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December 11, 2007

BY ELECTRONIC FILING

Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Re: *Broadwater Energy LLC*, Docket No. CP06-54-000
Broadwater Pipeline LLC, Docket Nos. CP06-55-000 & CP06-56-000

Dear Ms. Bose:

Enclosed for filing in the referenced proceedings is a copy of the December 10, 2007 correspondence of Broadwater Energy LLC and Broadwater Pipeline LLC with the National Marine Fisheries Service.

Please do not hesitate to contact me with any questions regarding this submission.

Respectfully submitted,

/s/ Brett A. Snyder

Brett A. Snyder

Enclosure

cc: Mr. James Martin, FERC

BROADWATER



Broadwater Energy LLC
c/o Shell US Gas & Power
910 Louisiana Street, Suite 4100
Houston, Texas 77002

December 10, 2007

Ms. Kristen Koyama
Ship Strike Coordinator
National Marine Fisheries Service (NMFS) Northeast Regional Office
Protected Resources Division
1 Blackburn Drive
Gloucester, MA 01930

RE: Broadwater Vessel Strike Avoidance Plan

Dear Ms. Koyama:

Earlier this month on November 1, 2007, Broadwater Energy sent a letter to your office outlining proposed vessel strike avoidance measures associated with the Broadwater development, with specific emphasis on Right Whales. This was updated on November 27, 2007 per discussions between you and Mike Donnelly of Ecology & Environment on November 19, 2007.

Based on your subsequent conversation with Mr. Donnelly on December 7, 2007, Broadwater is pleased to provide the attached revised document entitled "Broadwater LNG Project – Vessel Strike Avoidance and Reporting Plan". Our intention in submitting this document is to provide additional clarification concerning how Broadwater would incorporate the Plan into Port Regulations and document acknowledgement of receipt from incoming vessel traffic.

If additional discussions or clarifications are needed to address any remaining concerns NMFS has regarding this issue, please contact Mike Donnelly.

Sincerely,

ORIGINAL SIGNED

Murray Sondergard
Project Director

Enclosures

CC: Captain Guy Nicholls, Marine Advisor, Broadwater
John Hritcko, Broadwater
Mike Donnelly, Ecology & Environment
Jim Martin, FERC
Luke Dlhopsky, USCG

BROADWATER

Broadwater LNG Project Vessel Strike Avoidance and Reporting Plan December 2007

Broadwater has developed this preliminary Vessel Strike Avoidance and Reporting Plan (Plan) to outline specific measures which will be implemented to assure consistency with the existing and proposed regulations for Marine Mammals and Right Whale protection for all activities associated with operation of the LNG facility in Long Island Sound. Broadwater will ensure that all operators of construction and support vessels, and LNG carriers calling at the Broadwater facility are fully aware of the requisite federal regulations and that these vessels act accordingly. As the Broadwater project evolves, this Plan will be updated to provide greater detail on how vessels calling into the facility can be best briefed in order to enhance reporting while minimizing any whale strikes. All modifications to this Plan will be submitted to FERC and the National Marine Fisheries Service (NMFS) for review and approval in advance of implementation.

As part of its facility operations, Broadwater will provide and implement Port Regulations for all vessels that call on the terminal. The Port Regulations will include operational and regulatory requirements, which will ensure that the vessels can call safely and securely on the Broadwater LNG Facility. When a vessel is nominated to discharge at the Broadwater FSRU, the facility will require the vessel to provide information regarding the physical attributes of the vessel so that Broadwater can determine its compatibility with the facility and properly prepare for the vessel arrival. Once Broadwater clears the vessel, Broadwater will provide the vessel with the Port Regulations for their review, understanding, and acknowledgement. This Plan will be incorporated in the Broadwater Port Regulations to ensure that all LNG vessels review, understand, and acknowledge the information specific to vessel strike avoidance and reporting requirements.

Broadwater's Plan includes the following key components:

- (1) Vessel operations and crews will maintain a vigilant watch for marine mammals to avoid striking sighted protected species.
- (2) Broadwater will provide the following information to LNG vessels regarding federal laws and regulations for protected species and ship strike information:
 - Distribution of the most recent version of the NOAA/USCG produced training CD / video entitled "A Prudent Mariner's Guide to Right Whale Protection" prior to vessels calling at the FSRU.
 - Distribution of training and informational materials to LNG carrier operators regarding critical habitat, migratory routes and seasonal abundance, and recent sightings of protected species and additionally specific information regarding right whales, for example: how to report right whale sightings, and

requirements to check maritime advisory information systems for right whale sightings.

- (3) LNG carrier operators will be required to check with various communication media for general information regarding avoiding ship strikes and specific information regarding North Atlantic right whale sighting locations. These include NOAA weather radio, U.S. Coast Guard NAVTEX broadcasts, and Notices to Mariners.
- (4) LNG carrier operators will be required to pass along any North Atlantic Right Whale sighting or notifications information to the Broadwater FSRU such that the sighting details can be distributed to other pilots and vessels departing Long Island into Block Island Sound.
- (5) LNG Carrier operators will be made aware that federal regulations require a minimum distance of 500 yards be maintained from North Atlantic Right Whales.
- (6) This Plan will be communicated to arriving vessels in a manner to be determined, but would likely be via email, at least 24 hours prior to arrival, to ensure that the vessel could take the required planning actions including a speed restriction of 10 knots when navigating through the identified area. Broadwater will require vessel acknowledgement of receipt and understanding of the Plan prior to transit through the identified area.
- (7) This Plan identifies the actions to take if a vessel detects Injured or Dead Species (see below). This includes the immediate actions mandated along with the reporting and contact requirements.

During the “interim period”, identified as the period from commencement of Broadwater’s operations until the new federal proposal comes into force, Broadwater will request that all vessels, bound to and from the FSRU, will travel at 10 knots or less during the period November 1 to April 30 each year, when navigating within Block Island Sound, in the area with a 30 nautical mile (55.6 km) width extending south and east of the mouth of the Sound (reference points: Montauk Point and the western end of Martha’s Vineyard), while having due consideration for safe navigation, the prevailing weather conditions and existing traffic conditions in the vicinity.

During this interim period Broadwater will request that in such cases where it has been necessary to navigate at speeds in excess of 10 knots within the designated zone identified above, the reasons for the deviation, the speed at which the vessel is operated, the area, and the time and duration of such deviation will be documented in the logbook of the vessel and reported to the NMFS Northeast Region Ship Strike Coordinator.

Injured or Dead Protected Species Reporting

Sightings of any injured or dead Right Whales should be reported immediately, regardless of whether the injury or death is caused by project activities. Sightings of injured or dead whales not associated with project activities can be reported to the USCG on the appropriate VHF Channel, or to the NMFS Stranding and Entanglement Hotline: (978) 281-9351.

In addition, if the injury or death of a marine mammal was caused by a collision with a project-related vessel, the NMFS Stranding and Entanglement Hotline should be notified immediately (978-281-9351), and responsible parties should remain available to assist the respective marine mammal salvage and stranding network as needed. The NMFS Northeast Regional Office must also be provided with a full report of the incident, including the following information:

- Location, date, and time of the accident or sighting;
- Speed of the vessel;
- Size of the vessel;
- Description of the impact;
- Fate of the animal, if known;
- Species and size, if known;
- Wind speed and direction, and
- Water depth.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure.

Dated at Washington, D.C. this 11th day of December 2007.

/s/ Brett A. Snyder _____

Brett A. Snyder

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