

JOHN BENEDICT LUST, JR.

May 7, 2003

Office of the General Counsel for Ocean Services
National Oceanic and Atmospheric Administration
U.S. Department of Commerce
1305 East-West Highway
Silver Spring, MD 20910

RE: Islander East's administrative appeal. Comments

Dear Sir or Madam:

Attached please find a copy of a letter sent to you May 8, 2003 with attachments. This letter and these attachments were submitted to provide comment from the Town of Branford on Islander East's administrative appeal

At the time of mailing the town was not in receipt of its' final report on anticipated biological impacts associated with the Islander East proposal. We have now received this report and since the deadline for public comment has been extended, we would like to submit it for your review. Please find it attached.

Thank you again for this opportunity to respond.

Sincerely,



John B. Lust jr

Attachments:

Letter of May 7, 2003 to U.S. Dept of Commerce
Engineering Report on Sedimentation Impacts by John Roberge P.E., L.L.C.
Cooperative Agreement Concept- Islander East Pipeline Co. / Iroquois Gas
Transmission Co.
Preliminary Report on the Anticipated Biological Impacts Associated with the
Proposed Islander East Pipeline Project

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RE: Islander East's administrative appeal. Comments

Dear Sir or Madam:

As you are aware, Branford Connecticut is the community most threatened by Islander East's natural gas pipeline proposal. This is true because the community stands to be impacted both in sensitive upland areas as well as in offshore shellfish areas.

I chair Branford's Blue Ribbon Committee which was established to study Islander East's natural gas pipeline proposal. To that end our committee has researched extensively. We have also commissioned experts in the fields of Coastal Engineering and Benthic Science to determine for ourselves the potential impacts and to evaluate information supplied to the regulating agencies by Islander East regarding impacts.

These studies and the committee's research have revealed two main points and these are the bases for our comments to you in the appeal:

1. The environmental impacts have been understated or misrepresented by Islander East both in the upland areas and offshore. Offshore, in the application you are reviewing, the proposed dredging with side-casting is minimized. However, our engineer's report indicates that the side-cast mounds in their entirety could be dispersed in a single storm. In addition, our engineers indicate that suspended sediments from the initial one mile clamshell dredge operation could extend as far as 1,000 meters from the trench centerline impacting as many as 1,700 acres in the shellfish bed areas proximal to the Thimble Islands. This initial dredge operation alone renders this project inconsistent with Coastal Zone Management guidelines. (Please see the attached engineering study on potential sedimentation impacts. We also have a correlating benthic study available on request.)
2. Early in our research we discovered that Islander East's proposal was conceived out of self interest not public need as there are more suitable alternatives. In particular, the Iroquois Gas Transmission Company has had a similar route planned to Long

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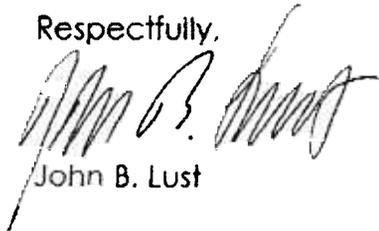
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Island called the Eastern Long Island Extension. This route, originating two miles off shore in Milford, CT, has minimal environmental impacts, could be completed in a minimal amount of time and is welcomed by Milford. The Iroquois Gas Transmission Company has opted not to build the extension so it is available to Islander East and could be directed so by the FERC. (See attached plan of cooperation.) (Note: The Iroquois line ties into the same natural gas infrastructure in CT and boasts a direct line to Canada as well. Iroquois has FERC approval to tie into the Algonquin system as Islander East intends to do.)

These two very important points signify first that Islander East's proposal is not consistent with Coastal Zone Regulations and second that the issue is moot as there is an alternative available that is consistent.

Thank you for this opportunity to provide comment.

Respectfully,



John B. Lust

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Cooperative Agreement Concept-Islander East Pipeline Co. / Iroquois Gas
Transmission Co.