



DEPARTMENT OF THE ARMY
NEW YORK DISTRICT, CORPS OF ENGINEERS
JACOB K. JAVITS FEDERAL BUILDING
NEW YORK, N.Y. 10278-0090

REPLY TO
ATTENTION OF

Regulatory Branch

February 2, 2006
Via FAX

AND FedEx 854363647400215

Ms. Sandra Barnett, Environmental Affairs Manager
Broadwater Energy
777 Walker Street, 22nd Floor
Houston, TX 77002

Dear Ms. Barnett:

Today we learned from our counterparts in the Federal Energy Regulatory Commission (FERC) that you recently submitted the formal application to them for Broadwater's proposal to establish a Liquefied Natural Gas (LNG) terminal and construct a pipeline in the middle of Long Island Sound in an effort to meet local market demands for natural gas.

During our April 13, 2005 pre-application meeting on the same project, I explained that Broadwater must work with us, in parallel with FERC, the lead federal agency, and file an application with us as early as possible to initiate the processing of a permit application for your proposed project pursuant to 33 CFR 325.1 and 325.2 which details our permit processing procedures.

Enclosed please find another copy of the above-cited regulations and the necessary forms, including example drawings, for filing a complete permit application with us. It is imperative that you file an application with this office immediately so that we may process your application concurrently with FERC application process, including our use of FERC-developed NEPA documents. Delay in submitting your application will not allow for joint coordination of USACE and FERC's regulatory processes that will lead to significant delays in the processing of your application.

If you should have any questions regarding this correspondence, please contact Mike Vissichelli at 917-790-8520.

Sincerely,

Richard L. Tomer
Chief, Regulatory Branch

Enclosures

Copy furnished

Federal Energy Regulatory Commission (FERC) *FAXED TO Jim Martin @ FERC 2Feb2006*

CF:

CENAN-OP (Mr. CREMER)

CENAN-OP-RE (Mr. Vissichelli)

→ CENAN-OP-RE (Mr. SMITH)