



ORIGINAL

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

GEORGE E. PATAKI
GOVERNOR

January 14, 2003

Mr. Kevin S. Law
Nixon Peabody LLP
990 Stewart Avenue
Garden City, New York 11530-4838

CP01-384 }
385 }
386 } 000
387 }

OFFICE OF VANCE A. DANIELS
SECRETARY OF STATE
03 FEB - 3 PM 2:45
FILED
FEDERAL ENERGY
REGULATORY COMMISSION

Re: F-2002-0515
U.S. Army Corps of Engineers/New York District Permit
Islander East Pipeline Project - Construct and Operate Natural
Gas Pipeline - LIS, Carmans River
Town of Broohaven, Suffolk County

General Concurrence - Proposal Modified To Be Consistent

Dear Mr. Law:

The Department of State received your modified proposal regarding this matter on January 14, 2002. The modified proposal would not permit trenching or excavation within the State-designated Carmans River Significant Coastal Fish and Wildlife Habitat should horizontal directional boring methods of installation fail.

The Department of State has determined that this proposed activity, which has been modified to be consistent with the New York Coastal Management Program, meets the Department's general consistency concurrence criteria. Therefore, further review of the proposed activity by the Department of State is not required, nor is the Department's concurrence with an individual consistency certification for it.

When communicating with us regarding this matter, please contact us at (518) 402-3399 and refer to our file #F-2002-0515.

Sincerely,

Vance A. Barr
Coastal Resource Specialist
Consistency Review Unit

cc: COE/New York District - Marc Helman
FERC - David P. Boergers
NYS DEC - Kent Sanders
NYS DEC Region I - John Pavacic