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SUE W. KELLY
18TH DISTRICT, NEW YORK

- COMMITTEE ON FINANCIAL SERVICES
- CHAIRWOMAN, SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS
- SUBCOMMITTEE ON FINANCIAL INSTITUTIONS AND CONSUMER CREDIT
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- SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT
- COMMITTEE ON SMALL BUSINESS
- SUBCOMMITTEE ON REGULATORY REFORM AND OVERSIGHT
- ASSISTANT MAJORITY WHIP

- PLEASE REPLY TO:
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WASHINGTON, DC 20515
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 - 21 OLD MAIN STREET, ROOM #107
FRIEBKILL, NEW YORK 12524
(518) 897-5200
 - 16 MADISON CIRCLE DRIVE, ROOM #301
ST. ROSE, NEW YORK 10549
(914) 241-6340

Congress of the United States
House of Representatives
Washington, DC 20515-3219

2002 JUL 24 PM 5:24

July 15, 2002

The Hon. Donald L. Evans
Secretary of Commerce
Department of Commerce
14th and Constitution Ave. NW
Washington, D.C. 20230

Dear Secretary Evans:

Columbia Gas Transmission Corp. is planning to construct a natural gas pipeline through New York State and also through the 19th district which I represent. This past May the New York State Department of State determined that the proposed route for the Millennium Pipeline is inconsistent with the policies of the New York State Coastal Management Program. Having worked closely with Governor Pataki on a variety of issues concerning the Hudson River I agree with and support his assessment on this important matter.

The Division of Coastal Resources is concerned about detrimental effects the planned route may have on the Hudson River and the surrounding communities in the Hudson Valley. Particularly, they are concerned about the effect the pipeline construction will have on Haverstraw Bay, an area significantly rich in plant and marine life. The construction of this pipeline may also have a damaging effect on the safety of the drinking water for the residents not only of the Hudson Valley but of New York City. As I have worked hard during my eight years in Congress to fund and support revitalization efforts throughout the 19th district, from Ossining to Poughkeepsie, I feel strongly that we must make sure that the construction of the pipeline does not damage the coastal revitalization efforts which have made the Hudson River Valley the beautiful and scenic area that it is.

The Department of Commerce must take into consideration these factors as well as the voices of thousands of residents whose lives will be affected by the construction of this pipeline through their neighborhoods before they come to a decision regarding the Millennium Pipeline. I ask that the Department of Commerce work with Columbia Gas to ensure that the environment of the Hudson Valley will not be affected by this pipeline and that ample time is given to study whatever effects this construction will have on our community. Thank you for your time and I look forward to your response.

Sincerely,



Sue Kelly
Member of Congress



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

OFFICE OF THE GENERAL COUNSEL

AUG 5 2002

Congresswoman Sue Kelly
Congress of the United States
House of Representatives
Washington, D.C. 20515-3219

Dear Congresswoman Kelly:

Thank you for your letter to the Secretary of Commerce Donald L. Evans, concerning the Coastal Zone Management Act (CZMA) consistency appeal of the Millennium Pipeline Company, L.P. (Millennium) to the objection of the New York Department of State which administers New York's federally approved coastal management program pursuant to the CZMA. Under the CZMA (16 USC 1456(c)(3)(A) and its implementing regulations (15 CFR 930 Subpart H) when an applicant for a federal license or permit proposes an activity affecting the coastal uses or resources of a state with a federally approved coastal management program, a state may object if the proposed activity is not consistent with the state's coastal management program. After receiving a state objection, an applicant, in this case Millennium, may appeal to the Secretary of Commerce seeking an override of the state's objection. The Secretary of Commerce may override the state's objection if the administrative record shows that the applicant proposed activity is consistent with the objectives of the CZMA or necessary in the interest of national security.

In this case, Millennium has appealed to the Secretary of Commerce and an administrative record for his decision is being prepared. Your letter will be added to the administrative record. There will be a time for public comment during the appeal process and this office encourages you to submit your comments at that time. The public comment period will be announced in the local newspapers in the area of the proposed activity as well as in the Federal Register.

Thank you for your interest in the Federal Consistency procedures of the CZMA.

Sincerely,

Karl D. Gleaves
Assistant General Counsel
for Ocean Services

