



U. S. Department of the Interior
U.S. Fish & Wildlife Service
Buenos Aires National Wildlife Refuge

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Phone: 520/823-4251 FAX: 520/823-4247



May 9, 2012

Mr. Bill Biggs, Principal Negotiator
El Paso Natural Gas Company
5151 E. Broadway Blvd, Suite 1680
Tucson, AZ 85711

Re: Request for natural gas pipeline right-of-way on Buenos Aires National Wildlife Refuge

Dear Mr. Biggs,

Thank you for your letter requesting a permit for a right-of-way through the Buenos Aires National Wildlife Refuge (NWR) for construction and maintenance of a 36" natural gas pipeline. I understand El Paso Natural Gas Company (EPNGC) is considering several potential routes for this pipeline, most of which include Refuge land; but a preferred route has not yet been proposed. The information below is intended to assist EPNGC with the decision-making process when considering alternative routes and to save time and effort as you seek to identify feasible alternatives.

Any request for a new right-of-way on a National Wildlife Refuge is subject to review/evaluation according to policies and procedures established in the U.S. Fish and Wildlife Service (Service) Manual, Chapter 340 FW 3 (Rights-of-Way and Road Closings), 603 FW 2 (Compatibility), and the Title 50 Code of Federal Regulations (Part 29 - Land use Management). Furthermore, for the Service to consider an application for a right-of-way for a pipeline 24 inches or more in diameter, the Senate Committee on Energy and Natural Resources and the House Committee on Interior and Insular Affairs must be notified.

It is the policy of the Service to discourage the types of uses embodied in right-of-way requests. On areas in the NWR System, if a right-of-way cannot be certified as compatible with the purposes for which a unit was established, it cannot be granted without authorization by Congress (Service Manual 340 FW 3). Refuge managers will not initiate or permit a new use of a refuge or expand, renew, or extend an existing use of a refuge unless the Refuge Manager has determined that the proposed use is compatible with the purposes of the refuge and the mission of the NWR System. For a proposed new economic use of a refuge such as a right-of-way to be found compatible, Service policy mandates that it must contribute directly to the purposes for which that unit was established.

By their nature, right-of-ways and some construction projects may cause habitat fragmentation; reduce habitat quality; degrade habitat quality through introduction of contaminants; disrupt migration corridors; alter hydrology; facilitate introduction of alien, including invasive, species; and disturb wildlife. Proposed uses which would conflict with the legal requirement to maintain

biological integrity, diversity and environmental health of the NWR System are not appropriate or compatible (see Fish and Wildlife Service Manual, Chapter 603 FW 2.5). As a result, we strongly recommend that placement of this pipeline within the Buenos Aires NWR not be considered as an alternative in the Final EIS. Furthermore, we strongly encourage EPNGC to consider alternatives lying outside of the Altar Valley entirely.

Sincerely,

A handwritten signature in cursive script that reads "Sally Gall".

Sally Gall
Refuge Manager