



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
WASHINGTON, D.C. 20314-1000

REPLY TO
ATTENTION OF:

APR 3 -

Operations Division
Regulatory Branch

Mr. Scott Gude
Office of the Deputy Under Secretary for Oceans and Atmosphere
National Oceans and Atmospheric Administration
Washington, D.C. 20230

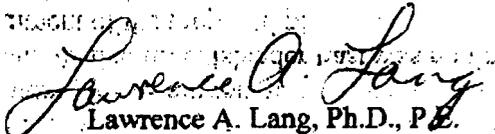
Dear Mr. Gude:

This is in response to your letters dated January 31, 2003 and March 24, 2003 to the Honorable Donald Rumsfeld, Secretary of Defense and Lieutenant General Robert Flowers, Chief of Engineers, requesting comments concerning an administrative appeal brought by the Islander East Pipeline Company pursuant to the Coastal Zone Management Act (CZMA) and subsequently extending the deadline for providing comments.

As you are aware, the proposed construction of the Islander East Pipeline would require a permit from the U.S. Army Corps of Engineers pursuant to Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. On October 18, 2002 the New England District of the U.S. Army Corps of Engineers, at the request of Islander East, administratively closed the evaluation of the permit application pending the resolution of the State of Connecticut's objection to the CZMA consistency determination. At that time, Islander East was reminded of the Corps' substantial concerns regarding the alignment of the proposed pipeline should Islander East choose to resubmit its permit application in the future. Those concerns centered on potential environmental impacts and the availability of less environmentally damaging alternatives. At this time no national defense or security interests have been identified.

I hope the information provided is responsive to your concerns; should we have further comment prior to the end of the extended comment period I will forward them at that time. Should you or your staff have any questions, please contact Mr. Kirk Stark, Regulatory Program Manager, at (202) 761-4664.

Sincerely,


Lawrence A. Lang, Ph.D., P.E.
Acting Chief, Operations Division
Directorate of Civil Works

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