

Two-thirds of the route through Branford, the entire length of the route south of I-9 through a green corridor.

Properties along the route, owned by the Branford Land Trust and other private owners including the Branford Steam Railway, have been kept in a largely undeveloped and natural state. Below State-designated Scenic Rt. 146, the entire route, including the narrow corridor occupied by Branford Steam Railway, is designated as "Open Space" in the 1997 Town Plan. North of I-95, the pipeline crosses the Branford River and its associated flood plain wetland and skirts a large wetland adjacent to the North Branford border. Evaluating the specific impact of the pipeline on the environmental resources along the route was impeded by the lack of specific plans or construction details, although it was clear that critical elements of erosion and sedimentation control practices, in particular the provision for side-casting of spoil within wetlands, are far inferior to those required by local regulations.

The pipeline snakes back and forth under the tracks four times in the 3.06 miles of its length in Branford, apparently seeking to maximize, not minimize its impact on environmentally sensitive areas, notwithstanding Islander East's statement on p. 61 of its application that "[d]uring the planning process, Islander East routed the pipeline to avoid and minimize wetland impacts." Along nearly the entire route through Branford, the environmental impact could have been reduced if the pipeline were routed on the opposite side of the Branford Steam Railroad track, although industrial, commercial or residential properties would be unavoidably impacted by doing so.

Beginning at the North Branford line, the pipeline passes on the west side of the railroad between the tracks and a wetland, potentially impacting this wetland. This wetland appears on a Town map of Future Land Use (see *Attachment 18*, 1997 Plan of Conservation and Development excerpt) as "Open Space".

Continuing south, the pipeline crosses to the east side of the tracks between MP7.3 and 7.4. As a result, the crossing of the Branford River requires trenching through a shrub swamp and cattail marsh at the widest point possible. Had the pipeline taken the alternative route to the west side of the tracks, the river crossing would be at a point with high well-defined banks, minimizing the wetland impact. The objections of Islander East engineers to this alternative, that the elevation of the railroad south of the Branford River poses technical difficulties due to side slope and abutments where the tracks cross Route 1, ignores the fact that the same objections hold equally well for the east side of the track at this point, and Islander East dealt with those problems by substantially deviating from the railroad, passing around a commercial building to do so. Moreover, once the pipeline crosses Route 1 to the east of the tracks it passes through an extremely congested area where it potentially impinges on several commercial buildings, sanitary and storm sewers (see testimony by Town Planner and Town Engineer) and additional wetlands. All these could be avoided if a mirror image of the proposed route were followed to the west of the tracks.

Immediately south of Interstate 95, the pipeline crosses a small Land Trust property threading its way between the sanitary sewer line and a shallow pond. The location of the pipeline will require the clearing of a buffer of trees and shrubs that edges the pond and is used extensively as a nesting site by a variety of birds, possibly including green herons. After crossing a town road (Gould Lane, MP 8.2), it threads its way between the track and

wetland (the construction area encroaches on the wetland), apparently in order to avoid residences on the other side of the track.

Economic considerations underlie decisions to sacrifice environmental resources

The pipeline traverses wetlands A32 and A34 rather than upland areas directly across the tracks. Similarly, the pipeline passes through wetlands A-36 and A-37 on the west side of the BSR tracks north and south of the Amtrak line, when they could be avoided by keeping the pipeline on the east side of the BSR tracks at this point. Both the Islander East consultants and Branford Inland Wetlands Commissioner Carol Lemmon identified wetlands A32 and A34 as large and environmentally significant. Based on Commissioner Lemmon's observations (see *Attachment 19*, November 1 report from Inland Wetland Commissioner Carol Lemmon) and reports by residents of Pleasant Point Road, wetland A34 contains vernal pools that are intensively used by amphibians for breeding in the spring. The EPA considers vernal pools to be of such importance that individual permits are required from the Army Corps of Engineers "regardless of the size of the impact because of the significant wildlife functions provided by vernal pools". Comments by Mr. Keith Anderson, an Islander East design engineer, during a site visit by Federal Energy Regulatory Commission staff on October 18, 2001, suggest that the decision to traverse wetlands A32 and A34 rather than upland on the opposite sides of the tracks was due to a desire to avoid areas of ledge that would require blasting and removal of rock from the site, i.e., this was an economic decision to sacrifice wetlands to save money.

Wetland A24, at the intersection of the BSR tracks and Scenic Rt. 146, is indicated by both Islander East surveyors and Commissioner Lemmon as having significant environmental and hydrologic importance. It is also adjacent to a perennial stream, indicated as Stony Creek (MP8.9) in Table 9, that the State of Connecticut considers a cold water fishery capable of supporting anadromous fish runs. According to the October 2001 issue of *Sound Outlook, a Newsletter of the Connecticut Department of Environmental Protection*, (see *Attachment 20*) "Anadromous fish habitat restoration is an important part of resource management at the DEP and a main focus of the Long Island Sound Study." (Anadromous Fish Population Restoration – An Update) Wetland A24 is indicated as the site of a staging area for the crossing of Rt. 146 where soil and rock spoil will be stored. No details of the method of crossing Rt. 146 was given, although the application seems to indicate that crossings of this type of road would be done by boring, necessitating the excavation of a large pit adjacent to or within the wetland and close to the perennial stream. No site-specific details of construction methods or soil and erosion controls were presented, preventing any evaluation.

The pipeline disrupts and degrades important coastal wildlife habitat

South of the Amtrak line, the pipeline route enters an important coastal nature preserve that spans most of the area between the villages of Pine Orchard and Stony Creek and includes two tidal creeks and associated marshes, fresh and brackish ponds and wooded uplands. Various portions of this natural area are owned by the Branford Land Trust, the Town of Branford and the State of Connecticut. A 1991 report by the US Fish & Wildlife Service, *Northeast Coastal Areas Study; Critical Coastal Habitats*, identifies marshes from the Branford River to Leetes Island in Guilford, together with the Thimble Islands (and

Kelsey Island and the Umbrella Islands where the Short Beach Alternative would enter Long Island Sound), as “specific habitat areas of particular regional significance to fish and wildlife resources.” Testimony and documents submitted by the Branford Land Trust (see Attachment 21, Branford Land Trust submission), the Menunkatuck Audubon Society, the local chapter of National Audubon (see Attachment 22), and Commissioner Lemmon, which included personal communication from world-renowned ornithologist and naturalist Noble Proctor (see Attachment 23), clearly demonstrate that this area is a richly diverse natural area that is regularly used by numerous species that are state-listed as Endangered, Threatened or Of Special Concern. Specific species identified in the area of the preferred pipeline route south of Interstate-95, **including several listed as Endangered, Threatened or Of Special Concern by the State of Connecticut**, are listed in the document filed by the Branford Land Trust.

The submission by the Branford Land Trust reports the sighting of sharp-tailed sparrows in the area of the pipeline route. A recent issue (July/August 2001, pp. 8, 9) of *Connecticut Wildlife*, the official publication of the Connecticut Department of Environmental Protection Wildlife Division, notes that “salt marsh is the only habitat used by ... the saltmarsh sharp-tailed sparrow (*Ammodramus caudacutus*) and its close relative, the seaside sparrow (*A. maritimus*).” The article goes on to state that “The protection of salt marsh habitat from the pressures of encroachment will be critical to the continued presence of these birds in our area and region.” (See Attachment 24).

As noted above, the Thimble Islands are also important wildlife habitat. Outer Island is a component of the Stewart B. McKinney National Wildlife Refuge, and Yale University conducts ornithological research on nearby Horse Island. In addition, the Thimble Islands host a wintering population of seals. *Sound Outlook, a Newsletter of the Connecticut Department of Environmental Protection* recently reported on the increased numbers of harbor, gray, harp and hooded seals sighted in Long Island Sound (see Attachment 25, “Spotlighted Coastal Resource: LIS Gets Seal of Approval”, October 2001 issue). Seals are protected by the 1972 Marine Mammal Act. SuZanne Botta (Menunkatuck Audubon) testified that the Norwalk Maritime Center has documented a growth in the population of harbor seals in the area off the coast of Stony Creek and the Thimble Islands. Last season there were approximately 20-30 harbor seals off Branford's shores. These seals populate the area from November to March, the same period scheduled for HDD and construction of the off-shore portions of the pipeline. Ms. Botta noted that harbor seals are extremely site-specific, and raised the concern that the noise from the HDD could drive them from the area. The presence of the lay barges and the jet trenching operation with its associated sediment plume could have a similar effect. There are a limited number of locations along the Connecticut coast with such plentiful rocky islands and islets that provide suitable sites on which seals can haul out. Ms. Botta noted that causing a harbor seal to leave rocks or islets onto which they haul out is a violation of the Marine Mammal Act.

Suspension of toxic compounds, especially heavy metals, now buried in bottom sediments would harm marine life and the birds and mammals that feed on them.

Toxic materials, such as heavy metals, can be found in bottom sediments randomly distributed along coastal Connecticut. For example, Dr. Sarah Richards has reported that high levels of cadmium can be found near the mouth of the West River in Guilford, the consequence of cadmium-containing pesticides used for years in apple orchards in the West River watershed (personal communication to Committee member Bill Horne). SuZanne Botta testified that copper is present in sediments found near Stony Creek. Once suspended by the pipeline installation, currents would carry any contaminants present in the sediment into otherwise undisturbed areas where they would be taken up by filter feeding organisms, entering the food chain. Incorporation of heavy metals by benthic organisms are known to harm a number of species, including Greater Scaup, various marine mammals and bottom feeding fish, especially flounder (personal communication by Dr. Sarah Richards to Committee member Bill Horne).

Islander East has not committed to a specific method for burying the pipeline under the Sound. They have suggested two possibilities, a jetting sled (their preferred method) and a mechanical plow. The jetting procedure, while preferable to the traditional trenching with a clam-shell dredge that so badly damaged oyster beds during the installation of the Iroquois pipeline in Milford, is likely to generate unacceptable amounts of suspended sediment in a fragile marine estuary. Because the pipeline must be completely buried (contrary to Islander East's statement on page 36, see US Dept. of Transportation regulations, CFR 192.327(f)2), repeated passes of the jetting sled will be necessary to liquify and suspend bottom sediments to a depth of more than two feet. This is much deeper than the disturbances that result from naturally occurring events such as storms. Should the path of the pipeline pass through an area with buried toxins, jetting would be much more likely to resuspend and disperse those toxins. As suggested by the New York Department of Environmental Conservation in its submission to the Federal Energy Regulatory Commission, Islander East should be required to use mechanical plowing, the method that will suspend the least amount of sediment, to bury the pipeline in areas where the bottom is fine sediment, which accounts for much of the length of the underwater portion of the pipeline (Figure 13, p. 56). In addition, sediments along the path of the pipeline should be carefully analyzed at close intervals for the presence of heavy metals and other toxic materials, and the route adjusted to avoid any area where such materials are found to be present.

Islander East fails to provide for the timely restoration of "temporary" construction areas to a semblance of their original condition

As noted above in the critique of construction methods, Islander East's revegetation plan fails to provide for returning construction areas to a semblance of their previous condition. Despite claims by Environmental Project Manager Joe Reinemann that restoration methods "result in the rejuvenation of dense and diverse vegetation similar to the plant communities residing in the properties adjacent to the construction area", it will be decades before trees of the size of those being removed (two to four feet diameter, heights of more than 50 feet) will again be present.

Furthermore, the seed mixes identified by Islander East contain mostly non-native species, which is unacceptable. No watering plan has been submitted and no contingency plan has been considered should the seed mixes not germinate properly (i.e., using mature plants rather than seeding). Finally, there are no success criteria for the restoration plan. Presently, the IWWA of Branford is requiring an 85% survival rate for a period of no less than five years, which should be required of Islander East's plan.

Requested conditions to be placed on Islander East

Numerous conditions will be required to insure that the Islander East pipeline does not impose undue burdens on Branford.

Bonds:

- A bond must be put in place sufficient to cover liabilities throughout construction.
- A bond must be put in place sufficient to cover remediation during a post construction period.
- A bond must be put in place sufficient to cover "closure" of the pipeline at the end of its useable life.
- A bond of sufficient amount must be put in place to cover lost income to Branford businesses and lost taxes and lease income to the Town of Branford, including losses due to damage and degradation to offshore shell fishing beds.

All bonds must be in the form of a passbook in the name of the Town of Branford. The funds should be placed in an account that can be dispersed by a neutral third party as jointly designated by a representative of Islander East and the First Selectman of the Town of Branford. If the two aforementioned parties cannot agree on a third party then the Connecticut DEP shall appoint said person.

Route selection and construction practices – land

- Require that Islander East provide maps (of scale not less than 1" equals 40 feet) that show the exact location of wetlands, construction areas, and soil and erosion controls within each construction zone to a suitable regulatory body that includes municipal personnel before starting work at that location.
- The pipeline should avoid wetland areas unless absolutely no alternative route is available. Directional boring /drilling must be utilized to avoid direct disturbance and destruction of all wetlands.
- Islander East should be required to work within as narrow a construction zone as possible, **determined in a site-specific manner.**
- Require that water for hydrotesting the Branford portion of the pipeline be obtained from municipal water supply sources.

Environmental oversight

- An environmental engineering company having its main office in the state of Connecticut should be retained as an **independent environmental inspector** for oversight of pipeline installation on land for a period to include the installation of the pipeline plus an additional five years.
- An employee of this company should be required to be present on the construction site at all times.
- The environmental inspector should have formal training and experience in environmental engineering and local soil sedimentation and erosion controls as dictated by the Connecticut DEP's manual, "Guidelines for Soil Erosion and Sedimentation Control".
- The environmental inspector should have sufficient oversight and authority to stop, correct, and modify any and all construction practices that do not meet local standards, or that cause more damage or disruption than is absolutely necessary.
- The responsibilities of the environmental inspector should include:
 - ensuring that all soil sedimentation and erosion controls are in place before any construction activities are undertaken;
 - filing timely weekly reports and a report of any intrusion into wetlands and wetland upland review areas Branford's Inland Wetlands Enforcement Officer;
 - creating a re-vegetation and restoration plan for all disturbed areas using only native species suited to the area, including a plan for mitigating all disturbed wetlands at not less than a 2:1 ratio as per local regulations, to be filed with and reviewed by the Branford Inland Wetland and Watercourses Agency, which would have the authority to request modifications;
 - overseeing the restoration of all disturbed areas, including monitoring for a minimum of 5 years after the last planting to insure a survival rate of 85%.

Restoration and management

- Require that the width of the permanently cleared area within the right of way be kept to the minimum required for monitoring by inspection from the Branford Steam Railroad.
- Replant all wooded upland and wetland areas used for construction that will not be kept clear for monitoring purposes with native species of trees and shrubs suitable to the site in numbers at least equal to the trees and shrubs that were cut during construction. Trees will be of equal trunk diameter as those removed.
- Provide a source of income to the Town of Branford and the Branford Land Trust sufficient to pay for yearly removal (not merely cutting) of invasive species (as identified on the list prepared by Connecticut Invasive Plants Working Group, January 2000, as revised) from the right of way and other disturbed areas.

- Restore all stones in stone walls to their exact pre-construction positions.

Marine construction

- The testing of marine sediments at close intervals along the route for heavy metals and other toxic materials should be required. The route should be altered to avoid areas where levels of toxic materials exceed background.
- Require that Islander East use mechanical plowing to bury the pipeline in off-shore areas where the bottom is fine sediment (as also requested by the New York Department of Environmental Conservation in its submission to the Federal Energy Regulatory Commission).
- Require the development of a mitigation and restoration plan for all marine activities that will return the impacted area to preconstruction conditions within one year. The plan must be approved by National Marine Fisheries Service, Connecticut Department of Environmental Protection and the Branford Shellfish Commission.
- A second environmental engineering firm with expertise in marine construction should be retained to provide independent oversight of the horizontal directional drilling and installation of the marine portion of the pipeline, with sufficient oversight and authority to stop, correct, and modify any and all construction practices that cause more damage or disruption than is absolutely necessary.

Conclusion

Islander East Pipeline Co. LLC has not convinced residents of the town of Branford that there is sufficient need to offset the potential environmental and economic impact that could have long-term economic value of \$1 billion as well as permanent environmental destruction.

Branford residents take pride in ownership as they own the community financially and emotionally. This is reflected since generations before have deeded properties for open spaces and parks. The residents will retain the high quality of its community assets and the Town will diligently manage these assets.

Our governing process "by the people and for the people" provided the forum of public hearings attended by 36 residents who provided testimony about specific aspects of the Islander East proposal that would damage Branford and dozens of their supporters who unanimously opposed this project.

**LIST OF ATTACHMENTS AND PAGE REFERENCES INCLUDED IN
BRANFORD BLUE RIBBON COMMITTEE REPORT AND RECOMMENDATIONS
REGARDING THE PROPOSED ISLANDER EAST NATURAL GAS PIPELINE**

ATTACHMENT	DESCRIPTION	PAGE
1	Names of those who spoke and offered documentation.	1
2	Galligan testimony, October 9 transcript, page 67.	4
3	Ghiroli November 1, 2001 letter to Committee Chair Shapiro.	5
4	Harney testimony, October 10 transcript, page 41.	5
5	Galligan testimony, October 9 transcript, pp.48-49.	7-8
6	Joanne Wachholder, FERC Environmental Project Manager, November 2, 2001 letter to Islander East and Algonquin Gas Transmission Co	9
7	Inland Wetlands Commissioner Dr. Richard Orson's "Assessment of Islander East pipeline proposal," October 15.	10
8	Williams testimony, October 10 transcript, pp. 61-62.	15
9	Dudley testimony, October 10 transcript, pp. 47-48.	15
10	Radulski testimony, October 16 transcript, p. 52.	16
11	Reinemann testimony, October 9 transcript, p. 29.	16
12	Williams testimony, October 10 transcript pp. 71-73.	16
13	Radulski testimony, October 16 transcript, pp. 43-44.	17
14	Branford Shellfish map	17
15	Waters statement	18
16	Botta testimony, October 16 transcript, pp. 87-88.	19
17	Luskay testimony, October 16 transcript pp. 114-115.	22
18	Map of Future Land Use from 1997 Plan of Conservation and Development indicating "Open Space".	28
19	Inland Wetland Commissioner Carol Lemmon's November 1 analysis and report to the Committee.	29
20	<i>Anadromous Fish Population Restoration – An Update, Sound Outlook</i> , CT Dept. of Environmental Protection, Oct 2001.	29
21	Branford Land Trust testimony and documentation.	30
22	Menunkatuck Audubon Society testimony and documentation.	30
23	Lemmon October 10 statement to the Committee.	30
24	"Sparrows of the Salt Marsh,") of <i>Connecticut Wildlife</i> CT Dept. of Environmental Protection, July/August 2001, pp. 8- 9.	30
25	"Spotlighted Coastal Resource: LIS Gets Seal of Approval", <i>Sound Outlook</i> , CT Dept. of Environmental Protection, Oct. 2001.	30

**BRANFORD BLUE RIBBON COMMITTEE
OCTOBER 9TH PUBLIC HEARING SPEAKER AND EXHIBIT LIST**

	NAME	AFFILIATION	EXHIBIT(S) ID AND DESCRIPTION
1	Peter Berdon	Pleasant Point Association, Director	
2	David Perkins	Short Beach Association, Executive Board member	
3	Durbin Hunter	Thimble Island Association, President	
4	Charles Shelton	Pine Orchard Association representative	
5	Jonathan Waters	Stony Creek Association representative	
6	Nick Berkun	Student	
7	Janis Khan	Branford resident	
8	Billie A. Brown	Branford resident; real estate broker	10.09.01-A: Written testimony.
9	Mary Margaret Visnic	Branford resident	
10	Pat Widlitz	CT State Representative	
11	Leslie Kane	Town of Guilford, Environmental Planner	
12	Dan Lorimier	Branford resident	
13	Louis Nargi	Branford resident	
14	Hon. Anthony DaRos	First Selectman, Branford	

**BRANFORD BLUE RIBBON COMMITTEE
OCTOBER 10TH PUBLIC HEARING SPEAKER AND EXHIBIT LIST**

	NAME	AFFILIATION	EXHIBIT(S): ID AND DESCRIPTION
1	Shirley Rasmussen	Town of Branford, Town Planner	10.10.01-A: Map of Business Park Drive 10.10.01-B: Site Plan of Ghiroli Property 10.10.01-C: Open Space Plan Map
2	Steve Dudley	Town of Branford, Town Engineer	
3	Larry Williams	Long Island Sound Shell Fisherman	10.10.01-D: Connecticut Seafood Council letter; 10.10.01-E: Larry Williams professional resume; 10.10.01-F: Larry Williams Dec. 6, 2000 letter to Connecticut Siting Council
4	Ann Davis	Branford resident	
5	Jerry Shaw	Branford resident	
6	Walter McCoy	Head of School, The Wightwood School,	
7	Tom Rutherford	Guilford resident	
8	Joan Merrick	Branford Land Trust, spokesperson	10.10.01-G: Written testimony; 10.10.01-H: Branford Land Trust comments
9	Carol Lemmon	Certified Upland Wetland Commissioner, Town of Branford	10.10.01-I: Written testimony; 10.10.01-J: Data report
10	Loretta Fox	Branford resident.	
11	Joe Reinemann	Islander East representative	10.10.01-K: "Pipeline Corridors through Wetlands-Summary of Seventeen Plant - Community Studies at Ten Wetland Crossings", Gas Research Institute Topical Report, 12/94.

**BRANFORD BLUE RIBBON COMMITTEE
OCTOBER 11TH PUBLIC HEARING SPEAKER AND EXHIBIT LIST**

	NAME	AFFILIATION	EXHIBIT(S): ID AND DESCRIPTION
	Tim Raynor	Branford Fire Commission, Acting Chairperson	
2	SuZanne Botta	National Audubon Society, Menunkatuck Chapter Vice President	10.11.01-A: Introduction & background; 10.11.01-B: Data re: Harbor Seals; 10.11.01-C: Data re: Bird Habitat; 10.11.01-D: Marine Mammal Protection Act of 1972; 10.11.01-E: Marine Mammal Protection Act Summary.
3	Kiki Kennedy	Connecticut Stop-The-Pipeline, spokesperson	
4	Ed Harney	Islander East representative	10.11.01-F: Interstate Natural Gas Companies of America Impact Study
5	Stan Mars	Branford resident	
6	Richard J. Donahoe	Branford resident	10.11.01-G: Written statement (w/ photos); 10.11.01-H: Final Decision-CT DOT Docket 9405-06-R
7	Becky Mars	Branford resident	
8	Loretta Fox	Branford resident	
9	Cornell Granata	North Branford resident	
10	Bill Lazine	Branford resident	
11	Louis Nargi	Branford resident	

**BRANFORD BLUE RIBBON COMMITTEE
OCTOBER 16TH PUBLIC HEARING SPEAKER AND EXHIBIT LIST**

	NAME	AFFILIATION	EXHIBIT(S): ID AND DESCRIPTION
1	Jason B. Vincent	Town of Branford, Third Selectman <i>(Letter read into the record by the Chairman)</i>	10.16.01-A: Letter from Jason Vincent
2	Jonathan Waters	Branford business owner, <i>Thimble Island Shellfish (Stony Creek)</i>	10.16.01-B: Written statement
3	Ted Ells	Branford resident	10.16.01-C: Written statement
4	Robert Radulski	Branford Shellfish Commissioner	10.16.01-D: Map of Shellfish Beds
5	Barbara Gordon	Connecticut Seafood Council, Executive Director	
6	Ray Gincavage	Branford resident	10.16.01-E: Written statement
7	Nick Crismale	Connecticut Lobstermen Association, President	
8	Austress Farwell	New Haven Urban Design League, President	10.16.01-F: "Sound Ideas" brochure
9	Suzanne Botta	National Audubon Society, Menunkatuck Chapter Vice President	
10	Peter Borgemeister	Branford Inland Wetlands Commissioner	
11	Becky Mars	Branford resident	
12	Janis Kahn	Branford resident	
13	Loretta Fox	Branford resident	
14	Phil Crowden	Branford resident	

**BRANFORD BLUE RIBBON COMMITTEE
OCTOBER 17TH PUBLIC HEARING SPEAKER AND EXHIBIT LIST**

	NAME	AFFILIATION	EXHIBIT(S): ID AND DESCRIPTION
1	Kevin Galligan	Islander East representative	10.17.01-A: Written response to previous questions.
2	Charles Tiernan	Juniper Point Association, Executive Committee	
3	Matthew Gailey	Branford resident	10.17.01-B: Written testimony
4	Charles E. Johnson	Branford resident	
5	Daniel Armin	North Branford resident	
6	Billie Brown	Representing Branford resident Mrs. Cornelia Bradley	10.17.01-C: Letter from Cornelia Bradley
7	Nick Berkun	Student	
8	Loretta Fox	Branford resident	10.17.01-D: National Transportation Safety Board, Pipeline Safety Hearing, Wednesday, November 15, 2000
9	Kimberly Crichton	Branford resident	
10	Janis Kahn	Branford resident	
11	Fred Rosenthal	Branford resident	
12	Kiki Kennedy	Connecticut Stop-The-Pipeline, spokesperson	10.17.01-E: Providence Journal Oct. 15, 2001 article, "Energy Developers turn attention to ocean."
13	Carol Zebb	North Branford Town Planner	
14	Herbert A. Rakebrand, III	Vice President Marketing and Transportation Iroquois Pipeline Operating Company	10.17.01-F: Letter from Iroquois Gas Transmission <i>(Entered for the record by Chairman Shapiro.)</i>
15	Dr. Richard Orson	Branford Inland Wetland Commissioner	10.17.01-G: Report and letter from Dr. Orson <i>(Entered for the record by Chairman Shapiro.)</i>
16	Stephen B. Dudley	Town Engineer, Town of Branford	10.17.01-H: Memo re: Islander East's response. <i>(Entered for the record by Chairman Shapiro.)</i>

1 agree, and we agree with you it's not our
2 preferred approach, but we do need to go through
3 in the FERC process, in the Siting Council is to
4 document and describe alternates that we have
5 evaluated. That was one of them.

6 Anywhere across this area is tough to be able
7 to get to shore, and that, you know, when you look
8 at the comparison, the pros and cons of the
9 alternate, it shows that is a miserable one.

10 As far as the safety data, that would be
11 another good thing to come in and visit if you
12 would like to see some more of the data. It is
13 also included in the application before you guys
14 as far as the consult process as well as FERC, but
15 just to leave you with a simple thought,
16 Algonquin's safety record, its track record is
17 unexcelled. Since 1953 Algonquin system has been
18 in operation, and there has not been a single
19 pipeline incident.

20 CHAIRMAN SHAPIRO: Thank you. Let's see. Do
21 I know Thimble Islands? Are you ready for a
22 commentary?

23 MR. HUNTER: I am Durbin Hunter. D-U-R-B-I-
24 N. Last name Hunter. I am president of the
25 Thimble Island Association, and we have previously

Attachment 3

November 1, 2001

Mr. Danny Shapiro, Chairman
Branford Blue Ribbon Commission
Branford Town Hall
P.O. Box 150
Branford, CT 06405

Dear Mr. Shapiro,

It has been brought to my attention that Mr. Ed Harney, an employee of Islander East LLC, represented to your commission on October 10, 2001, that Islander East had made minor changes in the pipeline route that addressed my concerns about the impact of the pipeline on my property and business. I wish to state for your commission that I have not been informed about any changes that Islander East may be considering with respect to my property. Furthermore, I am unable to see how a pipeline could be installed on my property in a way that would not completely shut down the operation of my business during the installation and possibly once the pipeline is in place. I want the commission to understand that this is a very serious matter for me.

Sincerely,



George Ghiroli

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WETLANDS COMMISSION

1 easement encroach into a building, nor
2 will temporary work space encroach into
3 a building.

4 The Garoli property, several
5 weeks, probably a couple months ago,
6 Mr. Garoli met with our folks on site
7 and voiced some concerns. We come up
8 with a minor deviation to address his
9 concerns. And I think that was actually
10 surveyed today, and that will be
11 incorporated into our deviation that
12 will be filed by FERC at the end of the
13 year. We are allowed to make minor
14 deviations to accommodate
15 landowners. His business will be
16 allowed to continue adjacent to the
17 existing industrial park or industrial
18 use of the railroad.

19 Connecting open space, if it's not
20 privately owned, we don't object
21 to -- let me rephrase that. I'm
22 sorry. If it's publicly owned, we don't
23 object to public access on the
24 right-of-way, providing it's safe
25 access. It's not heavy equipment,

1 and a half miles which would typically be at the
2 takeoff of the increased capacity. So, for
3 example, from Cheshire down, that's one option.

4 There are other ways to look at increasing
5 capacity as well which could be on that existing
6 Algonquin C-System. There are twin lines. There
7 is 16-inch diameter and a 10-inch. We could
8 easily look at, and this is just evaluating ways
9 to increase capacity, a takeup of that 10-inch and
10 replacement in the same ditch line with a larger
11 diameter. We have done that, and again it
12 minimizes the environmental impacts.

13 So, you know, I am projecting way beyond what
14 we have here, but there are multiple methods to
15 look at with the whole idea of meeting the market
16 need and minimizing the impacts.

17 MR. HORNE: How does increasing the capacity
18 of the pipe in Cheshire or North Haven allow you
19 to pump more gas through a 24-inch main in
20 Branford?

21 MR. GALLIGAN: It works. No. I mean it is
22 really -- I mean it is pressure equations, Boyle's
23 law, Charles' Law. I mean they all happen. I
24 mean basically you are taking a volume through a
25 cross-sectional area. You are able to introduce

higher capacity upstream and long as ce
2 factors or velocity, or temperature are all
3 maintained, you can increase your delivery

4 Likewise on the downstream end. You
5 some more pipe, or you could put, for example
6 new compressor which would increase the
7 throughput. Sorry to complicate it, but it
8 that type of thing that we have to kind of
9 you know that, you know, evaluating things down
10 the road may never have an impact on Branford
11 again and still be able to meet those increase
12 deliveries. Thanks.

13 CHAIRMAN SHAPIRO: Lorraine, did you want
14 start us off?

15 MS. YOUNG: I have a couple of questions.
16 The proposed cost of the pipeline is 140,000,000
17 and the estimated contingency is about 2% here

18 AUDIENCE MEMBER: We can't hear.

19 MR. HORNE: The estimated cost of the project
20 is about \$140,000,000 and the contingency proposed
21 is about 2%, and my question is based on your
22 experience of other projects of this size have
23 they come in on budget?

24 MR. GONZALES: The question was what we had
25 on file was a project of approximately

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D. C. 20426

2

OFFICE OF ENERGY PROJECTS

In Reply Refer To:
OEP/DEER/Gas 2
Islander East Pipeline Company, L.L.C.
Docket Nos. CP01-384-000
CP01-385-000
CP01-386-000
Algonquin Gas Transmission Company
Docket No. CP01-387-000
§ 375.308(x)

NOV - 2 2001

S. E. Tillman
Director, Regulatory Affairs
Duke Energy Islander East Pipeline Company
P.O. Box 1642
Houston, Texas 77251-1642

Richard J. Kruse
Senior Vice President, Pricing & Regulatory Affairs
Algonquin Gas Transmission Company
P.O. Box 1642
Houston, Texas 77251-1642

Dear Mr. Tillman and Mr. Kruse:

Please provide the information described in the enclosure to assist in our analysis of the above certificate application.

File your response in accordance with the provisions of the Commission's Rules of Practice and Procedure. In particular, 18 CFR § 385.2010 (Rule 2010) requires that you serve a copy of the response to each person whose name appears on the official service list for this proceeding.

Please file a complete response within 20 days of the date of this letter. The response must be filed with the Secretary of the Commission at:

David P. Boergers, Secretary
Federal Energy Regulatory Commission
888 First St., N.E., Room 1A
Washington, DC 20426

If certain information cannot be provided within this time frame, please indicate which items will be delayed and provide a projected filing date. **Failure to file timely, accurate, and complete responses will only delay the processing of this application.** File all responses under oath (18 CFR § 385.2005) by an authorized Islander East representative and include the name, position, and telephone number of the respondent to each item.

Thank you for your cooperation.

Sincerely,



Joanne M. Wachholder
Environmental Project Manager
Gas Branch 2

Enclosure

cc: Public File, Docket No. CP01-384-000 et al.
All Parties

Frederick M. Lowther
Beth L. Webb
Dickstein Shapiro Morin & Oshinsky LLP
2101 L Street, NW
Washington, DC 21037-1526

Thomas C. O'Connor
Senior Vice President
Duke Energy Islander East Pipeline Company
P.O. Box 1642
Houston, Texas 77251-1642

Attachment 6

Steven E. Hellman
Assistant General Counsel
Algonquin Gas Transmission Company
P.O. Box 1642
Houston, Texas 77251-1642

Duke Energy Islander East Pipeline Company
Suite 1200
1620 L Street, NW
Washington, DC 20036

Islander East Pipeline Company, L.L.C.
Algonquin Gas Transmission Company
Docket No. CP01-384-000, et al.
ENVIRONMENTAL INFORMATION REQUEST

Water Use and Quality

1. Provide a list identifying all water supply wells located within 150 feet of the construction right-of-way (ROW).
2. Identify by milepost any areas with known shallow groundwater aquifers, including the Cheshire Compressor Station and the anomaly locations along the Algonquin Uprate section of the project.
3. On FERC staff's site visit the week of October 15th, Mrs. Rivezzi indicated that known groundwater contamination exists near her property in the vicinity of MP 5.5. Provide data on the extent of this contamination, depth to groundwater and aquifer description/characteristics in this area.
4. Islander East's Long Island Sound Sampling, Analysis, and Study Plan, filed on October 4, 2001, indicates that sampling commenced August 2001. Provide a preliminary report of the findings and how construction techniques may be altered in response to the data.
5. Identify the volume, discharge rate, and the source and discharge location of hydrostatic test water.
6. What are the methods proposed to minimize turbidity and sedimentation impacts associated with offshore construction techniques such as trenching and jetting?
7. Provide an update on the status of the geotechnical investigations and evaluation of HDD drilling mud containment measures and contingency plans discussed in Section 2.2.5 of Resource Report 2.
8. On FERC staff's site visit the week of October 15th, Mr. Nargi, located near MP 9.0, expressed concern that pipeline construction would destroy his aging septic system. How would Islander East guarantee that Mr. Nargi's septic system would be repaired or replaced, or failing these options, how his home could be hooked to the sewer system.

9. Several comment letters were filed from residents of North Haven Connecticut claiming that previous construction of Algonquin's pipelines caused problems with surface and groundwater flow, septic system drainage disruption, well damage, and erosion that have yet to be fixed. How would Algonquin and/or Islander East repair, mitigate, or prevent further damage to these resources?
10. What is the status of Islander East's consultation with the Suffolk County Water Authority regarding concerns for separation distance from the pipeline to the water lines and its request for Islander East to consult with the local utilities prior to any construction activities?

Vegetation

11. Provide copies of all correspondence and telephone communications with the Central Pine Barrens Joint Planning and Policy Commission (Pine Barrens Commission) regarding the impacts to the Central Pine Barrens of Long Island.
12. The Pine Barrens Commission requested the following information:
- detailed alignments that show existing vegetation and clearing limits for the pipeline route through the Pine Barrens;
 - a graphic of the anticipated construction schedule and assurances that weekly progress reports of construction and restoration would be provided to the Pine Barrens Commission;
 - how Islander East would or would not be consistent with the Central Pine Barrens Comprehensive Land Use Plan;
 - how native planting and grass seeding would be used for restoration, with the Pine Barrens Commission's consultation on species selection; and
 - what construction techniques and equipment could be used to minimize the corridor size and reduce encroachment into forest habitat.

Address these issues or state how Islander East will consult with the Pine Barrens Commission concerning its issues.

Endangered, Threatened, and Rare Species

13. In a letter dated May 10, 2001, the New York State Department of Environmental Conservation (NYSDEC) stated that 24 state-listed endangered, threatened, special

concern, rare, or unprotected species "occur" or "may occur" in the vicinity of the Project. One of these species, *Stachys hyssopifolia* (rough hedged-nettle), is not listed in Table 3.4-1 of Resource Report 3. Indicate why these species were not included or update section 3.4.2.2 to include a discussion of this species.

14. Provide copies of all correspondence and telephone communications with the NYSDEC concurring that surveys are not required for the following 18 state-listed endangered, threatened, special concern, rare, or unprotected species:
- Coreopsis rosea* (Rose Coreopsis)
 - Eleocharis obtusa* v. *ovata* (Blunt Spikerush)
 - Eleocharis tricostata* (Three-Ribbed Spikerush)
 - Euphorbia ipecacuanhae* (Wild Ipecac)
 - Lipocarpa micrantha* (Dwarf Bulrush)
 - Oldenlandia uniflora* (Clustered Bluets)
 - Potamogeton diversifolius* (Water-Thread Pondweed)
 - Potentilla anserina egedii* (Silverweed)
 - Rotala ramosior* (Tooth-Cup)
 - Scirpus novae-angliae* (Salt Marsh Bulrush)
 - Scleria pauciflora* v. *caroliniana* (Few-Flowered Nutrush)
 - Scleria triglomerata* (Whip Nutrush)
 - Strophostyles umbellata* (Pink Wild Bean)
 - Utricularia radiata* (Small Floating Bladderwort)
 - Utricularia striata* (Fibrous Bladderwort)
 - Hemileuca maia* (Coastal Barrens Buckmoth)
 - Sterna antillarum* (Least Tern)
 - Charadrius melodus* (Piping Plover)
15. Provide a copy of the survey report, and NYSDEC comments on the survey conducted for the tiger salamander. The survey should be conducted by a qualified biologist using NYSDEC-approved survey methods to determine the presence of the species or suitable habitat in the area affected by the project.
- If the survey had not been done, provide a timetable for completion of the survey and filing the report.
 - The survey report must include the following information:
 - Name(s) and qualifications of person(s) conducting the survey
 - Method(s) used to conduct the survey

- 3) Date(s) of the survey
- 4) Area surveyed (including mileposts)
- 5) Areas where species or potential habitats occur (including mileposts)
- 6) Potential impacts, both beneficial and negative, that could result from the construction of the proposed project
- 7) Proposed mitigation that would substantially minimize or eliminated the potential negative impacts

16. Provide copies of all correspondence with the NYSDEC stating concurrence with the New York State Plant Survey Report.
17. Provide copies of all correspondence with the Connecticut Department of Environmental Protection (CTDEP) stating concurrence with the Connecticut Plant Survey Report.
18. Provide additional information documenting the dates of important life history periods (i.e., breeding, nesting, fledging) for the following five CTDEP-listed species in Section 1.1.1 of Supplemental Data Filing 1:
 - a. *Ammodramus caudacutus* (Salt Marsh Sharp-Tailed Sparrow)
 - b. *Buteo lineatus* (Red Shouldered Hawk)
 - c. *Ixobrychos exilis* (Least Bittern)
 - d. *Haliaeetus leucocephalus* (Bald Eagle)
 - e. *Sterna hirundo* (Common Tern)

Fisheries

19. Provide a copy of the Zajac *et. al* 2000 report entitled *Relationships among sea floor structure and benthic communities in Long Island Sound at regional and benthoscape scales*.
20. Please provide complete references for Knebel *et al.* 2000 (Section 2.2.3.1 Sediment Transport in Long Island Sound) and Buchholtz ten Brink and Mecray 1998 and Buchholtz ten Brink *et al.* 2000 (Section 2.2.3.2 Contaminated Sediments in Long Island Sound).

Wetlands

21. Provide a Revised Table 2.3-1 of Resource Report 2 with approximate milepost locations, National Wetland Inventory classification, crossing length, acreage

affected during construction, and acreage affected during operation for each wetland identified within the Connecticut and New York Wetland Delineation Reports provided in Supplemental Data Filing 2, Volume 2. Also include the New York tidal wetland (TWI) described in Section 2.3.2 in the revised Table 2.3-1

Cultural Resources

Note: All material filed with the Commission containing location, character, and ownership information about cultural resources must have the cover and any relevant pages therein clearly labeled in bold lettering: "CONTAINS PRIVILEGED INFORMATION--DO NOT RELEASE."

22. Provide the Commission with a response to the concerns of the New York and Connecticut State Historic Preservation Officers (letters file October 15 and July 30, 2001) in particular those regarding survey methods and definition of the Area of Project Effect (APE) and the Branford Steam Railway.
23. Please evaluate and provide the Commission with a response to the cultural resource information provided by the Pine Barrens Commission (filed August 3, 2001) and Rebecca and Stanley Mars (filed July 17, 2001).
24. In addition to the proposed pipeline corridor, there will be additional work area needed both on and offshore including staging areas listed in Table 1.1-3, contractor yards or ports, and additional areas needed for wetland and waterbody crossings. Provide a survey report for these areas as well as the areas where survey was restricted (p.4-60).
25. Provide a survey report for areas where blasting may occur in relation to potential historic structures.
26. Provide resumes to show Secretary of Interior qualifications for those that conducted surveys or prepared the reports per FERC guidelines.
27. Please provide an unexpected discovery plan for both Long Island Sound and New York.
28. In the offshore portion, survey corridors are not specifically described and there appears to be confusion regarding the offshore APE. Section 4.1.4.2 states the potential offshore APE is 4,200 feet wide. Verify the size of the offshore APE and describe the exact survey corridors.

29. List the additional sources cited in Section 2.0 of the marine survey (Appendix 4E).
30. Delineate the marine survey remote sensing corridor width and identify mileposts for the marine survey and sites.
31. Page 18 of Appendix 4E states that remote sensing was not possible in areas where depth was too shallow. Provide a survey report for the shallow un-surveyed areas that need to be surveyed either visually or by some other method.
32. Provide the results from the sub-bottom profiling that was conducted. For the 24 magnetic anomalies that did not have a matching side-scan signature, sub-bottom data is important in determining if there is the potential for deposition.

Geological Resources

33. Section 6.2.2 of Resource Report 6, Monitoring and Mitigating the Effects of Blasting, is blank. Please provide more information on mitigation of onshore blasting effects. Also, provide information on offshore blasting effects and proposed monitoring and mitigation of these effects.
34. In Table 6.1-1, are areas with "shallow depth to bedrock" indicative of areas that may require blasting? Update Table 6.1-1 to include all locations by milepost where the depth to bedrock is 5 feet or less, or where blasting may be required.
35. Are any dredge disposal sites located within 1 mile of the proposed offshore route?
36. The faults discussed in Section 6.4.2 of Resource Report 6 are reported as not considered active. What definition of "active" is used for this statement? Please provide data on the estimated last date of movement for these faults if available.

Soils

37. Provide a description of all the soils present at the proposed site of the Cheshire Compressor Station. Also include the data presented in Tables 7A-1 and 7B-1 for soils at the compressor station site.
38. The Natural Resources Conservation Service (NRCS) soil survey maps provided in the Resource Reports show soil unit locations for the Islander East Pipeline and

Calverton Lateral, but do not show a soil legend. In order to have all soils information available for all the project facilities, provide:

- a. The original NRCS soil surveys for all counties in which the project occurs;
 - b. a list by milepost of the NRCS soil units crossed by the project;
 - c. a list by milepost of all prime farmland soils, soils of statewide importance, and land under the Conservation Reserve Program sponsored by the NRCS crossed by the project; and
 - d. the contacts for the local NRCS conservation districts in which the project occurs.
39. Table 7B-1 in appendix 7B of the Resource Reports indicates that the Islander East Pipeline in Connecticut crosses soils units having deep organic matter horizons (Carlisle and Adrian), defined as typic medisaprists and as having a "muck" surface on which specialty crops such as vegetables could be grown. The Wetland Delineation Report indicates that a organic soils (histosol) are crossed in the Carman's River wetland complex. Provide:
 - a. a list by soil unit name and milepost location of Carlisle soils, Adrian soils, organic soils in the Carman's River complex, and any other "muck surface" soils crossed by the project;
 - b. a list of the milepost locations where muck soils are used for sod production and any specialty crops; and
 - c. milepost-specific construction and mitigation plans for any muck soils crossed by the project that includes
 - 1) measures for strict conservation of the organic horizons from the subsoil horizons;
 - 2) separation and protection of organic horizons while being stockpiled along the trench to prevent drying out and wind erosion;
 - 3) measures to ensure proper placement of organic and subsoil horizons during backfilling; and
 - 4) monitoring for crop productivity for a period of at least two years from the beginning of the next growing season after construction.
 40. Describe, by milepost, potential impacts on soils, including:
 - soils with thin topsoil layers that are susceptible to mixing of topsoil with subsoil;

- b. soils having deep organic surface horizons such as Carlisle and Adrian units, "typic medisaprists," histosols, and soils with "muck" surfaces;
- c. soils susceptible to compaction and rutting when under wet construction conditions; and
- d. soils susceptible to wind erosion.

Land Use, Recreation and Aesthetics

41. Tilcon Inc. and the Branford Steam Railroad expressed concerns in a letter filed October 19, 2001 that the construction and operation of the Islander East pipeline would affect the operation and maintenance of Tilcon Inc. and the Branford Steam Railroad. Indicate how Islander East would address these concerns.
42. Clarify the land use of the western portion of the Cheshire Compressor Station. Specifically, the hashed area outlined in white on drawing IE-A-CT-COMP01, revision 1, filed on October 4, 2001.
43. Please provide an electronic copy of the GIS land use polygon coverages used to calculate the areas affected by construction and operation.
44. For the Recreation and Special Interest Areas identified in Resource Report 8, provide an update on the status of consultations, including any issues of negotiation or concern to the administering agency, and special construction or mitigation measures developed. Also provide the results of any additional studies or assessments conducted for these areas.
45. For all residences located within 50 feet of the construction work area, does Islander East agree to restore all lawn areas and landscaping within the construction work area immediately after backfilling the trench?
46. For any residence closer than 25 feet to the construction work area, please file a site-specific plan which includes;
 - 1) a description of construction techniques to be used (such as reduced pipeline separation, centerline adjustment, use of stove-pipe or drag-section techniques, working over existing pipelines, pipeline crossover, bore, etc.), and include a dimensioned site plan that shows;
 - i. the location of the residence in relation to the new pipeline and, where appropriate, the existing pipelines;

- ii. the edge of the construction work area;
- iii. the edge of the new permanent right-of-way; and
- iv. other nearby residences, structures, roads, or waterbodies.

- 2) a description of how Islander East will ensure that the trench is not excavated until the pipe is ready for installation and that the trench is backfilled immediately after pipe installation;
 - 3) evidence of landowner concurrence if the construction work area and fencing will be located within 10 feet of a residence; and
 - 4) a description of how Islander East either has or would notify landowners of construction activities, provide access to residences during construction activities, maintain traffic flow, reduce hazard of open ditches when construction activities are not in progress, and minimize noise and fugitive dust from construction activities.
47. Between milepost 36.5 and 38.5, would Islander East be clearing any trees between the existing residences and William Floyd Parkway? If so, indicate where tree clearing would occur, how many trees would be cleared, and how much of a tree screen would be left between William Floyd Parkway and each individual residence?

Air and Noise Quality

48. Resource Report 9 provides a good evaluation of construction noise for the compressor station, but does not mention whether the State of Connecticut noise standards have any provisions applicable to construction activities. Please clarify whether the State of Connecticut noise standards have any provisions applicable to compressor station or pipeline construction activities. Also clarify whether state or local agencies have any noise standards that would apply to pipeline construction in the New York portions of the project.
49. Estimate the noise increase from the compressor station at the proposed Cheshire Convention Center of Jehovah's Witnesses.
50. Please clarify that Islander East agrees to implement the noise mitigation measures as detailed in section 4.3 of the Cheshire Compressor Station Noise Technical Report prepared by TRC Environmental Corporation.

51. A baseline noise study centered on the HDD setup location and a noise reduction plan should be conducted for the Juniper Point, Pleasant Point, and Stoney Creek areas.
52. When does Islander East propose to file for state air quality permits? Please file copies of the permit applications with FERC when they are available.

Alternatives

53. In order to reduce impacts on residences, a pond, and the Branford Land Trust it has been suggested that Island East use a variation that would near MP 9.6 shift the route westward onto a golf course. This variation would follow the golf course to the shoreline, reconnection with the proposed route in Long Island Sound. Please provide a comparison of the proposed route and the variation including:
- The length of pipeline (miles);
 - The acreage of both the permanent and construction ROWs;
 - The size and location of any non-typical work areas required;
 - The number of residences within 50 feet of the edge of the construction ROW;
 - The number of waterbodies and wetlands crossed, and the length of each crossing;
 - The acres of agricultural land affected;
 - The acres of forest cleared; and
 - The miles of ROW that would be parallel or adjacent to existing ROWs.

Islander East may supplement its response with other information that may be relevant to the analysis of the alternative and/or with suggested modifications to the route that would result in fewer environmental impacts.

54. To reduce the amount of tree clearing in the Core Preservation Area of the Central Pine Barrens the following two route variations have been suggested for the Calverton Lateral.
- Near MP CA1.1 continue south along the powerline for about 400 feet before turning east, to make use of already cleared areas, rejoining the proposed route near MP CA1.7.
 - Start the Calverton Lateral from MP 38.4 on the proposed mainline, head east across the Brookhaven National Laboratory following existing roads for

about 1.8 miles, turn north along the powerline for about 1.1 miles, then turn east following Route 25 until the alternative joins the proposed Calverton Lateral near MP CA5.6.

For these two route variations please provide a comparison of the proposed route and the variations including:

- The length of pipeline (miles);
 - The acreage of both the permanent and construction ROWs;
 - The size and location of any non-typical work areas required;
 - The number of residences within 50 feet of the edge of the construction ROW;
 - The number of waterbodies and wetlands crossed, and the length of each crossing;
 - The acres of agricultural land affected;
 - The acres of forest cleared; and
 - The miles of ROW that would be parallel or adjacent to existing ROWs
55. The Town of Branford has suggested that between MP 9.2 to about MP 9.4 the pipeline continue on the westside of the Branford Steam Railroad, making use the open area ("Marshalling Yard"), rather than crossing through wetlands. Please provide the rationale for not making use of this open area.
56. A suggestion has been made that near MP 4.5 the pipeline should continue east along the powerline, turning south along Twin Lake Road until it rejoins the proposed route near MP 5. Please discuss any engineering constraints to this variation.
57. Provide an updated crossing plan at the May's farm at MP CA2.0 that incorporates the plans for the new subdivision.

Reliability and Safety

58. Provide the U.S. Department of Transportation's (USDOT) class locations for the Islander East Pipeline by pipeline segment (and milepost) in accordance with USDOT Safety Standards in 49 CFR Part 192.

DB

MEMORANDUM

TO: Commissioners
FROM: Dr. Richard A. Orson
RE: Assessment of Islander East Pipeline Proposal
DATE: October 15, 2001
NOTE: Please review and forward comments back to me, we should get this off in the next week or so.

On behalf of the Inland Wetlands and Watercourses Agency (IWWA) of Branford, we are submitting the following assessment of the Islander East Pipeline Project as it applies to the Inland Wetlands and Watercourses Regulations of the Town of Branford. This assessment is based on the information contained in the three (3) volumes submitted to the Connecticut Siting Council (CSC) in September 2001 and prepared for the applicant by Natural Resource Group, Inc.

1. The Town of Branford has a "no net loss of wetland" policy (Section 1.1) that is to be applied to all applications that may disturb or destroy wetlands within the Town's boundaries. This policy requires the applicant to avoid any unavoidable impacts by evaluating alternatives in design and location, and to minimize those impacts through best management practices and compensation to mitigate any losses. The application before the CSC does not fulfill this basic Town requirement. To begin, no compensatory wetland creation, enhancement or restoration has been proposed to offset any permanent wetland disturbance and the alternatives analysis does not satisfy the terms of the wetland agency in Town (see below).
 - a) Section 7.5(h) states that all wetland disturbances greater than 750 sq. ft. require compensation. Since no wetland compensation plan has been submitted, this application does not comply with the Town's regulations.
 - b) Section 7.4(f) requires an alternatives analysis for all applications. This analysis is to include all alternatives considered and the reasons for their rejection. Although this application does include an alternatives analysis, the analysis would be deemed incomplete by the IWWA for the following reasons:
 - (1) Table 41 of Volume 1 notes alternative routes considered during this investigation. Of the alternative routes examined, only the Short Beach appears to have any real chance of significantly reducing the pipelines impact on the wetland resources in Town (the Replacement Alternative is the best for the environment but requires interruption in service for gas customers so is not being considered here). By using this alternative the pipeline would disturb over 70% less wetland acreage than the alternative being presently proposed. One reason why this was rejected was the increase in non-wetland habitat that would be disturbed (twice the area)(additional reasons such as additional costs to the company working in a more hilly and rockier terrain, and the fact that this route may disturb the Connecticut Sports