



21296

THE SECRETARY OF THE INTERIOR
WASHINGTON

DEC - 9 2011

JK
KK
COS
RR
CS
JJ

OFFICE OF THE GOVERNOR
MAILROOM

DEC 16 2011

The Honorable Sean Parnell
Governor of Alaska
Juneau, Alaska 99811

Dear Governor Parnell:

Thank you for your letter of October 31, 2011, commenting on the U.S. Army Corps of Engineers (Corps) agency-review Draft Environmental Impact Statement (DEIS) for ExxonMobil's Point Thomson development project. As you noted, the U.S. Fish and Wildlife Service (Service) is a cooperating agency. The Corps is the lead agency and has final discretion for the content of the DEIS.

As is required by the National Environmental Policy Act (NEPA) and its implementing rule in 40 CFR Part 1500, the DEIS discloses potential effects to the adjacent Arctic National Wildlife Refuge. We defer to the Corps on the amount of emphasis placed on any subject in the DEIS. It is incumbent on Federal agencies to analyze and disclose all effects likely to occur as a result of a proposed action and the alternatives considered. To do less would not meet the requirements of the regulations and could subject the Corps to NEPA-related litigation.

As you point out in your letter, staff of the National Wildlife Refuge System have land management responsibilities that stop at the boundary of the refuge. Also, as you point out in your letter, the agency-review DEIS did state that the Alaska National Interest Lands Conservation Act (ANILCA) called on the Service to manage the coastal plain as wilderness. The Service provided comments to the Corps that requested the errors be corrected. The Corps has acknowledged that these changes have been made in the public-review DEIS.

By copy of this letter to the Corps, I am reiterating our position that Title X of ANILCA does not designate the coastal plain of the Arctic National Wildlife Refuge as a wilderness study area. That said, the coastal plain does currently contain wilderness characteristics and it is appropriate that the DEIS disclose effects, if any, on those values. Disclosure of effects does not equal an extension of authority. In many instances, development activities occur immediately adjacent to undeveloped areas including designated wilderness areas.

I appreciate you contacting me and hope we can continue to work together to promote responsible energy development on state and federal lands and protect special areas such as the Arctic National Wildlife Refuge.

Sincerely,

Ken Salazar