

# STATE OF ALASKA

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July 29, 2003

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## SALE ANNOUNCEMENT

### BEAUFORT SEA AREAWIDE 2003 COMPETITIVE OIL AND GAS LEASE SALE

The Department of Natural Resources (DNR), Division of Oil and Gas (DO&G), gives notice under AS 38.05.945(a)(4), that it will offer lands for competitive oil and gas leasing in Beaufort Sea Areawide 2003 (BSA 2003). BSA 2003 will be held in Anchorage beginning at 8:30 a.m., on October 29, 2003, in the Wilda Marston Theater, Loussac Public Library, 3600 Denali Street.

The Beaufort Sea Areawide sale area encompasses a gross area of approximately two million acres that are divided into 573 tracts ranging in size from 640 to 5,760 acres. These tracts are located within the North Slope Borough and consist of State-owned tide and submerged lands in the Beaufort Sea between the Canadian Border and Point Barrow. The sale area is adjacent to both the National Petroleum Reserve - Alaska (NPRA) and Arctic National Wildlife Refuge (ANWR). The southern fringe of the sale area includes some state-owned uplands lying between the NPRA and ANWR. Activities resulting from this sale may affect the native villages of Barrow, Nuiqsut, and Kaktovik, and the community of Deadhorse.

DO&G has prepared a regional tract map that displays the location of all tracts within the sale area. Only state-owned lands that were available on August 5, 2003 may be leased in BSA 2003. Acreage becoming available after that date will be offered in BSA 2004, scheduled for October, 2004.

The exact amount of the net leaseable acreage in each tract will not be determined until after the sale. DO&G will then complete a comprehensive evaluation of the lands within the tracts that received bids to determine which lands are available for lease. Acreage not owned by the state, already subject to an oil and gas lease, or clouded by title claims will be excluded from the leased area.

#### **Tract Deletions and Deferrals**

DNR has deferred leasing all tracts from Pt. Barrow to Tangent Pt. (Tracts 555, 557 through 573) and from Barter Island to the Canadian border (Tracts 1 through 39). Deferral means that these tracts will not be offered for lease in this sale, but may be included in future lease sales. DNR will annually review the available information for these tracts to determine whether to offer these tracts in the future.

*Note: The state reserves the right to delete any acreage or tract from the sale at any time before the issuance of the lease.*

#### **Best Interest Finding and ACMP Consistency Determination**

BSA 2003 is an exempt sale held under Alaska Statute(s) 38.05.180(d)(1), and 38.05.035(e)(6)(F). Under these provisions the commissioner may annually offer oil and gas acreage that has been subject to a best interest finding issued within the previous 10 years, unless the commissioner determines that substantial new information has become available that justifies a supplement to the finding.

In support of Beaufort Sea Areawide Sale 1999, the Director of DO&G issued a written final finding and decision under AS 38.05.035(e) and (g) on July 15, 1999. This finding sets forth the facts, policies, and applicable laws upon which he has based his determination that this sale will best serve the interests of the state. In addition, a final coastal zone consistency determination was made that oil and gas sales are consistent with the Alaska, and North Slope Borough's Coastal Management Programs (ACMP). On August 15, 2000, DO&G issued a Decision to Supplement that best interest finding.

On January 29, 2003 DO&G issued a Call for New Information regarding the proposal to re-offer available Beaufort Sea acreage in the year 2003. The final finding for the 1999 Beaufort Sea areawide sale and the final coastal zone management consistency determination were available for public review. DO&G requested new information subsequent to publication of the 1999 final finding and the 2000 supplement. Based upon the information received, DO&G is issuing a *Decision of No New Information* concurrently with this sale announcement

### Appeal Procedures

A person affected by this decision who provided timely written comment or public hearing testimony on this decision may request reconsideration, in accordance with 11 AAC 02. Any reconsideration request must be received by August 18, 2003 and may be mailed or delivered to Tom Irwin, Commissioner, Department of Natural Resources, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska 99501; faxed to 1-907-269-8918, or sent by electronic mail to [dnr\\_appeals@dnr.state.ak.us](mailto:dnr_appeals@dnr.state.ak.us). If reconsideration is not requested by that date or if the commissioner does not order reconsideration on his own motion, this decision goes into effect as a final order and decision on August 28, 2003. Failure of the commissioner to act on a request for reconsideration within 30 days after issuance of this decision is a denial of reconsideration and is a final administrative order and decision for purposes of an appeal to Superior Court. The decision may then be appealed to Superior Court within a further 30 days in accordance with the rules of the court, and to the extent permitted by applicable law. An eligible person must first request reconsideration of this decision in accordance with 11 AAC 02 before appealing this decision to Superior Court. A copy of 11 AAC 02 may be obtained from any regional information office of the Department of Natural Resources.

### Mitigation Measures

AS 38.05.035(e) and the departmental delegation of authority give the Director, DO&G, the authority to impose conditions or limitations, in addition to those imposed by law, to ensure that the disposal best serves the interests of the state. To meet this requirement, the director has adopted environmental and social mitigation measures that will be enforced throughout the duration of the lease. These mitigation measures are necessary to protect biological, cultural and archeological resources, and to mitigate social impacts of lease related activities. Enforcement will be imposed through approval of plans of operations, exploration and development and other permits. DO&G will review this plan for consistency with the ACMP under 6 AAC 50. The lessee must obtain all the necessary permits and approvals otherwise required by law or regulation for the proposed activity. Additional restrictions may be imposed through the permitting process and the ACMP review process. In addition, proposed lease activities may be subject to local land use regulations.

### Sale Terms

#### **Bidding Method:**

The bidding method for all tracts in BSA 2003 will be cash bonus bidding with a minimum bid of ten dollars (\$10) per acre on all tracts. **Bids for less than the minimum bid will be rejected.**

*Note: Under 11 AAC 82.445, a bid will not be considered unless supported by the bid deposit and the information required in the "Instructions to Bidders", unless any omission is determined by the commissioner or his designee to be immaterial or due to excusable inadvertence, and the omission is corrected within one week following receipt of a notice of deficiency.*

### **Primary Term of Leases**

Leases issued on **Tracts 78 through 499** will have a lease term of seven (7) years and **all other tracts** will have a lease term of ten (10) years.

### **Royalty Rates**

Leases issued on **Tracts 40 through 77, 500 through 554, and 556** will have a fixed royalty rate of **twelve and one-half percent (12.5%)** and **all other tracts** will have a fixed royalty rate of **sixteen and two-thirds percent (16.66667%)**.

### **Lease Forms**

Leases on all tracts will be executed on Form DOG 2000204.

### **Rental**

Annual rental will be \$1.00 per acre for the first year, \$1.50 per acre for the second year, \$2.00 per acre for the third year, \$2.50 per acre for the fourth year, and \$3.00 per acre for the fifth and following years.

### **Bonding**

Before beginning lease operations, an oil and gas lease bond of a minimum of \$10,000 per operation is required under 11 AAC 83.160. In the alternative, a statewide oil and gas lease bond of a minimum of \$500,000 for operations conducted on more than one lease may be filed. These bonding provisions do not affect the commissioner's authority to require additional unusual-risk bonds as may be necessary. In addition, the Alaska Oil and Gas Conservation Commission (AOGCC) requires a bond of at least \$100,000 for a single well or a bond of at least \$200,000 to cover wells statewide before drilling operations will be permitted by AOGCC (20 AAC 25.025). Additional bonding may be required under 11 AAC 82.465, 11 AAC 82.600, 11 AAC 83.390 and 11 AAC 96.060.

### **Sale Information**

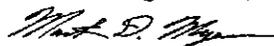
Copies of the final finding and supplements are available at the following locations: Nuiqsut Public Library, North Slope Borough Library Media Center, North Slope Borough Offices, Tuzzy Consortium Library in Barrow, City of Barrow Municipal Offices, Kaveolook School Library in Kaktovik and Loussac Public Library in Anchorage. The Regional Tract Map will be available at these locations on August 10, 2003.

Complete details regarding BSA 2003, including the following documents, are on the DO&G's Webpage at <http://www.dog.dnr.state.ak.us/oil>:

- Sale Announcement w/Mitigation Measures
- Instructions to Bidders with Attachment A (Estimated acreage figures) and Bid form
- Final Finding and Supplement
- Decision of No New Information
- Regional Tract map (August 5, 2003)

Paper copies of these documents, are available by phoning during regular office hours or writing, DO&G 550 West 7<sup>th</sup> Avenue, Suite 800, Anchorage, Alaska 99501, Attn: Suzanne Gaguzis, (907) 269-8803. Regional tract maps are \$25 per set.

The State of Alaska, DNR, DO&G complies with Title II of the Americans with Disabilities Act of 1990. This publication will be made available in alternative communication formats upon request. Please contact Suzanne Gaguzis at (907) 269-8803 to make any necessary arrangements.



Mark D. Myers,  
Director