

HILLARY RODHAM CLINTON  
NEW YORK  
SENATOR

RUSSELL SENATE OFFICE BUILDING  
SUITE 476  
WASHINGTON, DC 20510-3204

02-004959-C

# United States Senate

WASHINGTON, DC 20510-3204

October 9, 2002

The Honorable Donald L. Evans  
Secretary  
United States Department of Commerce  
Room 5854  
14th & Constitution Ave., N.W.  
Washington, D.C. 20230

Dear Mr. Secretary:

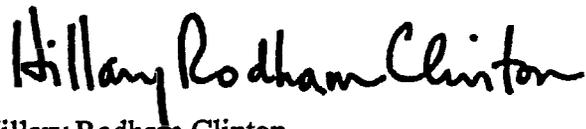
I am writing in regard to the proposed Millennium Pipeline Project currently on appeal before the Department of Commerce.

I wish to bring to your attention a study that is being prepared by the villages of Croton-on-Hudson and Briarcliff Manor, New York outlining routing alternatives to the proposed Haverstraw Bay crossing. I understand that Mayors Robert Elliot and Keith Austin, of Croton-on-Hudson and Briarcliff Manor, respectively, would like to meet with you to present their views and discuss alternative routes for the Pipeline. I respectfully request that you arrange such a meeting.

I would like to re-emphasize that community consultation is critical in creating alternative energy sources for New York. New York's communities need affordable and safe energy, but it must be developed in a way that is consistent with the preservation of our environment and the health, safety and security needs of our citizens.

Thank you for your attention to this matter and I look forward to your prompt response.

Sincerely yours,



Hillary Rodham Clinton



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

OFFICE OF THE GENERAL COUNSEL

OCT 28 2002

The Honorable Hillary Rodham Clinton  
United States Senate  
Washington, D.C. 20510

Dear Senator Clinton:

This letter responds to your recent correspondence requesting a meeting to provide the mayors of the villages of Croton-on-Hudson and Briarcliff Manor, New York with an opportunity to discuss with Department of Commerce officials possible routing alternatives for a natural gas pipeline to be constructed by the Millennium Pipeline Company (Millennium). As you noted, Millennium's proposed pipeline is the subject of an administrative appeal, brought pursuant to the Coastal Zone Management Act (CZMA), and currently pending before the Department. The National Oceanic and Atmospheric Administration processes many aspects of CZMA appeals for the Secretary of Commerce, and therefore was asked to respond to your letter.

The Department has a long-standing policy that precludes officials involved in a CZMA appeal decision from participating in *ex parte* discussions concerning the merits of a pending appeal with persons outside the decision process. This restriction is designed to ensure the fairness and impartiality of the Secretary's decision. The subject of the proposed meeting – alternative routes to the pipeline's Haverstraw Bay crossing – directly involves an issue to be considered by the Secretary in deciding the appeal. As such, it falls within the scope of topics inappropriate for *ex parte* discussion.

Notwithstanding this limitation, we welcome the submission of all information and comments that are relevant to the Secretary's decision. It would be wholly appropriate for the mayors or their representatives to present views at a public hearing on the appeal scheduled for November 13, 2002, in Tarrytown, New York. In addition, more in-depth written comments and materials may be submitted for inclusion in the administrative record at any time during the ongoing public comment period which runs through December 2, 2002.

Thank you for your interest in this important matter.

Sincerely,

A handwritten signature in cursive script that reads "James R. Walpole".

James R. Walpole  
General Counsel

