

Congress of the United States
House of Representatives
Washington, DC 20515

January 9, 2003

The Honorable Donald L. Evans
Secretary of Commerce
Herbert C. Hoover Building
14th Street and Constitution Avenue, N.W.
Washington, D.C. 20230

Dear Mr. Secretary:

We are writing today in reference to an appeal which has been submitted by Islander East, LLC to overturn the October 15, 2002 denial issued by the State of Connecticut Department of Environmental Protection (DEP) regarding the proposed construction of the Islander East Pipeline. As you may know, the pipeline would extend through five Connecticut communities, including Branford, Connecticut, where it would enter the Long Island Sound and continue to Shoreham, New York.

After thorough review, the Connecticut DEP determined that the project was not consistent with the State's federally approved Coastal Zone Management Program (CZMP). The DEP found that, as proposed, the construction and installation would have negative impacts on water quality, shellfish habitat, water dependant use, and tidal wetlands. In our discussions with the DEP, we have also been informed of their serious concerns with the potential damage that will be caused to the Sound's bottom with the installation of this pipeline. Construction estimates indicate that the trench needed for installation would span between 75 and 260 feet along the 23 mile crossing. These estimates do not include the potential scarring which may be caused by the dragging anchors, 15 feet in length, which would be used to stabilize the installation equipment during the three crossings which are proposed to complete installation.

In addition to the DEP's objections, the Islander East project has also been reviewed by several federal agencies in accordance with the National Environmental Policy Act and the Clean Air Act. To date, both the United States Environmental Protection Agency and the United States Fish and Wildlife Service have expressed numerous concerns with the proposed project.

With the installation of the Iroquois natural gas pipeline only a decade ago, Connecticut residents have witnessed the severe and irreversible damage that can be caused by such a project. Despite the fact that a less environmentally damaging alternative route has been identified, not only by the DEP, but by the Federal Energy Regulatory Commission (FERC), FERC has refused to consider this alternative in concert with the Islander East proposal. The Islander East proposal is simply not the best proposal when considering the environmental risks.

The Honorable Donald L. Evans
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While we fully understand that there are energy needs which must be met in the Long Island Region, we do not believe that Connecticut or the Long Island Sound should shoulder the tremendous environmental burden this project would create to resolve Long Island's power demands.

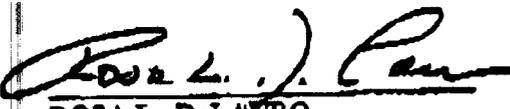
We hope that you will consider these issues, as well as those concerns raised by the DEP and federal regulatory agencies, throughout your review of Islander East's appeal. We strongly urge you to uphold the October 15, 2002 decision issued by the Connecticut Department of Environmental Protection.

We appreciate your consideration of this matter and ask that you notify our offices when the General Council's office determines the schedule of this appeal.

Sincerely,


CHRISTOPHER J. DODD
U.S. Senator


JOSEPH I. LIEBERMAN
U.S. Senator


ROSA L. DeLAURO
Member of Congress


NANCY L. JOHNSON
Member of Congress


CHRISTOPHER SHAYS
Member of Congress


JOHN B. LARSON
Member of Congress


ROB SIMMONS
Member of Congress



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Washington, D.C. 20230

OFFICE OF THE GENERAL COUNSEL

JAN 16 2003

The Honorable Christopher J. Dodd
United States Senate
Washington, D.C. 20510

Dear Senator Dodd:

Thank you for your co-signed letter regarding the Islander East Pipeline Company's administrative appeal filed under the Coastal Zone Management Act (CZMA) and currently pending before the Department of Commerce. The National Oceanic and Atmospheric Administration (NOAA) processes many aspects of CZMA appeals for the Secretary of Commerce, and therefore was asked to respond to your inquiry.

Writing in support of the Connecticut Department of Environmental Protection's (Connecticut) position on this matter, you ask that we carefully consider various issues and concerns regarding the proposed construction of the Islander East pipeline. Please be assured that we have already begun the process of developing an administrative record, which will include briefs and supplementary information submitted by Connecticut and Islander East, as well as comments and materials received from the public and interested Federal agencies. In this regard, enclosed is a copy of the initial briefing schedule issued recently to the parties. Also, a Federal Register notice providing general information to the public about the appeal, including a public comment period, will be published later this month.

We will add your letter to the appeal's administrative record and look forward to receiving any information you believe to be helpful to the Secretary in deciding this appeal.

Thank you again for your correspondence on this important issue

Sincerely,

A handwritten signature in black ink that reads "James R. Walpole".

James R. Walpole
General Counsel

Enclosure





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Washington, D.C. 20230

OFFICE OF THE GENERAL COUNSEL

JAN 16 2003

The Honorable Joseph I. Lieberman
United States Senate
Washington, D.C. 20510

Dear Senator Lieberman:

Thank you for your co-signed letter regarding the Islander East Pipeline Company's administrative appeal filed under the Coastal Zone Management Act (CZMA) and currently pending before the Department of Commerce. The National Oceanic and Atmospheric Administration (NOAA) processes many aspects of CZMA appeals for the Secretary of Commerce, and therefore was asked to respond to your inquiry.

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James R. Walpole
General Counsel

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National Oceanic and Atmospheric Administration
Washington, D.C. 20230

OFFICE OF THE GENERAL COUNSEL

JAN 16 2003

The Honorable Rosa L. DeLauro
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative DeLauro

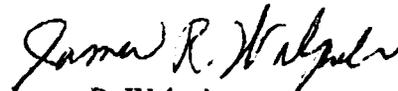
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James R. Walpole
General Counsel

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National Oceanic and Atmospheric Administration
Washington, D.C. 20230

OFFICE OF THE GENERAL COUNSEL

JAN 16 2003

The Honorable Rob Simmons
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Simmons:

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James R. Walpole
General Counsel

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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Washington, D.C. 20230

OFFICE OF THE GENERAL COUNSEL

JAN 16 2003

The Honorable Nancy L. Johnson
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Johnson:

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James R. Walpole
General Counsel

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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Washington, D.C. 20230

OFFICE OF THE GENERAL COUNSEL

JAN 16 2003

The Honorable Christopher Shays
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Shays

Thank you for your co-signed letter regarding the Islander East Pipeline Company's administrative appeal filed under the Coastal Zone Management Act (CZMA) and currently pending before the Department of Commerce. The National Oceanic and Atmospheric Administration (NOAA) processes many aspects of CZMA appeals for the Secretary of Commerce, and therefore was asked to respond to your inquiry.

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General Counsel

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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Washington, D.C. 20230

OFFICE OF THE GENERAL COUNSEL

JAN 16 2003

The Honorable John B. Larson
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Larson

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General Counsel

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