



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

OFFICE OF THE GENERAL COUNSEL

August 16, 2002

Neil L. Levy
Christian C. Semonsen
Counsel for Village of Croton-on-Hudson
Kirkland & Ellis
655 Fifteenth St, NW
Suite 1200
Washington, D.C. 20005

**Re: Appeal to the Secretary of Commerce by Millennium Pipeline Company, L.P.,
pursuant to the Coastal Zone Management Act, 16 U.S.C. 1456(c)(3)(A) –
Request for a Public Hearing**

Dear Gentlemen:

The Village of Croton-on-Hudson (Village) requested a public hearing on the above-captioned Coastal Zone Management Act (CZMA) consistency appeal. The Village's request was considered in the context of other requests received by the Secretary of Commerce (Secretary). Also considered were the views of the Millennium Pipeline Company, L.P., as expressed in a July 8, 2002 letter from Millennium's counsel. Further, the significant public interest in this proceeding as evidenced by the several hundred letters received by the Secretary on this matter was noted.

The Under Secretary for Oceans and Atmosphere, Vice Admiral Conrad C. Lautenbacher, Jr., has decided a public hearing will be held on this matter. It will be held in Westchester County, at a time to be determined during the public comment period. In making this decision, the views of all parties were considered. Of particular note is the fact that no public hearing specifically addressed the adverse effects of the proposed project on the coastal uses or resources of New York in the context of the objectives of the CZMA as specified in 15 CFR 930.121.



My office has been instructed to conduct the public hearing during the public comment period in this proceeding. If there are any questions concerning the public hearing, please contact me or Karl D. Gleaves, Assistant General Counsel for Ocean Services at 301-713-2967 ext. 204.

Sincerely,



James R. Walpole
General Counsel

cc: Frederic G. Berner, Jr.
Sidley Austin Brown & Wood

Glen T. Bruening
General Counsel
New York Department of State

The Honorable Charles E. Schumer
United States Senator

The Honorable Hillary Rodham Clinton
United States Senator

The Honorable Nita M. Lowey
Member of Congress