



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Natural Resources

OFFICE OF THE COMMISSIONER

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April 30, 2020

Bob Shavelson
c/o Cook Inletkeeper
3734 Ben Walters Lane
Homer, AK 99603
bob@inletkeeper.org

VIA E-MAIL AND U.S. CERTIFIED MAIL

Re: Request for Reconsideration (the "Request") of January 17, 2020 decision (the "Decision") re: Right of Way ADL 231908; DNR Appeal 20-008.

Dear Mr. Shavelson:

On February 6, 2020, Cook Inletkeeper, Orutsararmiut Native Council, Kasigluk Traditional Council, Tununak IRA Council, and Susitna River Coalition (collectively, "Requestors") requested reconsideration of the Commissioner's Final Decision to grant a Right-of-Way Lease for the Donlin Pipeline (ADL 231908), issued January 17, 2020. The undersigned denied that request on February 18, 2020 (the "Denial"). This letter vacates that Denial. The Request is now granted, as follows.

Requestors' concern, as articulated both in the original comments submitted March 22, 2019, and in the Request, was the Department of Natural Resources failed to take a "hard look" at the cumulative and reasonably foreseeable impacts of the project. Requestors state this analysis is required under Article VIII of the Alaska Constitution and AS 38.35.100.

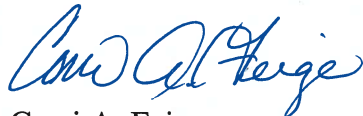
The Commissioner's Decision stated that an analysis of cumulative or reasonably foreseeable impacts is not required under AS 38.35. The Decision explained DNR was cooperating in the federal NEPA process, which stringently considered cumulative and reasonably foreseeable impacts. Nonetheless, the Department of Natural Resources will conduct a further analysis of the cumulative and reasonably foreseeable impacts of the right of way lease for the Donlin Pipeline. Once this analysis is complete, a new decision will be issued, and notice will be provided of a new comment period consistent with Alaska law.

Bob Shavelson
Cook Inletkeeper
Re: Request for Reconsideration, ADL 231908

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Upon further review and consistent with the public interest, the Denial is vacated, and your Request is hereby granted.¹ Granting reconsideration does not imply that the issues raised the Request have merit. All rights are herein reserved.

Sincerely,



Corri A. Feige
Commissioner

Cc: Dr. Sara W. Longan, Deputy Commissioner
Peter J. Caltagirone, Esq., Senior Legal & Policy Advisor
Tom Stokes, Director, Division of Oil & Gas

¹ Pursuant to 11 AAC 02.020(c), the Commissioner may order or deny a request for reconsideration within 30 calendar days after issuance of the decision. I timely denied the Request for Reconsideration, but this reversal is outside the regulatory deadline. Accordingly, pursuant to 11 AAC 02.070, I find that it is in the public interest or the interests of justice to waive the 30-day deadline to order or deny a request for reconsideration.