



United States Department of the Interior

FISH AND WILDLIFE SERVICE

East Lansing Field Office (ES)
2651 Coolidge Road, Suite 101
East Lansing, Michigan 48823-6316

IN REPLY REFER TO:

October 5, 2004

Mr. Michael A. Cox
Attorney General
State of Michigan
P.O. Box 30212
Lansing, Michigan 48909

Dear Mr. Cox:

The U.S. Fish and Wildlife Service, on behalf of the Secretary of the Interior, is developing a claim for natural resource damage assessment costs for the Rouge River and Detroit River Mystery Oil Spill of April 2002 pursuant to §102(b)(2) of the Oil Pollution Act of 1990. We are inviting you, as one of the State co-trustees for natural resources, to join us in making a claim for assessment costs and proceeding toward restoration of natural resources injured by this spill. Correspondingly, we also are inviting the Directors of the Michigan Department of Environmental Quality and Department of Natural Resources to participate in this assessment and restoration process.

Federal and State investigators have not identified a responsible party for this spill, so we will be making a claim for natural resource damages to the Oil Spill Liability Trust Fund. The President, acting through the U.S. Coast Guard's National Pollution Fund Center, is authorized to use the Oil Spill Liability Trust Fund to pay the claims of natural resource trustees for uncompensated natural resource damages in accordance with §1012 of the Oil Pollution Act of 1990.

We believe that the public and their natural resources are best served by all of the natural resource trustees working together on assessment and restoration. We look forward to hearing from you as to whether your agency will participate in this claim or not. Because we intend to submit a claim to the U.S. Coast Guard by the end of this year, your response to this matter at your earliest convenience is appreciated. If you have any questions, please feel free to contact Dr. Lisa Williams, of this office, at 517/351-8324.

Thank you in advance for your consideration and expeditious response to this matter.

Sincerely,

for Craig A. Czarniecki
Field Supervisor

cc: A. Michael Leffler

g: admin/archives/oct04/rougecoxMDAGinvite.ltw.doc

ECF
 DEC 7 2004
 U.S. District Office (ES)
 Grand Rapids, Michigan

STATE OF MICHIGAN
 DEPARTMENT OF ATTORNEY GENERAL



MIKE COX
 ATTORNEY GENERAL

November 30, 2004

P.O. Box 30212
 LANSING, MICHIGAN 48909

- Czarnecki
- Best
- Brewer
- Dandridge
- DeCapita
- Deloria
- Dingleline
- Eitmeier
- Fisher
- Gourley
- Hosler
- Kavetsky
- Kubilis
- Mensing
- Pastva
- Tansy
- Williams

Craig A. Czarnecki
 U.S. Department of Interior
 2651 Cooleedge Road, Suite 101
 East Lansing, MI 48823-6316

Dear Mr. Czarnecki:

Re: Rouge River and Detroit River Mystery Oil Spill

Thank you for your October 5, 2004, letter inviting me, as a designated natural resources trustee for the State of Michigan, to join the Fish and Wildlife Service in developing a claim, under § 102 (b)(2) of the Oil Pollution Act of 1990, for natural resource damage assessment and restoration costs based upon the Rouge River and Detroit River Mystery Oil Spill of April 2002. I am pleased to accept your invitation.

It is my understanding that the Department of Natural Resources (DNR) and the Department of Environmental Quality (DEQ), the two other designated co-trustees for the State of Michigan, also plan to accept your invitation. We anticipate that DNR and DEQ staff will play the primary role on technical issues for the State in the damage assessment and restoration process, with Department of Attorney General staff providing consultation and support as appropriate. Please contact Mark Matus, Assistant Attorney General in Charge of our Environment, Natural Resources, and Agriculture Division, at (517) 373-7540 to coordinate our involvement in this process.

We look forward to working with you and the other trustees in this matter.

Sincerely yours,

Michael A. Cox
 Attorney General

- c: Rebecca Humphries, DNR
 Steven Chester, DEQ
 Carol Isaacs, DAG
 Mark Matus, DAG