



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
Office of General Counsel  
Suite 4470  
501 West Ocean Boulevard  
Long Beach, CA 90802

January 19, 2011

James J. Dragna  
Bingham McCutchen  
355 South Grand Avenue, Suite 4400  
Los Angeles, CA 90071-3106

**On behalf of:**

Anadarko Petroleum Corp.  
Anadarko E&P Company, LP  
MOEX Offshore 2007 LLC

Re: Invitation to Participate in Deepwater Horizon Oil Spill Natural Resource Damage Assessment (Letter from Trustees, September 27, 2010)

Dear Mr. Dragna:

Thank you for your letter of October 27, 2010, written in response to the state and federal Natural Resource Trustees' ("Trustees") invitation to your clients (Anadarko Petroleum Corporation; Anadarko E&P Company, LP; and MOEX Offshore 2007 LLC) to participate in a natural resource damage assessment ("NRDA") for the above referenced oil spill.

In your letter, you indicated your clients' willingness to participate in the NRDA, but with the condition that they would not provide funding toward the NRDA process. As you are no doubt aware, the Oil Pollution Act NRDA regulations afford the Trustees discretion to determine the nature and extent of participation by Responsible Parties ("RPs") such as your clients. The NRDA regulations at 15 C.F.R. 990.14(c)(5) identify several factors for consideration by the Trustees in making this determination. Among these factors are "[t]he willingness of responsible parties to fund assessment activities."

Because your clients are unwilling to contribute funding to the NRDA process, the Trustees have determined that your clients' participation will be limited to that described in 15 C.F.R. 990.14(c)(4). Your clients are, of course, welcome to review and comment on documents entered in the administrative record by the Trustees. The Trustees will objectively consider such comments, and as appropriate include those comments in the administrative record as well. Should your clients conclude that a greater degree of participation is desirable, the Trustees will consider such a request, conditioned upon an agreement to fund NRDA activities.

Should you have any questions, please feel free to contact me or my co-trustee counsel copied below.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher J. Plaisted". The signature is fluid and cursive, with a long horizontal stroke at the end.

Christopher J. Plaisted  
Attorney-Advisor

cc: Harriet M. Deal, U.S. Department of the Interior  
Patricia R. Collins, U.S. Department of the Air force  
William A. Gunter, Alabama Department of Conservation and Natural Resources  
Larry Morgan, Florida Department of Environmental Protection  
Stephanie C. Morris, Louisiana Oil Spill Coordinator's Office  
Lisa Thompson Ouzts, Mississippi Department of Environmental Quality  
Christa McLintock, Texas Commission on Environmental Quality