

1.0 INTRODUCTION

The staff of the Federal Energy Regulatory Commission (Commission or FERC) has prepared this final ^{1/} environmental impact statement (FEIS) to assess the environmental impact of a new pipeline system proposed by Millennium Pipeline Company, L.P. (Millennium) and referred to in this FEIS as the Millennium Pipeline Project.

On December 22, 1997, Millennium filed an application in Docket No. CP98-150-000, under section 7(c) of the Natural Gas Act (NGA) and part 157 of the Commission's regulations for a Certificate of Public Convenience and Necessity (Certificate) to construct, acquire, own, and operate a 424.0-mile-long natural gas pipeline that would extend from an interconnection in Lake Erie at the Canada/United States (U.S.) border, through southern New York to Mount Vernon, Westchester County, New York. In addition, Millennium requested a Presidential Permit authorizing construction, operation, and maintenance of facilities at the International Border in Lake Erie for the importation of natural gas. On the same date, Columbia Gas Transmission Corporation (Columbia) filed an application in Docket No. CP98-151-000 to abandon in place about 129.8 miles of pipeline in New York, to abandon and remove about 92.2 miles of pipeline in New York; and to abandon and convey to Millennium about 21.0 miles of pipeline and 27 measuring stations in New York, and 5.8 miles of pipeline, 1 compressor station, and 1 measuring station in Pennsylvania that would become part of the new Millennium pipeline system.

The draft environmental impact statement (DEIS) was issued on April 16, 1999. Within the 45-day comment period, we ^{2/} received a total of 182 comment letters, representing 13 Federal agencies, 19 state agencies and state representatives, the Seneca Indian Nation, 27 county and municipal agencies, and 122 individuals and groups. Among these commenters were the Public Service Commission of State of New York (PSCNY) and Consolidated Edison Company (ConEd). Their primary concern was the location of the pipeline within the ConEd powerline right-of-way in Westchester County, New York. Both alleged that an accident associated with construction or operation of the pipeline within this right-of-way would result in a power outage in New York City. On March 21, 2000, we requested that Millennium resolve this issue with ConEd and the PSCNY. On June 28, 2000, Millennium filed an amendment (Docket No. CP98-150-001) to its pending certificate application to reflect a new proposed route (designated 9/9A Proposal) in Westchester County, New York.

A supplemental draft environmental impact statement (SDEIS) was issued on March 12, 2001. The SDEIS was in two parts. Part I only addressed the environmental impact associated with construction of the proposed route between mileposts (MPs) 391.2 and 416.6, and included the 22.7 miles of rerouted pipeline designated as the "9/9A Proposal" and 2.7 miles of the original proposed route between MPs 404.1 and 406.8. It did not re-address about 6.3 miles of the proposed route from the east bank of the Hudson River to the start of the 9/9A Proposal or from the end of the 9/9A Proposal to the terminus in Mount Vernon, New York (e.g., between MPs 390.1 and 391.2 and MPs 416.6 and 421.8, respectively) since they were studied in the DEIS.

Part II of the SDEIS addressed and updated some of the major issues identified in comments on the DEIS on the remainder of the pipeline route. It only included issues associated with the black dirt area in Orange County, waterbody crossings (e.g., surface waters, Lake Erie, and the Hudson River), crossing of the Amish lands, issues associated with crossing of the Catskill Aqueduct, coastal zone consistency

The vertical line in the margin identifies text that has been modified in this FEIS and differs from the corresponding text in the draft and supplemental environmental impact statements.

^{2/} 'We, "us" and "our" refer to the environmental staff of the Office of Energy Projects, part of the Commission staff.

determinations, Hudson River Alternatives, and route variations identified during the public scoping and comment period.

This FEIS incorporates the 9/9A Proposal into the proposed route in Westchester County, provides additional information on the project not included in the SDEIS, and responds to comments on the DEIS and SDEIS. It also includes an analysis of an alternate route in Westchester County that was identified by the Villages of Briarcliff Manor, Croton-on-Hudson, and Ossining (designated the ConEd Offset/Taconic Parkway Alternative). This alternate route was proposed as a modification to the ConEd Offset/State Route 100 Alternative presented in the SDEIS and would avoid use of a portion of the 9/9A Proposal.

1 PURPOSE AND NEED

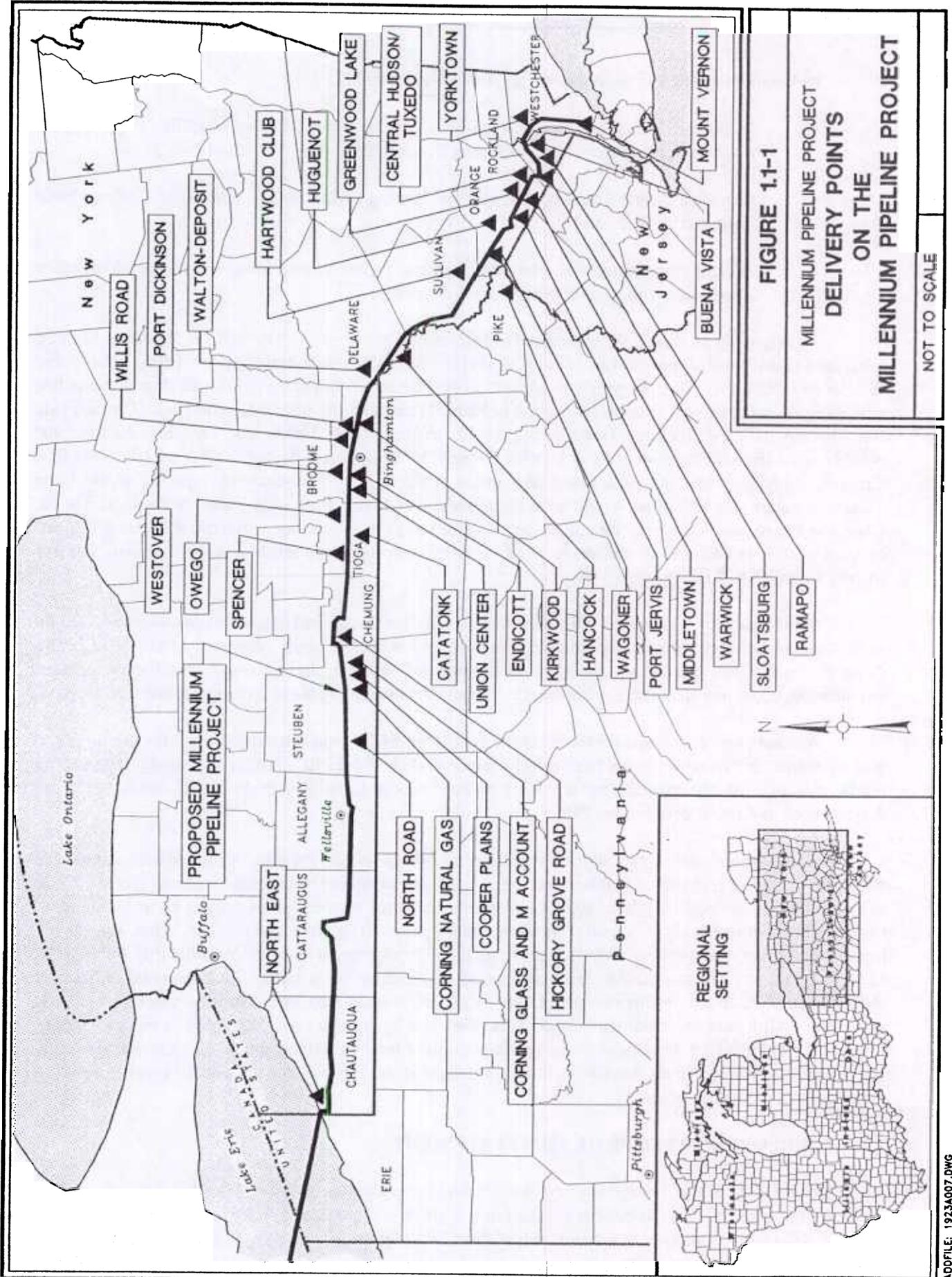
Millennium does not presently own any pipeline facilities but proposes to construct the above pipeline facilities and acquire others from Columbia. The purpose of the Millennium Pipeline Project would be to construct facilities to provide transportation capacity of up to 700,000 decatherms (dth) per day and provide firm transportation services for eight shippers with natural gas service beginning on November 1, 2003 (see table 1.1-1). ^{3/} The 36-inch-diameter pipeline would be operated at a maximum allowable operating pressure (MAOP) of 1,440 pounds per square inch gauge (psig). The 24-inch-diameter pipeline would be operated at a MAOP of 1,000 psig. In addition, Millennium would transport 14,000 dth per day for customers on Columbia's existing Line A-5 pipeline. Figure 1.1-1 shows the proposed Millennium pipeline system in New York.

TABLE 1.1-1
List of Millennium Pipeline Project Precedent Agreements ^{a/}

Customer	Firm Contract Quantity (dth per day)	Term of Service (years)
CoEnergy Trading Company	65,000	20
Engage Energy America LLC	235,100	10
Energy USA-TPC Corp.	117,550	10
International Business Machines Corp.	1,000	10
North East Heat & Light Company	7,500	15
PanCanadian Energy Services, Inc.	25,000	10
Quantum Energy Services, Inc.	4,000	10
Stand Energy Corporation	9,000	20
TOTAL	464,150 ^{b/}	

^{a/} Precedent agreements as filed with the Commission on September 4, 2001.
^{b/} This total plus the existing contract requirements of about 14,000 dth per day represents about 68 percent of the proposed pipeline capacity. TransCanada Gas Services terminated its precedent agreement for 117,550 dth per day. Millennium is presently in negotiations with a number of shippers to contract out the unsubscribed capacity of 235,850 dth per day.

On August 2001, Millennium filed a request to change its in-service date to November 2003.



Millennium states that the proposed pipeline system would

be the most economic and efficient means to transport U.S. and Canadian gas to growth markets in the eastern U.S., including Pennsylvania, New York, and New Jersey;

provide a greater diversity of supply for existing customers and a new source of supply for unserved markets; and

expand competition for emerging markets, including providing some local distribution companies with an alternative source of supply.

As originally proposed, the Canadian facilities would be constructed by St. Clair Pipelines Ltd. (St. Clair) and TransCanada Pipelines Ltd. (TransCanada) and would have an initial capacity of 700 million cubic feet per day (MMcf/d). St. Clair would construct and operate about 46.0 miles of 36-inch-diameter pipeline extending from the Dawn Compressor Station to Patrick Point and the interconnection with TransCanada (the Millennium West Pipeline). TransCanada would construct the 93.3-mile-long Lake Erie crossing that would extend from the landfall at Patrick Point, Ontario, to landfall near Ripley, New York (the Lake Erie Crossing Pipeline). In Lake Erie, about 60.4 miles of the new 36-inch-diameter pipeline would be in Canadian waters and 32.9 miles would be in Pennsylvania and New York state waters of the U.S. The St. Clair and TransCanada projects are collectively referred to as the Canadian Millennium Pipeline Project. In August 2001, St. Clair and TransCanada withdrew their applications pending before the Canadian National Energy Board (NEB) (see section 1.4).

Ultimately the Commission will determine the need for this project in the U.S. and whether it should issue Millennium a certificate of public convenience and necessity under section 7 of the NGA. The Commission will take into account all aspects of the proposal including the customers, cost, financing, rates, engineering, economic risk, and environmental impact when weighing these factors to make that decision.

A number of comments received on the DEIS and SDEIS questioned the need for the proposed project and/or that the need has not been clearly demonstrated. The FERC staff has repeatedly stated at the public meetings for the project that the issue of need would be addressed by the Commission in its deliberations and not in detail in the EIS.

An environmental impact statement (EIS) must briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives, including the proposed action (Title 40, Code of Federal Regulations [CFR] Part 1502.13). However, the issue of need for the project in the larger sense raised by the commenters is principally one of regulatory policy. Therefore, our position is that, as such, the need issue is most appropriately addressed pursuant to the requirements of the NGA rather than through the EIS. The instant EIS examines the issue of need as required by the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's (CEQ) regulations, and identifies where that issue is addressed. All letters and comments received on the need issue have been forwarded to the appropriate FERC staff and placed in the Commission's official public file. Proceedings under the NGA are also open to public participation. To review the need issue at length in the EIS would be duplicative and against the intent of the CEQ's regulations.

1.2 PURPOSE AND SCOPE OF THIS STATEMENT

The FERC is the Federal agency responsible for evaluating applications filed for authority to construct and operate interstate natural gas facilities. Certificates are issued under section 7(c) of the NGA and part 157 of the Commission's regulations if the FERC determines that the project is required by the public convenience and necessity.

The FERC is the lead agency for this EIS. The U.S. Army Corps of Engineers (COE) is a cooperating Federal agency for this project. A cooperating Federal agency has jurisdiction by law or special expertise with respect to any environmental impact involved with the proposal. By agreement with the Commission, a state or local agency of similar qualifications may become a cooperating agency. The New York State Department of Agriculture and Markets (NYSDA&M) is also a cooperating agency for this EIS.

Our principal purposes in preparing this EIS are to:

identify and assess the potential impact on the natural and human environment that would result from the implementation of the proposed project;

assess reasonable alternatives to the proposed action that would avoid or minimize adverse impact on the environment;

identify and recommend specific mitigation measures to minimize environmental impact; and

encourage and facilitate public involvement in identifying significant environmental impact.

1.3 PUBLIC REVIEW AND COMMENT

This FEIS has been filed with the U.S. Environmental Protection Agency (EPA), which will issue formal notice that the FEIS is available. It has been mailed to the individuals on the FEIS mailing list in appendix A. Summarized below are the results of the various public meetings held on the Millennium Project and the comments received on the DEIS and SDEIS.

1.3.1 Comments on the Millennium Project and the DEIS

On February 27, 1998, the FERC issued a Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Millennium Pipeline Project and Request for Comments on Environmental Issues (NOI). The NOI was sent to about 2,237 individuals and organizations, including Federal, state, county, and local agencies; state and local conservation organizations; elected officials (U.S. representatives and senators, state governors and other local and state representatives); local newspapers and libraries; potential right-of-way grantors; and other individuals. The NOI was also published in the Federal Register. The NOI requested written comments on the scope of the analysis for the EIS and also outlined how to become an intervenor in the proceeding.^{4/} A form was provided as part of the NOI for interested parties to request a copy of the EIS.

Public scoping meetings to provide the general public with an opportunity to learn more about the project and to comment on environmental issues to be addressed in the EIS were held in North East, Pennsylvania (March 16, 1998); and in Wellsville (March 17, 1998), Binghamton (March 18, 1998), Yonkers (March 24, 1998), and Port Jervis, New York (March 25, 1998). Forms were available at the public meetings for comments and for requests for a copy of the DEIS.

A transcript of each scoping meeting, as well as all written comments received, are part of the public record for the Millennium Pipeline Project. We received statements from a total of 85 individuals at the scoping meetings and additional written comments (including 330 form letters and 95 requests to intervene)

^{4/} An intervenor has the right to receive copies of case-related FERC documents and filings by other intervenors and must also provide copies of its filings to all other intervenors. Further, an intervenor has certain legal standing with respect to any hearing held by the Commission with respect to any court review of Commission decisions.

from a total of 752 individuals representing Federal and state agencies, counties, municipalities, organizations, and concerned citizens. A number of commenters commented several times.

On December 22, 1998, we sent copies of the Preliminary DEIS to the cooperating agencies, the NYSDA&M (two copies) and the COE, Buffalo District (one copy) to solicit specific comments on issues and to allow them to take part in the actual drafting of the document. We received comments from both agencies and incorporated them into the DEIS, as appropriate.

We issued the DEIS on April 16, 1999, and initiated a 45-day comment period in accordance with CEQ regulations implementing NEPA. The DEIS was mailed to 1,680 agencies, groups, and individuals. In response to requests to extend the comment period, the Commission granted an extension from June 7 to June 22, 1999. We received a total of 182 comment letters, representing 13 Federal agencies, 19 state agencies and state representatives, the Seneca Indian Nation, 27 county and municipal agencies, and 122 individuals and groups. A number of commenters commented more than once. In addition, public meetings to receive comments on the DEIS were held along the pipeline route in New York: Goshen (May 17, 1999), Yonkers and Mayville (May 18, 1999), Horseheads (May 19, 1999), and Binghamton and Wellsville (May 20, 1999). All comment letters on the DEIS are summarized in appendix O of the FEIS, along with our responses.

Table 1.3.1-1 lists issues by resource category that were identified in the comment letters on the DEIS and during public scoping in response to the NOI. Since the public meeting comments mostly duplicated the written comments, we have not included a separate tabulation of the identified issues. The most frequently mentioned comments on the DEIS included concerns that:

- need for the project was not adequately addressed;
- issues were not adequately addressed and should be addressed in a supplementary EIS;
- the system and major route alternatives were not fully developed or analyzed;
- the proposed route in the Union Center area would adversely affect landowners;
- waterbody crossing methods had been modified by Millennium, but were not included;
- the design for the Lake Erie crossing would not adequately address the potential for damage to the pipeline from ice scour;
- the Hudson River crossing would not be consistent with New York Coastal Zone Management (CZM) policies;
- the construction procedures for the Hudson River crossing did not fully address issues associated with resuspension of contaminated sediments or with the turbidity plume;
- recreational fisheries in the Delaware River system would be negatively affected;
- no site-specific plan had been developed for the black dirt area;

TABLE 1.3.1-1
Number of Comments Received on the Millennium Project and on the DEIS
(by Resource Category)

Resource Category	Number of Comments on the DEIS		Number of Comments Received During Public Scoping	
Air quality and noise	9	(1%)	16	(1%)
Alternatives (including system alternatives, major route alternatives, and route variations)	200	(19%)	449	(20%)
Cultural resources	18	(2%)	13	(1%)
Endangered and threatened species	27	(3%)	10	(<1%)
Fish and wildlife	49	(5%)	54	(2%)
General (including project need, project description, construction and operation procedures, concerns not included in other resource categories, and cumulative impact)	207	(20%)	512	(23%)
Geology	17	(2%)	17	(1%)
Groundwater and surface water (including Lake Erie and Hudson River crossings)	195	(19%)	100	(4%)
Land use (including site-specific concerns)	117	(11%)	198	(9%)
Recreation and public interest areas	39	(4%)	18	(1%)
Safety and reliability	40	(4%)	375	(17%)
Socioeconomics	39	(4%)	348	(16%)
Soils	38	(4%)	38	(2%)
Vegetation	12	(1%)	59	(3%)
Wetlands	32	(3%)	24	(1%)
TOTAL	1,039		2,231	

construction would have significant adverse impact in Westchester County, and particularly the City of Yonkers;

an accident associated with construction or operation of the pipeline along the ConEd right-of-way would result in power outages to New York City;

construction and operation of the pipeline could cause a rupture of the Catskill Aqueduct, which would affect water supplies to New York City;

pipeline safety; and

site-specific issues on specific properties had not been addressed.

1.3.2 Comments on the 9/9A Proposal

On August 9, 2000, the FERC issued a Notice of Intent to Prepare a Supplement to the Draft Environmental Impact Statement for the Proposed Millennium Pipeline Project, As Amended; Request for Comments on Environmental Issues; and Notice of Public Scoping Meeting and Site Visit (SNOI). The SNOI was sent to about 2,014 individuals and organizations, including Federal, state, county, and local agencies; state and local conservation organizations; elected officials (U.S. representatives and senators, state governors and other local and state representatives); local newspapers and libraries; potential right-of-way grantors; and other individuals. The SNOI was also published in the Federal Register. The SNOI requested written comments on the scope of the analysis for the SDEIS and also outlined how to become an intervenor in the proceeding. A form was provided as part of the SNOI for interested parties to request a copy of the SDEIS.

A public scoping meeting to provide the general public with an opportunity to learn more about the 9/9A Proposal and to comment on environmental issues to be addressed in the SDEIS was held in Croton-On-Hudson, New York, on September 14, 2000.

A transcript of the meeting, as well as all written comments received, are part of the public record for the Millennium Pipeline Project. We received statements from a total of 59 individuals at the Croton-on-Hudson scoping meeting and additional written comments (including 362 form letters and 4 requests to intervene) from a total of 473 individuals, primarily representing residents along or in the vicinity of the 9/9A Proposal. We also received a petition signed by over 5,400 people in opposition to the 9/9A Proposal.

Table 3.2-1 lists issues by resource category and specific area of concern.

Generally, the most frequently mentioned comments on the 9/9A Proposal were:

traffic impacts, and the associated increase in air and noise pollution from pipeline construction and traffic delays on U.S. Route 9, and State Routes 9A and 9A/100;

third-party damage from digging or other utility work within U.S. Route 9 and State Route 9A that could cause a pipeline rupture, affecting the safety of nearby residents;

loss of tree screening that acts as visual and noise barriers for residences that abut U.S. Route 9 and State Routes 9A and 9A/100;

TABLE 1.3.2-1
 Number of Comments Received on the 9/9A Proposal
 During the Public Scoping Process

Resource Category	Specific Comment	Number of Comments Received During Public Scoping
Alternatives	Use existing ConEd right-of-way (367 comments). Find alternative routes or locations that are less dangerous. Do not cross Lockheed property. Place the pipeline in less populated areas. Use the original route, the Taconic Parkway, another ConEd interconnection, or follow an aqueduct or railroad. Do not use ConEd right-of-way.	388
Contamination	Possible use of carcinogenic herbicides along the ConEd right-of-way until early 1980's. Contamination of water due to possible sewerline break. Contamination of air by fumes or leaks. Contamination of soil and natural environment. Disposal of contaminated sediments.	279
Cultural resources	Impact on the Van Cortlandt Manor and Old Croton Aqueduct.	7
Cumulative Impact	Include an adequate analysis of cumulative impacts.	
Land use	<p>Future plans, approved developments, and present use. Questions about easements, pipeline abandonment, and establishing trails. Proposed route is close to residential areas, residences, and buildings. Sprain Ridge Park, North and South County Trails, and a ski area. Coastal zone, Croton's Local Waterfront Revitalization Program (LWRP). Use of Haverstraw Bay.</p> <p>Demand for gas. Need for gas in New York City area. National Energy Board process. Resolution of EPA's objections should be in the SDEIS. Compensation for impact to ski season. Reroute is inconsistent with other PSCNY practice. ConEd constructs its pipelines on its right-of-way. Project may not be needed if alternate renewable fuels are used. Project support including: the need for competitive gas supply and infrastructure the project would provide.</p>	415
	Hazards from construction under railroad, stray DC currents. Reliability of electric supplies. Design of pipe, concrete coating. Evacuation plans/routes for residents and Indian Point. Close to residences, people, and businesses. Risk assessment is needed. Inadequate safety procedures. Safety of two pipelines on property, third party damage, aging materials, aerial crossings, and sewer and gas line crossings. Must compare risk of failure and effect on community. If pipeline is not safe along ConEd right-of-way then it is not safe along Route 9. Danger if a traffic accident occurs.	419
Soils and geology	Erosion of fill material along construction right-of-way. Damage to soils/geology. Ramapo Fault earthquake activity.	254
Socioeconomics	Compensation, property value, and economic impact. Traffic hazards and congestion, commuter rail service, and garbage hauling. Only truck route, viable transportation route, and essential commuting route in area. Need traffic study. Need evaluation of effect on property values near pipeline. Disruption to quality of life, unsafe feeling in home. Fear that an accident would affect ability to evacuate. Indian Point evacuation route. Bike trail. Visual impact.	417

TABLE 1.3.2-1 (cont'd)

Issue	Specific Comment	Number of Comments Received During Public Scoping
Water resources	Flooding of streams and springs under Routes 9 and 9A. Silt and sedimentation into river from eroded construction right-of-way materials. Impacts to the Hudson River, the Croton River coastal zone, and the 11 crossings of the Saw Mill River and its tributaries. Impacts to the Catskill, Delaware, and New Croton Aqueducts. Floodplains and drainage changes. Possible water contamination at sewer crossings. Need more details regarding horizontal directional drilling and contingency plans at the Croton River.	275
Wetland resources	Must evaluate cover types, values, and benefits of wetlands. Disruption of drainage. Springs under Routes 9 and 9A. Possible contamination of wetlands at sewer crossings. High water table. Silting of wetlands.	259
Wildlife and vegetation, and threatened and endangered species	Visual, noise, air, and safety impacts due to loss of tree screen/buffer. Damage to tree and plant life, ecology, lawns, upland habitat, and general vegetation. Impacts to wildlife including the New York State Listed Kentucky Warbler.	283
TOTAL COMMENTS		3,037

loss of property values;

safety concerns associated with an emergency at the Indian Point Nuclear Station since U.S. Route 9 and State Routes 9A and 9A/100 are designated evacuation routes;

impacts on the bicycle trail, the Van Cortlandt Manor property, and the commuter railroad;

specific concerns about the pipeline placement on certain properties;

concern that the pipeline would be too close to residences and to people;

82 percent of the commenters requested that the pipeline be sited on the ConEd right-of-way between MPs 391.2 and 402.6, thus avoiding construction along U.S. Route 9 and State Route 9A through Croton-on-Hudson, Ossining, and Briarcliff Manor;

continued concern by ConEd that the pipeline would be too close to its facilities; and

continued concern that construction and operation of the pipeline could cause a rupture of the Catskill Aqueduct which would affect water supplies to New York City.

1.3.3 Comments on the SDEIS

The SDEIS was issued on March 12, 2001. Comments were requested on or before April 30, 2001, which allowed for at least a 45-day comment period in accordance with CEQ regulations. The SDEIS was mailed to 2,262 agencies, groups, and individuals. The public meeting to receive comments on the SDEIS was held on April 9, 2001, in Ossining, New York. At that meeting, Millennium and the PSCNY announced that they had worked out the details of the ConEd Offset/State Route 100 Alternative presented in the SDEIS and had incorporated a modification proposed by the Village of Briarcliff Manor in late March 2001. The modification would follow the Taconic State Parkway instead of State Route 100. This modification was also supported by the Town and Village of Ossining. On April 26, 2001, the FERC notified landowners and abutters along the ConEd Offset/Taconic Parkway Alternative informing them of the proposed alternative. Comments were requested as soon as possible and within 30 days of the date of the notice.

In response to requests from elected officials and the City of Mount Vernon, we held an additional comment meeting on September 4, 2001, in Mount Vernon. Fifty-five speakers commented at that meeting.

As of September 7, 2001, we received over 2,213 comment letters, representing 4 Federal agencies, 10 elected officials, 7 state agencies, 16 county and municipal agencies, 20 organizations, 11 individuals residing outside of Westchester County, and 2,077 individuals from Westchester County. Many of the state, county, municipal, and individuals commented more than once. About 100 letters had no discernible address or name and could not be included in our mailing list.. The greatest number of comments were form letters from individuals in Mount Vernon who are against the location of the pipeline in Mount Vernon (over 750 letters), those who had concerns about the ConEd Offset/Taconic Parkway Alternative (over 370 letters), commenters who were concerned about construction through Teatown Lake Reservation (over 455 letters). Other commenters included those whose concerns were not specifically addressed in the SDEIS and who reiterated their comments on the DEIS. The comment letters on the SDEIS are addressed in this FEIS where appropriate and in greater detail in appendix P of the FEIS along with our responses.

Table 1.3.3-1 lists issues that were identified in the comment letters on the SDEIS. The most frequently mentioned comments were associated with the ConEd Offset/Taconic Parkway Alternative and included concerns that:

no detailed environmental analysis had been completed on the alternative;

there was not enough time to prepare comments on the alternative;

there would be significant impacts on the Brinton Brook Sanctuary, the Jane E. Lytle Arboretum, and the Teatown Lake Reservation;

blasting within the ConEd right-of-way to install the pipeline could affect water supplies and septic systems of nearby residences, and pose a health hazard by releasing dioxin from past herbicide practices;

the pipeline would be unacceptably close to the Todd Elementary and Briarcliff Middle and High schools and would be safety hazard; and

pipeline construction and operation could contaminate the Croton Primary Aquifer.

In addition, commenters noted continued concerns with the crossing of Lake Erie and the Hudson River at Haverstraw Bay. The City of Mount Vernon also commented that the pipeline route through the city was unacceptable and that its installation was not consistent with Executive Order 12898 on Environmental Justice.

1.4 SCOPE OF NONJURISDICTIONAL FACILITY ANALYSIS

Under section 7 of the NGA, the FERC is required to consider, as part of a decision to certificate jurisdictional facilities, all factors bearing on the public convenience and necessity. The jurisdictional facilities for the Millennium Pipeline Project are summarized at the beginning of this section and described in detail in section 2.1. Millennium has identified no nonjurisdictional facilities associated with the Millennium Pipeline Project, with the exception of the measuring and regulation facility at Mount Vernon at the interconnection with ConEd. However, the only known construction activity at this location would be associated with the Mount Vernon Station which is analyzed in this FEIS as part of the jurisdictional facilities.

ConEd indicated in a July 27, 2000 filing that it would need to construct pipeline facilities on its system to accommodate deliveries from Millennium at Mount Vernon, New York. We made a concerted effort to obtain data from ConEd and to evaluate the engineering requirements of the extent and location of the ConEd downstream facilities. Due to confidentiality concerns over some of this data, Con Ed would not provide it.

Millennium states that laterals and measuring facilities would be constructed to serve the Bowline Generating Station in Rockland County (if a service agreement is finalized) and the International Business Machines Corporation (IBM) facility in Westchester County. These facilities would be subject to the Commission's jurisdiction. Although Millennium has not yet filed an application for these facilities with the Commission, we have included Millennium's description of them in section 2.6 of the FEIS.

TABLE 1.3.3-1
Comments Received on the SDEIS

Resource Category	Specific Comment	Number of Comments Received
Alternatives	Route 117 Alternative; Taconic State Parkway East Variation; and State Route 134 Variation (ConEd Offset/Taconic Parkway Alternative). Hudson River crossing alternatives.	689
Contamination	Health effects resulting from disturbance of soils on the ConEd right-of-way that were treated with herbicides containing 2,4,5-T and 2,3,7,8-T dioxins on the ConEd/Taconic Parkway Alternative. Potential contamination of the Croton Primary Aquifer from construction or operational activities.	281
Cultural resources	Proximity to the Greater Centennial African Methodist Episcopal Zion Church.	753
Land use	Impacts on recreational and educational activities in the Jane E. Lytle and Teatown Lake Reservation (ConEd Offset/Taconic Parkway Alternative). Consistency with CZM policies in Croton-on-Hudson (ConEd Offset/Taconic Parkway Alternative). Impacts on neighborhood health center, hospital, and residents in Mount Vernon.	591
	Proximity of pipeline to Todd Elementary and Briarcliff Schools (ConEd Offset/Taconic Parkway Alternative) and Hamilton School (Mount Vernon). Concern about proximity of pipeline to residents in Mount Vernon.	1,365
Socioeconomics	Environmental justice concerns in Mount Vernon, the most densely populated city in Westchester County with a high proportion of the population living below the poverty level	756
Soils/geology	Impacts of blasting within the ConEd right-of-way on nearby residences (ConEd Offset/Taconic Parkway Alternative). Crossing of the Ramapo and Ardsley faults.	245
Water resources	Impacts on groundwater resources from blasting, including the Croton Primary Aquifer, Croton water wells, and Croton Reservoir from construction and/or blasting (ConEd Offset/Taconic Parkway Alternative). Continued concern over the Hudson River/Haverstraw Bay crossing.	93
Wetlands	Impacts on wetlands in the Jane E. Lytle Arboretum and Teatown Lake Reservation (ConEd Offset/Taconic Parkway Alternative).	702
Wildlife/vegetation, and threatened and endangered species	Impacts on wildlife resources in the Teatown Lake Reservation (habitat for marbled and 4-toed salamanders; spotted and eastern box turtles; state-listed species of concern including Cooper's and red-shouldered hawks, and migration routes used by the golden-winged warbler and yellow-breasted chat.	765
	Impact of pipeline construction and operation in Lake Erie. Impacts on the "Rock City" area in Cattaraugus County. Alternative route in the Union Center area.	12
TOTAL COMMENTS		6,252

The PSCNY has approved Hudson Valley Gas Corporation's application to construct a 4.2-mile-long, 24-inch-diameter natural gas pipeline extending along Millennium's proposed route between Millennium's Buena Vista Station at milepost (MP) 382.5 and the Bowline Generating Station at MP 387.4.^{5/} The order granting the certificate notes that "if Millennium does receive FERC approval, to avoid duplication of facilities, Hudson Valley Gas Corporation is negotiating with Millennium to transfer ownership and operation of its pipeline to Millennium."

St. Clair and TransCanada originally proposed to construct about 106.4 miles of pipeline in Canada that would extend from the Dawn Compressor Station to the interconnection with Millennium at the Canada/U.S. border in Lake Erie. These Canadian facilities are beyond the Commission's jurisdiction and are under the jurisdiction of the Canadian NEB, Canada's equivalent of the FERC. As the responsible authority under the Canadian Environmental Assessment Act, the NEB and the Canadian Environmental Assessment Agency would jointly conduct an environmental review of the St. Clair and TransCanada facilities that is similar in scope and detail to that presented in our EIS. Therefore, any analysis of the St. Clair or TransCanada facilities in the FERC document would be duplicative and is not a part of this document. The sole authority for the analysis and approval of the facilities in Canada is the NEB.

The NEB review of the Canadian Millennium facilities was suspended in early 2000 at the request of the Canadian applicants pending completion of the FERC review of Millennium's application in the U.S. In June 2001, the Joint Review Panel advised St. Clair and TransCanada that the term of one of the temporary panel members of the NEB expires in December 2001 and that "the panel, as currently constituted, might not be in a position to complete the review of the project pursuant to the existing Joint Panel Review Agreement." In August 2001, St. Clair and TransCanada advised the Joint Review Panel that they were withdrawing their applications without prejudice to their right to refile analogous applications if and when appropriate. The applicants noted that they could not "propose a prospective regulatory schedule" as requested by the Joint Review Panel because of uncertainties on whether the Commission would issue the FEIS by the end of September 2001. St. Clair and TransCanada also noted that it may be necessary to amend significant portions of their existing applications to reflect economic and technical changes to the Canadian project since the original filings.

^{5/} Case 99-T-1814, Order Granting Certificate of Environmental Compatibility and Public Need, March 29, 2001