920(c) of BPXA's designation as the non-Federal representative for EFH consultation. Refer to Appendix E for a copy of the May 4, 2007, correspondence.

The MMS reviewed the BA's submitted by BPXA for ESA and the EFH analysis. The MMS prepared formal consultation letters to FWS and NMFS. Refer to Appendices C, D, and E for copies of all consultations.

The MMS consulted with the Alaska State Historic Preservation Office (SHPO) under Section 106 of the National Historic Preservation Act (NHPA). Refer to Appendix F for a copy of the consultation.

On May 11, 2007 (pursuant to Executive Order 13175), MMS invited Federally Recognized Tribes to hold formal Government-to-Government consultations. Refer to Appendix G for Government to Government consultations. Environmental Justice and Government-to-Government consultations are discussed in this EA at Section 2.15.5.

The MMS made the DPP and EIA available for 60 days to allow public review and comment. This public comment period ended on July 9, 2007. The following agencies and organizations responded in writing to either the MMS or the U.S. Army Corps of Engineers:

**Federal Government:**

- USDOJ, Office of Environmental Policy and Compliance
- USDOJ, FWS, Fairbanks Office, Project Planning Branch
- USEPA, Region 10, Aquatic Resources Unit

**State of Alaska:**

- Office of Project Management and Permitting
  - Office of Habitat Management and Permitting
  - State Pipeline Coordinator's Office
  - Department of Environmental Compliance

**Local Government:**

- North Slope Borough, Planning Department and Mayors Office

**Non-Governmental Responses:**

- Pacific Environment
- Natural Resources Defense Council
- Northern Alaska Environmental Center
- Alaska Wilderness League
- Alaska Eskimo Whaling Commission

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2.6.1	Sagavanirktok River	John Pickering	PN&D Engineers
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<b>4.1</b>	<b>Mitigation of Construction</b>		
<b>4.2</b>	<b>Impacts</b>		
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## **Section 7**

### **References**

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