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## Marine Mammal Protection Act (MMPA) Incidental Take Authorization – DOC - NOAA/NMFS

<b>Project Name:</b> Liberty Development and Production Plan	<b>Status:</b> In Progress
<b>Target Completion:</b> 02/01/2020	<b>Point of Contact:</b> Jaclyn Daly  , Fisheries Biologist
<b>Responsible Agency:</b> National Oceanic and Atmospheric Administration	
<b>Agency Status:</b> Cooperating under NEPA	
<b>Reason(s):</b>	

Description:

Marine Mammal Protection Act (MMPA) Consultation 101(1)(5)(A) reulmaking and Letter of Authorization (LOA)

The MMPA prohibits, with certain exceptions, the "take" of marine mammals in U.S. waters by U.S. citizens. However, the MMPA allows, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographic region. “Take” means to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal. NMFS may issue an incidental take authorization if, after public comment, they find the taking will have no more than a "negligible impact" on those marine mammal species or stocks, and not have an "unmitigable adverse impact" on the availability of the species or stock for "subsistence" uses. Incidental take authorizations prescribe the permissible methods of taking and other means of effecting the least practicable adverse impact on a species or stock and their habitat, paying particular attention to rookeries, mating grounds, and other areas of similar significance.

Milestones:	
<b>Complete Application Received</b> NOAA’s ability to meet this schedule is contingent upon receipt of information required to deem the application adequate and complete.	Completed: 04/26/2018
<b>Publish Notice of Receipt in the Federal Register (FR)</b> Publish Notice of Receipt of MMPA application for Letter of Authorization (LOA) in the Federal Register for public comment period. The rulemaking and authorization target dates are contingent upon NMFS receiving sufficient information to initiate those processes. Milestone status was paused from 3/30/2018 to 5/9/2018 because NOAA did not receive adequate and complete application information by the 03/30/2018 target completion date.	Completed: 05/09/2018
<b>Publish Proposed Incidental Take Authorization in the FR</b> NOAA's ability to meet this schedule is contingent upon the extent and nature of comments received on the NOR. Publication of the proposed rule generally takes approximately 5 months after the closing date of the NOR comment period. Schedule was adjusted in fall 2018 to better align with the revised permitting and construction timeline for the project.	Current Target Date: 06/01/2019
<b>Publish Final Incidental Take Authorization in the FR</b> This milestone tracks publication of the final notice of the ITA in the Federal Register, and is the precursor to the actual Authorization, which is provided in the LOA. NOAA's ability to meet this schedule is contingent upon receipt of required information from the applicant, the extent and nature of public comments received on the proposed ITA, and the ability of NOAA to make the required finding. Schedule was adjusted in fall 2018 to better align with the revised permitting and construction timeline for the project.	Current Target Date: 12/01/2019
<b>Issue Letter of Authorization</b> This milestone is the actual Authorization for incidental take of marine mammals. NOAA's ability to meet this schedule is contingent upon receipt of required information from the applicant, the extent and nature of public comments received on the proposed ITA, and the ability of NOAA to make the required finding. We estimate that the process to issue the LOA generally takes 12 - 18 months from receipt of the application, and may be longer for more complex, controversial, or novel projects. There is a 30-day wait period from publishing the Final ITA notice in the FR until the LOA can be issued. Schedule was adjusted in fall 2018 to better align with the revised permitting and construction timeline for the project.	Current Target Date: 02/01/2020



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# Liberty Development and Production Plan

PROJECT WEBSITE: <https://www.boem.gov/Liberty/>

All dates below are specific to the schedule of the Environmental Review and Permitting processes for this project.



PROJECT STATUS  
IN PROGRESS



ESTIMATED COMPLETION DATE  
SUBJECT TO CHANGE



ENVIRONMENTAL REVIEW  
AND PERMITTING PROCESSES  
COMPLETED



SECTOR  
Conventional Energy  
Production



CATEGORY  
FAST-41 Covered Projects



LEAD AGENCY  
Department of the Interior

## Description:

Hilcorp proposes to develop the Liberty Prospect in Foggy Island Bay, Beaufort Sea, Alaska by constructing an artificial drilling and production gravel island, approximately 6 miles offshore. The proposed Liberty Development described in the Development and Production Plan includes five stages: construction of the island; development of a new gravel mine; construction of a pipeline; construction of associated ice roads; and drilling and hydrocarbon production.

The island will have drilling and production processing facilities, with a single phase oil pipeline transmitting the produced sales-quality oil to shore. The island will include 16 well slots: 5-8 producers, 4-6 injectors, 2 disposal wells. Hilcorp estimates that peak production will be approximately 60,000 - 70,000 barrels per day. Estimated first production may occur in 2020-2021. The project life is estimated to be 15-20 years, with a total recovery estimate of about 167 million barrels.

## Associated Permitting:

Environmental Protection Agency - NPDES Permit: *Completed 10/26/2018*, available here: <https://www.epa.gov/npdes-permits/npdes-permit-hilcorp-alaska-liberty-drilling-and-production-island>

Bureau of Safety and Environmental Enforcement - Platform Approval Program and Platform Verification Program: Tentative Decision, October 2019

Bureau of Safety and Environmental Enforcement - Application for Permit to Drill: Tentative Decision, March 2020

Bureau of Safety and Environmental Enforcement - Production Safety Systems Permitting: Tentative Decision, October 2019

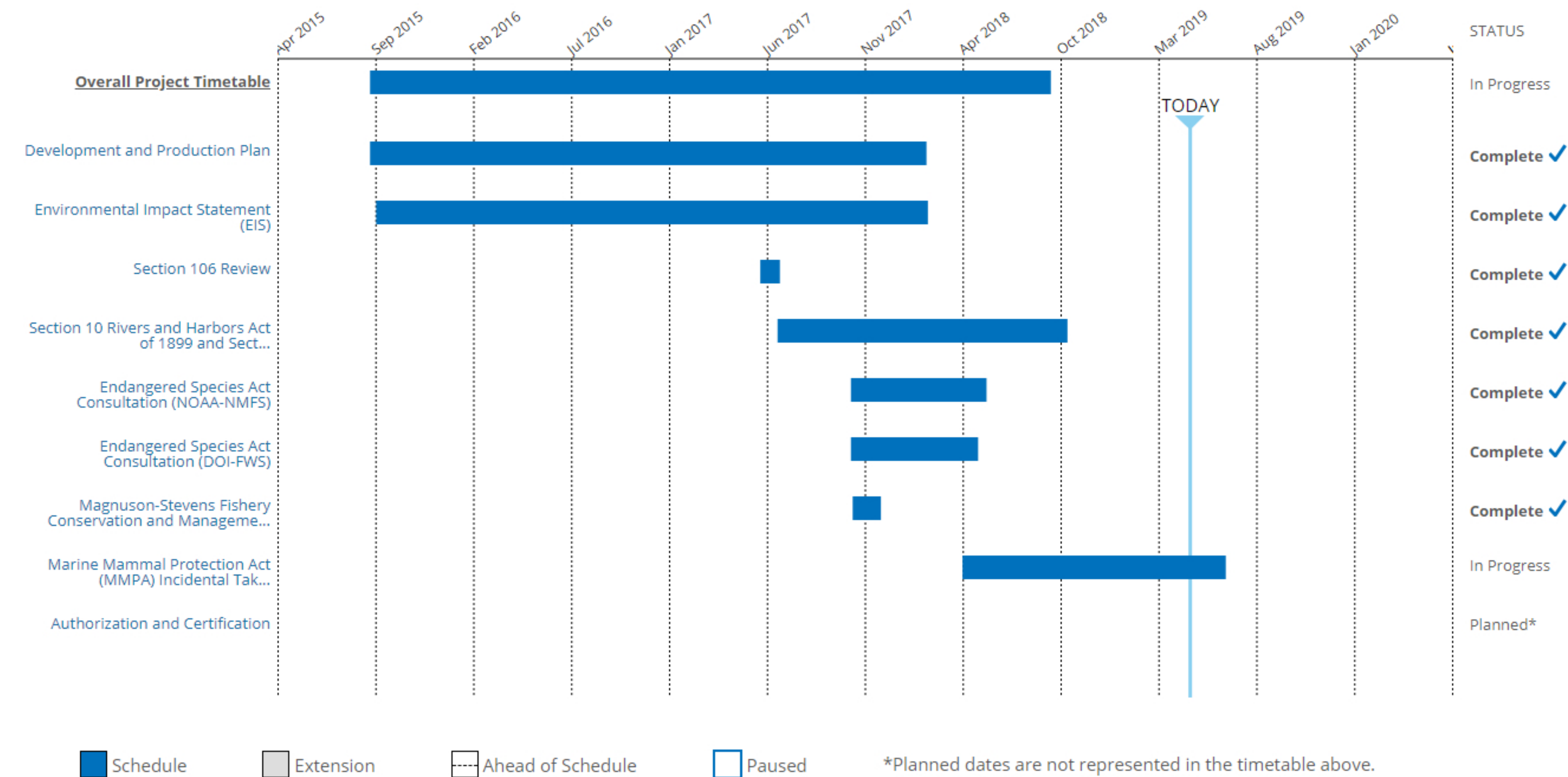
Bureau of Safety and Environmental Enforcement - Oil Spill Response Plan: Tentative Decision, June 2020

*Note: The project timeline represents the cooperating agencies' estimates at when agency actions could occur depending on the project proponent's future submissions.*

## Permitting Timetable

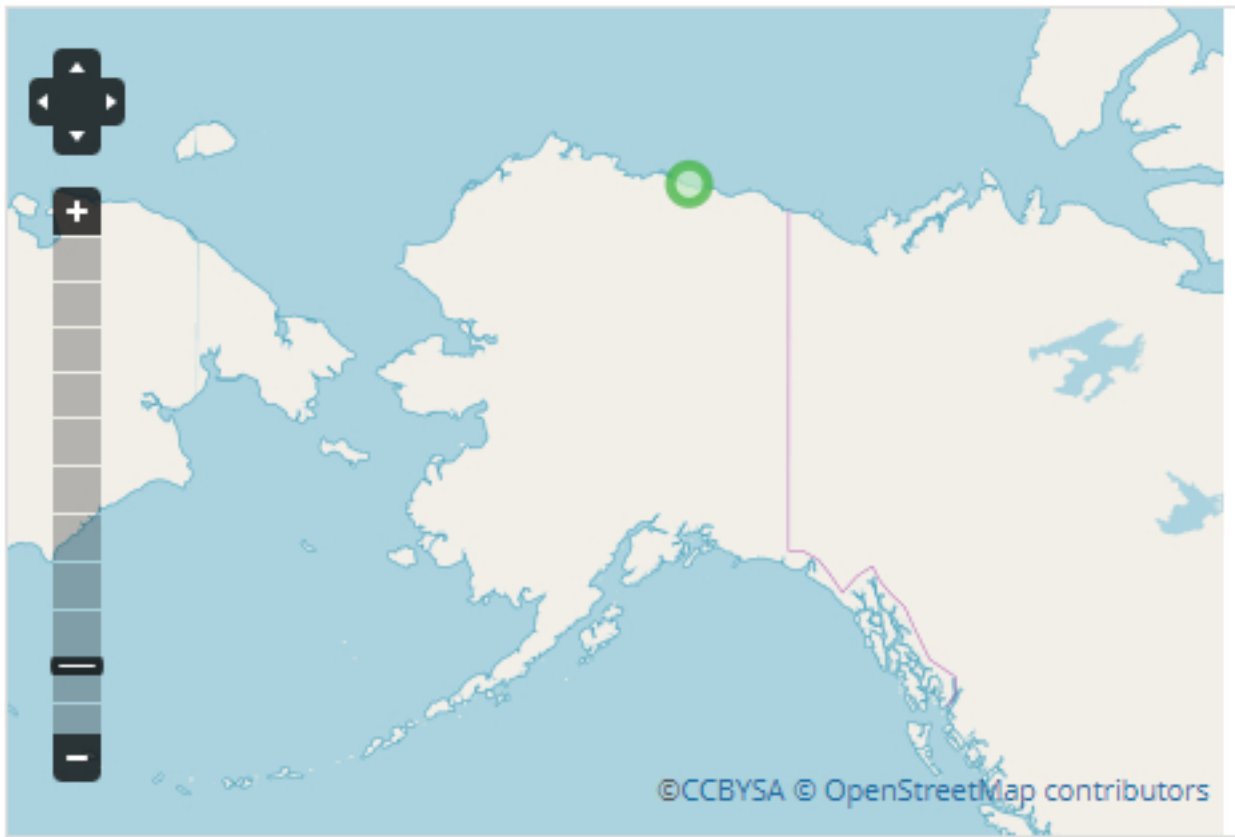
The permitting timetable below displays data as reported by agencies. Dates for Environmental Review and Permitting processes (Actions) that are in 'Paused' or 'Planned' status are subject to change and are not indicative of a project's final schedule.

- For information about extensions, select an Action from the timetable below and select 'View Action Details' at the bottom of the page.



## Action Information

For additional information, please select an Action from the Permitting Timetable above.



**Primary Location**

Latitude: 70.274586000000

Longitude: -147.586326000000

**Lead Agency Information:**

POC Name: Lauren Boldrick

POC Title: Project Manager

POC Email: [Lauren.Boldrick@boem.gov](mailto:Lauren.Boldrick@boem.gov)

Agency/Department: Department of the Interior

Bureau/Mode: Bureau of Ocean Energy Management

**Sponsor Contact Information:**

Project Sponsor: Hilcorp Alaska, LLC

POC Name: Kate Kaufman

POC Email: [kkaufman@hilcorp.com](mailto:kkaufman@hilcorp.com)



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## Liberty Development and Production Plan

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IN PROGRESS



ESTIMATED COMPLETION DATE  
SUBJECT TO CHANGE



ENVIRONMENTAL REVIEW  
AND PERMITTING PROCESSES  
COMPLETED



SECTOR  
Conventional Energy  
Production



CATEGORY  
FAST-41 Covered Projects



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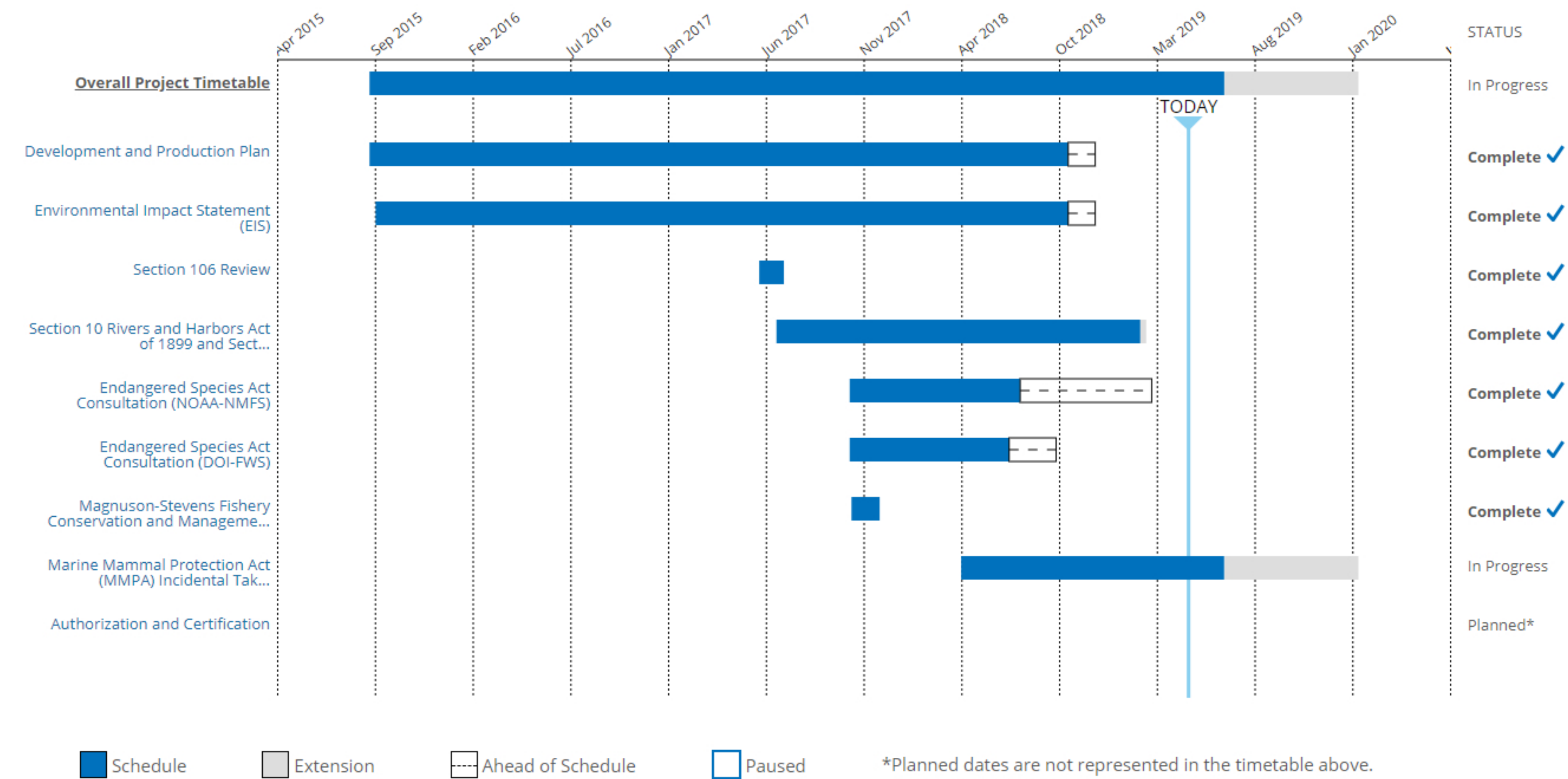
Bureau of Safety and Environmental Enforcement - Oil Spill Response Plan: Tentative Decision, June 2020

*Note: The project timeline represents the cooperating agencies' estimates at when agency actions could occur depending on the project proponent's future submissions.*

## Permitting Timetable

The permitting timetable below displays data as reported by agencies. Dates for Environmental Review and Permitting processes (Actions) that are in 'Paused' or 'Planned' status are subject to change and are not indicative of a project's final schedule.

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## Action Information

Action: **Marine Mammal Protection Act (MMPA) Incidental Take** Responsible Agency: **Department of Commerce**

Bureau: **National Oceanic and Atmospheric Administration**

Authorization - **DOC - NOAA/NMFS**

Action Status: **In Progress**

Milestone	Original Target Date	Current Target Date	Milestone Complete
Complete Application Received	04/26/2018	04/26/2018	✓
Publish Notice of Receipt in the Federal Register (FR)	03/30/2018	05/09/2018	✓
Publish Proposed Incidental Take Authorization in the FR	01/04/2019	06/01/2019	—
Publish Final Incidental Take Authorization in the FR	05/31/2019	12/01/2019	—
Issue Letter of Authorization	06/28/2019	02/01/2020	—

[View Action Details](#)





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## Environmental Impact Statement (EIS)

**Project Name:** Swan Lake North Pumped Storage

**Status:** In Progress

**Responsible Agency:** Federal Energy Regulatory Commission

**Reason(s):**

Description:

The Commission's final order on a license application serves as the Record of Decision.

### Milestones:

**Issuance of Notice of Intent to prepare an Environmental Impact Statement (EIS)**

<https://elibrary.ferc.gov/IDMWS/common/opennat.asp?fileID=14299723>

Completed: 07/08/2016

### Scoping

Completed: 09/30/2016

**Official Notice of Availability of a Draft EIS published in the Federal Register (FR) beginning both the public comment period and concurrent CAA Section 309 Review**

[https://elibrary.ferc.gov/IDMWS/search/intermediate.asp?link\\_file=yes&doclist=14698565](https://elibrary.ferc.gov/IDMWS/search/intermediate.asp?link_file=yes&doclist=14698565)

Completed: 08/22/2018

**Official Notice of Availability of a Final EIS published in the FR beginning both the public review period and concurrent CAA Section 309 Review**

<https://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=15147474>

Completed: 01/25/2019

**Issuance of Record of Decision or combined Final EIS / Record of Decision**

Current Target Date: 04/30/2019

Permitting Dashboard

[PermittingDashboardFeedback@dot.gov](mailto:PermittingDashboardFeedback@dot.gov)

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## Swan Lake North Pumped Storage

PROJECT WEBSITE: <http://www.ryedevelopment.com>

All dates below are specific to the schedule of the Environmental Review and Permitting processes for this project.



PROJECT STATUS  
IN PROGRESS



ESTIMATED COMPLETION DATE  
SUBJECT TO CHANGE



ENVIRONMENTAL REVIEW  
AND PERMITTING PROCESSES  
COMPLETED



SECTOR  
Renewable Energy Production



CATEGORY  
FAST-41 Covered Projects



LEAD AGENCY  
Federal Energy Regulatory  
Commission

### Description:

Swan Lake North Pumped Storage (Project No. 13318) is a proposal to construct an original, closed-loop pumped storage project that would provide 393 MW of generation capacity in Oregon. The proposed project would consist of, among other facilities, an upper and lower reservoir with active storage capacities of 2,562 and 2,581 acre-feet, respectively, a high-pressure penstock, three low-pressure penstocks, a powerhouse, a substation, and a 32.8-mile-long, 230-kilovolt transmission line.

### Project Application and Supporting Documents

- Swan Lake North Hydroelectric Project, Initial Statement of Project Application, FERC Docket No. P-13318 (filed 10/28/2015). Document located at: <http://elibrary.ferc.gov/IDMWS/common/opennat.asp?fileID=14029230>.
- Swan Lake North Hydroelectric Project, Exhibit A of Project Application, FERC Docket No. P-13318 (filed 10/28/2015). Document located at: <http://elibrary.ferc.gov/IDMWS/common/opennat.asp?fileID=14029232>.
- Swan Lake North Hydroelectric Project, Exhibit B of Project Application, FERC Docket No. P-13318 (filed 10/28/2015). Document located at: <http://elibrary.ferc.gov/IDMWS/common/opennat.asp?fileID=14029298>.
- Swan Lake North Hydroelectric Project, Exhibit C of Project Application, FERC Docket No. P-13318 (filed 10/28/2015). Document located at: <http://elibrary.ferc.gov/IDMWS/common/opennat.asp?fileID=14029292>.
- Swan Lake North Hydroelectric Project, Exhibit D of Project Application, FERC Docket No. P-13318 (filed 10/28/2015). Document located at: <http://elibrary.ferc.gov/IDMWS/common/opennat.asp?fileID=14029259>.
- Swan Lake North Hydroelectric Project, Exhibit E of Project Application, FERC Docket No. P-13318 (filed 10/28/2015). Document located at: <http://elibrary.ferc.gov/IDMWS/common/opennat.asp?fileID=14029276>.
- Swan Lake North Hydroelectric Project, Exhibit F of Project Application, FERC Docket No. P-13318 (filed 10/28/2015). Document located at: <http://elibrary.ferc.gov/IDMWS/common/opennat.asp?fileID=14029280>.
- Swan Lake North Hydroelectric Project, Exhibit G of Project Application, FERC Docket No. P-13318 (filed 10/28/2015). Document located at: <http://elibrary.ferc.gov/IDMWS/common/opennat.asp?fileID=14029263>.
- Additional Project-related filings and issuances can be found on FERC's eLibrary website by searching under Docket No. P-13318.

### Federal Agency Actions

- Federal Energy Regulatory Commission, Notice of Application Ready for Environmental Analysis and Soliciting Comments, Recommendations, Terms and Conditions, and Prescriptions (issued 12/20/2017). Document located at: <https://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14780889>.
- Federal Energy Regulatory Commission, Draft Environmental Impact Statement (issued 08/22/2018). Document located at: <https://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=15001828>.
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### FERC Litigation

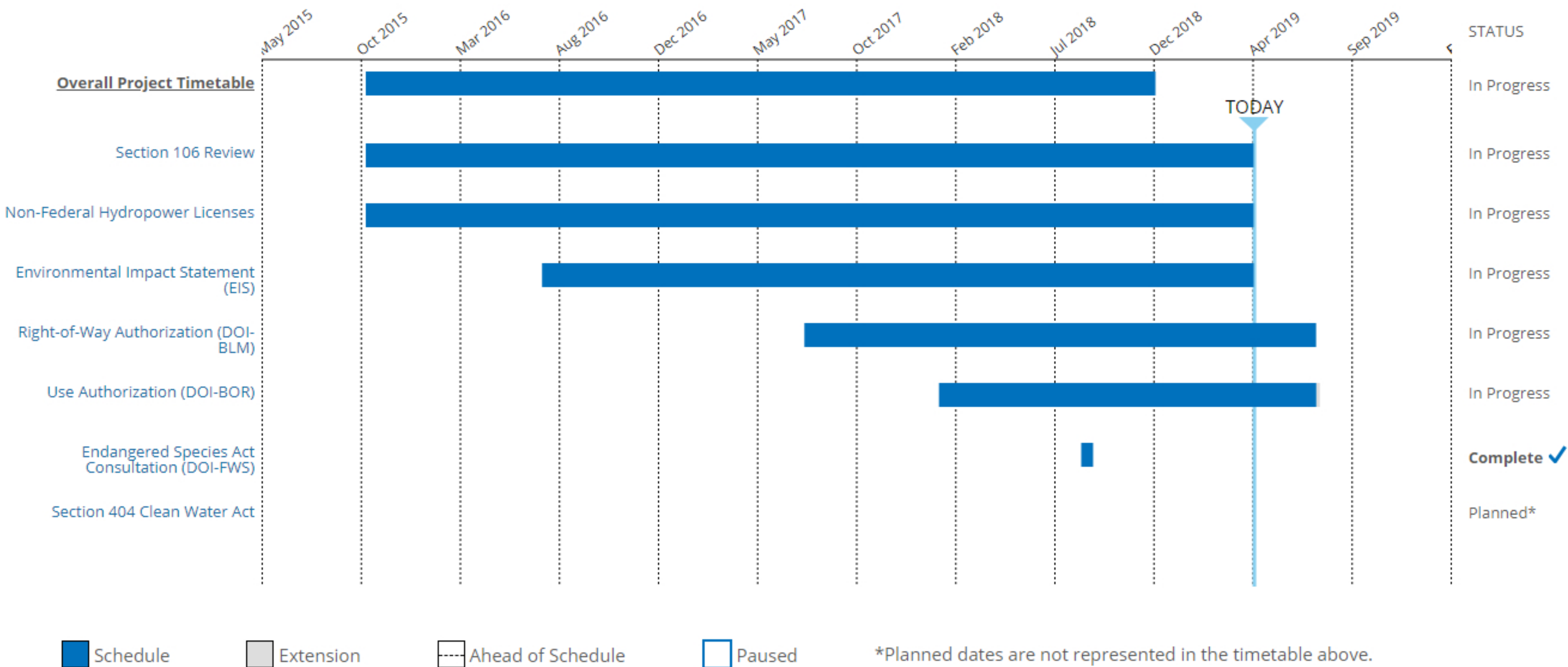
- None filed.

Last updated March 29, 2019

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## Action Information

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### Primary Location

**City:** Klamath Falls  
**State:** Oregon  
**Zip Code:** -

### Lead Agency Information:

**POC Name:** David Turner  
**POC Title:** Branch Chief  
**POC Email:** [David.Turner@ferc.gov](mailto:David.Turner@ferc.gov)  
**Agency/Department:** Federal Energy Regulatory Commission  
**Sponsor Contact Information:**

**Project Sponsor:** Swan Lake North Hydro, LLC  
**POC Name:** Erik Steimle  
**POC Email:** [erik@ryedevelopment.com](mailto:erik@ryedevelopment.com)

### Electricity Transmission:

**216(h) Qualification:** No  
**Voltage:** 230kV  
**Approximate Length:** 32 miles



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## Swan Lake North Pumped Storage

PROJECT WEBSITE: <http://www.ryedevopment.com><sup>Ⓔ</sup>

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PROJECT STATUS  
IN PROGRESS



ESTIMATED COMPLETION DATE  
SUBJECT TO CHANGE



ENVIRONMENTAL REVIEW  
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COMPLETED



SECTOR  
Renewable Energy Production



CATEGORY  
FAST-41 Covered Projects



LEAD AGENCY  
Federal Energy Regulatory  
Commission

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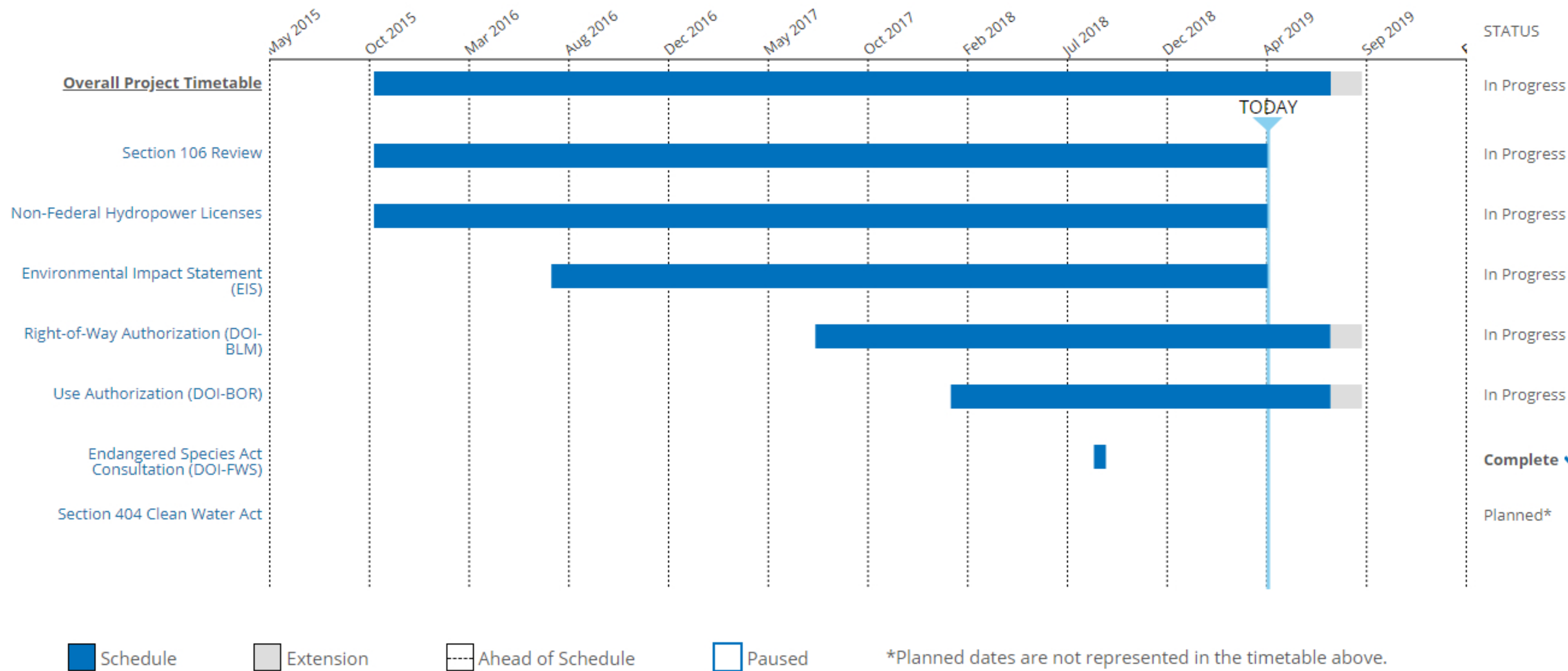
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## Action Information

Action: <b>Environmental Impact Statement (EIS)</b>	Responsible Agency: <b>Federal Energy Regulatory Commission</b>		Action Status: <b>In Progress</b>
Milestone	Original Target Date	Current Target Date	Milestone Complete
Issuance of Notice of Intent to prepare an Environmental Impact Statement (EIS)	07/08/2016	07/08/2016	✓
Scoping	09/30/2016	09/30/2016	✓
Official Notice of Availability of a Draft EIS published in the Federal Register (FR) beginning both the public comment period and concurrent CAA Section 309 Review	08/31/2018	08/22/2018	✓
Official Notice of Availability of a Final EIS published in the FR beginning both the public review period and concurrent CAA Section 309 Review	12/31/2018	01/25/2019	✓
Issuance of Record of Decision or combined Final EIS / Record of Decision	04/30/2019	04/30/2019	—

### View Action Details