MEMORANDUM OF AGREEMENT

Between:

The U.S. Department of the Interior/Bureau of Land Management (BLM);
The U.S. Department of the Interior /Minerals Management Service (MMS);
The U.S. Department of Transportation/Pipeline and Hazardous Materials Safety Administration (PHMSA);
The U.S. Environmental Protection Agency (EPA);
The U.S. Department of Homeland Security/U.S. Coast Guard (USCG);
The U.S. Department of Homeland Security/Transportation Security Administration (TSA);
The U.S. Department of Defense/Army Corps of Engineers (COE);
The Alaska Department of Natural Resources (ADNR);
The Alaska Department of Environmental Conservation (ADEC);
The Alaska Department of Labor and Workforce Development (ADOLWD);
The Alaska Department of Fish and Game (ADF&G);
The Alaska Department of Transportation & Public Facilities (ADOT&PF); and
The Alaska Department of Public Safety (ADPS)

Establishing an

Operating Agreement

For

The Joint Pipeline Office

I. GOAL

The State-Federal Joint Pipeline Office (JPO) was created in March 1990 to facilitate coordination, collaboration and communication between State and Federal agencies in carrying out their oversight responsibilities of the Trans-Alaska Pipeline System (TAPS) and to administer a proposed pipeline project to commercialize Alaska's North Slope natural gas[1]. The scope of the JPO has increased to include petroleum and natural gas pipelines within the State of Alaska and the adjoining Outer Continental Shelf under the respective authorities or jurisdiction of one or more of the participating agencies or agency division. The JPO is an appropriate intergovernmental structure where agencies can carry out their respective agency missions. The agencies share a desire to develop a system-wide approach to pipeline oversight and, while each agency has a unique mission, collectively, the participating agencies focus their resources on oversight activities that facilitate the safe and reliable transportation of oil and gas to market. The activities are intended to maintain or enhance the integrity of pipeline systems, protect public health, safety, property and the environment through all phases of a pipeline project including pre-application, application, design, construction, operation, maintenance, termination

[1] The Joint Pipeline Office involvement with permitting and oversight a North Slope gas commercialization project will be clarified at a later date.

and abandonment/removal. Specific agency responsibilities are described in Attachment 1.

II. PURPOSE

The purpose of this Agreement is to perpetuate a more formal and effective intergovernmental partnership to provide coordinated State and Federal permitting, monitoring, enforcement, and preparedness planning activities on TAPS and other petroleum and natural gas pipelines in the State of Alaska and the adjoining Outer Continental Shelf. This Agreement encourages an improved intergovernmental relationship that will coordinate interagency action in regulating and overseeing pipelines pursuant to each agency's laws and regulations.

The signatory agencies to this Memorandum of Agreement (Agreement) support the common goal of providing for a coordinated administrative and regulatory oversight of petroleum and natural gas pipelines within the State of Alaska and the adjoining Outer Continental Shelf under the respective authorities or jurisdiction of one or more of the participating agencies or agency division (Attachment 2). The agencies understand that there may be overlap in these given responsibilities and seek to clarify their authorities and responsibilities through a cooperative and coordinated effort.

III. OBJECTIVES

1. Provide coordinated review of all permitting actions and oversight of all phases of operation on jurisdictional petroleum and natural gas pipeline systems.
2. Maintain and enhance the reliability of the transportation of oil and gas resources and preserve the asset life of the systems under agency jurisdiction.
3. Maintain and enhance the infrastructure integrity.
4. Minimize pollution and protect fish, wildlife and their habitat.
5. Maintain and enhance the safety of personnel and safe operations.
6. Maintain and enhance the capability and response to oil spills and other events.
7. Support the efforts to maintain and enhance security of petroleum and natural gas pipelines.
8. Increase public awareness of oil and gas infrastructure and the challenges going forward for the public, agencies and the industry.

IV. AUTHORITY TO ENTER INTO AN AGREEMENT

1. Federal

   Bureau of Land Management

   - Trans-Alaska Pipeline Authorization Act (TAPPA), 43 U.S.C. 1651, et. Seq. as amended.
   - Federal Land Policy and Management Act (FLPMA) of 1976, 43 U.S.C 1701, et. Seq. as amended.

Minerals Management Services
-Outer Continental Shelf Lands Act (OCSLA), 43 U.S.C. 1331, et. Seq.

United States Coast Guard
- 14 USC Sec. 93(a)(20)

Transportation Security Administration (TSA)
- 49 USC Sec 114(m)

2. State
   Department of Natural Resources – AS 38.05.020
   Department of Labor and Workforce Development – AS 18.60.030(11)
   Department of Environmental Conservation – AS 46.03.020(2)
   Department of Fish and Game – AS 16.05.020(3)
   Department of Public Safety – AS 44.41.020 (section IV .2)

V. OTHER DOCUMENTS THAT IMPACT THE JOINT PIPELINE OFFICE

The participating agencies to this Agreement identified written documents containing agreements between two or more agencies and between one or more agencies and a pipeline operator. The status of these agreements is indeterminate and they may or may not affect current JPO operations. A comprehensive list of these documents is provided in Attachment 3 to this Agreement. Disposition of all agreements referenced in Attachment 3 is considered a management priority and addressed further in Section VII (2). The list of agreements is intended to be dynamic and after initial evaluation and update will be reviewed on a periodic basis.

VI. ROLES OF AGENCY REPRESENTATIVES WITHIN THE JOINT PIPELINE OFFICE

Each agency will appoint a representative to act within the scope of their respective agency authority as codified by the U. S. Code, Alaska Statute, Code of Federal Regulations, Alaska Administrative Code, Presidential Executive Orders, Governor's Administrative Orders, Federal Agreements and Grants of Right-of-Way, and the State Leases (ROWs). Agency representative duties may or may not be further defined within a Reimbursable Services Agreement, through agency manuals, policies, directives or through established Memoranda of Understanding or Agreement.

VII. AGENCY PARTICIPATION WITHIN THE JPO ENVIRONMENT

1. Responsibilities of Agencies to the Agreement:
   - Management Team: The participating agencies have agreed to form a Management Team responsible for the coordination and allocation of JPO resources utilizing a team approach, as appropriate. The Management Team consists of the designated agency representatives identified in Attachment 4 to this Agreement. It is agreed that the Management Team will be most effective when members share information (awareness), and

make an effort to reach decisions through consensus (agreement or non-objection from those agencies with jurisdictional authority). Designated agency representatives not co-located within the office may participate in Management Team meetings via teleconference.

- Administrative Management Team: For the purposes of managing administrative activities associated with office operations, decisions will be made by the designated representatives of the agencies physically co-located within the office, as identified in Attachment 4.

2. Management Team:
   - Responsibilities:
     - Establish JPO administrative, technical, and regulatory oversight priorities and work plans.
     - Identify, plan, and respond to issues related to the stated objectives.
     - Establish and empower standing and ad hoc teams to support core objectives and JPO operational concerns.
     - Establish JPO position to provide coordinated communication and documentation of reviews and approvals.
     - Determine the relevance, disposition, or enactment of any operating agreements.
     - Participate in team management meetings.
     - Schedule and facilitate executive council meetings.
     - Support the Incident Command System (ICS) structure for event response.
     - Address and coordinate issues that have system wide impacts.
     - Disposition of agreements referenced in Attachment 2 and periodic review of active agreements.
     - Support and facilitate communication with non-JPO agencies.
   - Functions:
     - Promote open and transparent communication.
     - Coordinate in a timely manner with appropriate agencies.
     - Act on recommendations from teams.
     - Define objectives, roles and responsibilities of teams.
     - Develop team decision making protocols.
     - Elevate unresolved issues to members of the Executive Council with jurisdictional authority.

3. General Teams:
   - Coordinators:

     The principle responsibility of a team coordinator is to schedule and run the team meetings. This includes drafting agendas and ensuring meetings are documented. The work of the teams will be issue driven. Team coordinators will also ensure appropriate agencies are represented and consulted. Agreements referenced in Attachment 2

will be evaluated in relation to the specific assignments developed by the team.

- Teams Identified by Management:

  Teams may be multi–disciplinary consisting of representatives from multiple agencies charged with integration of the core objectives of this Agreement, agency regulatory requirements and the various ROW requirements into a unified method to evaluate pipeline operator programs, procedures and processes. Examples of standing and ad hoc teams are described below. Other teams may be formed as necessary.

  Standing Teams
  - Corrosion
  - Oil Spill Contingency Planning
  - Emergency Preparedness and ICS Team
  - Integrity Management (issue driven subjects would include management of change, reliability, loss of expertise and low throughput)
  - Lands, Permits and Environment

  Ad hoc Teams (examples-others as necessary)
  - Technical
  - Project Oversight
  - Administrative
  - Event Response

4. Case file management:
   Each agency will maintain their respective case files.

5. Shared Services Agreement:
   Agencies may enter into separate agreements to share services as they deem necessary. For example, BLM and DNR currently operate under a shared services agreement for office space, IT systems, building security/front desk, and public information. Also, the State Pipeline Coordinator's Office (SPCO) funds costs associated with participation of State Agency Representatives through separate reimbursable service agreements

6. Communications:
   Media - The JPO participating agencies agree that a coordinated effort to develop a unified approach for external communications is in the best interest of the organization. Efforts to coordinate external communications will be coordinated by the JPO Public Information Officer who will receive direction from the Management Team.

   Oil and Gas Industry - The JPO participating agencies also agree that a coordinated effort to develop a unified approach for communicating with oil and gas industry representatives on major cross-agency issues is in the best interest of

the organization. The Management Team will formulate the JPO position and appoint a spokesperson(s) to represent the office for that issue.

Internal – Agency representatives agree to share information concerning construction projects, maintenance, operations and oversight of petroleum and natural gas pipelines, necessary to facilitate the terms of this Agreement.

7. Annual Work Plans:
   The participating agencies agree to coordinate their oversight efforts. In the execution of their respective responsibilities, each agency will develop their annual work plan based on priority areas established by the Management Team, to the extent possible. The Management Team may agree to integrate agency oversight efforts in an annual JPO work plan. In developing the priority areas the Management Team will consider: past accomplishments and concerns identified; permittee/lessee compliance activities and reports; specific agency directions; proposed construction projects, major operations or maintenance activities; response preparedness and security issues; etc.

8. Annual Report:
   The participating agencies agree to jointly issue a JPO annual report. The JPO Public Information Officer, under the guidance of the Management Team, will manage the report format and content. The report will be issued annually no later than February 15.

VIII. IT IS MUTUALLY AGREED AND UNDERSTOOD THAT:

1. This Agreement is intended only to improve the working relationships of the participating agencies in connection with their oversight activities and compliance decisions regarding petroleum and natural gas pipelines in the State of Alaska and the adjoining Outer Continental Shelf and is not intended to, nor does it create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity by any person or party against the United States, its agencies and its officers. Nothing in this Agreement obligates the participating agencies to expend appropriations or enter into any contract or other obligation.

2. Nothing in this Agreement shall affect the statutory responsibility or authority of any agency. Nothing in this Agreement shall be construed as obligating any agency to the expenditure of funds in excess of appropriations authorized by law, or otherwise commit any agency to actions for which it lacks statutory authority or funding.

3. This Agreement may be modified or amended upon written request of any party hereto and the subsequent written concurrence of all of the participating agencies.

4. The terms of this Agreement are not intended to be enforceable by any party other than the signatories hereto.

5. The participating agencies intend to fully carry out the terms of this Agreement. All provisions in this Agreement, however, are subject to available resources. In addition,

this Agreement does not limit the ability of any of the participating agencies to review and respond to issues.

6. Termination Clause - This Agreement shall be reviewed by all parties three years following its signing, and every three years thereafter. Any party to this agreement may withdraw at any time by providing a 60-day written notice to the Management Team.

7. Dispute Resolution - While retaining ultimate responsibility for making determinations and exercising their individual responsibilities in accordance with existing statutory responsibilities, the jurisdictional agencies will consult with each other to resolve disputes using existing dispute resolution methods and in accordance with existing statutory authorities. Not withstanding, if agreement cannot be reached each agency retains its' authority to take action pursuant to its' authority.

8. Confidentiality Statement: State and Federal agencies agree to maintain the confidentiality of properly marked documents and other information, as appropriate, received from other parties to the extent permitted by their respective State and Federal laws.

IX. APPROVALS

T.C. Lomino Date 6-12-08
Alaska State Director, Bureau of Land Management
U.S. Department of the Interior

Date 6/30/2008
Regional Director, Minerals Management Service
U.S. Department of the Interior

Arthur E Brooks Date 6/19/08
Commander, Seventeenth District, U.S. Coast Guard
U.S. Department of Homeland Security

Date 6-17-08
Administrator, Pipeline and Hazardous Materials Safety Administration
U.S. Department of Transportation

Date
Assistant Regional Administrator for Alaska
U.S. Environmental Protection Agency, Region 10

Michael Robbe Date 10/28/08
Chief, Regulatory Division, Army Corps of Engineers
U.S. Department of Defense

Date
Regional Director, Transportation Security Administration
U.S. Department of Homeland Security

Date Sept. 10th 2008
Commissioner, Alaska Department of Environmental Conservation

Date 6/12/08
Deputy Commissioner, Alaska Department of Fish and Game

Date 8-06-08
Commissioner, Alaska Department of Labor and Workforce Development

Date July 14, 2008
Commissioner, Alaska Department of Natural Resources

Date 3-23-09
Commissioner, Alaska Department of Public Safety

Date May 16, 2008
Commissioner, Department of Transportation and Public Facilities
LEO VON SCHROEDER

This document has been modified, to incorporate all signatures onto one page.

Attachment 1 - AUTHORITIES

The Alaska Department of Natural Resources (ADNR): The ADNR manages all state-owned land, water and natural resources, except for fish and game, on behalf of the people of Alaska. The department is currently organized into seven divisions that reflect its major programs: Agriculture, Forestry, Geological & Geophysical Surveys, Mining, Land & Water, Oil & Gas, Parks and Outdoor Recreation, and Support Services.

The Department of Natural Resources has other offices including: the State Pipeline Coordinator's Office, part of a joint federal-state program to oversee the 800-mile Trans-Alaska and other common-carrier pipelines; the Mental Health Trust Land Unit, that manages the Mental Health Trust's land and resources assets; the Office of Project Management & Permitting, coordinating the Alaska Coastal Management Project and the state participation in ANILA; the Office of Habitat Management & Permitting who protects the freshwater habitat of anadromous fish and ensures there will be free and efficient passage of all fish species in Alaska's rivers and streams; and the Public Information Centers, that offers "one-stop shopping" for the department's programs and services. It also houses the executive directors for the Alaska Soil and Water Conservation Board that helps coordinate and assist local natural resource users and agencies.

The State Pipeline Coordinator's Office (SPCO) is the lead agency for administering the pipeline right-of-way leasing process and coordinating pipeline regulatory oversight for petroleum pipelines authorized under AS 38.35, the Right-of-Way Leasing Act. The SPCO co-locates staff from the DNR, Office of Habitat Permitting and Project Management (OHMP – Fish and Wildlife Issues) and Office of Permitting and Project Management (OPMP – Alaska Coastal Management Program); Alaska Department of Environmental Conservation (ADEC), Alaska Department of Labor and Workforce Development (ADOL – Safety and Electrical Inspection); and the Alaska Department of Public Safety, State Fire Marshal's Office (SFO). The SPCO currently administers 19 active pipeline right-of-way leases and is in the leasing process for several other pipelines.

Alaska Department of Public Safety Division of Fire and Life Safety (ADPS):

AS 18.70.010 General Function; The Department of Public Safety (DPS) shall foster, promote, regulate and develop ways and means of protecting life and property against fire, explosion and panic. AS 18.70.020 Duties of DPS; Aid in the enforcement of all laws and ordinances and the regulations adopted under AS 18.70.010 – 18.70.100 and all other laws relating to fires or to fire prevention and protection. Examples of these duties are: AS 18.70.030 Investigations of Fires Resulting From Crime, AS 18.70.050 Power of Department to Inspect Buildings, AS 18.70.070 Abatement of Fire Hazards, in violation of law or regulations and the appropriate enforcement action to assure abatement, AS 18.70.080. Adoption of Regulations, 13AAC 50 – 55 establishes minimum standards for; Fire detection and suppression equipment; Fire and life safety criteria in commercial, industrial, business, institutional, or other public buildings used for residential purposes containing 4 or more dwelling units; Any activity in which combustible or explosive materials are stored or handled in commercial quantities; Conditions or activities carried on outside a building described above likely to cause injury to persons or property; AS 18.70.081 Approval of fire protection systems, AS 18.70.090. Enforcement authority

The State Fire Marshal Office is responsible for the following actions in Alaska Administrative Code: 13 AAC 50 – 55; 13 AAC 50.010. Establish Occupancy Classifications; 13 AAC 50.020 Adopts the International Building Code as a base document for all construction in the state and establishes Appendix L for "North Slope Hydrocarbon Processing Buildings",13 AAC 50.023. Adopts the International Mechanical Code, 13 AAC 50.025 Adopts the International Fire Code, 13 AAC 50.027 Adopts Non-Structural Plan Review and Approval, 13 AAC 50.030 Fire Protection Systems (Installed and Portable), 13 AAC 50.035 Established worker permits for design, installation, testing, or maintaining automatic fire suppression and alarm detection and signaling systems, 13 AAC 50.070 Inspections, Orders and Appeals, 13 AAC 52.010 Investigation of Fires, 13 AAC 55.100 Permits and 13 AAC 55.130 Modifications (plan review).

The SFMO inspection program is mandated by the courts to follow through to completion all hazards identified in an inspection. Non compliance can result in court action.

The Alaska Department of Environmental Conservation (ADEC): Under AS 46.03.020 DEC is responsible for the implementation and enforcement of a wide range of Alaska environmental laws. The Department is charged to conserve, improve, and protect its natural resources and environment and control water, land, and air pollution. The Department's mission is accomplished through implementation and oversight of regulations and supporting statutes. The Department's Divisions of Air, Water, Environmental Health, and Spill Prevention and Response, along with multiple program sections are involved in oversight of pipeline operations in Alaska. DEC permit requirements are delineated in regulation and govern both environmental protection and human health.

DEC's activities; Air Quality Division, monitoring and managing non-point and mobile sources of air pollution and managing stationary out-of-stack discharges of air pollutants. DEC has primacy from EPA for oversight of the Clean Air Act. The Division of Water's mission is to improve and protect the quality of Alaska's water. DEC certifies and conducts oversight of federal permits issued under the Clean Water Act. Division of Environmental Health, enforces requirements concerning drinking water, solid waste, pesticides, food service and sanitary practices. The Division monitors waste disposal sites, drinking water systems, wastewater treatment systems, food service facilities, and oversees Alaska Pesticide regulations. Spill Prevention and Response, works to prevent spills of oil and hazardous substances, prepares for when a spill should occur, and responds to spills rapidly to protect human health and the environment.

DEC administers these responsibilities through permitting, design approvals, operating requirements, and inspections. Enforcement is conducted in accordance with statutes, regulations, and Department policy. Enforcement is normally administered by the regulatory staff through administrative or civil remedies. However, the Department can pursue criminal enforcement if warranted.

The Alaska Department of Fish and Game (ADF&G): The ADF&G evaluates the potential effect of any activity on fish and wildlife, their habitat, and the users of those resources. ADF&G requires permits for certain activities in state game refuges, sanctuaries and critical habitat areas. Special Area management plans provide guidelines for certain activities within many legislatively designated areas. By statute, these areas are jointly managed with ADNR. Permits are conditioned to mitigate impacts. For example, timing restrictions may be used to limit the impact on wildlife during sensitive life-cycle periods.

a. **ADF&G Special Area Permit:** For activities in a legislatively designated area (such as a game refuge, a game sanctuary or critical habitat area), a Special Area Permit is required (AS 16.20 and 5 AAC 95).

b. **Review Process:** Most permit actions subject to ADF&G require a 30-day review unless surface occupancy issues or other related permits require additional time. An informal review is conducted with the ADNR and ADEC as well as any affected coastal districts. Public notice of ADF&G permit actions is not required. Decisions are based upon recommendations provided by area staff, the commenting agencies and coastal districts.

The Alaska Department of Transportation and Public Facilities (ADOT/PF): The ADOT/PF designs, constructs, operates, and maintains state transportation systems, buildings, and other facilities. The ADOT/PF evaluates potential impacts on state transportation systems and facilities. The ADOT/PF will issue utility permits for projects within an existing road rights-of-way that ADOT/PF manages. Prior to any construction of a project, the Applicants must enter into an agreement with ADOT/PF to address: a highway indemnification agreement; alignment of portions of a pipeline within highway rights-of-way; Right-of-Way offset requirements; construction scheduling; pipe haul permits; highway maintenance; State airports; and other issues necessary to protect the State's interests.

The Alaska Department of Labor and Workforce Development (DOLWD): Division of Labor Standards & Safety (LSS) of the DOLWD reviews and inspects practices and procedures pertaining to Occupational Safety and Health and refers enforcement actions of the Occupational Safety and Health Section (AS 18.60.030); enforces the National Electrical Code (wire work) (AS 18.60.600), the National Electrical Safety Code (line work) (AS 18.60.600), and required electrical license (AS 08.18.116).

The U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA): Housed within the Department of Transportation (USDOT) Research and Special Programs Administration (RSPA), acting through the Office of Pipeline Safety (OPS), Department of Transportation, PHMSA administers the Department's national pipeline safety regulatory program, pursuant to Chapter 601 of 49 USC to assure safe transportation of natural gas, petroleum and other hazardous materials by pipeline. PHMSA has regulatory responsibility for pipeline safety, protecting high consequence areas (including environmental and public safety), pipeline security, pipeline integrity, pipeline spill planning and response. This responsibility includes setting and enforcing pipeline standards, researching causes, controlling problems and assisting states, local governments, recognized tribal governments and other Federal agencies. OPS develops regulations and other approaches to risk management to assure safety in design, construction, testing, operation, maintenance and emergency response of pipeline facilities.

The U.S. Environmental Protection Agency (EPA): The EPA is responsible for administering a wide variety of environmental laws. The responsibilities of EPA relevant to the pipeline permitting process include commenting on Environmental Impact Statements under section 309 of the Clean Air Act (the "CAA"), the authority to participate in the Section 404 permit process and to restrict, in certain circumstances, the use of specific areas as disposal sites for dredged or fill material pursuant to section 404, and the authority to issue permits for pipeline-related activities that involve discharges of pollutants subject to the requirements of the National Pollutant Discharge Elimination

System or emissions that may be subject to permitting requirements under the CAA (unless the programs are being administered by a state authorized or approved by EPA).

The U.S. Army Corps of Engineers (COE): The COE, within the Department of Defense (DOD), is responsible for the administration of laws for the protection of waters of the United States, pursuant to section 10 of the Rivers and Harbors Act of 1899 (RHA; 33 U.S.C. 403), section 404 of the Clean Water Act of 1972, as amended (CWA; 33 U.S.C. 1344), and section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (MPRSA; 33 U.S.C. 1413). The RHA authorizes all work and or structures in or affecting the course, condition, location, or capacity of navigable waters of the United States and artificial islands, installations, or other devices on the Outer Continental Shelf. The CWA authorizes the discharge of dredged or fill material into the waters of the United States, including wetlands. The MPRSA authorizes the transportation of dredged material excavated from navigable waters of the United States for the purpose of dumping it in ocean waters. It is expected that the COE may authorize most pipeline repair activities under these Acts through the use of existing nationwide permits. Where the impacts on the aquatic resources may be more than minimal either individually or cumulatively, individual permits may be warranted, and in emergency situations, as defined by the COE, emergency permits may be used as necessary. Letters of permission and/or regional general permits may be established at the local and regional level to further abbreviate the permitting process. The different permitting program requirements and conditions are set forth in 33 CFR Parts 320-330.

The U.S. Coast Guard (USCG): The USCG issues permits for structures over navigable waters and oversees vessels, marine oil spills, and terminal safety.

The Bureau of Land Management (BLM): Housed within the Department of the Interior, BLM is responsible for the management of Federal lands. While this generally includes a wide variety of activities, for the purpose of this agreement the BLM is responsibles are focused on issuing right-of-way grants and permits authorizing the transportation of oil, natural gas, synthetic liquid or gaseous fuels, or any refined products

produced therefrom, by pipelines using Federal lands. The Trans-Alaska Pipeline Authorization Act of 1973 and Section 28 of the Mineral Leasing Act of 1920, as amended, gives BLM the authority to issue right-of-way grants and permits for oil and gas pipelines through all lands owned by the United States, except lands in the National Park System, lands held in trust for an Indian or Indian tribe, and lands on the Outer Continental Shelf. In support of these actions BLM also conducts land use planning actions and National Environmental Protection Act documentation. Under the 43 CFR 3600 regulations, the BLM also issues Mineral Material Sale contracts to provide sand and gravel or rip rap resources to construct and maintain the infrastructure of the pipeline systems. Once these authorizations are issued, BLM reviews required design submittals, issues Notices to Proceed, and follows up with oversight and compliance monitoring activities to ensure the terms of the authorizations or mineral material contracts are met.

The Minerals Management Service (MMS): Also housed within the Department of the Interior, MMS is responsible for issuing and enforcing regulations to promote safe operations, environmental protection, and resource conservation on the Outer Continental Shelf ("OCS"). The MMS is responsible for granting rights-of-way through submerged lands of the OCS. In addition, the MMS establishes and enforces pipeline safety requirements for those OCS pipelines within the jurisdiction of Department of the Interior. 30 C.F.R. §250.1001. The Oil Pollution Act of 1990 (OPA 90), as implemented by Presidential Executive Order 12777, October 1991, gave the agency regulatory responsibility for ensuring spill prevention and response capability for all offshore pipelines, including pipelines in state waters. OPA 90 also transferred the function of issuing certificates of financial responsibility of offshore operators to the MMS.

Type	Description	Date	Signatories	Scope	Status	Comments
MOA #2	Continuous improvement of the Alyeska compliance systems, quality program, change management and corrective action processes.	February 28, 2002	APSC AOBLM SPCO	TAPS	Need to evaluate	
MOU	Pipeline Integrity. Safety. and Reliability Research and Development	January 20, 2004	DOT DOE NIST MMS also participates	National	Active	I have not seen a copy of this MOU
MOU Annex	TSA and PHMSA Cooperation on Pipeline and Hazardous Materials Transportation Security	August 9, 2006	DHS DOT	National	Active	I have not seen a copy of this MOU
MOU	Outer Continental Shelf Pipelines	December 10, 1996	DOT DOI	National	Active	I have not seen a copy of this MOU
MOU	Development Of Chena River Lakes Project	May 2, 1980	COE APSC	TAPS	Need to evaluate	I have not seen a copy of this MOU
MOU	Coordination of Environmental Reviews for Pipeline Repair Projects	June 15, 2004	CEQ DOT EPA DOI DOCommerce DOD FERC USDA DOE Advisory Council on Historic Preservation	National	Active	Does this pertain to NEPA review on existing pipeline activity or just on new ROWs? It has been a long time since I have looked at this MOU. Maybe 6 or 7 years - i.e. when it first came out. The question therefore is this MOU applicable to TAPS?

Type	Description	Date	Signatories	Scope	Status	Comments
MOU	Early Coordination of Required Environmental and Historic Preservation Reviews Conducted in Conjunction with the issuance of Authorizations to Construct and Operate Interstate Natural Gas Pipelines Certified by the Federal Energy Regulatory Commission	May 1, 2002	Department of the Army Department of Agriculture Department of Commerce Department of the Interior Department of Transportation Department of Energy Advisory Council on Historic Preservation Federal Energy Regulatory Commission Council on Environmental Quality Environmental Protection Agency	National	Active	Does this pertain to NEPA review on existing pipeline activity or just on new ROWs? i.e. is this applicable to TAPS?
Letter of Intent	Coordinate and cooperate in the regulation and oversight of oil and gas production and transportation in the state of Alaska	May 14, 2007	USDOT ADNR	Alaska	Active	Agree need to make sure this MOU is consistent with the intent of the letter.
Pipeline Modal Annex	Pipeline Modal Annex implements the Transportation Sector Specific Plan (TSSP) and was developed to ensure the security and resiliency of the pipeline sector	N/A	N/A	National	Active	This is still very new and I am not sure anyone has a good understanding of how the new National Response plan works. Certainly one of the questions is what about incidents that don't trigger the NRP.
MOA #5	Plan for Cathodic Protection Monitoring of TAPS	March 14,1996	APSC PHMSA AOBLM SPCO	TAPS	Need to Evaluate	Agree

Type	Description	Date	Signatories	Scope	Status	Comments
MOA #6	Agreement to Support the State-Federal Joint Pipeline Office	October 20, 1997	ADEC ADFG ADOL ADNR ADTPF ADGC COE SDBLM USCG OPS EPA MMS	TAPS, Common Carrier pipelines	Need to Evaluate	See current Executive Council Agreement 2007 - DOT/PHMSA only agency not signed on)
MOA #16	Maintenance of a Land Bridge at TAPS Milepost 704.2	July 2, 2002	Kenny Lake Soil and Water Conservation District ADNR	TAPS	Need to evaluate	Agree
MOA #17	TAPS operations to receive critical systems integrity review Determine maintenance activities for newly installed or existing systems and equipment in TAPS in accordance with a structured, comprehensive and industry recognized methodology, such as Reliability Centered Maintenance.	June 28, 2002	APSC AOBLM SPCO	TAPS	Active? Need to Evaluate	Supersedes January 19, 2001 Agreement MOA #15 I think we need an agreement requiring RCM.

Type	Description	Date	Signatories	Scope	Status	Comments
MOA #20	TAPS Lightning Protection	November 25, 2002	APSC AOBLM SPCO	TAPS	Need to Evaluate	(I don't think this is completed just yet. I think a process was laid out but has not been completed. Formal review to make sure before closing.)
MOA #23	TAPS Leak Detection	May 25, 2005	APSC AOBLM SPCO	TAPS	Active	(Retain, Review, and update if needed)
MOA #24	Interpret the Definition of Oil, Grant Stipulation 1.1.1.16, Lease Stipulation 1.1 J.24	March 15, 2005	APSC AOBLM SPCO	TAPS	Active	agree
PA MOA #25	Regarding Consideration and Management of Historic Properties Affected by Operations and Maintenance Activities Along the Trans-Alaska Pipeline System	September 8, 2005	APSC Advisory Council on Historic Preservation Alaska State Historic Preservation Office ADNR SDBLM	TAPS	Active	agree
AG MOA #27	Facilitating the occupancy of a Joint Pipeline Office	???	State Director BLM ADNR	JPO Operations	Expired September 30, 2007 Temporary extension	(I believe the old one is expired as of Dec 31 2007 and the new one is awaiting State Signature)

Type	Description	Date	Signatories	Scope	Status	Comments
MOU #9	RESPECTIVE RESPONSIBILITIES IN CONNECTION WITH SPILLS OF OIL AND OTHER POLLUTANTS FROM THE TRANS-ALASKA PIPELISE SYSTEM UNDER THE FEDERAL WATER POLLUTION CONTROL ACT, AS AMENDED (33 USC 1321 et seq.) AND THE AGREEMENT AND GRANT OF RIGHT - OF - WAY FOR THE TRANS-ALASKA PIPELINE.	February 4, 1981	State Director BLM USCG Alaska District	TAPS	Active	(Agree this is active but may want to review and combine with MOU #10)
MOU #10	ROLES AND RESPONSIBILITIES REGARDING PREPAREDNESS AND RESPONSE TO AN INLAND ZONE OIL DISCHARGE FROM THE TRANS-ALASKAN PIPELINE SYSTEM (TAPS)	May 20, 1994	AOBLM EPA Region 10	TAPS	Active	(Agree, however, this needs to be updated and possibly combined with MOU #9 above. The National Response Plan has been greatly modified and updated recently. Many terms have been re-defined and/or changed. This at best needs reviewed for consistency.)
MOU #12	Respective Responsibilities in connection with Spills of Oil and other Pollutants from the Trans-Alaska Pipeline System.	December 5, 1978	ADEC AOBLM	TAPS	Need to Evaluate	(Agree - Needs to be update so that it is consistent with MOU #10)

Type	Description	Date	Signatories	Scope	Status	Comments
MOU #13	Implementation and administration of the Alaska Native Training Program Agreement executed by the Secretary of the Interior and the President, Alyeska Pipeline Service Company and effective April 19, 1974, to implement section 29 of the "Agreement and Grant of Right-of-Way for Trans-Alaska Pipeline.	May 10, 1974	AOBLM Director, OEO	TAPS	Active Need to Evaluate	(Needs to be closed. I believe this has been superseded by the current series of ANUAs (see MOA list # 29)
MOU #1	Conduct of Uplands Mineral Leasing, and Lands Disposal on Lands Outside the North Slope of Alaska	May 24, 1982	DOI USDA SOA			I don't think this is applicable to TAPS activities.
MOA #1	Construction	June 11, 1971	SOA APSC	Alaska	Closed	Agree
CA	Exhibit E, Lands-Lease and Permit, Surveillance, State Highway and State Airports, Miscellaneous	January 8, 1974	Alaska Governor Secretary of the Interior	TAPS	Need to Evaluate	I see parts of this as applicable to the current operational agreement we are putting together.

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June 8, 2008

ATTACHMENT 3
SPECIFIC PIPELINES JURISDICTIONAL TO JPO AGENCIES **

Jurisdictional Agency	Pipeline Name	Operator	Product
Alaska Department of Natural Resources	Glennallen To Palmer Pipeline	Alaska Natural Gas Development Authority	Natural Gas
Alaska Department of Natural Resources	Alaska Natural Gas Transportation System	TransCanada	Natural Gas
Alaska Department of Natural Resources	Alpine Diesel	ConocoPhillips Alaska (CPAI)	Arctic Heating Fuel
Alaska Department of Natural Resources	Alpine Oil	ConocoPhillips Alaska (CPAI)	Crude Oil
Alaska Department of Natural Resources	Alpine Utility	ConocoPhillips Alaska (CPAI)	Sea Water
Alaska Department of Natural Resources	Badami Oil	BP Exploration Alaska (BPXA)	Crude Oil
Alaska Department of Natural Resources	Badami Utility	BP Exploration Alaska (BPXA)	Natural Gas
Alaska Department of Natural Resources	Dayville Road A	Petro Star	Petroleum Products
Alaska Department of Natural Resources	Dayville Road B	Petro Star	Petroleum Products
Alaska Department of Natural Resources	Dayville Road C	Petro Star	Petroleum Products
Alaska Department of Natural Resources	Denali Pipeline	BP and ConocoPhillips	Natural Gas
Alaska Department of Natural Resources	Endicott	BP Exploration Alaska (BPXA)	Crude Oil
Alaska Department of Natural Resources	ENSTAR Pipeline	ENSTAR	Natural Gas
Alaska Department of Natural Resources	Kenai Kachemak Pipeline	Norstar (changing to Marathon Petroleum)	Natural Gas
Alaska Department of Natural Resources	Kuparuk	ConocoPhillips Alaska (CPAI)	Crude Oil
Alaska Department of Natural Resources	Kuparuk Extension	ConocoPhillips Alaska (CPAI)	Crude Oil
Alaska Department of Natural Resources	Milne Point Oil	BP Exploration Alaska (BPXA)	Crude Oil
Alaska Department of Natural Resources	Milne Point Product	BP Exploration Alaska (BPXA)	NGL
Alaska Department of Natural Resources	Tesoro Nikiski	Tesoro	Petroleum Products
Alaska Department of Natural Resources	Northstar Oil	BP Exploration Alaska (BPXA)	Crude Oil
Alaska Department of Natural Resources	Northstar Gas	BP Exploration Alaska (BPXA)	Natural Gas
Alaska Department of Natural Resources	Nuiqsut	Rockford Corporation	Natural Gas
Alaska Department of Natural Resources	Oliktok	ConocoPhillips Alaska (CPAI)	Natural Gas
Alaska Department of Natural Resources	Trans-Alaska Gas System	Yukon Pacific Corporation	Gas
Alaska Department of Natural Resources	Trans-Alaska Pipeline System	Alyeska Pipeline Service Company	Crude Oil
U.S. Department of the Interior BLM	Trans-Alaska Pipeline System	Alyeska Pipeline Service Company	Crude Oil

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U.S. Department of the Interior BLM	Alaska Natural Gas Transportation System	TransCanada	Natural Gas
U.S. Department of the Interior BLM	Trans-Alaska Gas System	Yukon Pacific Corporation	Gas
U.S. Department of Transportation PHMSA	BARROW UTIL & ELECTRIC COOP	BARROW UTILITIES & ELECTRIC CORP	Distribution Public Utility
U.S. Department of Transportation PHMSA	ANCHORAGE DIST. SYSTEM	ENSTAR NATURAL GAS CO	Distribution Public Utility
U.S. Department of Transportation PHMSA	KENAI LNG PLANT	CONOCOPHILLIPS ALASKA NATURAL GAS CORP.	LNG Facility (Peak)
U.S. Department of Transportation PHMSA	KENAI GAS FIELD TO NIKISKI	MARATHON OIL CO - ALASKA	Intrastate Gas Transmission
U.S. Department of Transportation PHMSA	COOK INLET PIPE LINE CO	COOK INLET PIPE LINE CO	Intrastate Liquid
U.S. Department of Transportation PHMSA	KUPARUK OIL PIPELINE	KUPARUK TRANSPORTATION CO	Interstate Liquid
U.S. Department of Transportation PHMSA	TESORO ALASKA PETROLEUM CO	TESORO ALASKA PIPELINE COMPANY	Intrastate Liquid
U.S. Department of Transportation PHMSA	KENAI TRANSMISSION PIPELINE	ALASKA PIPELINE CO	Intrastate Gas Transmission
U.S. Department of Transportation PHMSA	KENAI UTILITY SERVICE	ENSTAR NATURAL GAS CO	Distribution Public Utility
U.S. Department of Transportation PHMSA	DEADHORSE DISTRIBUTION	NORGASCO INC	Distribution Public Utility
U.S. Department of Transportation PHMSA	TERMINAL (VALDEZ)	ALYESKA PIPELINE SERVICE CO	Interstate Liquid
U.S. Department of Transportation PHMSA	ENDICOTT PIPELINE CO	BP PIPELINES (ALASKA), INC	Interstate Liquid
U.S. Department of Transportation PHMSA	ALYESKA FUEL GAS LINE	ALYESKA PIPELINE SERVICE CO	Intrastate Gas Transmission
U.S. Department of Transportation PHMSA	OLIKTOK NGL LINE	OLIKTOK PIPELINE COMPANY	Intrastate Liquid
U.S. Department of Transportation PHMSA	NIKISKI AREA GAS LINE	UNION OIL COMPANY OF CALIFORNIA (UOCC)	Intrastate Gas Transmission
U.S. Department of Transportation PHMSA	GRANITE POINT PLATFORMS (OIL)	UNION OIL COMPANY OF CALIFORNIA (UOCC)	Offshore Liquid
U.S. Department of Transportation PHMSA	GRANITE POINT TO BELUGA	MARATHON OIL CO - ALASKA	Intrastate Gas Transmission
U.S. Department of Transportation PHMSA	OFFSHORE/ONSHORE COOK INLET	CONOCOPHILLIPS ALASKA NATURAL GAS CORP.	Offshore Gas
U.S. Department of Transportation PHMSA	GRANITE POINT PLATFORMS (GAS)	UNION OIL COMPANY OF CALIFORNIA (UOCC)	Offshore Gas
U.S. Department of Transportation PHMSA	MAT SU VALLEY DISTRIBUTION SYSTEM	ENSTAR NATURAL GAS CO	Distribution Public Utility
U.S. Department of Transportation PHMSA	BELUGA TRANSMISSION LINE	ALASKA PIPELINE CO	Intrastate Gas Transmission
U.S. Department of Transportation PHMSA	SIGNATURE FLIGHT SUPPORT PIPELINE	AIRCRAFT SERVICES INTERNATIONAL GROUP (A	Intrastate Liquid
U.S. Department of Transportation PHMSA	MILNE POINT PIPELINE	BP PIPELINES (ALASKA), INC	Interstate Liquid
U.S. Department of Transportation PHMSA	WHITTIER/GIRDWOOD DISTRIBUTION PIPELINE	ENSTAR NATURAL GAS CO	Distribution Public Utility
U.S. Department of Transportation PHMSA	OFFSHORE COOK INLET	XTO ENERGY INC	Offshore Liquid
U.S. Department of Transportation PHMSA	CIGGS SYSTEM	MARATHON OIL CO - ALASKA	Intrastate Gas Transmission
U.S. Department of Transportation PHMSA	GREATER PRUDHOE BAY (NGL)	BP PIPELINES (ALASKA), INC	Intrastate Liquid

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U.S. Department of Transportation PHMSA	ALPINE CRUDE PIPELINE	ALPINE TRANSPORTATION CO.	Interstate Liquid
U.S. Department of Transportation PHMSA	NORTHSTAR LIQUID PIPELINE	BP PIPELINES (ALASKA), INC	Offshore Liquid
U.S. Department of Transportation PHMSA	TRADING BAY PLATFORMS (OIL)	UNION OIL COMPANY OF CALIFORNIA (UOCC)	Offshore Liquid
U.S. Department of Transportation PHMSA	TRADING BAY PLATFORMS (GAS)	UNION OIL COMPANY OF CALIFORNIA (UOCC)	Offshore Gas
U.S. Department of Transportation PHMSA	EAST FORELAND PLATFORMS (OIL)	UNION OIL COMPANY OF CALIFORNIA (UOCC)	Offshore Liquid
U.S. Department of Transportation PHMSA	EAST FORELAND PLATFORMS (GAS)	UNION OIL COMPANY OF CALIFORNIA (UOCC)	Offshore Gas
U.S. Department of Transportation PHMSA	GVEA PIPELINES	GOLDEN VALLEY ELECTRIC ASSOCIATION, INC	Intrastate Liquid
U.S. Department of Transportation PHMSA	FAIRBANKS DISTRIBUTION SYSTEM	FAIRBANKS NATURAL GAS	Distribution Public Utility
U.S. Department of Transportation PHMSA	FAIRBANKS LNG TANKS AND VAPORIZER	FAIRBANKS NATURAL GAS	LNG Facility (Store)
U.S. Department of Transportation PHMSA	POINT MCKENZIE LNG PRODUCTION FACILITY	FAIRBANKS NATURAL GAS	LNG Facility (Intra) (Peak)
U.S. Department of Transportation PHMSA	BADAMI PIPELINE	BP PIPELINES (ALASKA), INC	Interstate Liquid
U.S. Department of Transportation PHMSA	BARROW GAS FIELD TRANSMISSION LINE	BARROW UTILITIES & ELECTRIC CORP	Intrastate Gas Transmission
U.S. Department of Transportation PHMSA	NARL	UKPEAGVIK INUPIAT CORPORATION (UIC)	Master Meter
U.S. Department of Transportation PHMSA	NUIQSUT TRANSMISSION PIPELINE	NORTH SLOPE BOROUGH ENERGY MANAGEMENT	Intrastate Gas Transmission
U.S. Department of Transportation PHMSA	WEST SIDE COOK INLET	UNION OIL COMPANY OF CALIFORNIA (UOCC)	Intrastate Gas Transmission
U.S. Department of Transportation PHMSA	TRANS-ALASKA PIPELINE	ALYESKA PIPELINE SERVICE CO	Interstate Liquid
U.S. Department of Transportation PHMSA	BADAMI NATURAL GAS TRANSMISSION LINE	BP PIPELINES (ALASKA), INC	Intrastate Gas Transmission
U.S. Department of Transportation PHMSA	PT MCKENZIE GAS TRANSMISSION LINE	FAIRBANKS NATURAL GAS	Intrastate Gas Transmission
U.S. Department of Transportation PHMSA	SPARK/SPUR GAS	MARATHON OIL CO - ALASKA	Offshore Gas
U.S. Department of Transportation PHMSA	KENAI-KACHEMAK PIPELINE (KKPL)	NORSTAR PIPELINE COMPANY, INC.	Intrastate Gas Transmission
U.S. Department of Transportation PHMSA	FORT RICHARDSON	ENSTAR NATURAL GAS CO	Distribution Public Utility
U.S. Department of Transportation PHMSA	HILO TERMINAL	CHEVRON PRODUCTS COMPANY - HAWAII	Intrastate Liquid
U.S. Department of Transportation PHMSA	NORTHSTAR GAS PIPELINE	BP PIPELINES (ALASKA), INC	Offshore Gas
U.S. Department of Transportation PHMSA	NUIQSUT GAS DISTRIBUTION SYSTEM	NORTH SLOPE BOROUGH ENERGY MANAGEMENT	Distribution Public Utility
U.S. Department of Transportation PHMSA	HAPPY VALLEY EXTENSION	ALASKA PIPELINE CO	Intrastate Gas Transmission
U.S. Department of Transportation PHMSA	ALPINE DEISEL LINE	CONOCOPHILLIPS ALASKA, INC.	Intrastate Liquid
U.S. Department of Transportation PHMSA	DILLON PLATFORM	XTO ENERGY INC	Offshore Gas
U.S. Department of Transportation PHMSA	Oil Transit Lines-North Slope	BP PIPELINES (ALASKA), INC	Intrastate Liquid
U.S. Department of Transportation PHMSA	Upstream Pipelines-North Slope	BP PIPELINES (ALASKA), INC	Jurisdictional Liquid Gathering
U.S. Department of Transportation PHMSA	Barrow South Gas Handling Facility	NORTH SLOPE BOROUGH ENERGY MANAGEMENT	Intrastate Gas Transmission

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** Includes those specific pipelines and proposed pipelines jurisdictional to the JPO agencies. Note that many regulatory agencies have broader jurisdictional responsibilities, however, their reimbursement agreements may limit oversight to the pipelines and infrastructure listed above.

Attachment 4
MANGEMENT TEAM MEMBERS

All correspondence to be sent and notices to be given pursuant to this agreement shall be addressed to the following representatives:

Federal:

1.)	DOI/BLM**	Authorized Officer Jerry Brossia 411 West 4th Avenue. Suite # 201 Anchorage, Alaska 99501
2.)	DOI/MMS	Regional Supervisor, Field Operations Jeffery Walker 3801 Centerpoint Drive, Suite 500 Anchorage, Alaska 99503-5823
3.)	DOT/PHMSA**	Dennis Hinnah 411 West 4th Avenue. Suite #201 Anchorage, Alaska 99501
4.)	EPA	Carl Lautenberger 222 W. 7th Avenue. 5th floor Anchorage, Alaska 99501
5.)	USCG	CAPT Mark Hamilton Commander, USCG Sector Anchorage 510 L Street, Suite 100 Anchorage, AK 99501-1946
6.)	USACE	Michael Rabbe P.O. Box 898 Anchorage, Alaska 99506-6898

State:

7.)	ADNR**	State Pipeline Coordinator Michael Thompson 411 West 4th Avenue, Suite 2C Anchorage, Alaska 99501
8.)	ADEC**	Ronald Doyel P.O. Box 990 Valdez, Alaska 99686-0990
9.)	ADOLWD**	Ray Elleven

		411 West 4th Avenue, Suite # 201 Anchorage, Alaska 99501
10.)	ADF&G	Dennis Gnath 411 West 4th Avenue, Suite 2C Anchorage, Alaska 99501
11.)	ADOT&PF	John Reeves 2301 Peger Rd, MS-2500 Fairbanks, AK 99709-5316
12.)	ADPS**	John Cawthon 411 West 4th Avenue, Suite 2C Anchorage, Alaska 99501

** Administrative Team Members