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# Chapter Nine: Mitigation Measures

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# Chapter Nine: Mitigation Measures

To ensure that this disposal is in the state's best interest (AS 38.05.035(e)), and in approving the exploration phase, operations will be conditioned by mitigation measures which will be attached to the license and any future leases issued and are binding on the licensee. These measures were developed to mitigate potential effects of license-related or lease-related activities, considering all information made known to the director. Additional measures may be imposed when the licensee submits a proposed plan of operations (11 AAC 83.158(e) and 83.346(e)). The director may consult with local government organizations and other agencies in implementing the mitigation measures below. Licensees must also comply with all applicable local, state, and federal laws and regulations, as amended.

The director may grant exceptions to these mitigation measures. Exceptions will only be granted upon a showing by the licensee that compliance with the mitigation measure is not practicable and that the licensee will undertake an equal or better alternative to satisfy the intent of the mitigation measure. Requests and justifications for exceptions must be included in the plan of operations application as specified by the application instructions, and decisions of whether to grant exceptions will be made during the plan of operations review.

## A. Facilities and Operations

1. To ensure system integrity, oil and gas facilities, including pipelines, must be designed using industry-accepted engineering codes and standards. Technical submittals to the Division that reflect the "practice of engineering", as defined by AS 08.48.341, must be sealed by a professional engineer registered in the state of Alaska.
2. The siting of facilities, other than docks, roads, utility or pipeline corridors, or terminal facilities is prohibited within one-half mile of the coast and 500 feet of all fish bearing water bodies. Facilities may be sited, on a case-by-case basis, within the one-half mile buffer if the lessee demonstrates that siting of such facilities outside this buffer zone is not feasible or prudent, or that a location within the buffer is environmentally preferable, but in no instance will a facility be located within one-quarter mile of the river bank. ADF&G consultation is required for siting within the one-half mile buffer. Road and pipeline crossings must be aligned perpendicular or near perpendicular to watercourses.
3. Exploration roads, pads, and airstrips must be temporary unless the Director approves a proposed alternative. Use of gravel roads, pads, and airstrips may be permitted on a case-by-case basis by the director, in consultation with DMLW and ADF&G. Approval for use of existing structures will depend on the extent and method of restoration needed to return these structures to a usable condition.
4. Pipelines must use existing transportation corridors where conditions permit. In areas with above ground placement, pipelines must be designed, sited, and constructed to allow for the free movement of wildlife. Oil and gas infrastructure must be designed to facilitate the containment and cleanup of spilled fluids.
5. Pipelines that must cross marine waters will be constructed beneath the marine waters using directional drilling techniques. Offshore pipelines must be located and constructed to prevent obstruction to marine navigation and fishing operations.
6. Gravel mining within an active floodplain is prohibited, unless DMLW, after consultation with DO&G and ADF&G, approves a proposed alternative

7. Exploration activities must utilize existing road systems, where practicable, or vehicles that do not cause significant damage to the ground surface or vegetation. Construction of temporary roads may be allowed on a case-by-case basis.

## **B. Fish and Wildlife Habitat**

1. The Director, in consultation with ADF&G, will impose seasonal restrictions on activities located in, or requiring travel through or overflight of, important moose calving and wintering areas during approval of a plan of operations.

## **C. Subsistence, Commercial and Sport Harvest Activities**

1. License-related or lease-related use will be restricted if necessary to prevent unreasonable conflicts with fish and wildlife harvest activities.

## **D. Fuel and Hazardous Substances**

1. During fuel or hazardous substance transfer, secondary containment or a surface liner must be placed under all container or vehicle fuel tank inlet and outlet points, hose connections, and hose ends. Appropriate spill response equipment, sufficient to respond to a spill of up to five gallons, must be on hand during any transfer or handling of fuel or hazardous substances.
2. Vehicle refueling will not occur within the annual floodplain, except as addressed and approved in the plan of operations. This measure does not apply to water-borne vessels.
3. New solid waste disposal sites, other than for drilling waste, will not be approved or located on state property for exploration.

## **E. Access**

1. Public access to, or use of, the license area may not be restricted except within the immediate vicinity of drill sites, buildings, and other related facilities. Areas of restricted access must be identified in the plan of operations. Facilities and operations will not be located so as to block access to or along navigable or public waters as defined in AS 38.05.965.

## **F. Definitions**

**Facilities** - Any structure, equipment, or improvement to the surface, whether temporary or permanent, including, but not limited to, roads, pads, pits, pipelines, power lines, generators, utilities, airstrips, wells, compressors, drill rigs, camps and buildings.

**Hazardous substance** – As defined under 42 USC 9601-9675 (Comprehensive Environmental Response, Compensation, and Liability Act of 1980).

**Plan of operation**- A lease plan of operations under 11 AAC 83.158 and a unit plan of operations under 11 AAC 83.346.

**Practicable**- Feasible in light of overall project purposes after considering cost, existing technology, and logistics of compliance with the standard.