



STATE OF NEW YORK
DEPARTMENT OF STATE
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ALBANY, NY 12231-0001

GEORGE E. PATAKI
Governor

RANDY A. DANIELS
Secretary of State

September 26, 2002

Ms. Mary G. Holt, Esq.
Office of General Counsel
National Oceanic and Atmospheric Administration
1305 East-West Highway, Room 6111
Silver Spring, MD 20910

RE: CZMA Consistency Appeal of Millennium Pipeline, LP

Dear Ms. Holt:

Thank you for your fax letter today inviting our comments on the September 20, 2002 submission of the City of New York, entitled *New York City's Request for Amicus Status with Respect to the Appeal of Millennium Pipeline Company, L.P. from the New York State Department of State CZMA Objection*, in the above captioned CZMA consistency appeal.

Specifically, the City has requested the Secretary of Commerce to provide it with amicus status "to set forth the risks that Millennium's proposal poses to the water supply of the City of New York, which is a vital resource in New York's coastal zone."

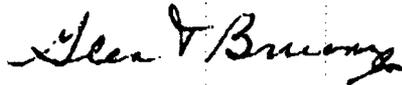
The Department of State supports the granting of amicus status to the City. As proposed, the Millennium pipeline would cross the Catskill Aqueduct at the juncture of the Bryn Mawr Siphon and the watershed of the New Croton Reservoir, components of the New York City public water supply system. The City of New York's New Croton Reservoir and Catskill Aqueduct provide a primary source of water supply to the City of New York and many other municipalities. The New York City water supply system serves over nine million people and supports significant economic development activities in the region. The City therefore has a vital interest in ensuring the vitality of its water supply.

The City's request for amicus status should be granted notwithstanding Millennium's argument that the Bryn Mawr Siphon is outside the State's coastal area. That issue is being fully addressed in the initial briefs of Millennium and the Department of State. The City's brief may shed additional light on that jurisdictional issue, and can be expected to provide important arguments in considering the national interests involved and the adverse effects of the pipeline on those interests. For that reason, the City should be granted amicus status.

The Department of Commerce has granted amicus status to the Village of Croton-on-Hudson and the Town of Cortlandt in this matter. The City of New York can bring an important perspective on the pipeline route and provide unique information on the infrastructure concerns of its water system.

Thank you again for providing us with the opportunity to comment on the City's submission.

Sincerely,



Glen T. Bruening
General Counsel

GTB/WLS/sm

cc: Mr. Frederic G. Berner, Jr., Esq.
Mr. Neil L. Levy, Esq.