



March 14, 2003

Richard Tomer
Chief, Regulatory Branch
NY District U.S. Army Corps of Engineers
Jacob K. Javits Federal Building
New York, New York 10278-0090

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MAR 17 2003

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Re: Millennium Pipeline Project:
Application No. 1999-00640

Dear Mr. Tomer:

Millennium Pipeline Company, L.P. ("Millennium") is pleased to respond to your January 31, 2003 requesting further information and clarification regarding Millennium's applications for Section 10 and 404 permits. The requested information and clarifications are provided below, which supplement our discussions during the field trip conducted on February 7, 2003.

1. Hudson River Crossing

As we discussed during our February 7, 2003 field trip, no "formal" report was prepared for the alternative crossing location investigations conducted over the past several years; however the information from these investigations has been filed with the FERC and the Corps. These investigations have considered all available routing options in the corridor from the Algonquin Gas Transmission crossing at Stony Point to the Tennessee crossing at Piermont Marsh, or a total distance of over 17 miles in length along the Hudson River. The results of those investigations are well documented in the FEIS. In addition to the investigations conducted by Millennium, it is our understanding that staff of the FERC fully evaluated this same corridor and even went to the extent of conducting a flyover by helicopter to ensure that no reasonable alternative route exists to crossing the Hudson River at Haverstraw Bay.

As part of the CZMA appeal proceedings, Millennium further investigated multiple alternatives within this area. The results of those investigations have been documented in the attached March 2003 report prepared by Michael Baker Engineers, Inc. Based on these investigations, Baker supports Millennium's and FERC's previous conclusion that no feasible alternative Hudson River crossing location exists. We trust that the enclosed report, together with the obvious flaws regarding alternative Hudson River crossing locations that were demonstrated to you during the February, 2003 field visit, will lead you to the same conclusion.

2. Turbidity Plume Modeling

As we discussed during our February 7th meeting, there will not be any cumulative effects from the turbidity generating components in the construction process. The primary sources of turbidity are the dredging operation and backfilling with bottom dump barges. These two operations will typically be separated by approximately 1,100 -1,300 feet. Since the Water Quality Certificate (WQC) restricts the visible plume to less than 460 feet (and the modeling confirms this plume distance), the two sources

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are not additive regardless of tidal flow. Next, Millennium anticipates that there will only be approximately 52 bottom dump barge loads, thus the construction period should be sufficient to permit the backfilling operations even if only one load were dumped per day. Furthermore, as prescribed in the WQC, the time period for backfilling using bottom dump barges is 2 hours in duration. It does not limit the number of bottom dumps to one per low slack tide period as suggested in your January 31st letter. Therefore, it may well be possible to have 2 bottom dump barges positioned and have one dump at the beginning of the window and the other at the end of the window, and still work within the more conservative plume life predicted by the Corps Waterways Experiment Station. This procedure could be field tested during construction to ensure compliance and that there are no "overlapping effects." Additionally, the WQC allows for approval of an "alternative technology" which, if effective at reducing downstream turbidity, would remove the restriction to only dumping during low slack tide. Finally, it should be noted that, if necessary, the work hours could be expanded to a second shift which would, on most days, result in a second low slack tide period being available for backfilling operations. Importantly, in any event, on-site field monitoring will confirm compliance with the turbidity standards at all times.

3. Westchester County Wetland Delineations

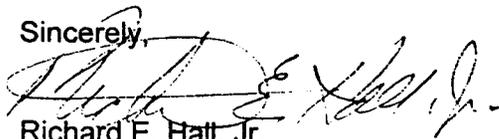
Attached is a complete set of wetland delineations for the FERC certificated route in Westchester County. As we discussed, some of these delineations have been previously submitted but this comprehensive package for Westchester County should reduce confusion as to which wetlands belong to which route. Regarding other wetland delineations, it remains Millennium's position that these issues were previously addressed during field visits and in the wetland mitigation plan. At the conclusion of that follow-up process, Corps staff confirmed that the delineations are sufficiently accurate to support permitting decisions regarding the Project. In light of recent developments in the wetlands program, we are confident that the delineations are over inclusive, since many of the delineations include wetlands that would be considered "isolated wetlands." However, Millennium also wants to ensure that all the Corps concerns are satisfied and thus looks forward to any technical conferences or additional field visits to accomplish this goal.

4. Cultural Resources

Regarding National Historic Preservation Act compliance, it is Millennium's understanding that this issue has been resolved with the FERC and that further input from Millennium is not necessary at this time.

Millennium hopes that, through this letter and the February 7, 2003 field visit, it has adequately responded to your January 31, 2003 letter. We, therefore, respectfully request the Corps to issue the requested permits promptly following the technical meetings to resolve any outstanding concern that you have regarding wetlands delineations.

Sincerely,



Richard E. Hall, Jr.
Millennium Facility Project Manager

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