

**MEMORANDUM OF UNDERSTANDING
RELATED TO AN
ALASKA NATURAL GAS TRANSPORTATION PROJECT**

June 2006

Department of Agriculture
Department of Commerce
Department of Defense
Department of Energy
Department of Homeland Security
Department of the Interior
Department of Labor
Department of State
Department of Transportation
Department of the Treasury
Advisory Council on Historic Preservation
Council on Environmental Quality
Environmental Protection Agency
Federal Coordinator for Alaska Natural Gas
Transportation Projects
Federal Energy Regulatory Commission

I. BACKGROUND

Executive Order 13212 (“Actions to Expedite Energy-Related Projects”), signed by President Bush on May 18, 2001 (66 FR 28357) (Attachment A), sets forth Administration policy that executive departments and other agencies must take appropriate actions, to the extent consistent with applicable law, to expedite projects that will increase the production, transmission, or conservation of energy. Executive Order 13212 directs Federal agencies to expedite their review of permits for energy-related projects and to take other action necessary to accelerate the completion of such projects, while protecting public health, safety, and the environment.

The Alaska Natural Gas Pipeline Act, enacted on October 13, 2004, as part of the Military Construction Appropriations Act, 2005 (Public Law 108-324 or the Act) (Attachment B), is designed to expedite Federal review of a natural gas transportation project that would carry Alaska natural gas to the border between Alaska and Canada. Public Law 108-324 also provides financial incentives for the construction of this pipeline in the form of Federal loan guarantees. Public Law 108-324 authorizes the Federal Energy Regulatory Commission (FERC) to consider an application for a certificate of public convenience and necessity authorizing the construction and operation of an Alaska natural gas transportation project other than the Alaska Natural Gas Transportation System (ANGTS) designated by President Carter in 1977 pursuant to the Alaska Natural Gas Transportation Act of 1976 (ANGTA). More specifically, Public Law 108-324:

- Requires an expedited process for compliance with the National Environmental Policy Act of 1969 (NEPA) that identifies FERC as the lead agency for purposes of complying with NEPA;
- With respect to an application for a project not authorized under ANGTA, requires FERC to issue a draft environmental impact statement (EIS) consolidating the project-related environmental reviews of all Federal agencies considering any aspect of the Alaska natural gas transportation project covered by the EIS not later than one year after a certificate application is complete, to issue a final EIS not more than 180 days later, and to issue a final determination to grant or deny the application within 60 days after issuance of the final EIS;
- Establishes a Federal Coordinator for Alaska Natural Gas Transportation Projects and vests the Federal Coordinator authority in the Secretary of Energy until the later of the appointment of the Federal Coordinator by the President or April 13, 2006 (18 months after enactment);
- Authorizes the Department of Labor (DOL) to establish a grant program to train Alaska workers in the skills required to construct and operate a natural gas pipeline; and
- Authorizes the Secretary of Energy to enter into Federal loan guarantee agreements (1) with one or more entities holding a FERC certificate of public convenience and necessity issued under Public Law 108-324 or ANGTA for an Alaska natural gas transportation project, and (2) with owners of the Canadian portion of the project certificated by FERC, for up to \$18 billion total, but no more than 80% of the total capital costs, including interest costs during construction, of a qualified infrastructure project. The Secretary's loan guarantee authority expires two (2) years after the final certificate of public convenience and necessity is issued for the project. The Consolidated Appropriations Act, 2005 (Public Law 108-447) amended Public Law 108-324 to add authority for the Secretary to enter into loan guarantee agreements with an entity the Secretary determines is qualified to construct and operate a liquefied natural gas (LNG) project from "Southcentral Alaska to West Coast States." Loan guarantees may be issued for only one project.

Numerous Federal and state agencies have permitting and other responsibilities for an Alaska natural gas transportation project. Coordination among these agencies on issues such as project review and implementation schedules, data and other information requirements, and necessary mitigation measures is critical to enable agencies to discharge their responsibilities expeditiously. A coordinated project management approach will facilitate and expedite completion of an Alaska natural gas transportation project. Because Federal loan guarantees are authorized, the Federal government may bear a significant portion of the financial risk associated with this project. Therefore, it is of critical importance that the project be completed on time and within budget.

II. PURPOSE

Consistent with Executive Order 13212 and Public Law 108-324, the purpose of this Memorandum of Understanding (MOU) is to establish a project management framework, with guidance from the Federal Coordinator, for cooperation among Participating Agencies with responsibilities related to the approval of an Alaska natural gas transportation project. In particular, under this MOU, the Participating Agencies agree to use best efforts to achieve early coordination and compliance with deadlines and procedures established by relevant agencies.

III. PARTICIPATING AGENCIES

The Federal agencies with regulatory and other responsibilities relevant to an Alaska natural gas transportation project include:

Department of Agriculture, Forest Service, is responsible for managing National Forest System (NFS) lands. Most natural gas pipelines crossing NFS lands are permitted by a BLM right-of-way grant issued under section 28 of the Mineral Leasing Act of 1920, as amended.

Department of Commerce, National Oceanic and Atmospheric Administration, through offices such as the National Marine Fisheries Service and the National Ocean Service, is responsible for a variety of activities related to marine and coastal ecosystems. These activities include managing protected species; managing commercial and recreational fisheries; protecting marine and coastal habitats; working with states to develop and implement coastal zone management plans; and protecting and managing designated Marine Sanctuaries. If the pipeline passes through the State of Alaska's coastal zone, or affects any land or water use or natural resource of Alaska's coastal zone, Federal permits required for the pipeline may be subject to the Federal consistency requirements of the Coastal Zone Management Act.

Department of Defense, the Army Corps of Engineers (COE), is responsible for administering laws for the protection and preservation of waters of the United States, pursuant to the requirements of section 10 of the Rivers and Harbors Act (RHA) of 1899, section 404 of the Clean Water Act (CWA) of 1972, and section 103 of the Marine Protection, Research, and Sanctuaries Act (MPRSA) of 1972. Under the RHA, the COE may authorize work and or structures in or affecting the course, condition, location, or capacity of navigable waters of the United States or other devices on the Outer Continental Shelf. Under the CWA, the COE may authorize the discharge of dredged or fill material into waters of the United States, where the proposed action is the least environmentally damaging practicable alternative. Under the MPRSA, the COE may authorize the transportation of dredged material excavated from navigable waters of the United States for the purpose of dumping it in ocean waters.

Department of Energy (DOE) is responsible for developing and coordinating national energy policy. Public Law 108-324 authorizes the Secretary of Energy to enter into Federal loan

guarantees to facilitate construction of an Alaska gas pipeline. Public Law 108-324 also vests in the Secretary temporary authority as Federal Coordinator for Alaska Natural Gas Transportation Projects. In addition, the functions and authority of the former Federal Inspector for ANGTS were transferred to the Secretary by the Energy Policy Act of 1992. Furthermore, DOE regulates the export and import of natural gas under section 3 of the Natural Gas Act (NGA).

Department of Homeland Security (DHS), U.S. Coast Guard (USCG), Office of Bridge Administration, pursuant to the several Federal bridge laws (33 U.S.C. 401, 491, 525, 535), exercises regulatory authority with regard to approval of the location and clearances of bridges (including pipeline bridges) and causeways in or across the navigable waters of the United States, and/or connecting the United States with any foreign country. Bridge Administration Program implementing regulations are published at Title 33, Code of Federal Regulations, Parts 114 – 118.

Department of the Interior (DOI)

DOI Bureau of Indian Affairs (BIA) is responsible for administering Federal Indian policy with respect to American Indian tribes, Alaska Native villages and tribal organizations. The BIA also is responsible for granting rights-of-way, with the consent of Indian owners, across lands subject to Federal restrictions against alienation.

DOI Bureau of Land Management (BLM) is responsible for managing public lands. The BLM has principal responsibility, under section 28 of the Mineral Leasing Act of 1920, as amended, for issuing right-of-way permits authorizing natural gas pipelines to cross Federal lands, except lands in the National Park System, lands held in trust for an Indian or Indian tribe, and lands on the Outer Continental Shelf.

DOI Fish and Wildlife Service (FWS) is responsible for conserving, protecting, and enhancing fish, wildlife, plants, and their habitats. The FWS has principal trust responsibility to protect and conserve migratory birds, threatened and endangered species, certain marine mammals, and inter-jurisdictional fish. The FWS manages the National Wildlife Refuge System (NWRS). Applicants for new pipeline construction projects are required to consult with or obtain approvals from the FWS on projects potentially affecting any of these resources. The FWS also consults on projects potentially affecting fresh water or marine resources and water quality. In addition, the FWS may authorize use by permit for areas within the NWRS.

DOI National Park Service (NPS) administers the National Historic Landmarks (NHL) Program and section 6(f) of the Land and Water Conservation Fund Act (LWCF), and serves as Interior Department lead on section 4(f) of the Department of the Transportation Act reviews. NPS serves as an official interested party throughout the Section 106 of the National Historic Preservation Act of 1966 (NHPA) consultation process to ensure the integrity of the NHL Program (36 CFR 800.10). NPS generally prepares Interior Department comments on section 4(f) evaluations prepared by the United States

Department of Transportation (DOT), to seek the protection of public (Federal and non-Federal) recreational lands, including parks and wildlife refuges, in the planning of DOT proposals. Finally, NPS approves conversions under section 6(f) of the LWCF.

Department of Labor was authorized by Public Law 108-324 to establish a grant program to train Alaska workers. Department of Labor's Employment and Training Administration is responsible for administering Federal employment and job training programs, including programs authorized under the Workforce Investment Act (WIA). The Workforce Investment Act also establishes the nation's One-Stop Career Center system, which is the service delivery system for a host of Federally-funded employment and training programs.

Department of State has the lead role in issuing Presidential permits for cross-border facilities, including oil and liquids pipelines; this authority was recently updated in April 2004 by Executive Order 13337 to conform to the National Energy Policy. State is also one of the departments that clears FERC permits for cross-border natural gas pipelines. In addition, State will address, in coordination with other relevant agencies, the foreign policy aspects of any agreements with the Government of Canada concerning Alaska natural gas transportation projects, including the manner in which the new post of Federal Coordinator (including the exercise of such authority by the Secretary of Energy) will engage with Canada on that subject. The United States has certain existing international agreements with Canada that need to be considered and possibly modified in connection with an Alaska natural gas transportation project.

Department of Transportation (DOT)

DOT Pipeline and Hazardous Materials Safety Administration (PHMSA) is responsible for establishing safety standards for the nation's pipeline transportation system. PHMSA establishes and enforces minimum safety standards for the design, construction, operation, and maintenance of pipeline facilities.

DOT Federal Highway Administration (FHWA) is responsible for carrying out the Federal-aid highway program and the Federal Lands Highway Program. The Federal-aid Highway Program provides Federal financial and technical assistance to the States for the planning, construction and improvement of the National Highway System, urban and rural roads, and bridges. FHWA approval is required for certain types of highway projects and uses of the rights-of-way of Federal-aid highways.

Department of the Treasury will provide technical assistance as needed by DOE to implement the loan guarantee provisions of Public Law 108-324, including assistance in developing parameters for the loan guarantee program.

Advisory Council on Historic Preservation reviews and provides comments on actions by Federal agencies that may affect properties listed or eligible to be listed on the National Register of Historic Places pursuant to the National Historic Preservation Act.

Council on Environmental Quality (CEQ) was established within the Executive Office of the President in 1969 by NEPA. Its purpose is to formulate and recommend national policies to promote the improvement of the quality of the environment. CEQ has issued regulations applicable to Federal agencies implementing NEPA at 40 CFR Parts 1500 through 1508.

Environmental Protection Agency (EPA) is responsible for administering a wide range of environmental laws. EPA responsibilities relevant to the pipeline permitting process include, but are not limited to, commenting on an EIS under section 309 of the Clean Air Act (CAA), the authority to participate in the section 404 Clean Water Act (CWA) permit process, and the authority to issue and/or review state-issued permits for pipeline-related activities that involve discharges of pollutants subject to the requirements of the National Pollutant Discharge Elimination System or the CAA.

Federal Coordinator for Alaska Natural Gas Transportation Projects (Federal Coordinator), a position created by Public Law 108-324, is responsible for coordinating the expeditious discharge of Federal agency activities related to an Alaska natural gas transportation project and ensuring compliance by Federal agencies with the Act. The Secretary of Energy will serve as Federal Coordinator until the President appoints a Federal Coordinator or until April 13, 2006 (18 months after enactment), whichever is later.

Federal Energy Regulatory Commission (FERC) is responsible for issuing certificates of public convenience and necessity authorizing the construction and operation of interstate natural gas pipelines under section 7 of the NGA. FERC also authorizes the siting and construction of LNG and border crossing facilities that are needed for the import and export of natural gas under section 3 of the NGA. Accordingly, project sponsors must obtain FERC authorizations under the NGA for the Alaska pipeline portion of an Alaska natural gas transportation project and the necessary export facilities.

IV. RESPONSIBILITIES OF PARTICIPATING AGENCIES

Public Law 108-324 designates FERC the lead agency for complying with NEPA and makes FERC responsible for preparing the EIS required with respect to an Alaska natural gas transportation project under section 103 of the Act. In carrying out this function, FERC is required to prepare a single EIS consolidating the environmental reviews of all Federal agencies considering any aspect of the project covered by the EIS. If a NGA certificate application is submitted for an Alaska natural gas transportation project under section 9 of ANGTA, the Secretary of Energy will determine the level of environmental impact analysis necessary to develop the detailed terms, conditions, and compliance plans consistent with section 5 of the President's Decision and Report to Congress on the Alaskan Natural Gas Transportation System (September 1977).

Public Law 108-324 also establishes an independent, executive branch Office of the Federal

Coordinator to coordinate the expeditious discharge of Federal agency activities related to an Alaska natural gas transportation project and to ensure compliance by Federal agencies with Public Law 108-324. As noted above, the authority of the Federal Coordinator is vested temporarily in the Secretary of Energy. The Secretary of Energy also is vested with the similar functions and authority of the former Federal Inspector for the ANGTS. Public Law 108-324 transfers the ANGTS Federal Inspector authority to the Federal Coordinator upon the Federal Coordinator's appointment by the President.

Given the magnitude and scope of this project, its completion will require extensive coordination by the Federal Coordinator, FERC, and all other Participating Agencies throughout the life of the project. Specifically, this MOU commits Participating Agencies to the following actions:

A. General. Participating Agencies agree to adopt a project management approach built on a common understanding and commitment to project requirements, including schedules and costs, with appropriate oversight and guidance from the Federal Coordinator. Participating Agencies agree to work with the Federal Coordinator, as well as with FERC, each other, and other entities as appropriate, to ensure that timely decisions are made and that the responsibilities of each agency are met.

B. Early Involvement

1. FERC Pre-Filing Process. Participating Agencies agree to participate and work within the pre-filing time frame set by FERC to identify and seek to resolve issues at the earliest stages of project development. The FERC Pre-Filing Process, which is initiated by a request of the project sponsor, serves as a mechanism to meet NEPA requirements while optimizing scheduling.

2. Agency Implementation Plans. Participating Agencies agree to submit to the Federal Coordinator draft agency implementation plans. These plans should detail each agency's anticipated schedule milestones and process for implementing appropriate agency actions within agreed upon project time frames, including environmental reviews required by Public Law 108-324 to be consolidated into the FERC EIS.

In particular, draft agency implementation plans should address the following:

- Roles and responsibilities/legal authority
- Schedule and timing of specific actions
- Data and other information requirements from relevant Federal agencies, and other entities as appropriate, to meet regulatory responsibilities
- Permit execution processes
- Project transition (preliminary preparation, NEPA (both before and after the filing of a complete application), project authorization, construction, operation)

The draft agency implementation plans are intended to be planning and coordination tools. Their development by each Participating Agency should result in multiple benefits. First, the plans should cause the agency preparing the plan to carefully consider the roles and responsibilities of that agency relative to an Alaska natural gas transportation project. Second, the plans should cause each agency to critically examine its organizational structure, and staffing needs to achieve its goals within the defined schedule and framework of the FERC EIS process. Finally, agency implementation plans should facilitate coordination with other Participating Agency plans, beginning with environmental review and on through permitting, construction, and post-construction monitoring. Within 30 days of the conclusion of an agreement between commercial sponsors and the State of Alaska on an Alaska natural gas transportation project, the Federal Coordinator will establish, in consultation with the Participating Agencies, a timetable for the preparation of the implementation plans.

If the Federal Coordinator determines it is necessary, the Federal Coordinator may provide additional guidance regarding the preparation of these draft agency implementation plans. Participating Agencies may provide draft implementation plans to one another for comments and coordination.

3. Federal Implementation Plan. Consistent with a project management approach, the Federal Coordinator will consolidate draft agency implementation plans into a single draft Federal implementation plan for the project. This consolidation effort will alert Participating Agencies to the potential for conflicts in processes and timelines and enable early coordination among agencies to resolve these potential pitfalls.

4. Meetings. Participating Agencies agree to meet regularly throughout each stage of project transition upon request by the Federal Coordinator, FERC, an applicant or prospective applicant, another Participating Agency, or on their own initiative, to identify areas of potential concern and to assess available resources to address issues raised by an Alaska natural gas transportation project. For meetings hosted by one Participating Agency with cross-agency implications, Participating Agencies agree to inform and invite other relevant Participating Agencies in advance.

C. Coordination with FERC

1. Schedule. FERC agrees to consult with the Federal Coordinator and relevant Participating Agencies as it establishes a schedule for the project review process. The schedule established by the FERC is intended to be as expeditious as possible and consistent with periods for response and analysis required by law and

applicable to an Alaska natural gas transportation project. To the extent practicable and permitted by law, the relevant Participating Agencies agree to implement, with the assistance of the Federal Coordinator, their related agency review and permitting processes on a concurrent rather than sequential basis to enable completion of the EIS within the time limits required by Public Law 108-324.

2. Cooperating Agency Agreement. Consistent with the coordination mandated by Public Law 108-324, Participating Agencies may use this MOU as a Cooperating Agency Agreement with FERC for the purpose of NEPA compliance.

3. Public Notice. FERC agrees to include in any Notice of Intent to Prepare an EIS, guidance to the public regarding relevant processes set forth in this MOU.

4. Initial Review of Project Application for Completeness. FERC agrees to notify Participating Agencies immediately upon receipt of a project application and ensure that the Participating Agencies receive either a hard copy or access to an electronic copy of the application as soon as possible. Participating Agencies agree to conduct an early initial review of the project application for completeness and accuracy relevant to their respective agency needs, and provide FERC and the Federal Coordinator with the results of this review to assist FERC in determining whether an application is complete for purposes of Public Law 108-324 and other Participating Agency requirements. FERC agrees to provide Participating Agencies, after consultation with them, a specified but reasonable period of time after receipt of the application to complete the required reviews and provide FERC with recommendations about any additional information necessary for the Participating Agencies to exercise their respective authorities.

5. Purpose and Need. As directed by section 103(b)(2) of Public Law 108-324, FERC must presume that there is a need to construct and operate a proposed project. Section 104(b)(2) of the Act provides for a single environmental impact statement that consolidates the environmental reviews of all Federal agencies. FERC agrees to provide to other Participating Agencies for their review a draft copy of the proposed project purpose and need statement to ensure that the EIS has a uniform statement of purpose and need that can also be used in permit filings with agencies other than the FERC. Other Participating Agencies agree to expeditiously provide comments to FERC with any suggested changes.

6. Project Alternatives. To foster interagency agreement on the range of alternatives to be considered for the project, FERC agrees to provide to other Participating Agencies for their review a draft copy of the proposed scope of project alternatives. While each Participating Agency must exercise its independent judgment in carrying out its statutory and regulatory responsibilities,

Participating Agencies agree to work toward a common scope of project alternatives. Other Participating Agencies agree to expeditiously provide comments to FERC with any suggested changes needed to ensure that the project alternatives sufficiently cover the full range of alternatives, and that such alternatives could be used in other required permit filings with agencies other than the FERC.

D. **Coordination of Post-NEPA Schedules.** The Federal Coordinator will consult with relevant Participating Agencies before coordinating any post-NEPA project authorization and implementation schedules. Schedules should be as expeditious as possible and consistent with laws applicable to an Alaska natural gas transportation project. To the extent practicable and permitted by law, the relevant Participating Agencies agree to implement their related permitting processes on a concurrent rather than sequential basis, with the objective of avoiding delays in the process and schedule coordinated by the Federal Coordinator.

E. **Sharing of Data and Other Information**

1. **General.** Participating Agencies agree to share the information gathered, considered, and relied upon by each of them with all other relevant Participating Agencies.
2. **Information Development.** Participating Agencies agree to cooperate in identifying and developing information at the level of detail required to complete environmental and other project reviews.
3. **Requests for Information.** Participating Agencies agree to cooperate in the preparation of requests for initial and additional studies or data, to avoid duplicative requests, and to compile consistent data and other information on which all Participating Agencies can rely.
4. **Mitigation measures.** Participating Agencies agree to cooperate in developing effective mitigation measures to avoid, minimize, and compensate for adverse environmental impacts associated with the project.

F. **Informal Communication.** Participating Agencies agree to informally communicate with the Federal Coordinator and with other Participating Agencies early and throughout the process to ensure that issues are raised as soon as possible and shared among all Participating Agencies.

G. **Maintaining Regulatory Coordination.** The concepts and processes outlined above provide a model for creating regulatory coordination among the various Federal and state agencies while providing a foundation and structure for the review and regulation of an

Alaska natural gas transportation project. Because the projected regulatory and construction schedule spans 10 years, coordination among agencies should be maintained throughout the entire project, and mechanisms that provide flexibility in addressing new issues as they arise may be needed to sustain coordination for a project of this duration and magnitude.

Although each Participating Agency will be involved throughout the life of the project, the scope of involvement for each agency will vary depending on the phase of the project. Regardless, each Federal entity has specific actions and responsibilities that will need to occur at specific times throughout the course of the project. These individual actions should fit together to support a cohesive and successful project.

V. DISPUTE RESOLUTION

A. Disputes regarding existing statutory and other legal requirements will be resolved by the relevant Participating Agencies using existing dispute resolution methods and in accordance with existing statutory authorities. With respect to disputes concerning provisions and procedures of this MOU, Participating Agencies will confer informally with the Federal Coordinator. If a dispute concerns schedules established by FERC, Participating Agencies will also consult with FERC.

B. If a dispute relates to applicable NEPA requirements, FERC and the Participating Agencies will attempt to resolve the issue and, if necessary, may informally consult with the CEQ. If the dispute is not resolved within 30 days of notification of the dispute to the relevant Participating Agencies, any of the relevant Participating Agencies may forward the dispute to the CEQ. The CEQ will make a written recommendation on resolution of the dispute within 30 days of receiving documentation from Participating Agencies, unless there is agreement among Participating Agencies that the period should be extended. Disputes will be resolved within sufficient time to enable completion of the EIS by the deadline established by Public Law 108-324.

C. Recommendations received from the CEQ will be taken into account by FERC, in consultation with relevant Participating Agencies, when determining further actions regarding the subject of the dispute. CEQ recommendations not accepted by FERC or other Participating Agencies will be explained in writing to the Chairman of the CEQ.

D. This opportunity to consult with the CEQ and receive recommendations is separate and apart from the opportunity to do so provided for in the CEQ's regulations at 40 C.F.R. Part 1504.

VI. GENERAL PROVISIONS

A. This MOU cannot be used to obligate or commit funds or as the basis for the transfer

of funds. Nothing in this MOU, in and of itself, requires any signatory agency to enter into any contract, grant, or interagency agreement. All provisions in this MOU are subject to the availability of funds.

B. This MOU focuses on the initial phase of the project. It may be modified or amended upon written request to the Federal Coordinator by any Participating Agency, and the subsequent written concurrence of all other Participating Agencies. Participating Agencies may terminate their participation in this MOU by providing 90 days notice to the Federal Coordinator.

C. This MOU, consistent with Public Law 108-324, is intended to improve cooperation among the Participating Agencies to expedite decisions on an Alaska natural gas pipeline project. It 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, its officers, or any other person.

D. This MOU neither expands nor is in derogation of those powers and authorities vested in the Participating Agencies by applicable law, including Public Law 108-324.

E. This MOU does not supersede existing agreements among any of the Participating Agencies except to the extent such agreements are inconsistent with this MOU or Public Law 108-324.

VII. PRINCIPAL AGENCY CONTACTS

Each Participating Agency designates a principal agency contact identified in Attachment C to this MOU. Principal agency contacts are crucial to successful coordination under this MOU but may be changed at the discretion of a Participating Agency upon notice to the Federal Coordinator and other Participating Agencies. Principal agency contacts will be responsible for communications and coordination with the Federal Coordinator and other Participating Agencies, and will assist in determining any necessary regional, local, or project specific contacts.

VIII. DURATION OF MOU

This MOU is effective upon final signature of the Participating Agencies and will remain in effect until one (1) year after construction of an Alaska natural gas transportation project is completed, a term coextensive with the term of the Federal Coordinator under Public Law 108-324.

[Signature blocks]

Department of Agriculture:

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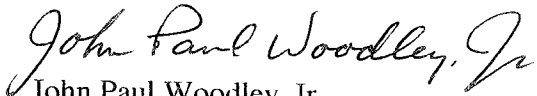
Mark Rey,
Under Secretary, Natural Resources and Environment.

Department of Commerce:



Vice Admiral Conrad C. Lautenbacher
Undersecretary for Oceans and Atmosphere

Department of Defense:



John Paul Woodley, Jr.
Assistant Secretary of the Army (Civil Works)

Department of Energy:




Jeffrey D. Jarrett
Assistant Secretary
Office of Fossil Energy

Department of Homeland Security:

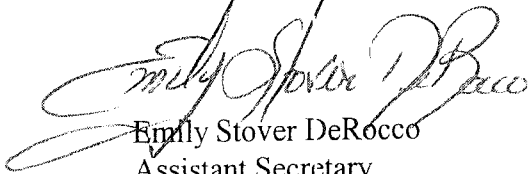


N.E. Mpras
Chief, Office of Bridge Administration
U.S. Coast Guard
By direction of the Commandant

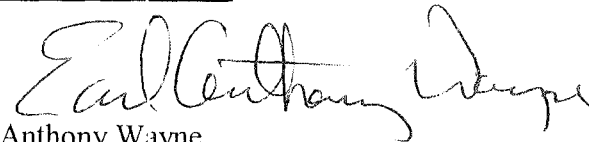
Department of the Interior:


Drue Pearce
Senior Advisor to the Secretary for Alaska Affairs


Department of Labor:


Emily Stover DeRocco
Assistant Secretary
Employment and Training Administration

Department of State:


E. Anthony Wayne
Assistant Secretary for Economic and Business Affairs

Department of Transportation:

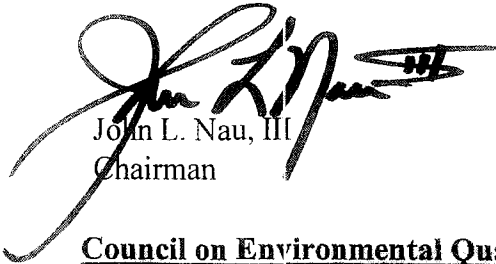

J. Richard Capka
Acting Administrator
Federal Highway Administration


Brigham McCown
Acting Administrator
Pipeline and Hazardous Materials Safety Administration

Department of Treasury:


Roger E. Kodat
Deputy Assistant Secretary (Government Financial Policy)

Advisory Council on Historic Preservation:




John L. Nau, III
Chairman

Council on Environmental Quality:



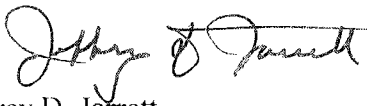
James Connaughton
Chairman

Environmental Protection Agency:



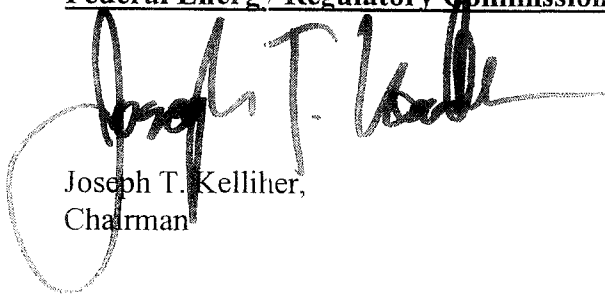
William L. Wehrum,
Acting Assistant Administrator for Air and Radiation

Federal Coordinator for Alaska Natural Gas Transportation Projects:



Jeffrey D. Jarrett
Assistant Secretary
Office of Fossil Energy

Federal Energy Regulatory Commission:



Joseph T. Kelliher,
Chairman