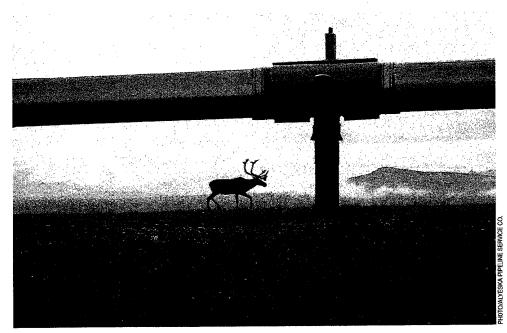


Twenty Years Across Alaska

The Development of the Trans-Alaska Pipeline System



Alaskan caribou at TAPS animal crossing, elevated section of TAPS.





fter the startup of Prudhoe Bay production facilities and commissioning of the Trans-Alaska Pipeline System (TAPS) on June 20, 1977, Alaska replaced Louisiana as the second largest, crude-oilproducing state behind Texas. În 1997, Louisiana will again surpass Alaska, but with new discoveries coming on line, Alaska will surely pass both states to take the top-producing spot in 2005 (Petroleum News Alaska, Vol. 1, No. 8, August 1996 Kay Cashman). "No decline after ninetynine!" is rallying the energy

sector across the state, and nation, just as "We didn't know it couldn't be done!" rang through the construction camps when the last pipeline weld was made. This article is a summary of the TAPS right-of-way history in celebration of its 20th year of transporting North Slope Crude to market.

On June 6, 1969, the federal right-of-way application for TAPS was filed along with an environmental Impact statement as wide as the 48-inch pipe itself. The route crossed Alaska from its North Slope to Port

Valdez on Prince William Sound despite Secretary Udal's Alaska land freeze. The freeze was imposed six months earlier after the discovery of oil on state land at Prudhoe Bay and blocked oil pipeline construction until certain land claims were settled. The Alaska Native claims Settlement Act (ANCSA) passed in December 1971, establishing a settlement process for settling Act (ANCSA) passed in December 1971, establishing a settlement process for settling specific Native Claims on the oilrich North Slope and most other lands in the 12 yearold state. ANCSA also required the setting aside of large federal tracts for conservation purposes, consummated ten years later in the Alaska National Interest Lands and Conservation Act.

On November 16, 1973, Vice President Spiro T. Agnew cast a tie-breaking vote in the U.S. Senate sending the Trans-Alaska Pipeline Authorization Act (TAPAA) to President Nixon's desk for signature. TAPAA was an amendment to the 1920 Mineral Leasing Act, but groundwork for it was set up by ANCSA Section 17 (c) which specified that "In the event that the Secretary of the Department of Interior withdraws a utility and transportation corridor across the public (federal) lands in Alaska ..., the state, the (Native) village Corporations and the (Native) Regional Corporations shall not be permitted to select lands from the area withdrawn." Ten days after ANCSA was passed, Interior Secretary Walter Hickel ordered the withdrawal of five million federal acres in Alaska for transportation and utility purposes. The route followed specifications of the original TAPS right-of-way application, and was squeezed, but not broken, shortly thereafter by the secretary's conservation system withdrawal for the Arctic National Wildlife Refuge and Gates of the Arctic National Park and Preserve. The stage was set for pipeline construction when TAPAA declared that environmental legal challenges would not further

delay the right of way applications. On January 23, 1974, the Federal Agreement and Grant of Right of Way were executed, 68 days after the passage of TAPAA.

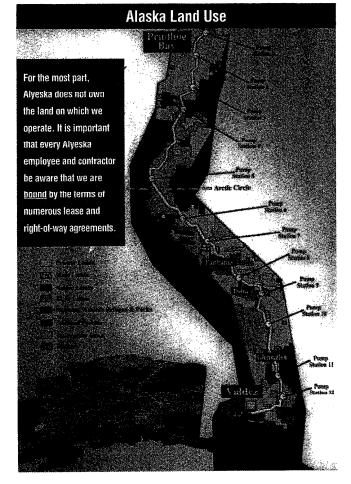
Special state legislation authorizing the Commissioner of Natural Resources to issue common carrier pipeline leases and assign the power of eminent domain had to be enacted. and on May 4, 1974, the state's TAPS right-of-way lease was executed. The TAPS owners also acquired 1.306 acres of state land at the sites for Valdez Marine Terminal, Pump Stations One and Eight and five, mountain top communications towers for the price of \$9 million. In all, 1,350 permits and 870 notice to proceed authorizations under the federal grant and state lease were obtained to construct TAPS. Of the approximately 150 TAPS rights of way across private property, six were acquired by condemnation. Since construction, the original federal utility withdrawal has been amended five times to allow the state of Alaska and three regional Native corporations to take title to lands near and under the TAPS right of way.

The predecessors of the present-day owners of TAPS, Amerada Hess Pipeline Corp., ARCO Transportation Alaska, Inc., BP Pipelines (Alaska) Inc., Exxon Pipeline Co., Mobil Alaska Pipe Line Co., Phillips Alaska Pipeline Co., and Unocal Pipeline Co., formed Alyeska Pipeline Service Company (Alyeska) in 1970 to construct and operate the

pipeline. All TAPS rights of way are held by the owner companies. Alyeska has been delegated the power to acquire the permits necessary for TAPS. To date, more than 11 billion barrels of crude have been safely transported through the pipeline. The 800-mile-long, 48-inch pipeline represents an \$8 billion investment, the largest privately-funded project ever undertaken. It is truly an engineering marvel.

To avoid unstable soils, 420 miles of the pipeline are constructed above ground, including the magnificent Ed Patton Bridge spanning the Yukon River and the Tanana River suspension bridge. The depth of the

buried line ranges from four to 35 feet. The pipeline crosses 800 streams and provides numerous animal crossings. Alyeska also managed construction of the 400-mile-long North slope Haul Road, later named the James Dalton Highway and turned over to the state by the TAPS owners. TAPS includes nine, manned pump stations that push the crude oil from sea level at Prudhoe Bay over three mountain ranges to Port Valdez. A recent, exciting development for Alyeska is the installation of a fiber optic cable system by Kanas Telecommunications, Inc. in support of TAPS and the wider communications market. Kanas



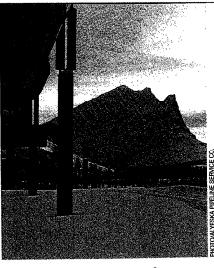
Agreement and Grant of Right-of-Way Between USA and Taps Owners

Table of Contents

- 1: Grant Right-of-Way
- 2. Purpose of Grant: Limitation of Use to Permittees
- 3. Transportation of Oil
- Exhibits: Incorporation of Certain Documents by Reference
- 5. Location of Right-of-Way
- 7. Duration of Right-of-Way Grant
- 8. Use Charge of Right-of-Way
- Construction Plans and Quality
 Assurance
- 10. Compliance with Notices to Proceed
- 11 Reservation of Certain Rights of the United States
- 12. Reimbursement of Department Expenses
- Damage to United States Property Repair, Replacement or Claim for Damages
- 14 Indemnification of the United States
- 15. Guaranty
- 16. Laws and Regulations
- 17. No Right of Set Off
- 18. Right of United States to Perform
- 19 Liens
- 20. Insolvency
- 21. Breach: Extent of Liability of Permittees
- 22. Transfer
- 23. Port Valdez Terminal Facility
- 24. Duty of Permittees to Abate
- 25. Temporary Suspension Orders of Authorized Otticer
- 26. Appeal Procedure
- 27. Requests to Resume: Appeals
- 28. Nondiscrimination and Equal Employment Opportunity
- 29. Training of Alaska Natives
- 30 Native and Other Subsistence
- 31. Termination or Suspension of Right-of-Way
- 32. Release of Right-of-Way
- 33. Agreements Among Permittees
- 34 Access to Documents
- 35. Rights of Third Parties
- 36. Covenants Independent
- 37. Partial Invalidity
- 38. Waiver Not Continuing
- Remedies Cumulative: Equitable Relief
- 40. Section Headings
- 41. Authority to Enter Agreement

Stipulations

- 1.1 Definitions
- 1.2 Responsibilities
- 1.3 Pipeline Coordinator
- 1.4 Common Agent of Lessees
- 1.5 Authority of Representatives of Pipeline Coordinator and Common Agent
- 1.6 Orders and Notices
- 1.7 Notices to Proceed
- L8 Changes in Conditions
- 1.9 Antiquities and Historical Sites
- 1.10 Completion of Use
- L11 Public Improvements
- 1.12 Regulation of Public Access
- 1.13 Electronically Operated Devices
- 1.14 Camping, Hunting, Fishing, and
- Trapping 1.15 Small Craft Passage
- 1.16 Protection of Survey Monuments
- 1.17 Fire Prevention and Suppression
- 1.18 Surveillance and Maintenance
- 1.19 Housing and Quarters
- 1.20 Health and Safety
- 1.21 Conduct of Operations
- 1.22 Applicability of Supulations
- 2. Environmental
- 2.1 Environmental Briefing
- 2.2 Pollunon Control
- 2.3 Bullet Strips
- 2.4 Erosion Control
- 2.5. Fish and Wildlife Protections
- 2.6 Material Sites
- 2.7 Cleaning
- 2.8 Disturbance of Natural Waters
- 2.9 Off Right-of-Way
- 2.10 Aesthetics
- 2.11 Use of Explosives
- 2.12 Restoration
- 2.13 Reporting of Oil Discharges
- 2.14 Contingency Plans
- 3- Technical
- 3.1 General
- 3.2 Pipeline System Standards
 - 3 Construction Mode Requirements
- 3.4 Earthquakes and Fault Displacements
- 3.5 Slope Stability
- Stream and Flood Plain Crossings and Erosion
- 3,7 Sea Waves
- 3.8 Glacier Surges
- 3.9 Construction and Operation
- 3.10 Pipeline Corrosion
- 3.11 Containment of Oil Spills



is acquiring its own rights of way near TAPS across many of the same properties as Alyeska did more than twenty years ago.

A copy of the federal grant's table of contents demonstrates how carefully public resources are protected under TAPAA; provisions of the state lease contents are nearly identical. In 1990, the U.S. Bureau of Land Management's Authorized Officer joined offices with Alaska Department of Natural Resources' State Pipeline Coordinator to facilitate inspections, approvals and enforcement actions on certain public lands. This "Joint Pipeline Office" includes expertise from 11 public agencies and has been recognized for its contributions to improving and streamlining government activities.

From a right-of-way perspective, TAPS has similarities to other western pipelines, but there are obvious differences. To meet the challenge of "responsibly managing our future," Alyeska has adopted the strategy of "Achieving operational excellence to provide future opportunities" with five elements: Safety, People, System Integrity, Reputation and Efficiency.

Both authors are employees of Alyeska Pipeline Service Company. Dennis Prendeville, is Lands & Permits Lead, and Peter Nagel is Landowner Relations specialist APSC Lands & Right of Way.

Alyeska Pipeline Service Company extends to all those individuals in the right-of-way profession, IRWA members and their families, an invitation to come to Alaska and join us during the 1997 IRWA Annual Seminar, for our TAPS' twentieth anniversary year celebration!