

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
STATE PIPELINE COORDINATOR'S OFFICE
NOTICE OF APPLICATION UNDER AS 38.35.070

TRANS-FORELAND PIPELINE PROJECT
RIGHT-OF-WAY LEASE APPLICATION – ADL 231689
AMENDED APPLICATION RECEIVED OCTOBER 23, 2013

The Commissioner of the Department of Natural Resources, pursuant to Alaska Statute (AS) 38.35.070, hereby gives notice that Trans-Foreland Pipeline Company, LLC submitted an amended pipeline right-of-way lease application dated October 23, 2013, in accordance with the Alaska Right-of-Way Leasing Act, AS 38.35.050, for a proposed Trans-Foreland Pipeline Project Right-of-Way Lease, ADL 231689.

The applicant proposes to construct an approximately 29-mile pipeline to transport oil across Cook Inlet. The pipeline is proposed to be buried in uplands and tidelands, and anchored to the seafloor across the submerged lands of Cook Inlet. Approximately 22 submerged miles of the pipeline are on State lands, and approximately four miles of buried pipeline will be located in the State-owned North Kenai Spur Highway right-of-way. The pipeline will extend from the Cook Inlet Energy Kustatan Production Facility to the Kenai Pipeline Company Tank Farm in Nikiski, both located in the Kenai Peninsula Borough.

The proposed right-of-way will traverse the following sections within the Seward Meridian:

Sections 2, 3, 9 – 11, and 16 – 19, Township 6 North, Range 12 West
Sections 24 – 26 and 31 – 35, Township 6 North, Range 13 West
Sections 2, 11, 14, 23, 25, 26 and 36, Township 6 North, Range 14 West
Sections 21, 22, 27 and 34, Township 7 North, Range 12 West
Sections 4, 9 – 11, 14, 23, 26 and 35, Township 7 North, Range 14 West

The application is available at the State Pipeline Coordinator's Office (SPCO) website: <http://dnr.alaska.gov/commis/pc>. The public may obtain hard copies of the application, at cost, from the SPCO (see address below).

Copies of the amended application will also be available at the following locations:

- Kenai Community Library
- Soldotna Public Library
- Homer Public Library
- Anchor Point Public Library
- Ninilchik Community Library

AS 38.35.200 governs judicial review of a decision of the Commissioner:

AS 38.35.200 Judicial review of decisions of commissioner on application.

(a) An applicant or competing applicant or a person who has direct financial interest affected by the lease who raises objections within 60 days of the publication of notice under AS 38.35.070 are the only persons with standing to seek judicial review of a decision of the commissioner under AS 38.35.100.

(b) The only grounds for judicial review of a decision of the commissioner are

- 1. failure to follow the procedures set out in this chapter; or*
- 2. abuse of discretion so capricious, arbitrary, or confiscatory as to constitute a denial of due process.*

Any objections pursuant to AS 38.35.200 must be submitted in writing to the address below by 5:00 p.m. on December 31, 2013.

State Pipeline Coordinator's Office
411 West 4th Avenue, Suite 2
Anchorage, AK 99501-2343
Phone: (907) 269-6403 Fax: (907) 269-6880
Email: spco.records@alaska.gov

The State of Alaska, Department of Natural Resources, State Pipeline Coordinator's Office, complies with Title II of the Americans with Disabilities Act of 1990. Individuals with disabilities who may need auxiliary aids, services or special modifications to participate in this review may call 269-8411 TTY/TDD. Please provide sufficient notice in order for the department to accommodate your needs.

The State Pipeline Coordinator's Office reserves the right to waive technical defects in this publication. Please contact the SPCO for more information.

Allison K. Iversen
Acting State Pipeline Coordinator
Department of Natural Resources