



ORIGINAL

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
 NATIONAL MARINE FISHERIES SERVICE
 Northwest Region
 7600 Sand Point Way N.E., Bldg. 1
 Seattle, WA 98115

February 20, 2008

Kimberly D. Bose, Secretary
 Federal Energy Regulatory Commission
 Attn: OEP/DG2E/Gas 2
 888 First St., N.E., Room 1A
 Washington, D.C. 20426

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 OFFICE OF THE
 SECRETARY
 2008 FEB 21 P 2:37
 FEDERAL ENERGY
 REGULATORY COMMISSION

Re: Request for Participation as a Cooperating Agency for the proposed Palomar Gas Transmission Project (Docket No. PF07-13-000); Wasco, Clackamas, Marion, Yamhill, Washington, Columbia, and Clatsop Counties; Oregon

Dear Ms. Bose:

This is in response to the Federal Energy Regulatory Commission (FERC) letter of October 26, 2007, requesting that NOAA's National Marine Fisheries Service (NMFS) assist the FERC as a cooperating agency in the production of an environmental impact statement (EIS) for the proposed Palomar Gas Transmission Project in Oregon.

While NMFS appreciates the invitation and welcomes the opportunity to assist the FERC, this is to notify you, that after careful consideration, NMFS declines designation as a cooperating agency. The NMFS believes it is achieving the spirit of a "cooperating agency" by assisting the FERC in your licensing process for this project. For example, we have to date participated in several meetings and provided comments on the Notice of Intent for the subject project. Furthermore, the NMFS remains available to comment on early drafts of the EIS with respect to the agency's trust resources.

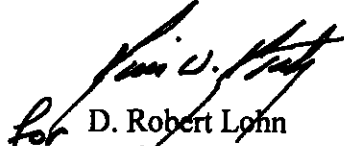
There exists a national interest in new energy projects in the United States. In Oregon, NMFS is aware of no less than 16 proposed or potential new energy projects.¹ Unfortunately, to allow management of staff workload during this period of limited agency resources, NMFS cannot agree to the designation as a cooperating agency. Moreover, FERC has taken the position that no entity which takes on cooperating agency status may intervene in a FERC proceeding or appeal a FERC decision. The NMFS desires to reserve our right to intervene in this process as it relates to our trust resources.

¹ Seven wave energy projects, five liquefied natural gas import terminals and associated sendout pipelines, three natural gas pipeline projects, and one tidal energy project.



Please direct questions regarding this letter to Robert Markle, fishery biologist in the Oregon Coast/Lower Columbia River Habitat Branch of the Oregon State Habitat Office, at (503) 230-5400.

Sincerely,


for D. Robert Lohn
Regional Administrator

cc: Horst Greczmiel, CEQ