



United States Department of the Interior

FISH AND WILDLIFE SERVICE

1875 Century Boulevard
Atlanta, Georgia 30345

OCT 01 2010

In Reply Refer To:
FWS/R4/RD

Mr. Mark Holsten
Commissioner
Minnesota Department of Natural Resources
500 Lafayette Road
Saint Paul, MN 55155

Dear Mr. Holsten:

Thank you for your letter to President Obama concerning potential injury to migratory birds and waterfowl in Minnesota as a result of the Deepwater Horizon oil spill in the Gulf of Mexico. As your letter reflects, DOI, through the U.S. Fish and Wildlife Service (Service), has had a long and productive partnership with the State of Minnesota to protect and preserve migratory birds, waterfowl, and habitats in Minnesota. This is accomplished through a number of different programs and initiatives – including the North American Wetlands Conservation Act, the North American Waterfowl Management Plan, the new Great Lakes Restoration Initiative, and the Natural Resource Damage Assessment and Restoration provisions of federal statutes such as the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Oil Pollution Act (OPA), and the Clean Water Act (CWA).

As you know from our experience working together as co-trustees on a number of natural resource damage cases originating within the State of Minnesota, the collective natural resource Trustee goal is always complete restoration and protection of natural resources that are injured or harmed by a release or spill. This goal of complete and comprehensive restoration is an explicit cornerstone of our efforts on the Deepwater Horizon incident. It is our expectation that the ongoing collaborative efforts with NOAA and the Gulf States (Alabama, Florida, Louisiana, Mississippi, and Texas) to fully document and analyze all impacts to migratory birds and waterfowl in the area of the spill, and to see to it that those impacts are comprehensively addressed through effective restoration will ensure that the ecological health and vitality of the affected Mississippi flyway population – from the Gulf of Mexico up through Canada – is restored, protected, and revitalized.

Migratory bird species potentially affected by the oil spill in the Gulf, and the role of the Service in monitoring and evaluating associated bird populations, including consideration of near-term mitigation and potential long-term restoration actions, are briefly described on the Service's website which can be accessed at <http://www.fws.gov/midwest/MidwestBird/oilspill.htm>. As your letter suggests, any evidence of population fluctuations for certain species of birds or waterfowl that migrate from the Gulf may be informative in these ongoing efforts. It is critical that scientifically valid data and other information is carefully evaluated to discern potential

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COMMISSIONER

Mr. Mark Holsten

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effects of the Gulf oil spill from other confounding factors influencing population fluctuations. The FWS, acting through its Regional Office in Minneapolis, would like to set up regular coordination with Minnesota and other Midwest States on the role which states, including Minnesota, can play with the Service in partnership with the Gulf States, in restoring the ecological integrity of the Gulf of Mexico and the species which utilize its waters and shoreline. I have asked Tom Melius, the Regional Director of the FWS in Minneapolis, and Charlie Wooley, his Deputy, to contact you shortly to begin this important effort.

Thank you again for your help and for the historic partnership we have enjoyed for the conservation, protection, and restoration of our nation's natural resource heritage. If we can be of further assistance in this matter, please feel free to contact me at 404-679-4000 or Tom Melius at 612-713-5301.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Cynthia K. Dohner', written in a cursive style.

Cynthia K. Dohner
Regional Director

cc:
FWS R3-RD/DRD