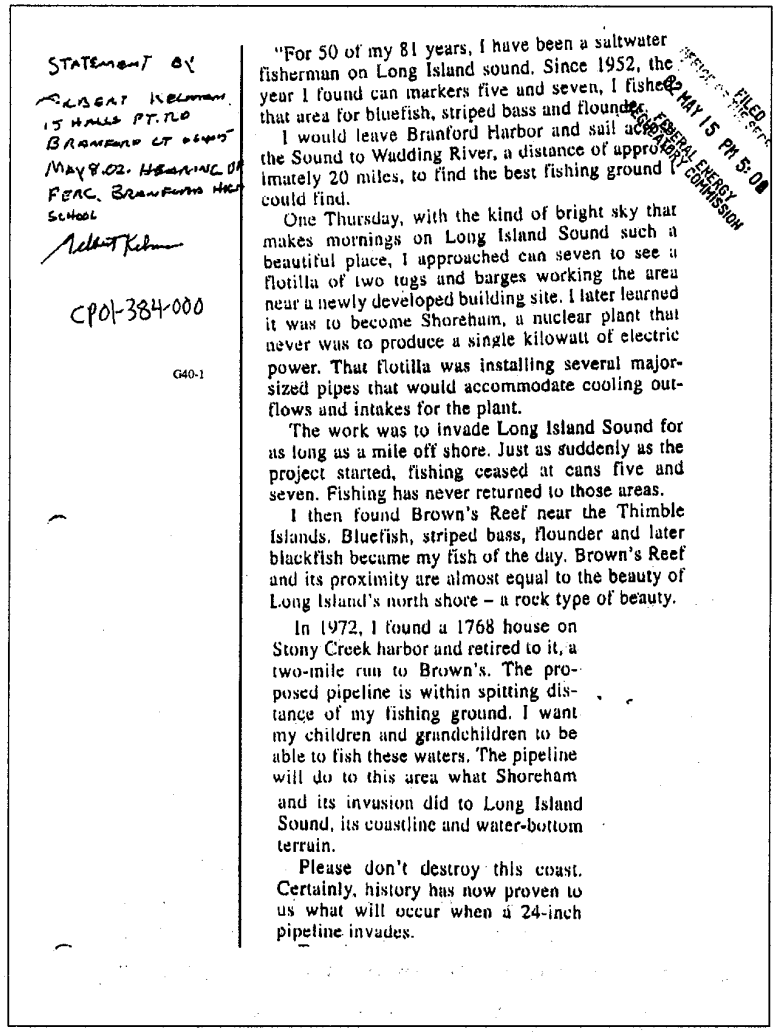


STATEMENT BY
ALBERT KELMAN
15 HALLS PT. RD
BRANFORD CT 06405
MAY 8.02. HEARING ON
FERC. BRANFORD HIGH
SCHOOL
Albert Kelman

CP01-384-000

G40-1

"For 50 of my 81 years, I have been a saltwater fisherman on Long Island sound. Since 1952, the year I found can markers five and seven, I fished that area for bluefish, striped bass and flounder.

I would leave Branford Harbor and sail across the Sound to Wadding River, a distance of approximately 20 miles, to find the best fishing ground I could find.

One Thursday, with the kind of bright sky that makes mornings on Long Island Sound such a beautiful place, I approached can seven to see a flotilla of two tugs and barges working the area near a newly developed building site. I later learned it was to become Shoreham, a nuclear plant that never was to produce a single kilowatt of electric power. That flotilla was installing several major-sized pipes that would accommodate cooling outflows and intakes for the plant.

The work was to invade Long Island Sound for as long as a mile off shore. Just as suddenly as the project started, fishing ceased at cans five and seven. Fishing has never returned to those areas.

I then found Brown's Reef near the Thimble Islands. Bluefish, striped bass, flounder and later blackfish became my fish of the day. Brown's Reef and its proximity are almost equal to the beauty of Long Island's north shore – a rock type of beauty.

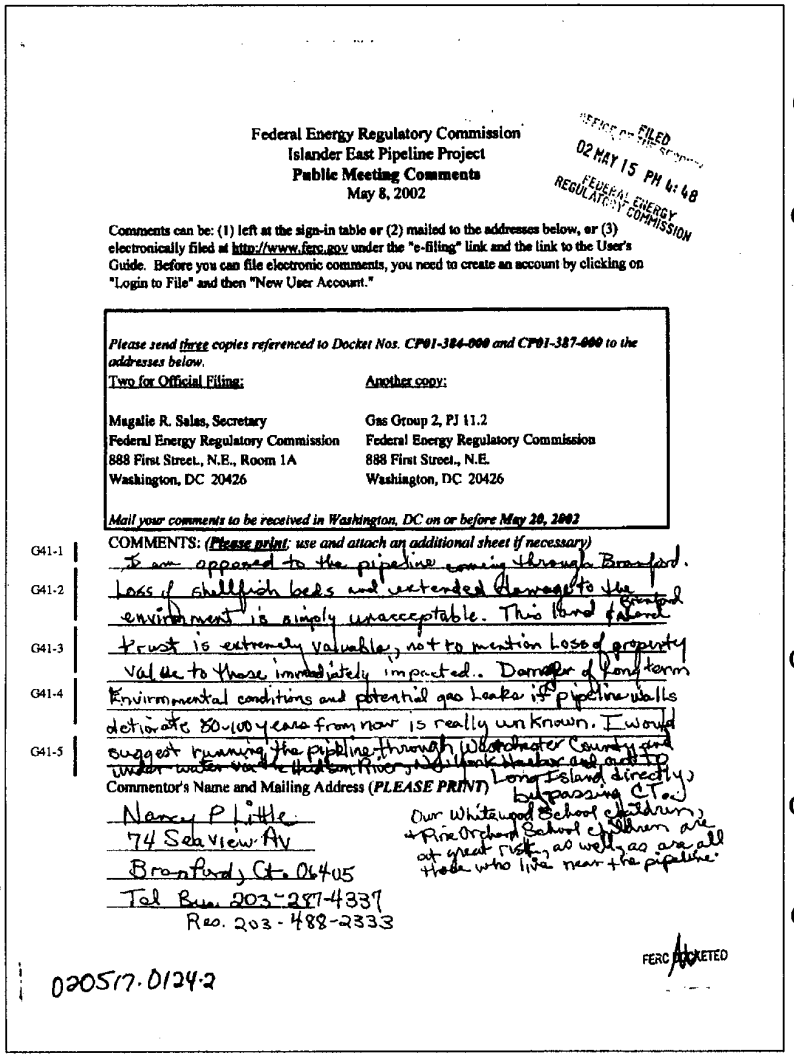
In 1972, I found a 1768 house on Stony Creek harbor and retired to it, a two-mile run to Brown's. The proposed pipeline is within spitting distance of my fishing ground. I want my children and grandchildren to be able to fish these waters. The pipeline will do to this area what Shoreham and its invasion did to Long Island Sound, its coastline and water-bottom terrain.

Please don't destroy this coast. Certainly, history has now proven to us what will occur when a 24-inch pipeline invades.

FILED
02 MAY 15 PM 5:08
FEDERAL ENERGY REGULATORY COMMISSION

GROUPS AND INDIVIDUALS 40

G40-1 Comment addressed in the summary comment table of Connecticut Public Hearing Testimony, PM2.



Federal Energy Regulatory Commission
Islander East Pipeline Project
Public Meeting Comments
May 8, 2002

FILED
02 MAY 15 PM 4:48
FEDERAL ENERGY REGULATORY COMMISSION

Comments can be: (1) left at the sign-in table or (2) mailed to the addresses below, or (3) electronically filed at http://www.ferc.gov under the "e-filing" link and the link to the User's Guide. Before you can file electronic comments, you need to create an account by clicking on "Login to File" and then "New User Account."

Please send three copies referenced to Docket Nos. CP01-384-000 and CP01-387-000 to the addresses below.

Two for Official Filing:	Another copy:
Magalie R. Salas, Secretary	Gas Group 2, PJ 11.2
Federal Energy Regulatory Commission	Federal Energy Regulatory Commission
888 First Street., N.E., Room 1A	888 First Street., N.E.
Washington, DC 20426	Washington, DC 20426

Mail your comments to be received in Washington, DC on or before May 20, 2002

COMMENTS: (*Please print; use and attach an additional sheet if necessary*)

G41-1 I am opposed to the pipeline coming through Branford.
G41-2 Loss of shellfish beds and extended damage to the environment is simply unacceptable. This land & Branford
G41-3 trust is extremely valuable, not to mention loss of property value to those immediately impacted. Damage of long term
G41-4 Environmental conditions and potential gas leaks if pipeline walls deteriorate 80-100 years from now is really unknown. I would
G41-5 suggest running the pipeline through Westchester County and under water via the Hudson River, Nassau Harbor and out to Long Island directly, bypassing CT.

Our Whitewood School children, + Pine Orchard School children are at great risk, as well as are all those who live near the pipeline.

Commentor's Name and Mailing Address (*PLEASE PRINT*)

Nancy P Little
74 Seaview Av
Branford, Ct. 06405
Tel Bus. 203-287-4337
Res. 203-488-2333

FERC DOCKETED

020517.0124.2

GROUPS AND INDIVIDUALS 41

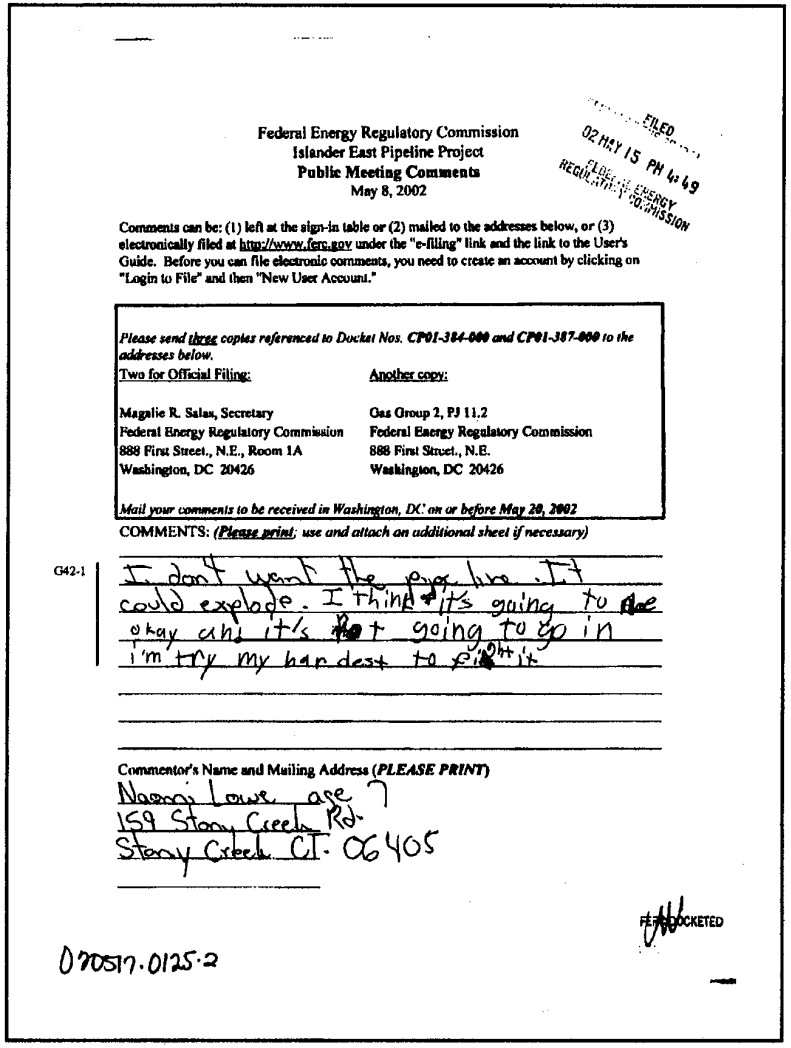
G41-1 Thank you for your comment.

G41-2 Islander East is working closely with potentially affected shellfish lease bed holders and consulting with state and Federal agencies to minimize impacts to shellfish lease beds. Islander East proposes to use the subsea plow trenching method to install the pipeline through the shellfish lease beds where the water depth is > 20 feet. The subsea plow is the least destructive of the trenching methods. Additionally, Islander East proposes to perform the construction during winter months to avoid impacting shellfish spawning. A complete discussion of impacts to shellfish beds is in section 3.4.1.2 of the FEIS.

G41-3 The North Branford Land Trust is discussed in sections 3.8.3.1 and 3.8.3.2. Impacts to property values are addressed in Section 3.10.3.

G41-4 Pipeline safety and maintenance requirements are set forth in 49 CFR 192. See section 3.12 for additional information.

G41-5 See section 4.2.



Federal Energy Regulatory Commission
Islander East Pipeline Project
Public Meeting Comments
May 8, 2002

FILED
02 MAY 15 PM 4:49
FEDERAL ENERGY REGULATORY COMMISSION

Comments can be: (1) left at the sign-in table or (2) mailed to the addresses below, or (3) electronically filed at http://www.ferc.gov under the "e-filing" link and the link to the User's Guide. Before you can file electronic comments, you need to create an account by clicking on "Login to File" and then "New User Account."

Please send three copies referenced to Docket Nos. CP01-384-000 and CP01-387-000 to the addresses below.

Two for Official Filing:	Another copy:
Magalie R. Salas, Secretary	Gas Group 2, PJ 11.2
Federal Energy Regulatory Commission	Federal Energy Regulatory Commission
888 First Street., N.E., Room 1A	888 First Street., N.E.
Washington, DC 20426	Washington, DC 20426

Mail your comments to be received in Washington, DC on or before May 20, 2002

COMMENTS: *(Please print; use and attach an additional sheet if necessary)*

G42-1

I don't want the pipeline. It could explode. I think it's going to be okay cuz it's not going to go in I'm try my hardest to get it out

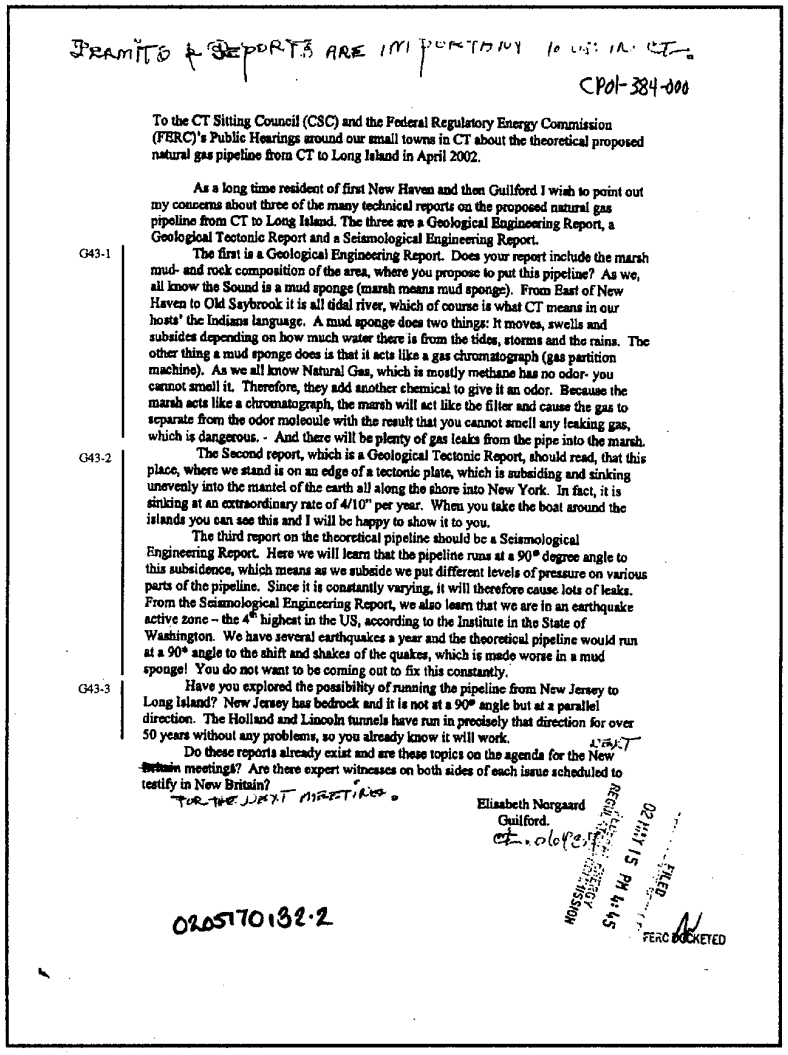
Commentor's Name and Mailing Address (*PLEASE PRINT*)

Naomi Lowe age 7
159 Stony Creek Rd.
Stony Creek CT. 06405

FERC DOCKETED

020517.0125.2

G42-1 Thank you for your comment.



PERMITS & REPORTS ARE IMPORTANT TO US IN CT.

CP01-384-000

To the CT Sitting Council (CSC) and the Federal Regulatory Energy Commission (FERC)'s Public Hearings around our small towns in CT about the theoretical proposed natural gas pipeline from CT to Long Island in April 2002.

As a long time resident of first New Haven and then Guilford I wish to point out my concerns about three of the many technical reports on the proposed natural gas pipeline from CT to Long Island. The three are a Geological Engineering Report, a Geological Tectonic Report and a Seismological Engineering Report.

G43-1 The first is a Geological Engineering Report. Does your report include the marsh mud- and rock composition of the area, where you propose to put this pipeline? As we, all know the Sound is a mud sponge (marsh means mud sponge). From East of New Haven to Old Saybrook it is all tidal river, which of course is what CT means in our hosts' the Indians language. A mud sponge does two things: It moves, swells and subsides depending on how much water there is from the tides, storms and the rains. The other thing a mud sponge does is that it acts like a gas chromatograph (gas partition machine). As we all know Natural Gas, which is mostly methane has no odor- you cannot smell it. Therefore, they add another chemical to give it an odor. Because the marsh acts like a chromatograph, the marsh will act like the filter and cause the gas to separate from the odor molecule with the result that you cannot smell any leaking gas, which is dangerous. - And there will be plenty of gas leaks from the pipe into the marsh.

G43-2 The Second report, which is a Geological Tectonic Report, should read, that this place, where we stand is on an edge of a tectonic plate, which is subsiding and sinking unevenly into the mantel of the earth all along the shore into New York. In fact, it is sinking at an extraordinary rate of 4/10" per year. When you take the boat around the islands you can see this and I will be happy to show it to you.

The third report on the theoretical pipeline should be a Seismological Engineering Report. Here we will learn that the pipeline runs at a 90° degree angle to this subsidence, which means as we subside we put different levels of pressure on various parts of the pipeline. Since it is constantly varying, it will therefore cause lots of leaks. From the Seismological Engineering Report, we also learn that we are in an earthquake active zone – the 4th highest in the US, according to the Institute in the State of Washington. We have several earthquakes a year and the theoretical pipeline would run at a 90° angle to the shift and shakes of the quakes, which is made worse in a mud sponge! You do not want to be coming out to fix this constantly.

G43-3 Have you explored the possibility of running the pipeline from New Jersey to Long Island? New Jersey has bedrock and it is not at a 90° angle but at a parallel direction. The Holland and Lincoln tunnels have run in precisely that direction for over 50 years without any problems, so you already know it will work.

Do these reports already exist and are these topics on the agenda for the NEXT ~~Britain~~ meetings? Are there expert witnesses on both sides of each issue scheduled to testify in New Britain?

FOR THE NEXT MEETINGS.

Elizabeth Norgaard
Guilford.
ct.cologe@...

02051701322

RECEIVED FEDERAL ENERGY REGULATORY COMMISSION
02 MAY 15 PM 4:45
FERC DOCKETED

GROUPS AND INDIVIDUALS 43

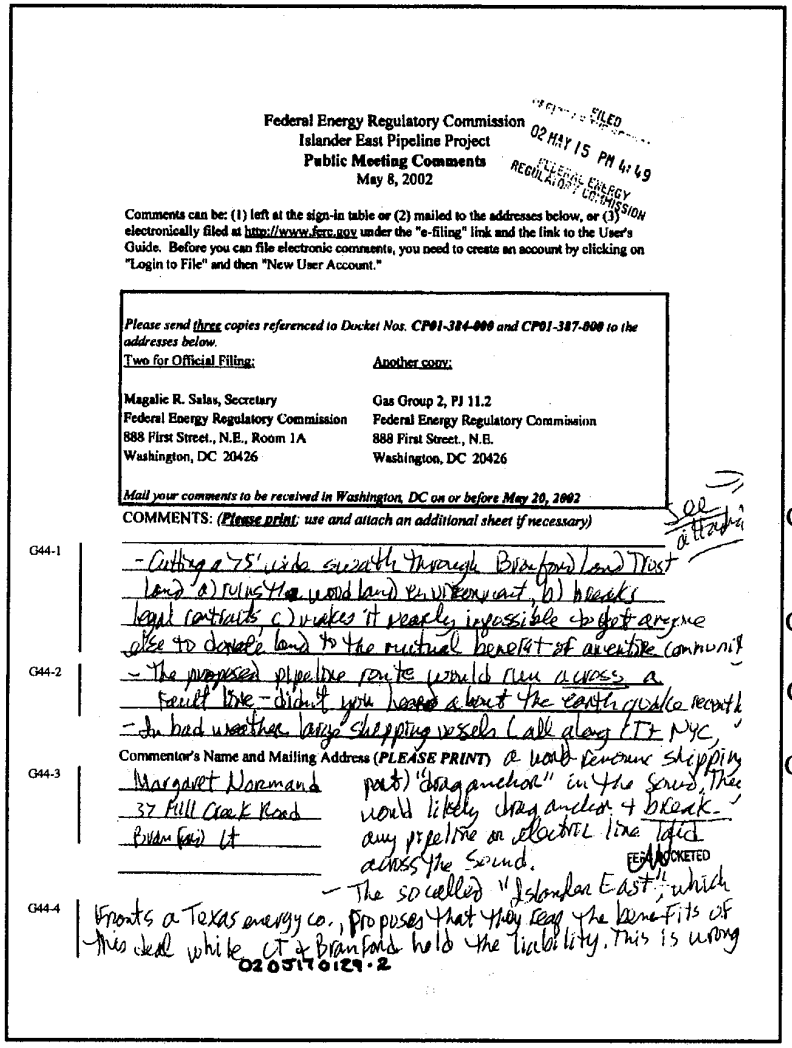
G43-1 As stated in the DEIS section 3.7.2, salt marsh habitat is found adjacent to the pipeline corridor in Connecticut on the opposite side of the raised railroad bed, and would not be directly impacted by construction and operation of the project. As stated in section 3.7.2 of the FEIS, we believe that Islander East has minimized wetland impacts through the proposed route, the use of its ESC Plan and other proposed impact mitigation measures that would avoid or minimize potential impacts on wetlands.

Because the pipeline would be constructed, tested, operated, and maintained to U.S. DOT safety standards, we believe that natural gas leaks are an extremely remote possibility.

G43-2 The applicants filed in their application information related to geological resources and hazards that we have analyzed in our FEIS in section 3.1. This analysis includes evaluation of seismicity and soil liquifaction. Pipelines are designed with geologic hazards in mind in order to avoid potential damage from these hazards.

According to the U.S. Geological Survey (http://geology.er.usgs.gov/easter/plates.html), Long Island is located within the North American tectonic plate, not at the edge of a subducting plate boundary. The nearest major plate boundary is in the Caribbean and is the boundary with the Caribbean Plate.

G43-3 See section 4.2.5.



Federal Energy Regulatory Commission
Islander East Pipeline Project
Public Meeting Comments
May 8, 2002

FILED
02 MAY 15 PM 4:49
FEDERAL ENERGY REGULATORY COMMISSION

Comments can be: (1) left at the sign-in table or (2) mailed to the addresses below, or (3) electronically filed at http://www.ferc.gov under the "e-filing" link and the link to the User's Guide. Before you can file electronic comments, you need to create an account by clicking on "Login to File" and then "New User Account."

Please send three copies referenced to Docket Nos. CP01-384-000 and CP01-387-000 to the addresses below.

Two for Official Filing:	Another copy:
Magalie R. Salas, Secretary Federal Energy Regulatory Commission 888 First Street., N.E., Room 1A Washington, DC 20426	Gas Group 2, PJ 11.2 Federal Energy Regulatory Commission 888 First Street., N.E. Washington, DC 20426

Mail your comments to be received in Washington, DC on or before May 20, 2002

COMMENTS: (*Please print; use and attach an additional sheet if necessary*) See attached

G44-1 - Cutting a 75' wide swath through Branford Land Trust land a) ruins the woodland environment, b) breaks legal contracts, c) makes it nearly impossible to get anyone else to donate land to the mutual benefit of an entire community

G44-2 - The proposed pipeline route would run across a fault line - didn't you hear about the earthquake recently

- In bad weather large shipping vessels (all along I.I. NYC, a well-known shipping part) "drag anchor" in the Sound. They would likely drag anchor & break any pipeline or electric line laid across the Sound.

Commentor's Name and Mailing Address (*PLEASE PRINT*)

G44-3 Margaret Normand
37 Mill Creek Road
Branford CT

FERC DOCKETED

G44-4 - The so called "Islander East" which fronts a Texas energy co., proposes that they reap the benefits of this deal while CT & Branford hold the liability. This is wrong

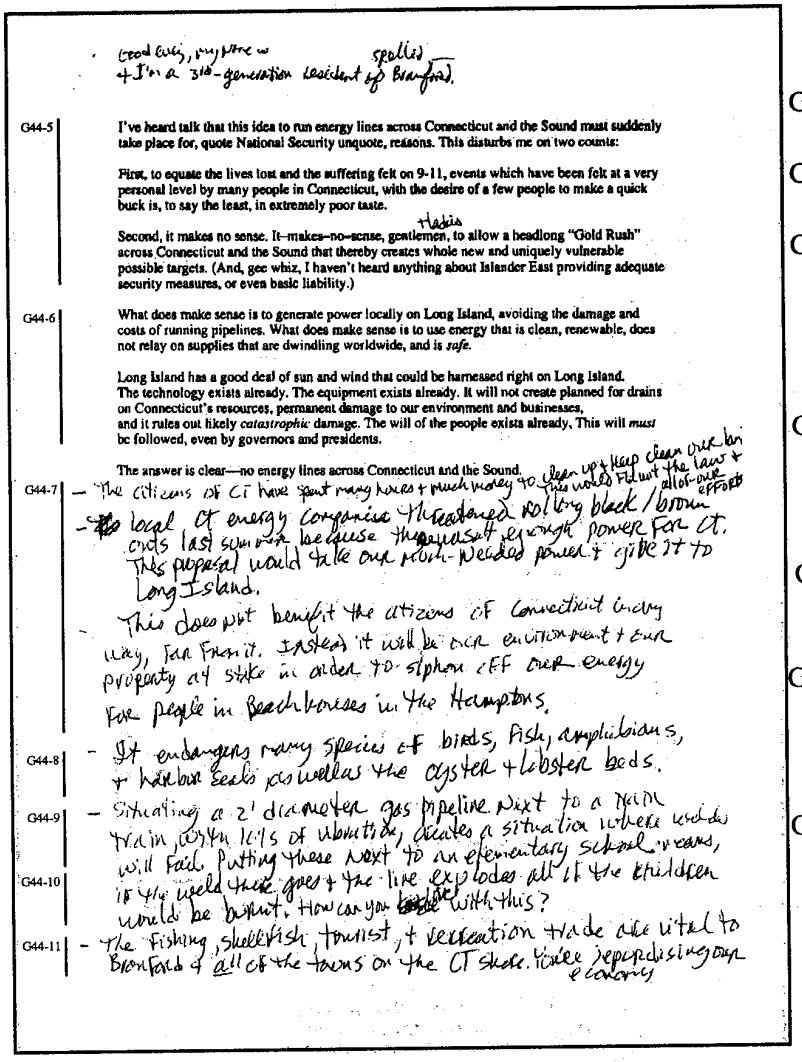
020517012g-2

G44-1 Thank you for your comment. The Branford Land Trust is addressed in section 3.8.3.1 and 3.8.3.2 of the FEIS.

G44-2 Seismic activity is addressed in section 3.1.3 of the FEIS.

G44-3 Anchorages are addressed in section 3.8.1 of the FEIS.

G44-4 Thank you for your comment.



Good evening, my name is [illegible] spelled [illegible]
+ I'm a 3rd-generation resident of Branford.

G44-5 I've heard talk that this idea to run energy lines across Connecticut and the Sound must suddenly take place for, quote National Security unquote, reasons. This disturbs me on two counts:

First, to equate the lives lost and the suffering felt on 9-11, events which have been felt at a very personal level by many people in Connecticut, with the desire of a few people to make a quick buck is, to say the least, in extremely poor taste.

Second, it makes no sense. It–makes–no–sense, gentlemen, to allow a headlong "Gold Rush" across Connecticut and the Sound that thereby creates whole new and uniquely vulnerable possible targets. (And, gee whiz, I haven't heard anything about Islander East providing adequate security measures, or even basic liability.)

G44-6 What does make sense is to generate power locally on Long Island, avoiding the damage and costs of running pipelines. What does make sense is to use energy that is clean, renewable, does not relay on supplies that are dwindling worldwide, and is *safe*.

Long Island has a good deal of sun and wind that could be harnessed right on Long Island. The technology exists already. The equipment exists already. It will not create planned for drains on Connecticut's resources, permanent damage to our environment and businesses, and it rules out likely *catastrophic* damage. The will of the people exists already. This will *must* be followed, even by governors and presidents.

The answer is clear—no energy lines across Connecticut and the Sound.

G44-7 – The citizens of CT have spent many hours + much money to clean up + keep clean over ten years + the laws + efforts
– the local CT energy companies threatened rolling black/brown outs last summer because they were not getting enough power for CT. This proposal would take our hard-needed power + give it to Long Island.
– This does not benefit the citizens of Connecticut in any way, far from it. Instead it will be our environment + our property at stake in order to siphon off our energy for people in Beach houses in the Hamptons.

G44-8 – It endangers many species of birds, fish, amphibians, + harbor seals as well as the oyster + lobster beds.

G44-9 – Situating a 2' diameter gas pipeline next to a main train, with lots of industry, creates a situation where wrecks will Fail. Putting these next to an elementary school + cars,

G44-10 if the weld there goes + the line explodes all of the children would be burnt. How can you live with this?

G44-11 – The fishing, shellfish, tourist, + recreation trade are vital to Branford + all of the towns on the CT shore. You're jeopardizing our economy

GROUPS AND INDIVIDUALS 44

G44-5 Thank you for your comment.

G44-6 See response to comment 35 in letter G61.

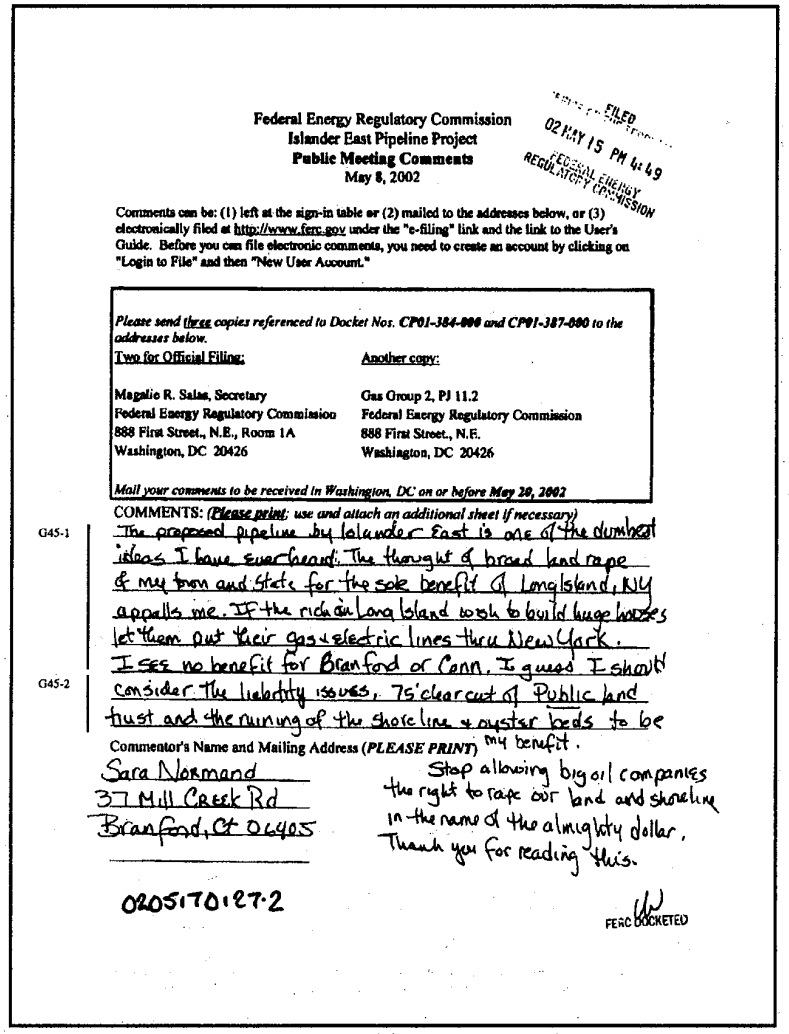
G44-7 The proposed project would not transmit power generated in Connecticut to Long Island. It would transport a fuel that can be used for power generation. See section 1.1 of the FEIS for further description of the purpose of the project.

G44-8 The impact of the project on fisheries and wildlife is addressed in section 3.4.1 and 3.4.2 (and 3.6 regarding seals).

G44-9 Construction of the pipeline near rail facilities is addressed in section 2.3.2.5 and 3.8.3. Also see responses to letter G3.

G44-10 Pipeline design, construction, operation and maintenance near any structure is addressed in 49 CFR 192 as administered by the US DOT.

G44-11 Fisheries and shellfish are addressed in section 3.4.1 of the FEIS. Tourism and recreation are addressed in section 3.8.3 of the FEIS.



Federal Energy Regulatory Commission
Islander East Pipeline Project
Public Meeting Comments
May 8, 2002

FILED
02 MAY 15 PM 4:49
FEDERAL ENERGY REGULATORY COMMISSION

Comments can be: (1) left at the sign-in table or (2) mailed to the addresses below, or (3) electronically filed at http://www.ferc.gov under the "e-filing" link and the link to the User's Guide. Before you can file electronic comments, you need to create an account by clicking on "Login to File" and then "New User Account."

*Please send three copies referenced to Docket Nos. **CP01-384-000** and **CP01-387-000** to the addresses below.*

Two for Official Filing:	Another copy:
Magalie R. Salas, Secretary	Gas Group 2, PJ 11.2
Federal Energy Regulatory Commission	Federal Energy Regulatory Commission
888 First Street., N.E., Room 1A	888 First Street., N.E.
Washington, DC 20426	Washington, DC 20426

*Mail your comments to be received in Washington, DC on or before **May 20, 2002***

COMMENTS: *(Please print; use and attach an additional sheet if necessary)*

G45-1 The proposed pipeline by Islander East is one of the dumbest ideas I have ever heard. The thought of broad land rape & my town and State for the sole benefit of Long Island, NY appalls me. If the rich in Long Island wish to build huge houses let them put their gas + electric lines thru New York.

G45-2 I see no benefit for Branford or Conn. I guess I should consider the liability issues. 75' clear cut of Public land trust and the ruining of the shoreline + oyster beds to be my benefit.

Stop allowing big oil companies the right to rape our land and shoreline in the name of the almighty dollar. Thank you for reading this.

Commentor's Name and Mailing Address (*PLEASE PRINT*)

Sara Normand
37 Mill Creek Rd
Branford, Ct 06405

020517027.2

FERC DOCKETED

GROUPS AND INDIVIDUALS 45

G45-1 Thank you for your comment.

G45-2 Impacts on the public land trust are addressed in section 3.8.3. Impacts on the marine environment and shellfish are addressed in sections 3.3.3.2 and 3.4.1 of the FEIS, respectively.

Dr. Jerry C. Shaw
188 Thimble Islands Road
Branford, CT 06405
May 15, 2002

Honorable Magalie Roman Salas, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 2042

Re: Comments on recent misleading public relations tactics by Islander East: Dockets CP01-384, CP01-387

Dear Secretary Salas and Commission Members:

In a recent letters to the New Haven Chamber of Commerce mailing list, Islander East asks New Haven businesses for support of the Islander East Pipeline by signing a preprinted letter to the Commission, and encloses a pre-addressed envelope to the Commission with postage affixed. A copy of the cover letter and form letter (Attachment A) are attached to these comments.

The arguments posed in the cover letter state that and I quote, "By showing your support for the pipeline your are endorsing a prudent energy strategy that will provide a secure supply of this environmentally preferred fuel for Connecticut's economic expansion well into the new millennium". To those business owners in New Haven, who have not been following the evolution of this pipeline from the beginning, these sound like wonderful words, indeed.

G46-1 However, the facts show that Islander East will serve only a questionable market in Long Island , and there are no benefits whatsoever to Connecticut gas users. In fact, in recent filings, the collective group called the "Connecticut Gas Companies" state that there was no reverse open season allowed during the first phases of this project, and that Islander East is allowed to lease transmission services on the Algonquin C-1 line for significantly lower tariffs than allowed by current Connecticut customers, thus affording Islander East bargain rates on an infrastructure already paid for by years of tariffs paid by Connecticut gas consumers.

G46-2 In addition, the Connecticut gas companies say the additional load imposed by the addition of Islander East also jeopardizes pressures at the New Haven city gate necessary to provide reliable service to their customers.

G46-3 The Connecticut State Attorney General has stated that current, already tight, gas supplies are jeopardized by the additional load placed by Islander East on the Connecticut natural gas infrastructure.

G46-1 Thank you for your comment. The Commission considers the public convenience and necessity of projects when it issues Certificates. See section 1.1 of the FEIS for additional information.

G46-2 The Connecticut Companies' concerns were addressed in the preliminary determination. The Commission determined that the reduction in peak day design delivery pressure at the North Haven city gate is well in excess of Algonquin's contractual obligation of 199 psig. Therefore, the proposed facility modification on the C-System will not adversely impact Algonquin's ability to provide an acceptable level of pressure for Connecticut Companies.

G46-3 Usually additional load, or additional supplies, results in more gas supplies rather than tight supplies.

G46-4 Islander East is a link to Long Island, not a substantive addition to Connecticut's natural gas infrastructure, and this public relations gimmick fails to inform New Have natural gas customers of the facts.

G46-5 The form letter that New Haven businesses are expected to send states that the use of natural gas is one important way that we in Connecticut are protecting the environment. I respectfully suggest to the Commission that the most important way that we in Connecticut can protect our environment is to deny certification of the Islander East pipeline application.

In addition, I respectfully suggest to the Commission, that they take any form letter submissions to the Commission, such as that in the following attachment, at face value, and ignore attempts by Islander East to garner support for this project by distortions and misstatements in an ill advised public relations ploy.

Sincerely,

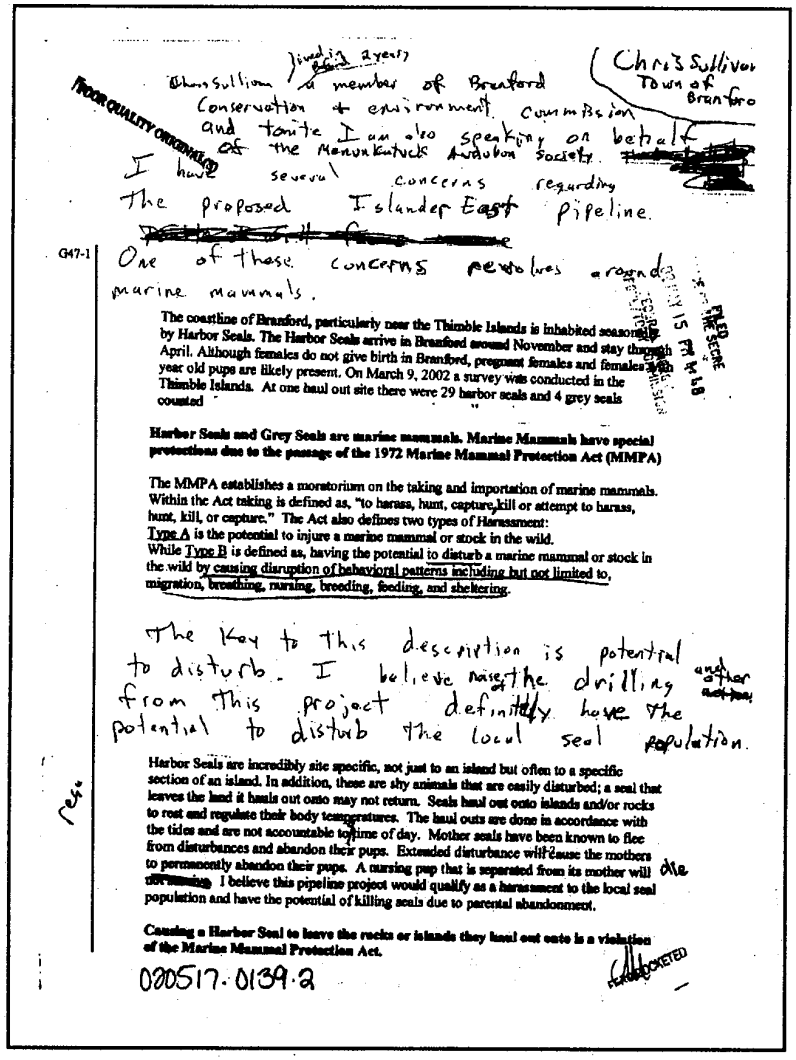
Dr. Jerry C. Shaw

Attachments: Documents from Islander East public relations packet sent to New Haven businesses

G46-4 Thank you for your comment.

G46-5 Thank you for your comment.

The remainder of the comment, documents from an Islander East public relations packet, was an attachment that can be found at: http://www.ferc.gov/ferris.htm DOC 2275757.



Chris Sullivan (Chris Sullivan Town of Branford) a member of Branford Conservation + environment Commission and tonite I am also speaking on behalf of the Menunkatuck Audubon Society. I have several concerns regarding the proposed Islander East pipeline.

G47-1 One of these concerns revolves around marine mammals.

The coastline of Branford, particularly near the Thimble Islands is inhabited seasonally by Harbor Seals. The Harbor Seals arrive in Branford around November and stay through April. Although females do not give birth in Branford, pregnant females and females with year old pups are likely present. On March 9, 2002 a survey was conducted in the Thimble Islands. At one haul out site there were 29 harbor seals and 4 grey seals counted

Harbor Seals and Grey Seals are marine mammals. Marine Mammals have special protections due to the passage of the 1972 Marine Mammal Protection Act (MMPA)

The MMPA establishes a moratorium on the taking and importation of marine mammals. Within the Act taking is defined as, "to harass, hunt, capture, kill or attempt to harass, hunt, kill, or capture." The Act also defines two types of Harassment:
Type A is the potential to injure a marine mammal or stock in the wild.
While Type B is defined as, having the potential to disturb a marine mammal or stock in the wild by causing disruption of behavioral patterns including but not limited to, migration, breathing, nursing, breeding, feeding, and sheltering.

The Key to this description is potential to disturb. I believe noise of the drilling and other from this project definitely have the potential to disturb the local seal population.

Harbor Seals are incredibly site specific, not just to an island but often to a specific section of an island. In addition, these are shy animals that are easily disturbed; a seal that leaves the land it hauls out onto may not return. Seals haul out onto islands and/or rocks to rest and regulate their body temperatures. The haul outs are done in accordance with the tides and are not accountable to time of day. Mother seals have been known to flee from disturbances and abandon their pups. Extended disturbance will cause the mothers to permanently abandon their pups. A nursing pup that is separated from its mother will die. I believe this pipeline project would qualify as a harassment to the local seal population and have the potential of killing seals due to parental abandonment.

Causing a Harbor Seal to leave the rocks or islands they haul out onto is a violation of the Marine Mammal Protection Act.

020517.0139.2

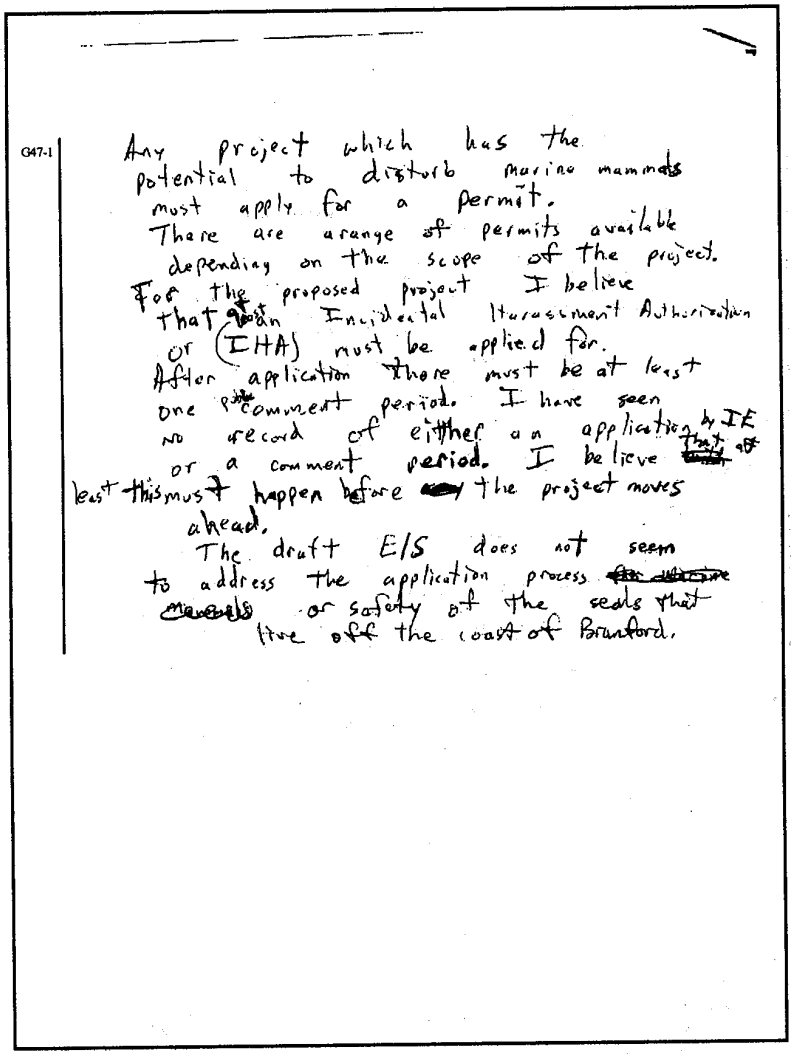
GROUPS AND INDIVIDUALS 47

G47-1 The NMFS indicated that a few harbor and grey seals may use the Thimble Islands near the project area during the time of the proposed construction, but that the majority of the seals occurring in Long Island Sound are found in other areas near concentrations of anadromous fishes. The NMFS also stated that project-related impacts on seals are not expected, but that any potential concerns will be addressed through ongoing consultation with NMFS. The NMFS concluded that Islander East did not need to seek authorization for a "take" of marine mammals.

Islander East stated it is committed to avoiding level B harassment of seals on or near the Thimble Islands. Islander East stated that it will continue to consult with the NMFS to avoid harassment of harbor and grey seals near the project area. If the consultations between Islander East and NMFS conclude that a harassment situation may occur, then Islander East may seek Marine Mammal Project Act Incidental Harassment Authorization for the extreme isolated incident where a harassment situation may occur.

Section 3.4.2 of the FEIS includes a discussion of this issue.

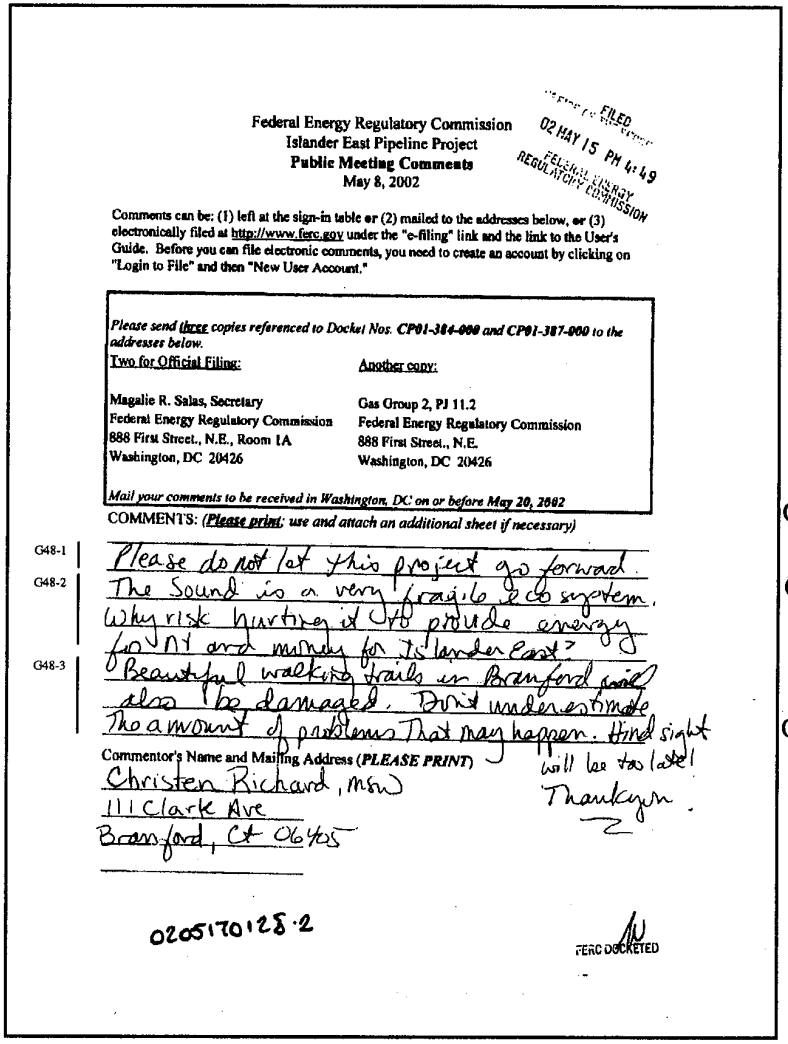
The remainder of the comment was an appendix that was reviewed and can be found at: http://www.ferc.gov/ferris.htm DOC 2276994.



G47-1

Any project which has the potential to disturb marine mammals must apply for a permit. There are a range of permits available depending on the scope of the project. For the proposed project I believe that ~~a~~ an Incidental Harassment Authorization (IHA) must be applied for. After application there must be at least one public comment period. I have seen no record of either an application by IE or a comment period. I believe at least this must happen before the project moves ahead.

The draft EIS does not seem to address the application process or safety of the seals that live off the coast of Brantford.



Federal Energy Regulatory Commission
Islander East Pipeline Project
Public Meeting Comments
May 8, 2002

FILED
02 MAY 15 PM 4:49
FEDERAL ENERGY REGULATORY COMMISSION

Comments can be: (1) left at the sign-in table or (2) mailed to the addresses below, or (3) electronically filed at http://www.ferc.gov under the "e-filing" link and the link to the User's Guide. Before you can file electronic comments, you need to create an account by clicking on "Login to File" and then "New User Account."

Please send three copies referenced to Docket Nos. CP01-384-000 and CP01-387-000 to the addresses below.

Two for Official Filing:

Magalie R. Salas, Secretary
Federal Energy Regulatory Commission
888 First Street., N.E., Room 1A
Washington, DC 20426

Another copy:

Gas Group 2, PJ 11.2
Federal Energy Regulatory Commission
888 First Street., N.E.
Washington, DC 20426

Mail your comments to be received in Washington, DC on or before May 20, 2002

COMMENTS: (*Please print; use and attach an additional sheet if necessary*)

G48-1 Please do not let this project go forward.
G48-2 The Sound is a very fragile ecosystem.
Why risk hurting it to provide energy for NY and money for Islander East?
G48-3 Beautiful walking trails in Branford could also be damaged. Don't underestimate the amount of problems that may happen. Hind sight will be too late!
Thankyou.

Commentor's Name and Mailing Address (*PLEASE PRINT*)
Christen Richard, MSW
111 Clark Ave
Branford, Ct 06405

02051701285.2

FERC DOCKETED

G48-1 Thank you for your comment.

G48-2 Sections 3.3 and 3.4 of the FEIS describe the Long Island Sound ecosystem and discuss the potential impacts resulting from pipeline construction and recommended mitigation.

G48-3 Impacts on recreation areas including trails are addressed in section 3.8.3.

CP01-384-000

FIGURE 254.—Sand launce (*Ammodytes americanus*), Nantucket. From Goode. Drawing by H. L. To from Bigelow + Schroeder, Fishes of the Gulf of Maine, 1953

FILED
FEDERAL ENERGY REGULATORY COMMISSION
02 MAY 15 PM 3:30

G49-1

My name is Sally Richards. While at the Bingham Oceanographic Laboratory at Yale from 1948 to 1966 among other studies,
I worked on the fish eggs and larvae of Long Island Sound. Since then from my own laboratory in Guilford, Ct. I did an extensive study of the taxonomy, life history, and habits of the sand eel from Labrador to New Jersey. In addition students and faculty from the University at Stony Brook, Long Island have done further studies on the sand eel in Long Island Sound.

This fish is a principal item of food for cod, haddock, summer flounder, bluefish, and striped bass. All, but haddock come into Long Island Sound and are important both commercially and in the sports fishery. Cod, which do come into LIS, particularly along the Long Island Shore, are already in trouble from the commercial fishery and should not be further endangered.

Sand eels are associated with sand areas in which they bury. When walking along these sand areas one can kick them out quite easily from April to January. After they finish spawning in late-November and December they bury in the sand where they remain for a couple of months. Their larvae are found within the entire Sound from December through May when they bury in the sand, coming out in schools to feed. In both Cape Breton and in Long Island Sound I have found them schooling with first-year herring in spring and summer.

Large schools of sand eels are found more on the Long Island side of the Sound than along the more mud bottom of the Connecticut shore. They can be found off the sand areas of Madison, Ct.

The endangered bird species, Roseate Tern, which nests on Falkner's Island off Guilford Ct. relies on young-of-the-year sand eels to feed its chicks. The adults make the flight across the Sound a number of times a day to catch these fish and bring them back to the chicks. Very occasionally, I have caught young sand eels in my plankton nets close to Falkner's in the tide rips both north and south of the island, a much easier source of food for the terns.

In addition, when the sand eels are disturbed from the sand in winter, they are completely disoriented and quickly dive back into the sand. Thus, by keeping them from their hibernation in the sand by digging in the sand for considerable distances would make them very vulnerable at that time of year.

GROUPS AND INDIVIDUALS 49

G49-1 Comment addressed in the summary comment table of Connecticut Public Hearing Testimony, PM2.

The necessity of saving the spawning seasons in summer for blackback flounder, oysters, and clams means that laying pipelines in winter will cause considerable damage to the food supply of many important species of fish as well as Roseate Tern chicks. Obviously, there needs to be considerable more thought and study of environmental conditions and vulnerable species prior to any laying of pipelines across Long Island Sound.

FILED
OFFICE OF THE
SECRETARY
2002 JUN -3 PM 4:
FEDERAL ENERGY
REGULATORY COMMISSION

May 16, 2002

Ms. Magalie R. Salas, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Re: Islander East Pipeline Company, L.L.C.
Docket Nos. CP01-384-000, CP01-385-000, CP01-386-000

Dear Secretary Salas:

Thank you for the opportunity to offer this letter in support of the proposed Islander East Pipeline project.

G50-1 As a Connecticut business person, I believe that the Islander East Pipeline is a necessary component of a long-term strategy to ensure that Connecticut has an adequate supply of natural gas.

The demand for natural gas in this region is increasing rapidly. Besides being an efficient fuel it is also a very clean fuel, and converting to natural gas is one important way that we in Connecticut are protecting the environment.

Connecticut depends entirely on outside sources for its supply of natural gas, and the Islander East Pipeline will increase the reliability and flexibility of the interstate distribution grid that serves both Connecticut and New York. The time to expand this important distribution infrastructure is now—before we have an energy crisis—when it can be done thoughtfully and carefully.

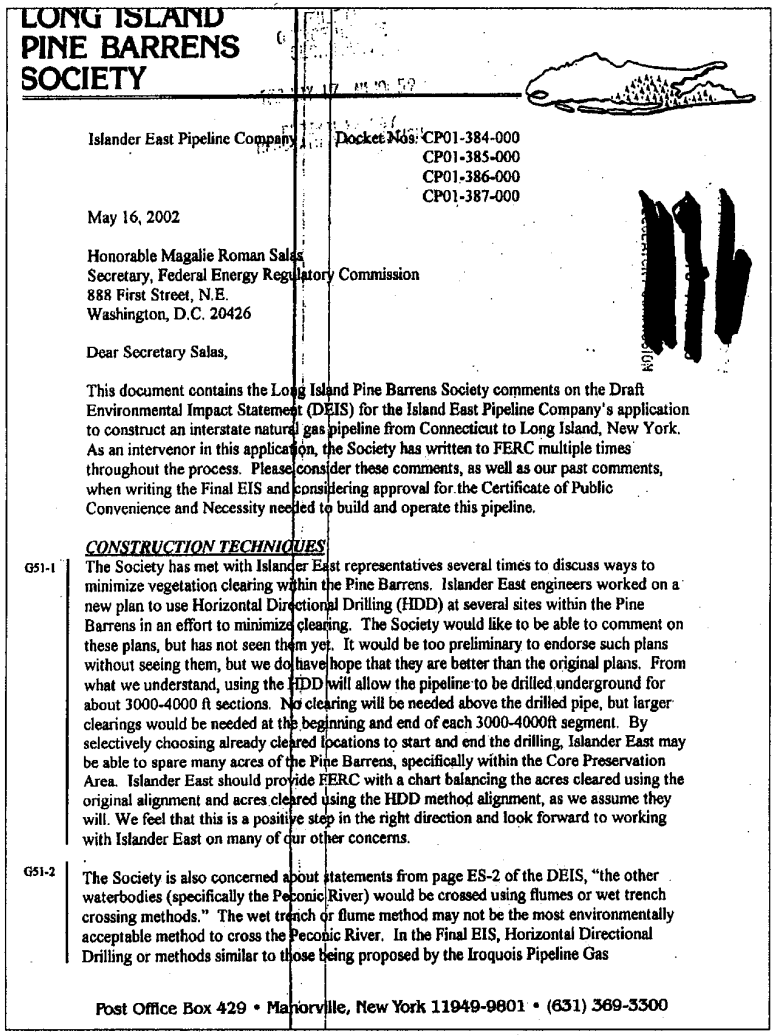
G50-1 I encourage you to approve the Islander East Pipeline to help us protect our future.

Sincerely,

Rev. Cynthia Brown

Cindy Brown
B & B By the Sea
1 Maltby St
Branford , CT 06405

G50-1 Thank you for your comment.



LONG ISLAND
PINE BARRENS
SOCIETY

Islander East Pipeline Company

Docket Nos: CP01-384-000
CP01-385-000
CP01-386-000
CP01-387-000

May 16, 2002

Honorable Magalie Roman Salas
Secretary, Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Dear Secretary Salas,

This document contains the Long Island Pine Barrens Society comments on the Draft Environmental Impact Statement (DEIS) for the Island East Pipeline Company's application to construct an interstate natural gas pipeline from Connecticut to Long Island, New York. As an intervenor in this application, the Society has written to FERC multiple times throughout the process. Please consider these comments, as well as our past comments, when writing the Final EIS and considering approval for the Certificate of Public Convenience and Necessity needed to build and operate this pipeline.

CONSTRUCTION TECHNIQUES

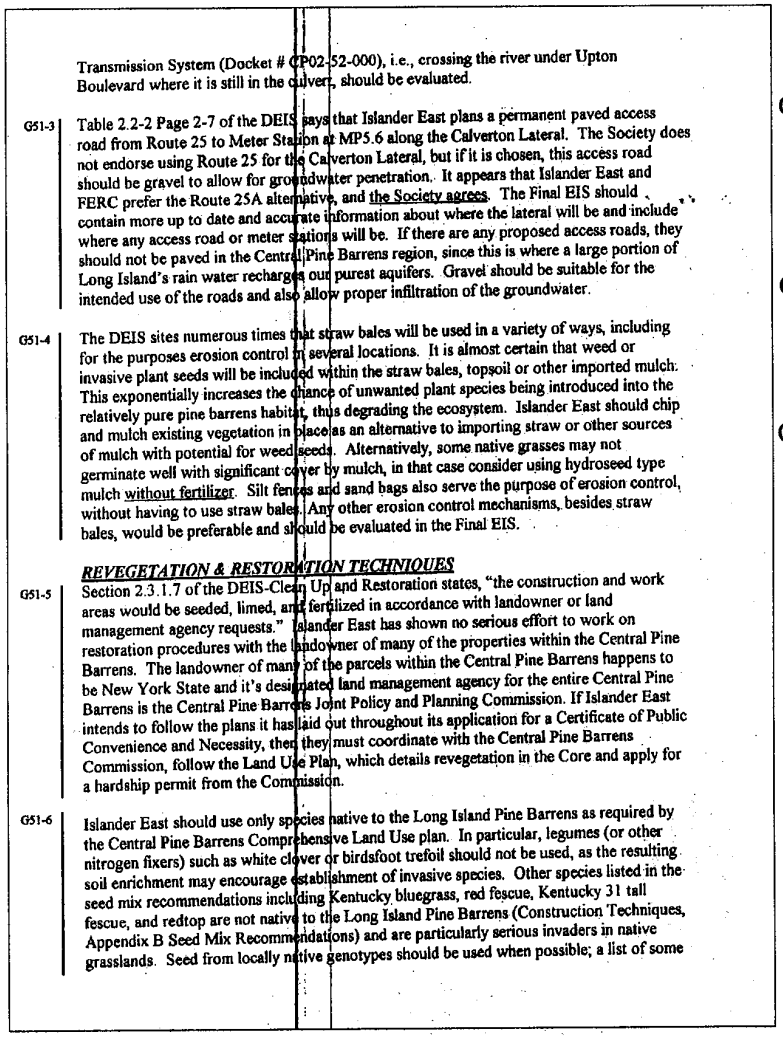
G51-1 The Society has met with Islander East representatives several times to discuss ways to minimize vegetation clearing within the Pine Barrens. Islander East engineers worked on a new plan to use Horizontal Directional Drilling (HDD) at several sites within the Pine Barrens in an effort to minimize clearing. The Society would like to be able to comment on these plans, but has not seen them yet. It would be too preliminary to endorse such plans without seeing them, but we do have hope that they are better than the original plans. From what we understand, using the HDD will allow the pipeline to be drilled underground for about 3000-4000 ft sections. No clearing will be needed above the drilled pipe, but larger clearings would be needed at the beginning and end of each 3000-4000ft segment. By selectively choosing already cleared locations to start and end the drilling, Islander East may be able to spare many acres of the Pine Barrens, specifically within the Core Preservation Area. Islander East should provide FERC with a chart balancing the acres cleared using the original alignment and acres cleared using the HDD method alignment, as we assume they will. We feel that this is a positive step in the right direction and look forward to working with Islander East on many of our other concerns.

G51-2 The Society is also concerned about statements from page ES-2 of the DEIS, "the other waterbodies (specifically the Peconic River) would be crossed using flumes or wet trench crossing methods." The wet trench or flume method may not be the most environmentally acceptable method to cross the Peconic River. In the Final EIS, Horizontal Directional Drilling or methods similar to those being proposed by the Iroquois Pipeline Gas

Post Office Box 429 • Manorville, New York 11949-9801 • (631) 369-3300

G51-1 We understand that on June 10, 2002, Islander East provided the Long Island Pine Barrens Society with the revised proposed construction plans and a chart comparing the acres of forested land cleared in the Pine Barrens using the newly proposed plans with the original plans. In addition, several HDDs would be incorporated to reduce impacts to the Central Pine Barrens. See section 3.8.3.2.

G51-2 The NYSDEC has recommended that waterbodies be crossed by dry crossing techniques. Sections 2.3.2.8 and 3.3.2.1 have been revised to reflect this change.



Transmission System (Docket # CP02-52-000), i.e., crossing the river under Upton Boulevard where it is still in the culvert, should be evaluated.

G51-3 Table 2.2-2 Page 2-7 of the DEIS says that Islander East plans a permanent paved access road from Route 25 to Meter Station at MP5.6 along the Calverton Lateral. The Society does not endorse using Route 25 for the Calverton Lateral, but if it is chosen, this access road should be gravel to allow for groundwater penetration. It appears that Islander East and FERC prefer the Route 25A alternative, and the Society agrees. The Final EIS should contain more up to date and accurate information about where the lateral will be and include where any access road or meter stations will be. If there are any proposed access roads, they should not be paved in the Central Pine Barrens region, since this is where a large portion of Long Island's rain water recharges our purest aquifers. Gravel should be suitable for the intended use of the roads and also allow proper infiltration of the groundwater.

G51-4 The DEIS sites numerous times that straw bales will be used in a variety of ways, including for the purposes erosion control in several locations. It is almost certain that weed or invasive plant seeds will be included within the straw bales, topsoil or other imported mulch. This exponentially increases the chance of unwanted plant species being introduced into the relatively pure pine barrens habitat, thus degrading the ecosystem. Islander East should chip and mulch existing vegetation in place as an alternative to importing straw or other sources of mulch with potential for weed seeds. Alternatively, some native grasses may not germinate well with significant cover by mulch, in that case consider using hydroseed type mulch without fertilizer. Silt fences and sand bags also serve the purpose of erosion control, without having to use straw bales. Any other erosion control mechanisms, besides straw bales, would be preferable and should be evaluated in the Final EIS.

REVEGETATION & RESTORATION TECHNIQUES

G51-5 Section 2.3.1.7 of the DEIS-Clean Up and Restoration states, "the construction and work areas would be seeded, limed, and fertilized in accordance with landowner or land management agency requests." Islander East has shown no serious effort to work on restoration procedures with the landowner of many of the properties within the Central Pine Barrens. The landowner of many of the parcels within the Central Pine Barrens happens to be New York State and it's designated land management agency for the entire Central Pine Barrens is the Central Pine Barrens Joint Policy and Planning Commission. If Islander East intends to follow the plans it has laid out throughout its application for a Certificate of Public Convenience and Necessity, then they must coordinate with the Central Pine Barrens Commission, follow the Land Use Plan, which details revegetation in the Core and apply for a hardship permit from the Commission.

G51-6 Islander East should use only species native to the Long Island Pine Barrens as required by the Central Pine Barrens Comprehensive Land Use plan. In particular, legumes (or other nitrogen fixers) such as white clover or birdsfoot trefoil should not be used, as the resulting soil enrichment may encourage establishment of invasive species. Other species listed in the seed mix recommendations including Kentucky bluegrass, red fescue, Kentucky 31 tall fescue, and redtop are not native to the Long Island Pine Barrens (Construction Techniques, Appendix B Seed Mix Recommendations) and are particularly serious invaders in native grasslands. Seed from locally native genotypes should be used when possible; a list of some

GROUPS AND INDIVIDUALS 51

G51-3 Islander East now proposed to gravel the access road to the Calverton Meter Station. This access road is in no way dependent on the route chosen for the Calverton Lateral. There is no proposal to move the meter station or its access road.

G51-4 These issues will be addressed in the *Construction, Restoration, and Invasive Species Management Plan* for the New York Central Pine Barrens Region.

G51-5 We understand that on June 10, 2002, Islander East provided copies of its draft *Construction, Restoration and Invasive Species Management Plan* for New York Central Pine Barrens to the Long Island Pine Barrens Society, the Central Pine Barrens Joint Planning and Policy Commission, The Nature Conservancy (Long Island Chapter), Brookhaven National Laboratory, New York State Department of Environmental Conservation (NYSDEC) Division of Environmental Permits, NYSDEC Region 1, and Suffolk County Department of Public Works, for review and comment. In this plan, Islander East has selected restoration seed mixes consistent with those recommended in the Central Pine Barrens Comprehensive Land Use Plan.

Also, see responses to comment letter S8.

G51-6 Revegetation would be in accordance with the plan developed with the Central Pine Barrens Commission. See response 5.

G51-6 native grassland plants on Long Island has already been submitted to FERC and Islander East by the Society and The Nature Conservancy's LI Chapter.

The DEIS notes that Islander East is following most of the FERC Procedures regarding pipeline related construction, with the exception of one notable Procedure. Islander East does not plan to revegetate with native species on areas disturbed during construction (p. 3-75-Wetland Construction and mitigation). FERC states, "However in the event a permitting agency identifies the need for a site-specific forested wetlands revegetation plan, Islander East stated it would develop such a plan and consult with regional agencies for pertinent recommendations." FERC then "recommended that: Islander East should file with the Secretary and wetland revegetation plans that are developed with FWS, COE, and

G51-7 appropriate state agencies for the project, prior to construction." How is Islander East supposed to file plans from "appropriate state agencies" if they are not working with the State Pine Barrens Commission? The Pine Barrens Commission has indicated to the Society that the Islander East "consultation" with them consisted of a letter and a phone call or two. This is certainly not enough to establish a working relationship and work out the details of such a large project within the Pine Barrens. Sending a letter to an affected party does not constitute a "consultation". The Commission is the most relevant New York State agency for the portion of the project that crosses the Central Pine Barrens. Working with the Pine Barrens Commission will not delay or hinder the construction of the pipeline, as they have granted hardship permits to other utilities in a timely manner, it will just ensure that the taxpayers of New York are represented justly in the environmental approval process. Islander East should file for a hardship permit with the Pine Barrens Commission, follow the Land Use Plan, and develop a plan with the Pine Barrens Commission on all revegetation issues, especially within the Core Preservation Area.

G51-8 Page ES-1 of the DEIS says "After construction, the temporary construction right-of-way and extra work areas in previously forested areas would be allowed to revegetate naturally and would eventually return to preconstruction conditions." The Society would like confirmation from FERC that if invasive or non-native species were to vegetate in these areas, that Islander would remove these species in accordance with local land use policy. While in many cases, the pine barrens will grow back, if seeds of non-native or invasive species are accidentally introduced during construction, it could have devastating effects on this fragile ecosystem. Islander East should be required to monitor the site periodically for at least five years to ensure that only native vegetation returns. There should be a plan for recovery and proper revegetation if such a problem occurs.

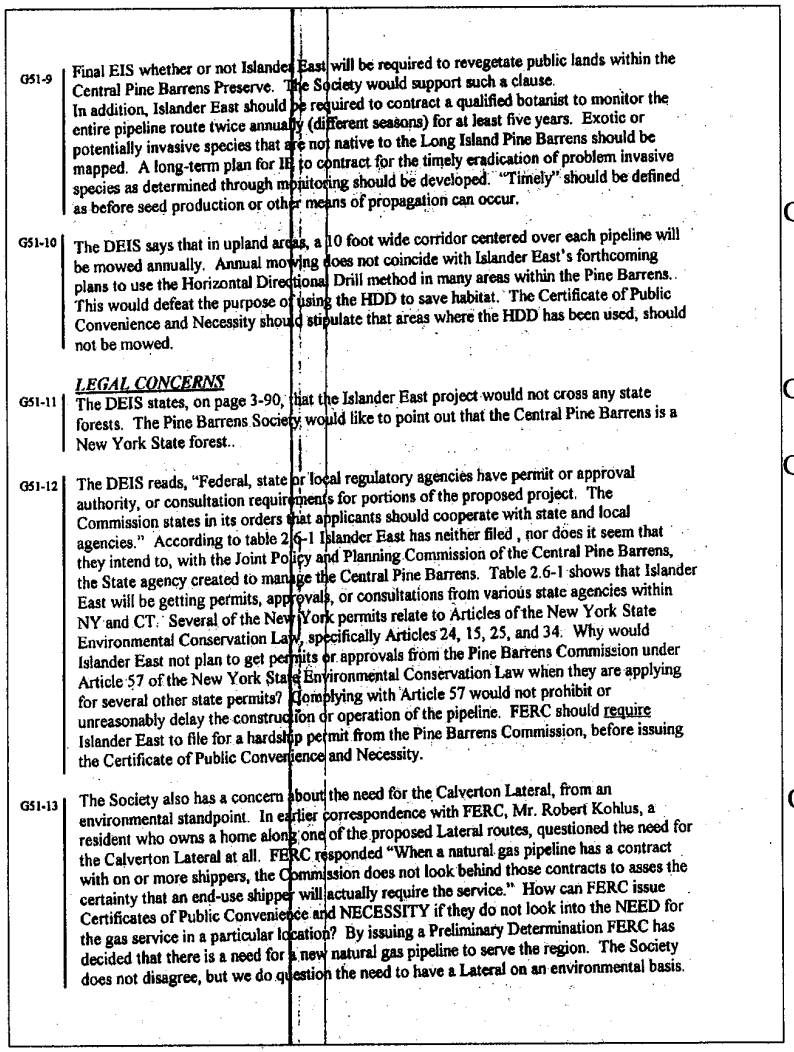
G51-9 Fertilizers or lime should not be used within the Central Pine Barrens. Due to the coarse nature of soils in the Long Island Pine Barrens, fertilizers will likely leach into the groundwater. Fertilizers may also increase the likelihood of establishment by invasive species. The Certificate of Public Convenience and Necessity, if issued, should stipulate that NO fertilizer be used on public lands within the Central Pine Barrens. This matter should be thoroughly discussed in the Final EIS, specifically how it applies to the Central Pine Barrens.

As a party very much concerned about the revegetation of the construction areas within the Central Pine Barrens, the Society was very confused by information presented within the DEIS. Some parts of the DEIS suggest that Islander East will be required to revegetate public lands within the pine barrens, others suggest the contrary. FERC should clarify within the

G51-7 Comment noted. See response to comment 1 in letter S8 or comment 12 in letter G51.

G51-8 See response to comment 22 in letter F3.

G51-9 See response to comment 4.



G51-9 Final EIS whether or not Islander East will be required to revegetate public lands within the Central Pine Barrens Preserve. The Society would support such a clause. In addition, Islander East should be required to contract a qualified botanist to monitor the entire pipeline route twice annually (different seasons) for at least five years. Exotic or potentially invasive species that are not native to the Long Island Pine Barrens should be mapped. A long-term plan for IE to contract for the timely eradication of problem invasive species as determined through monitoring should be developed. "Timely" should be defined as before seed production or other means of propagation can occur.

G51-10 The DEIS says that in upland areas, a 10 foot wide corridor centered over each pipeline will be mowed annually. Annual mowing does not coincide with Islander East's forthcoming plans to use the Horizontal Directional Drill method in many areas within the Pine Barrens. This would defeat the purpose of using the HDD to save habitat. The Certificate of Public Convenience and Necessity should stipulate that areas where the HDD has been used, should not be mowed.

LEGAL CONCERNS

G51-11 The DEIS states, on page 3-90, that the Islander East project would not cross any state forests. The Pine Barrens Society would like to point out that the Central Pine Barrens is a New York State forest..

G51-12 The DEIS reads, "Federal, state or local regulatory agencies have permit or approval authority, or consultation requirements for portions of the proposed project. The Commission states in its orders that applicants should cooperate with state and local agencies." According to table 2.6-1 Islander East has neither filed , nor does it seem that they intend to, with the Joint Policy and Planning Commission of the Central Pine Barrens, the State agency created to manage the Central Pine Barrens. Table 2.6-1 shows that Islander East will be getting permits, approvals, or consultations from various state agencies within NY and CT. Several of the New York permits relate to Articles of the New York State Environmental Conservation Law, specifically Articles 24, 15, 25, and 34. Why would Islander East not plan to get permits or approvals from the Pine Barrens Commission under Article 57 of the New York State Environmental Conservation Law when they are applying for several other state permits? Complying with Article 57 would not prohibit or unreasonably delay the construction or operation of the pipeline. FERC should require Islander East to file for a hardship permit from the Pine Barrens Commission, before issuing the Certificate of Public Convenience and Necessity.

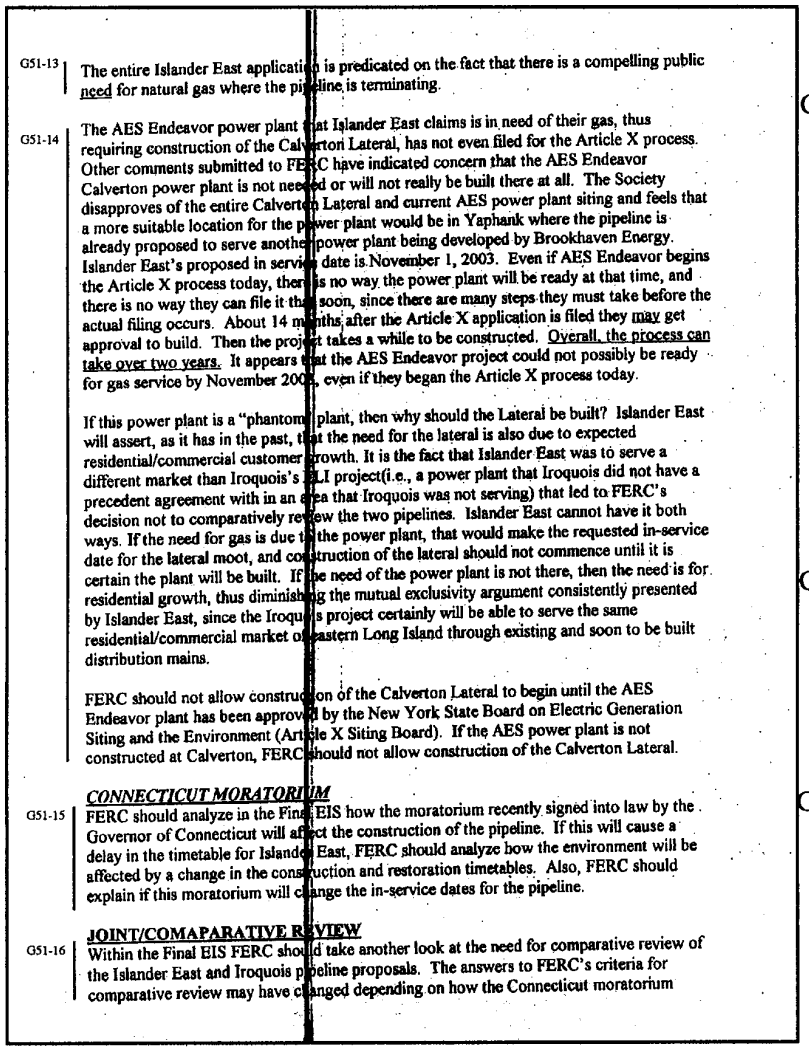
G51-13 The Society also has a concern about the need for the Calverton Lateral, from an environmental standpoint. In earlier correspondence with FERC, Mr. Robert Kohlus, a resident who owns a home along one of the proposed Lateral routes, questioned the need for the Calverton Lateral at all. FERC responded "When a natural gas pipeline has a contract with on or more shippers, the Commission does not look behind those contracts to asses the certainty that an end-use shipper will actually require the service." How can FERC issue Certificates of Public Convenience and NECESSITY if they do not look into the NEED for the gas service in a particular location? By issuing a Preliminary Determination FERC has decided that there is a need for a new natural gas pipeline to serve the region. The Society does not disagree, but we do question the need to have a Lateral on an environmental basis.

G51-10 Mowing would not be necessary in areas where HDD leaves native vegetation intact. Clearing of a 10-foot-wide corridor may be required over the first 100 feet of the HDD path for inspection purposes.

G51-11 Section 3.8.3.1 has been corrected.

G51-12 See response to comment 1 in letter S8.

G51-13 See response to comment 1 in letter F1.



G51-13 The entire Islander East application is predicated on the fact that there is a compelling public need for natural gas where the pipeline is terminating.

G51-14 The AES Endeavor power plant that Islander East claims is in need of their gas, thus requiring construction of the Calverton Lateral, has not even filed for the Article X process. Other comments submitted to FERC have indicated concern that the AES Endeavor Calverton power plant is not needed or will not really be built there at all. The Society disapproves of the entire Calverton Lateral and current AES power plant siting and feels that a more suitable location for the power plant would be in Yaphank where the pipeline is already proposed to serve another power plant being developed by Brookhaven Energy. Islander East's proposed in service date is November 1, 2003. Even if AES Endeavor begins the Article X process today, there is no way the power plant will be ready at that time, and there is no way they can file it that soon, since there are many steps they must take before the actual filing occurs. About 14 months after the Article X application is filed they may get approval to build. Then the project takes a while to be constructed. Overall, the process can take over two years. It appears that the AES Endeavor project could not possibly be ready for gas service by November 2003, even if they began the Article X process today.

If this power plant is a "phantom" plant, then why should the Lateral be built? Islander East will assert, as it has in the past, that the need for the lateral is also due to expected residential/commercial customer growth. It is the fact that Islander East was to serve a different market than Iroquois's ELI project(i.e., a power plant that Iroquois did not have a precedent agreement with in an area that Iroquois was not serving) that led to FERC's decision not to comparatively review the two pipelines. Islander East cannot have it both ways. If the need for gas is due to the power plant, that would make the requested in-service date for the lateral moot, and construction of the lateral should not commence until it is certain the plant will be built. If the need of the power plant is not there, then the need is for residential growth, thus diminishing the mutual exclusivity argument consistently presented by Islander East, since the Iroquois project certainly will be able to serve the same residential/commercial market of eastern Long Island through existing and soon to be built distribution mains.

FERC should not allow construction of the Calverton Lateral to begin until the AES Endeavor plant has been approved by the New York State Board on Electric Generation Siting and the Environment (Article X Siting Board). If the AES power plant is not constructed at Calverton, FERC should not allow construction of the Calverton Lateral.

CONNECTICUT MORATORIUM

G51-15 FERC should analyze in the Final EIS how the moratorium recently signed into law by the Governor of Connecticut will affect the construction of the pipeline. If this will cause a delay in the timetable for Islander East, FERC should analyze how the environment will be affected by a change in the construction and restoration timetables. Also, FERC should explain if this moratorium will change the in-service dates for the pipeline.

JOINT/COMAPARATIVE REVIEW

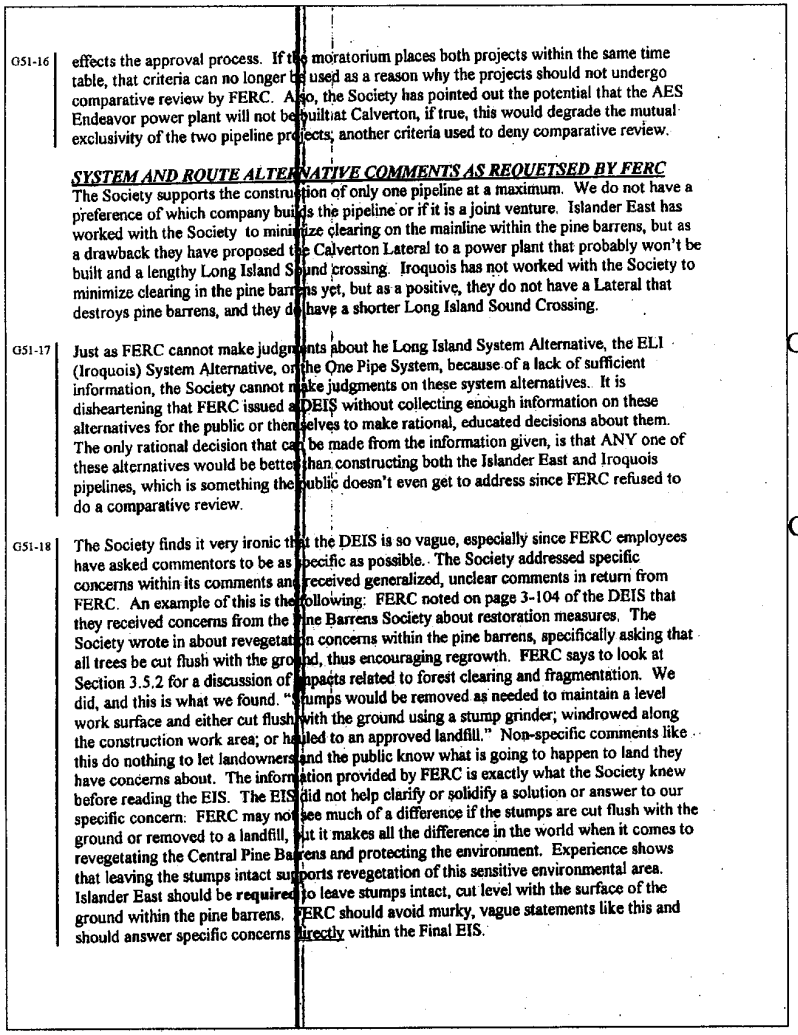
G51-16 Within the Final EIS FERC should take another look at the need for comparative review of the Islander East and Iroquois pipeline proposals. The answers to FERC's criteria for comparative review may have changed depending on how the Connecticut moratorium

GROUPS AND INDIVIDUALS 51

G51-14 FERC assumes the need for the gas volume based on the agreement between Islander East and AES Endeavor submitted in their application. If the AES power plant is not built, it is unlikely that Islander East would construct a lateral pipeline to a non-existent project.

G51-15 The Commission has not yet determined its position on the Connecticut Moratorium. If the Commission finds it necessary to issue an order on the merits of the proposal during the Moratorium, the Commission would explain the reason for its decision in the order.

G51-16 A comparison between the Islander East and ELI Extension Projects is included in the FEIS in the form of the analysis of the use of the ELI Extension Project as a system alternative for the Islander East Project. (See section 4.2.2 of the FEIS.)



G51-16 effects the approval process. If the moratorium places both projects within the same time table, that criteria can no longer be used as a reason why the projects should not undergo comparative review by FERC. Also, the Society has pointed out the potential that the AES Endeavor power plant will not be built at Calverton, if true, this would degrade the mutual exclusivity of the two pipeline projects, another criteria used to deny comparative review.

SYSTEM AND ROUTE ALTERNATIVE COMMENTS AS REQUETSED BY FERC

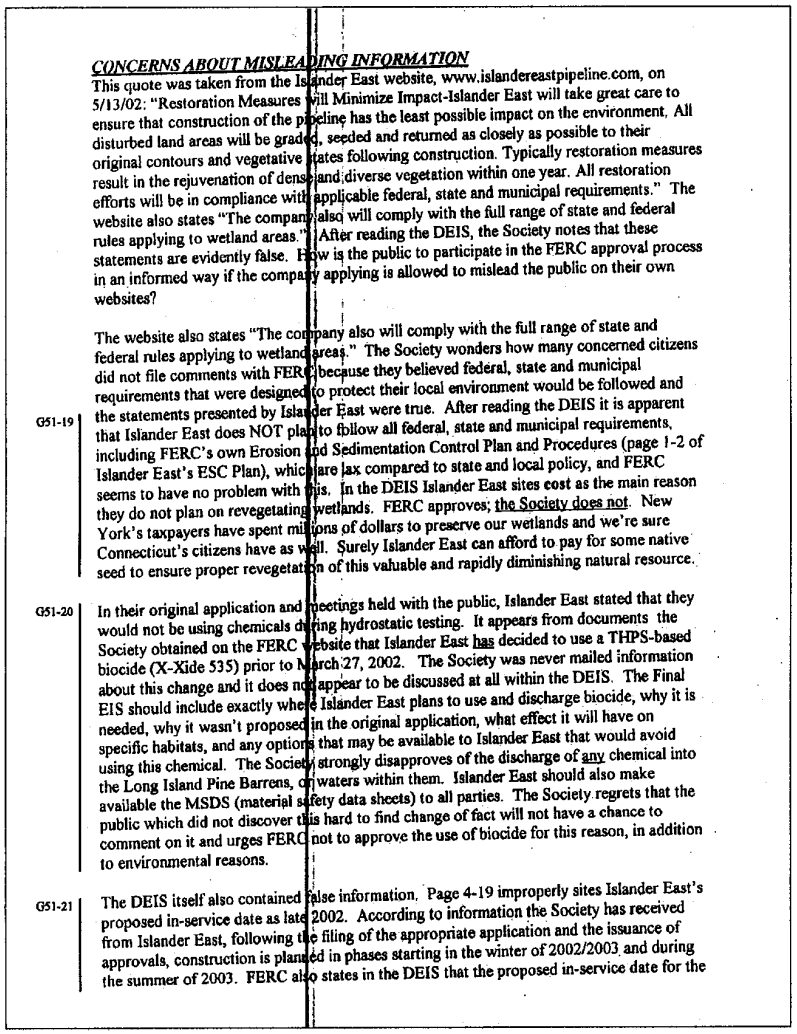
The Society supports the construction of only one pipeline at a maximum. We do not have a preference of which company builds the pipeline or if it is a joint venture. Islander East has worked with the Society to minimize clearing on the mainline within the pine barrens, but as a drawback they have proposed the Calverton Lateral to a power plant that probably won't be built and a lengthy Long Island Sound crossing. Iroquois has not worked with the Society to minimize clearing in the pine barrens yet, but as a positive, they do not have a Lateral that destroys pine barrens, and they do have a shorter Long Island Sound Crossing.

G51-17 Just as FERC cannot make judgments about he Long Island System Alternative, the ELI (Iroquois) System Alternative, or the One Pipe System, because of a lack of sufficient information, the Society cannot make judgments on these system alternatives. It is disheartening that FERC issued a DEIS without collecting enough information on these alternatives for the public or themselves to make rational, educated decisions about them. The only rational decision that can be made from the information given, is that ANY one of these alternatives would be better than constructing both the Islander East and Iroquois pipelines, which is something the public doesn't even get to address since FERC refused to do a comparative review.

G51-18 The Society finds it very ironic that the DEIS is so vague, especially since FERC employees have asked commentors to be as specific as possible. The Society addressed specific concerns within its comments and received generalized, unclear comments in return from FERC. An example of this is the following: FERC noted on page 3-104 of the DEIS that they received concerns from the Pine Barrens Society about restoration measures. The Society wrote in about revegetation concerns within the pine barrens, specifically asking that all trees be cut flush with the ground, thus encouraging regrowth. FERC says to look at Section 3.5.2 for a discussion of impacts related to forest clearing and fragmentation. We did, and this is what we found. "Stumps would be removed as needed to maintain a level work surface and either cut flush with the ground using a stump grinder; windrowed along the construction work area; or hauled to an approved landfill." Non-specific comments like this do nothing to let landowners and the public know what is going to happen to land they have concerns about. The information provided by FERC is exactly what the Society knew before reading the EIS. The EIS did not help clarify or solidify a solution or answer to our specific concern: FERC may not see much of a difference if the stumps are cut flush with the ground or removed to a landfill, but it makes all the difference in the world when it comes to revegetating the Central Pine Barrens and protecting the environment. Experience shows that leaving the stumps intact supports revegetation of this sensitive environmental area. Islander East should be **required** to leave stumps intact, cut level with the surface of the ground within the pine barrens. FERC should avoid murky, vague statements like this and should answer specific concerns directly within the Final EIS.

G51-17 Section 4.2 of the FEIS has been revised to include additional information on the ELI System Alternative.

G51-18 Section 3.5.2 has been modified to address your concerns. We believe the reference you cited addresses your concerns about stump removal. To clarify, the DEIS says that stumps would be removed if a level work surface is needed. This is for the safe operation of the equipment in the right-of-way.



CONCERNS ABOUT MISLEADING INFORMATION

This quote was taken from the Islander East website, www.islandereastpipeline.com, on 5/13/02: "Restoration Measures will Minimize Impact-Islander East will take great care to ensure that construction of the pipeline has the least possible impact on the environment. All disturbed land areas will be graded, seeded and returned as closely as possible to their original contours and vegetative states following construction. Typically restoration measures result in the rejuvenation of dense and diverse vegetation within one year. All restoration efforts will be in compliance with applicable federal, state and municipal requirements." The website also states "The company also will comply with the full range of state and federal rules applying to wetland areas." After reading the DEIS, the Society notes that these statements are evidently false. How is the public to participate in the FERC approval process in an informed way if the company applying is allowed to mislead the public on their own websites?

The website also states "The company also will comply with the full range of state and federal rules applying to wetland areas." The Society wonders how many concerned citizens did not file comments with FERC because they believed federal, state and municipal requirements that were designed to protect their local environment would be followed and

G51-19 the statements presented by Islander East were true. After reading the DEIS it is apparent that Islander East does NOT plan to follow all federal, state and municipal requirements, including FERC's own Erosion and Sedimentation Control Plan and Procedures (page 1-2 of Islander East's ESC Plan), which are lax compared to state and local policy, and FERC seems to have no problem with this. In the DEIS Islander East sites cost as the main reason they do not plan on revegetating wetlands. FERC approves; the Society does not. New York's taxpayers have spent millions of dollars to preserve our wetlands and we're sure Connecticut's citizens have as well. Surely Islander East can afford to pay for some native seed to ensure proper revegetation of this valuable and rapidly diminishing natural resource.

G51-20 In their original application and meetings held with the public, Islander East stated that they would not be using chemicals during hydrostatic testing. It appears from documents the Society obtained on the FERC website that Islander East has decided to use a THPS-based biocide (X-Xide 535) prior to March 27, 2002. The Society was never mailed information about this change and it does not appear to be discussed at all within the DEIS. The Final EIS should include exactly where Islander East plans to use and discharge biocide, why it is needed, why it wasn't proposed in the original application, what effect it will have on specific habitats, and any options that may be available to Islander East that would avoid using this chemical. The Society strongly disapproves of the discharge of any chemical into the Long Island Pine Barrens, or waters within them. Islander East should also make available the MSDS (material safety data sheets) to all parties. The Society regrets that the public which did not discover this hard to find change of fact will not have a chance to comment on it and urges FERC not to approve the use of biocide for this reason, in addition to environmental reasons.

G51-21 The DEIS itself also contained false information. Page 4-19 improperly sites Islander East's proposed in-service date as late 2002. According to information the Society has received from Islander East, following the filing of the appropriate application and the issuance of approvals, construction is planned in phases starting in the winter of 2002/2003 and during the summer of 2003. FERC also states in the DEIS that the proposed in-service date for the

GROUPS AND INDIVIDUALS 51

G51-19 The use of the applicants' ESC Plan would minimize and mitigate wetland impacts. However, the COE may have additional requirements for construction, restoration, and mitigation in wetland areas that it may impose in its section 404 permitting process. These requirements may be in addition to the applicants' proposed procedures, but may not remove any of our recommendations if the project is approved by the Commission.

If the project is approved, the applicants would be required to construct the project first and foremost in accordance with the first recommendation in section 5.2. They shall follow the construction procedures and mitigation measures described in the application, supplemental filings, and as identified in the EIS, unless modified by the Order.

The applicants are required by our Regulations to identify how there construction plans deviate from our Plan and/or Procedures, which they have done. The justification for granting or not granting the requirement for waivers are in sections 3.2.2, 3.3.2, and 3.7.2.

G51-20 Section 3.3.3.2 of the FEIS has been updated to address the use of a biocide for the hydrostatic test water of the marine portion of the pipeline. Islander East is not proposing to add a biocide for onshore hydrostatic testing water.

G51-21 The in-service dates for these projects have been corrected.

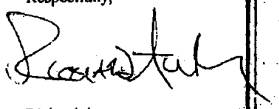
G51-21 Iroquois Eastern Long Island pipeline is late 2003. This also appears to be wrong. Iroquois proposed in-service date is November 2004.

CONCLUSION

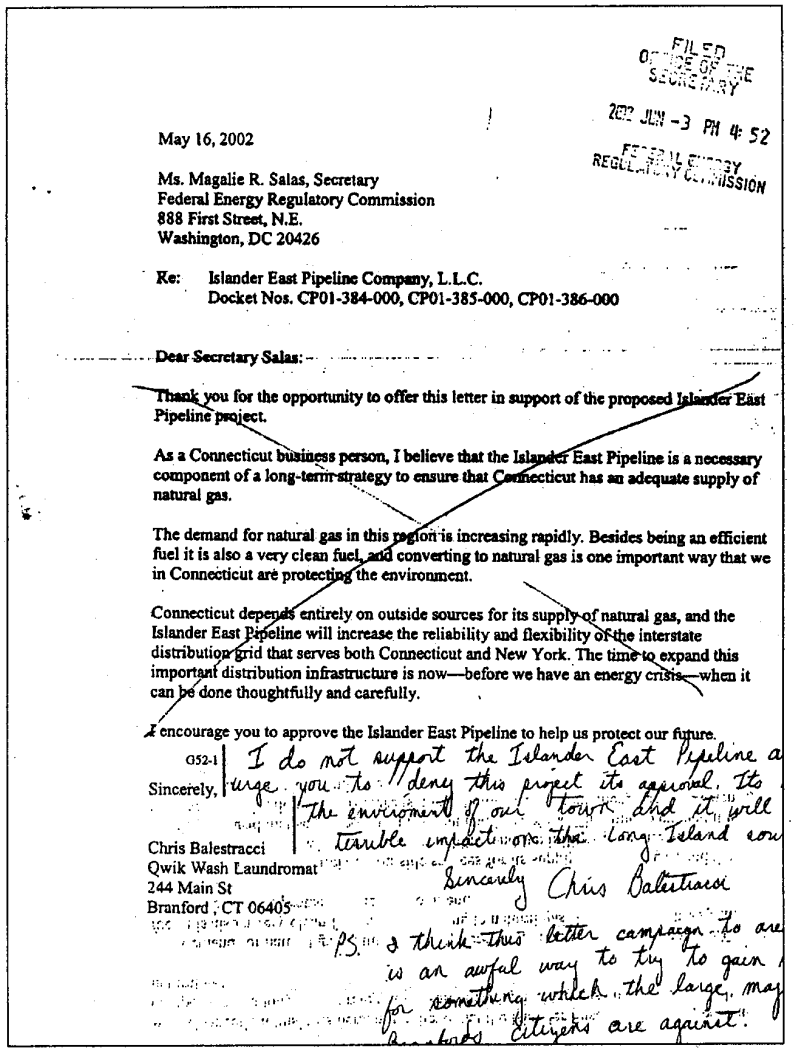
To summarize, the Society has had some success working with Islander East representatives to avoid destroying land intended for preservation, but partially solving one problem does not eradicate the need to address the multitude of other environmental challenges associated with a project of this scale.

We hope that through either cooperative efforts with the local environmental community, which we prefer, or direct orders from FERC, Islander East will be able to resolve all matters associated with their ambitious project.

Respectfully,



Richard Amper
Executive Director
Long Island Pine Barrens Society



FILED
OFFICE OF THE
SECRETARY

2002 JUN -3 PM 4:52

FEDERAL ENERGY
REGULATORY COMMISSION

May 16, 2002

Ms. Magalie R. Salas, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Re: Islander East Pipeline Company, L.L.C.
Docket Nos. CP01-384-000, CP01-385-000, CP01-386-000

Dear Secretary Salas:

Thank you for the opportunity to offer this letter in support of the proposed Islander East Pipeline project.

As a Connecticut business person, I believe that the Islander East Pipeline is a necessary component of a long-term strategy to ensure that Connecticut has an adequate supply of natural gas.

The demand for natural gas in this region is increasing rapidly. Besides being an efficient fuel it is also a very clean fuel, and converting to natural gas is one important way that we in Connecticut are protecting the environment.

Connecticut depends entirely on outside sources for its supply of natural gas, and the Islander East Pipeline will increase the reliability and flexibility of the interstate distribution grid that serves both Connecticut and New York. The time to expand this important distribution infrastructure is now—before we have an energy crisis—when it can be done thoughtfully and carefully.

I encourage you to approve the Islander East Pipeline to help us protect our future.

G52-1 I do not support the Islander East Pipeline a urge you to deny this project its approval. Its the enviroment of our town and it will terrible impact on the Long Island sou

Sincerely,

Chris Balestracci
Qwik Wash Laundromat
244 Main St
Branford, CT 06405

Sincerely Chris Balestracci

P.S. I think this letter campaign to are is an awful way to try to gain for something which the large, maj Branford Citizens are against.

G52-1 Thank you for your comment.

May 16, 2002

Ms. Magalie R. Salas, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Re: Islander East Pipeline Company, L.L.C.
Docket Nos. CP01-384-000, CP01-385-000, CP01-386-000

Dear Secretary Salas:

G53-1 Thank you for the opportunity to offer this letter in support of the proposed Islander East Pipeline project.

As a Connecticut businessperson, I believe that the Islander East Pipeline is a necessary component of a long-term strategy to ensure that Connecticut has an adequate supply of natural gas.

The demand for natural gas in this region is increasing rapidly. Besides being an efficient fuel it is also a very clean fuel, and converting to natural gas is one important way that we in Connecticut are protecting the environment.

Connecticut depends entirely on outside sources for its supply of natural gas, and the Islander East Pipeline will increase the reliability and flexibility of the interstate distribution grid that serves both Connecticut and New York. The time to expand this important distribution infrastructure is now—before we have an energy crisis—when it can be done thoughtfully and carefully.

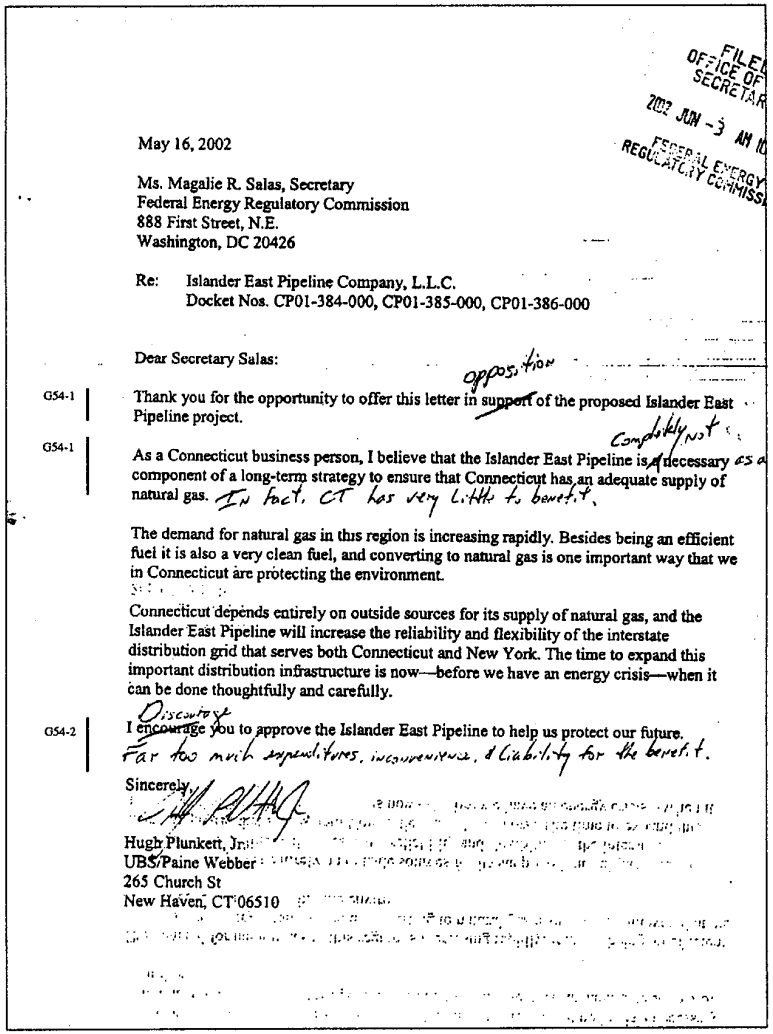
I encourage you to approve the Islander East Pipeline to help us protect our future.

Sincerely,

Richard Tyler
Richard Tyler
35 Turtle Bay Drive
Branford, CT 06405

G53-1 I will NOT support another pipeline! It is unnecessary environmentally unsound. Islander East is grasping at straws by sending pre-printed letters for the public to sign. [illegible]

G53-1 Thank you for your comment.



FILED
OFFICE OF
SECRETARY
2002 JUN -3 AM 10
FEDERAL ENERGY
REGULATORY COMMISSION

May 16, 2002

Ms. Magalie R. Salas, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Re: Islander East Pipeline Company, L.L.C.
Docket Nos. CP01-384-000, CP01-385-000, CP01-386-000

Dear Secretary Salas:

opposition

G54-1 Thank you for the opportunity to offer this letter in ~~support~~ of the proposed Islander East Pipeline project.

Completely not

G54-1 As a Connecticut business person, I believe that the Islander East Pipeline is ~~a~~ necessary as a component of a long-term strategy to ensure that Connecticut has an adequate supply of natural gas. In fact, CT has very little to benefit.

The demand for natural gas in this region is increasing rapidly. Besides being an efficient fuel it is also a very clean fuel, and converting to natural gas is one important way that we in Connecticut are protecting the environment.

Connecticut depends entirely on outside sources for its supply of natural gas, and the Islander East Pipeline will increase the reliability and flexibility of the interstate distribution grid that serves both Connecticut and New York. The time to expand this important distribution infrastructure is now—before we have an energy crisis—when it can be done thoughtfully and carefully.

Discourage

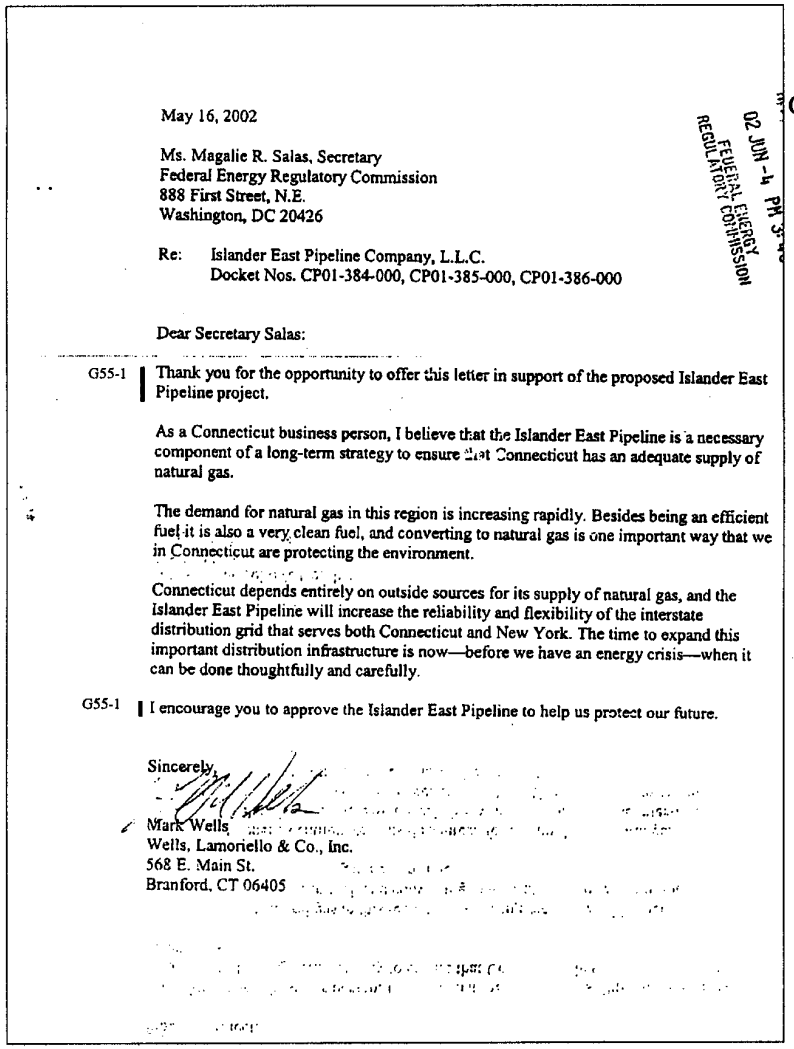
G54-2 I ~~encourage~~ you to approve the Islander East Pipeline to help us protect our future.
Far too much expenditures, inconvenience, & liability for the benefit.

Sincerely,

Hugh Plunkett, Jr.
UBS Paine Webber
265 Church St
New Haven, CT 06510

G54-1 Thank you for your comment.

G54-2 Thank you for your comment..



May 16, 2002

02 JUN -4 PM 3:42
FEDERAL ENERGY REGULATORY COMMISSION

Ms. Magalie R. Salas, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Re: Islander East Pipeline Company, L.L.C.
Docket Nos. CP01-384-000, CP01-385-000, CP01-386-000

Dear Secretary Salas:

G55-1 Thank you for the opportunity to offer this letter in support of the proposed Islander East Pipeline project.

As a Connecticut business person, I believe that the Islander East Pipeline is a necessary component of a long-term strategy to ensure that Connecticut has an adequate supply of natural gas.

The demand for natural gas in this region is increasing rapidly. Besides being an efficient fuel it is also a very clean fuel, and converting to natural gas is one important way that we in Connecticut are protecting the environment.

Connecticut depends entirely on outside sources for its supply of natural gas, and the Islander East Pipeline will increase the reliability and flexibility of the interstate distribution grid that serves both Connecticut and New York. The time to expand this important distribution infrastructure is now—before we have an energy crisis—when it can be done thoughtfully and carefully.

G55-1 I encourage you to approve the Islander East Pipeline to help us protect our future.

Sincerely,

Mark Wells
Wells, Lamoriello & Co., Inc.
568 E. Main St.
Branford, CT 06405

G55-1 Thank you for your comment.

Identical letters have been sent by the following commenters:

AAMCO Transmissions,
Pat Dolan

AQ Solutions, LLC,
Brian Firstbrook

Albertus Magnus College,
Dr. Julia McNamara

Andrea DeBoer LMFT,
Andrea Deboer

Barron & Company,
Thomas Barron

Bentara, LLC,
William Christian

Better Business Bureau,
Paulette Hotton

Bonner Electric,
Doug Campbell

Bonnie Ballantyne, CPA
Accounting & Tax Services,
Bonnie Ballantyne

Branford Bike,
Tim Brockett

C. J. Fucci Construction,
Nancy Fucci

Caplow Mechanical Inc.,
Eligio Ferrucci

Care Management Group,
Alan Russo

Connecticut Minority
Supplier Development
Council, Inc.,
Dr. Fred McKinney

Check Cashers, Inc.,
Linda Rapp-Sciongay

The Deli Wrap,
James Iannone

Differential Pressure Plus,
Inc., Joe Gordon

Dillon Mailing & Printing,
John Dillon

The Enterprise Center, Inc.,
Carroll Schilling

Environmental Engineering
Services, Inc., John Belfonti

Express Professional
Staffing, Fran Johnson

The 5th Business,
Mark Kindley

H.O. PENN, Paul Keyes

H.O. Penn Machinery
Company, Daniel Carson

Halsey Associates,
William Curran

Hand Therapy Associates,
Anthony Diverniero

The Harty Press Inc.,
George Platt

JT Wack & Company,
Jeffery Wack, PhD

Law Offices of Erskine D.
McIntosh, Erskine McIntosh

Law Offices of Febbroriello,
Conti & Levy,
William Conti

Law Offices of Febbroriello,
Conti & Levy,
John Febbroriello

Leger Electric,
David Kibodeaux

The Litchfield Insurance
Group, Robert Phelan

Morgan Stanley Dean
Witter, Steven Butler

New Haven Building & Construction Trades Council, Benedict Cozzi

O & G Industries, Inc., David Oneglia

Pat Munger Construction, David Demaio

People Management Northeast Inc., Brian Beaudin

Percival Communications, LLC, Mike Salius

Petra Construction Corporation, Guido Petra

Photo Arts, Mark Langenheim

R.M. Hosley & Son, Inc., Richard Hosley

Ramada Limited, Brenda Carrier

Real Estate Advisors, Ltd., James Trucksess, Jr.

Torrington Savings Bank, Jeffery Lalonde

Tumblebrook Estates, LLC, Edward Riccio

St. Raphael's Occupational Health Plus, Peter Schaumburg

U.S. Healthworks, Jessica Eizenberg

VMS - Video Monitoring Services of America, Kevin Tardif

Vecchitto's Italian Ice, Colombo Vecchitto

W.B. Mason Co. Inc., Tim McGrath

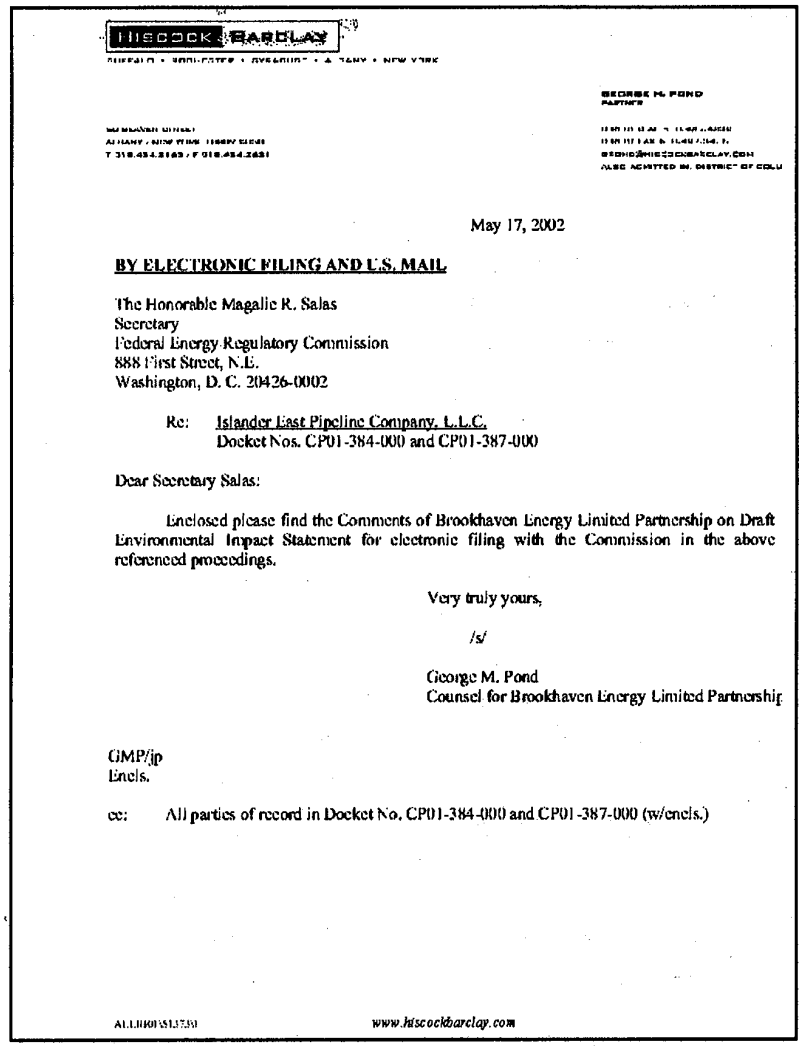
Roy Weber

West Haven Lumber Company, Lawrence Shanbrom

World Gym Fitness Center, Mike Katz

XL Care Agency Inc. Of CT, Peter Nizich

XS A Salon, Chris Morrill



HISCOCK & BARCLAY

BUFFALO • ROCHESTER • SYRACUSE • ALBANY • NEW YORK

GEORGE M. POND
PARTNER

ALBANY / NEW YORK OFFICE
T 518.434.3183 / F 518.434.3651

GPOND@HISCOCKBARCLAY.COM
ALSO ADMITTED IN: DISTRICT OF COLU

May 17, 2002

BY ELECTRONIC FILING AND U.S. MAIL

The Honorable Magalie R. Salas
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D. C. 20426-0002

Re: Islander East Pipeline Company, L.L.C.
Docket Nos. CP01-384-000 and CP01-387-000

Dear Secretary Salas:

Enclosed please find the Comments of Brookhaven Energy Limited Partnership on Draft Environmental Impact Statement for electronic filing with the Commission in the above referenced proceedings.

Very truly yours,

/s/

George M. Pond
Counsel for Brookhaven Energy Limited Partnership

GMP/jp
Encls.

cc: All parties of record in Docket No. CP01-384-000 and CP01-387-000 (w/encls.)

GROUPS AND INDIVIDUALS 56

GROUPS AND INDIVIDUALS 56

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Islander East Pipeline Company, L.L.C.	)	Docket No. CP01-384-000
Algonquin Gas Transmission, L.P.	)	Docket No. CP01-387-000

COMMENTS OF
BROOKHAVEN ENERGY LIMITED PARTNERSHIP
ON DRAFT ENVIRONMENTAL IMPACT STATEMENT

Brookhaven Energy Limited Partnership ("Brookhaven Energy") submits these comments on the Draft Environmental Impact Statement filed in these proceedings pursuant to the Commission's March 29, 2002 Notice of Availability of the Draft Environmental Impact Statement for the Proposed Islander East Pipeline Project.

BACKGROUND

On June 15, 2001, Islander East Pipeline Company, L.L.C. ("Islander East") filed a request for a certificate of public convenience and necessity under Section 7(c) of the Natural Gas Act ("NGA"), 15 U.S.C. §717f(c). In that filing, Islander East sought permission to construct 44.8 miles of new 24-inch diameter pipeline and other associated facilities to transport natural gas from North Haven, Connecticut to Brookhaven, New York, along with an additional 5.6 miles of 24-inch pipeline from the proposed Islander East mainline near Wading River, New York, to the proposed site of the AES Calverton plant in Calverton, New York. This project includes a 22.6 mile crossing of Long Island Sound. On that same date, Algonquin Gas Transmission Company ("Algonquin") also filed for authority to upgrade certain existing pipeline facilities in Connecticut to be leased by Islander East.

Brookhaven Energy is the developer of a 580 MW combined cycle electric generating facility at Brookhaven, New York ("the Brookhaven Energy Project"). Brookhaven Energy has entered into a precedent agreement with Islander East to purchase up to 90,000 Dth per day of firm transportation service from Islander East.

On December 21, 2001, the Commission issued its Preliminary Determination of Non-Environmental Issues in this proceeding. Islander East Pipeline Company, 97 FERC ¶ 61,363 (2001). In that order, the Commission preliminarily determined on the basis of all pertinent non-environmental issues that Islander East's Section 7(c) application would be in the public interest. The Commission explained that this preliminary determination "contemplates issuance, after completion of pending review of all environment matters raised by the application, of a final order of the Commission determining that the proposals are required by the public convenience and necessity, in accordance with NEPA and NGA section 7(c)." 97 FERC at p. 62,700.

On March 29, 2002, the Commission Staff filed the Draft Environmental Impact Statement ("DEIS") in this proceeding. In the DEIS, the Staff concluded that, with the adoption of certain mitigation measures, Islander East's proposed project would have a limited adverse environmental impact:

> We conclude that, with the use of Islander East's proposed mitigation and adoption of our recommended mitigation measures, construction and operation of the proposed facilities would have limited adverse environmental impact. The impacts would be most significant during the construction period. As part of our analysis, we have developed specific mitigation measures that we believe to be appropriate and reasonable for construction and operation of the proposed project. We believe these measures would substantially reduce the environmental impact of the project.

DEIS at ES-4.

A11.1101\51.37.51

GROUPS AND INDIVIDUALS 56

As part of its assessment of the environmental impacts of the Islander East project, the DEIS evaluated a number of route alternatives for that pipeline in Connecticut and three system alternatives for the Islander East Project. The system alternatives considered in the DEIS include: (1) the "One-Pipe System Alternative," which would combine both the Islander East Project and the Eastern Long Island ("ELI") Extension Project of Iroquois Gas Transmission System, L.P. ("Iroquois") now before the Commission in Docket No. CP02-52-000 into a single larger pipeline capable of transporting the combined volume of both these proposed pipelines (435,000 Mcf per day); (2) the ELI System Alternative, which would use the ELI Extension Project in lieu of Islander East to deliver 260,000 Mcf per day across the Long Island Sound; and (3) the Long Island System Alternative, which would permit Islander East and Iroquois to construct separate crossings of Long Island Sound but would combine both Islander East and the ELI Extension projects into a joint pipeline on Long Island. That joint pipeline would occupy the same rights-of-way as proposed by the Islander East Project.

SUMMARY OF POSITION

G56-1 Brookhaven Energy respectfully requests that the Commission accept the DEIS prepared for the Islander East project without requiring any change in the routing of the portions of that pipeline crossing Long Island Sound or on Long Island. Islander East's proposed route on Long Island will create only minimal environmental disruption, and that disruption will be limited to the construction phase. Moreover, service to Brookhaven Energy is required to ensure that Brookhaven Energy's 580 MW state-of-the-art combined-cycle generating facility will have access to adequate supplies of natural gas at a reasonable cost. The environmental and economic benefits of the Brookhaven Energy Project, which include substantial reductions in oxides of nitrogen and sulfur dioxides, as well as a $61 million reduction in the annual cost of producing

ALLIB01\51137.01

- 3 -

G56-1 Thank you for your comment.

the electricity required to meet consumer demands on Long Island, far outweigh the minimal impacts of the construction of this new pipeline in these existing rights-of-way.

G56-2 In addition, Islander East's proposal to construct a separate crossing of Long Island Sound is in the public interest because of the increased reliability of both electric and gas service on Long Island that cannot be duplicated by the One-Pipe System or ELI System alternatives, which rely on the existing Iroquois facilities. By eliminating the need to dispatch substantial quantities of oil-fired generation to protect against a single source gas supply contingency in high demand periods, the Islander East project will lead to permanent reductions in harmful oxides of nitrogen and sulfur dioxide on Long Island and will reduce the need for environmentally hazardous oil storage and transport facilities at new generating plants on Long Island. The environmental benefits of these actions will far outweigh the one-time environmental disruption caused by the construction of a new pipeline crossing of Long Island Sound.[1]

ARGUMENT

I. THE DRAFT ENVIRONMENTAL IMPACT STATEMENT PROPERLY RECOGNIZED THAT THERE ARE NO FEASIBLE ALTERNATIVES TO THE PROPOSED ROUTE OF THE ISLANDER EAST PIPELINE ON LONG ISLAND

G56-3 Brookhaven Energy is pleased that the Commission Staff is not proposing that the Commission consider any change to the route of the portion of the Islander East Pipeline on Long Island. Brookhaven Energy believes that there are no viable alternatives for this portion of the Islander East project for two reasons. First, as the Commission Staff noted in the DEIS, this route generally overlaps or is adjacent to existing pipeline, powerline, railroad and road rights-

[1] As Brookhaven Energy indicated in its April 25, 2002 Opposition to Iroquois' Motion to Consolidate these proceedings with Iroquois' own certificate application in Docket No. CP02-52-000, Brookhaven Energy's support for the Islander East Project should not be viewed as opposition to Iroquois' ELI Project. Brookhaven Energy believes that all consumers on Long Island will benefit if both those projects are allowed to go forward as proposed by their sponsors.
ALL:B00351.37.51

GROUPS AND INDIVIDUALS 56

G56-2 Thank you for your comment. Analysis of system alternatives is in section 4.2 of the FEIS. A description of the Brookhaven Energy Project is in section 2.7.1 of the FEIS.

G56-3 Route Alternatives are evaluated in section 4.3.

G56-3 of-way, thereby avoiding the need to establish new utility corridors.[2] Accordingly, the environmental disturbances associated with this proposed route will be minimal and limited to the construction phase.

G56-4 Second, any change in the route of this proposed pipeline that would prevent Islander East from serving the site of the proposed Brookhaven Energy Facility could have substantial adverse environmental and economic consequences not considered in the DEIS. To the extent that Brookhaven Energy is unable to obtain reliable delivery of sufficient supplies of natural gas to operate its proposed 580 MW generating plant at Brookhaven, New York, at competitive prices, the viability of that proposed generating facility could be imperiled.

G56-5 In testimony filed with the New York State Board on Electric Generation Siting and the Environment, Brookhaven Energy demonstrated that this new generating facility can be expected to reduce harmful emissions of nitrogen oxides and sulfur dioxide on Long Island by 1,283 tons per year and 678 tons per year, respectively, while also reducing the cost of electricity on Long Island by $61 million per year. A copy of the relevant portions of this testimony is attached to these comments as Exhibit A. In light of the limited environmental impacts of locating Islander East's proposed pipeline in existing rights-of-way on Long Island, as well as the substantial environmental and economic benefits of that project that would be threatened by any proposal to relocate the Islander East project in a manner that would preclude it from reliably and economically serving the Brookhaven Energy Project, the Commission must reject any proposal to change the route of the portion of Islander East pipeline on Long Island.

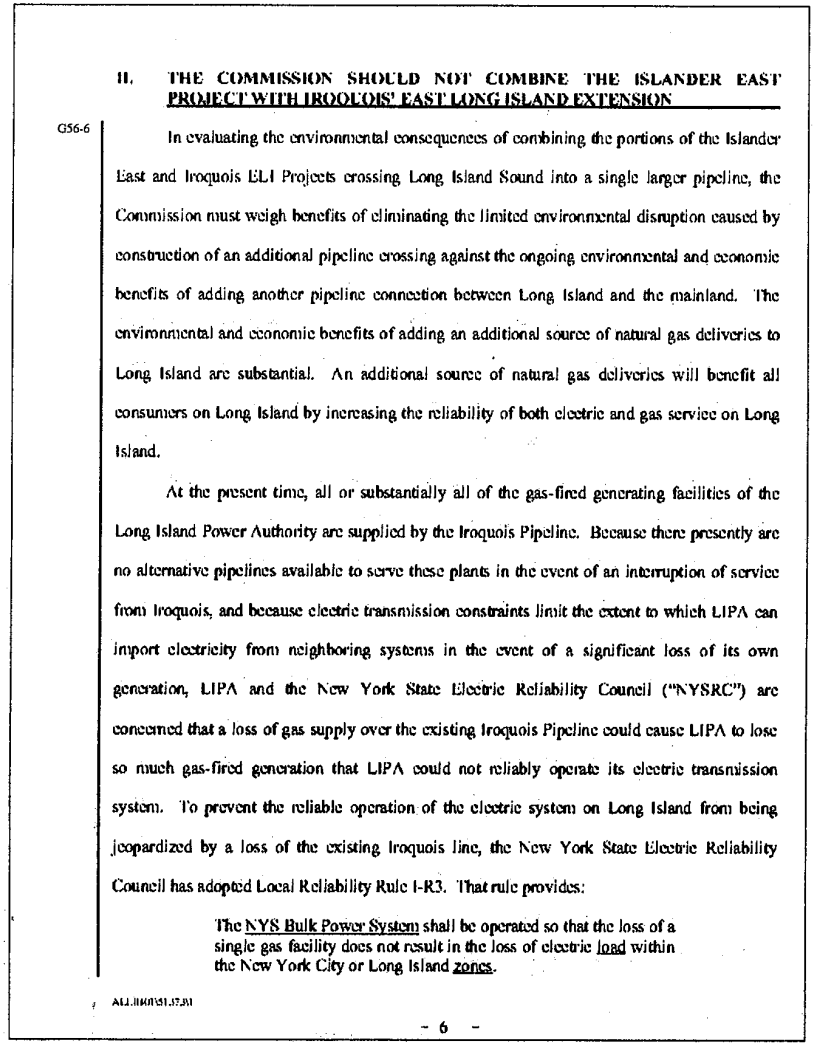
[2] DEIS at ES-4.

ALL1101\51.37.51

GROUPS AND INDIVIDUALS 56

G56-4 Thank you for your comment.

G56-5 Thank you for this information. Text in section 2.7.1 of the FEIS has been updated with this information.



II. THE COMMISSION SHOULD NOT COMBINE THE ISLANDER EAST PROJECT WITH IROQUOIS' EAST LONG ISLAND EXTENSION

G56-6

In evaluating the environmental consequences of combining the portions of the Islander East and Iroquois ELI Projects crossing Long Island Sound into a single larger pipeline, the Commission must weigh benefits of eliminating the limited environmental disruption caused by construction of an additional pipeline crossing against the ongoing environmental and economic benefits of adding another pipeline connection between Long Island and the mainland. The environmental and economic benefits of adding an additional source of natural gas deliveries to Long Island are substantial. An additional source of natural gas deliveries will benefit all consumers on Long Island by increasing the reliability of both electric and gas service on Long Island.

At the present time, all or substantially all of the gas-fired generating facilities of the Long Island Power Authority are supplied by the Iroquois Pipeline. Because there presently are no alternative pipelines available to serve these plants in the event of an interruption of service from Iroquois, and because electric transmission constraints limit the extent to which LIPA can import electricity from neighboring systems in the event of a significant loss of its own generation, LIPA and the New York State Electric Reliability Council ("NYSRC") are concerned that a loss of gas supply over the existing Iroquois Pipeline could cause LIPA to lose so much gas-fired generation that LIPA could not reliably operate its electric transmission system. To prevent the reliable operation of the electric system on Long Island from being jeopardized by a loss of the existing Iroquois line, the New York State Electric Reliability Council has adopted Local Reliability Rule I-R3. That rule provides:

> The NYS Bulk Power System shall be operated so that the loss of a single gas facility does not result in the loss of electric load within the New York City or Long Island zones.

ALL:[illegible]

GROUPS AND INDIVIDUALS 56

G56-6 Thank you for your comment. Text in section 4.3 of the FEIS has been updated.

The remainder of the comment, testimony filed with the New York State Board on Electric Generation Siting and Environment, was an attachment that can be found at: http://www.ferc.gov/ferris.htm DOC 2277679.

G56-6 NYSRC, Reliability Rules for Planning and Operating the New York State Power System at 58 (Revision 2, February 1, 2002) ("NYSRC Reliability Rules"). The NYSRC's Reliability Rules include a specific procedure for meeting this requirement on Long Island based on the generating facilities presently operating on Long Island:

> **Loss of Generator Gas Supply** Long Island (formerly Local Rule #5): Considering the loss of gas supply as a single contingency that will impact the electric power system, the number of gas fired generators must be limited above critical load levels. Above 3200 MW, two Northport units can be gas fired. At peak loads, Port Jefferson 3-4 gas operation must be restricted.

NYSRC Reliability Rules at 59. Those rules go on to provide LIPA with the authority, subject to review by the New York Independent System Operator, Inc. and the NYSRC, to propose changes to this implementation procedure required to comply with Rule I-R3 in light of future changes in system conditions and other circumstances on Long Island. NYSRC Reliability Rules at 59.

By providing the Brookhaven Energy Plant with a secure source of natural gas supply that is independent of the Iroquois facilities serving LIPA's existing generating facilities, the Islander East Pipeline will eliminate any need to impose restrictions on the operation of the Brookhaven Energy Plant similar to those currently imposed on LIPA's Northport and Port Jefferson Units. To the extent that the Brookhaven Energy Plant is allowed to compete with and displace these relatively high-emitting oil-fired plants using clean-burning natural gas in its state-of-the-art facilities, both air pollution and the cost of producing the electricity required to meet the needs of Long Island consumers will be greatly reduced. Moreover, by eliminating the need to dispatch substantial amounts of generating capacity on oil during peak periods, the Islander

GROUPS AND INDIVIDUALS 56

G56-6 East project will also reduce the need for environmentally hazardous oil storage and delivery facilities at future generating facilities constructed on Long Island.[3]

Based on these considerations, the New York State Public Service Commission also concluded that the public interest would be best served by allowing Islander East to construct a new pipeline crossing Long Island Sound:

> The contingency protection of both the gas and electric systems afforded by a totally separate Sound crossing, as proposed by Islander East, is protection against total loss of supply if damage were to occur to the Iroquois line upstream of the interconnection to the ELI facilities . . . . Given the information that we have currently . . . our preference would be that Islander East be certified because it will [add] another source of delivery to Long Island.

Docket No. CP02-52-000, Iroquois Gas Transmission System, L.P., Notice of Intervention and Comments of the Public Service Commission of the State of New York at 2-3 (filed January 22, 2002). The One-Pipe and the ELI System alternatives would not provide the same contingency protection, since both require a tie into the existing Iroquois system serving Long Island.

CONCLUSION

WHEREFORE, for the above-stated reasons, Brookhaven Energy Limited Partnership respectfully requests that the Commission accept the Draft Environmental Impact Statement issued in this proceeding on March 29, 2002 without requiring any change in the routing of the portions of the Iroquois East project crossing Long Island Sound or on Long Island, and that the

[3] The Brookhaven Energy Plant includes no such oil storage and transportation facilities. Thus, without a source of gas that is wholly independent of the existing Iroquois system, such as that provided by the Islander East Project, the Brookhaven Energy Plant may well be precluded from providing the consumers on Long Island with electric energy in high demand periods when its output is most needed to meet consumer needs.
ALL0101\51.37.51

Commission thereafter confirm as final its preliminary determination that the construction of the Islander East project is required by the public convenience and necessity as provided in Section 7(e) of the Natural Gas Act, 15 U.S.C. § 717f(e).

Respectfully submitted,

/s/

George M. Pond, Esq.
Hiscock & Barclay, LLP
50 Beaver Street
Albany, NY 12207
518.429.4232 (tel.)
518.427.3486 (fax)
gpond@hiscockbarclay.com

Dated: May 17, 2002

Attorneys for Brookhaven Energy Limited Partnership

ALI:1160951.37.S1

GROUPS AND INDIVIDUALS 56

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

In The Matters Of:	:	
Islander East Pipeline Company, L.L.C.	:	Docket No. CP01-384-000
Algonquin Gas Transmission Company	:	Docket No. CP01-387-000

INITIAL COMMENTS OF
THE KEYSPAN DELIVERY COMPANIES

In accordance with the Commission's "Notice of Availability of the Draft Environmental Impact Statement ("DEIS") for the Proposed Islander East Pipeline Project" dated March 29, 2002, the KeySpan Delivery Companies ("KeySpan") hereby submit these comments.

G57-1

The Commission Should Issue
A Certificate For The Construction
And Operation Of The Islander East Project

In the DEIS, the Commission Staff concludes that "construction and operation of the Islander East Pipeline Project would result in limited adverse environmental impacts."[1] Staff also offers a number of measures which it believes "would appropriately and reasonably avoid, minimize or mitigate environmental impacts resulting from construction and operation of the proposed project."[2] Finally, Staff concludes that if these measures were adopted, the Islander East pipeline project "would be an environmentally viable enterprise."[3]

---

1 DEIS, Section 5.1.

2 *Id.*

3 *Id.*

G57-1 Thank you for your comment.

Having reviewed the DEIS, KeySpan continues to believe that the Commission should promptly issue a certificate for the construction and operation of the proposed facilities so that service can commence as close to November 1, 2003 as possible. As KeySpan has repeatedly advised the Commission, the timely construction and operation of the Islander East project is essential to KeySpan's efforts to provide safe and reliable gas distribution services to consumers on Eastern Long Island and in New York City during the 2003 - 2004 winter period and beyond.[4] There are no environmental considerations identified in the DEIS that outweigh the significant benefits that will be created by the construction and operation of the Islander East Project. Moreover, there is no basis in the DEIS which would serve as a foundation for the Commission to require the adoption of the no-action alternative or any of the four system alternatives considered therein.[5] Accordingly, consistent with the Commission's policy of certificating new pipeline projects where the public benefits outweigh the adverse impacts,[6] the Commission should promptly certificate the Islander East Project.

---

[4] *See, e.g.*, KeySpan's pleadings in Docket Nos. CP01-384, *et al.* dated July 13, 2001, March 5, 2002 and April 23, 2002.

[5] These alternatives were the "one-pipe system alternative," the "ELI Extension Project" proposed by Iroquois Gas Transmission System, L.P., the "Long Island System Alternative," and the "Tennessee-Connecticut-Long Island Lateral Project System."

[6] *Certificate of New Interstate Natural Gas Pipeline Facilities*, 88 FERC ¶ 61,227 (1999), *Order Clarifying Statement of Policy*, 90 FERC ¶ 61,128 (1999), *Order Further Clarifying Statement of Policy*, 92 FERC ¶ 61,094 (2000).

Conclusion

For the foregoing reasons, the KeySpan Delivery Companies request the Commission to promptly issue a certificate authorizing construction and operation of the projects proposed by Islander East Pipeline Company, L.L.C. and Algonquin Gas Transmission System, L.P.

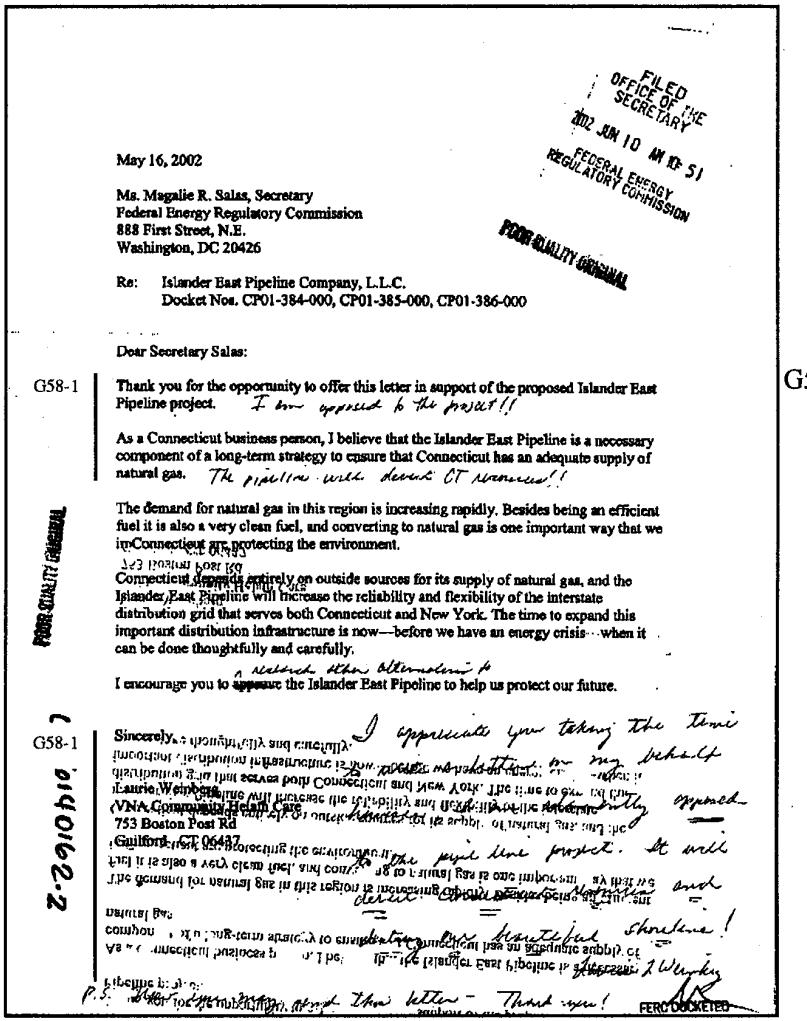
Respectfully submitted,

The KeySpan Delivery Companies

By: Kenneth T. Maloney
Cullen and Dykman, L.L.P.
1101 Fourteenth Street, N.W.
Suite 550
Washington, D.C. 20005
(202) 223-8890

Dated: May 17, 2002

GROUPS AND INDIVIDUALS 58



FILED
OFFICE OF THE SECRETARY
2002 JUN 10 AM 10:51
FEDERAL ENERGY REGULATORY COMMISSION

May 16, 2002

Ms. Magalie R. Salas, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

POOR QUALITY ORIGINAL

Re: Islander East Pipeline Company, L.L.C.
Docket Nos. CP01-384-000, CP01-385-000, CP01-386-000

Dear Secretary Salas:

G58-1 Thank you for the opportunity to offer this letter in support of the proposed Islander East Pipeline project. I am opposed to the project!!

As a Connecticut business person, I believe that the Islander East Pipeline is a necessary component of a long-term strategy to ensure that Connecticut has an adequate supply of natural gas. The pipeline will devout CT resources!!

The demand for natural gas in this region is increasing rapidly. Besides being an efficient fuel it is also a very clean fuel, and converting to natural gas is one important way that we in Connecticut are protecting the environment.

Connecticut depends entirely on outside sources for its supply of natural gas, and the Islander East Pipeline will increase the reliability and flexibility of the interstate distribution grid that serves both Connecticut and New York. The time to expand this important distribution infrastructure is now—before we have an energy crisis—when it can be done thoughtfully and carefully.

I encourage you to ~~approve~~ research other alternatives to the Islander East Pipeline to help us protect our future.

G58-1 Sincerely, I appreciate you taking the time to write a letter on my behalf

Laurie Weinberg
VNA Community Health Care
753 Boston Post Rd
Guilford, CT 06437

Currently opposed to the pipe line project. It will devout resources and destroy our beautiful shoreline!

Laurie Weinberg

P.S. Here you may send this letter - Thank you!

FERC DOCKETED

2-2-0140162.2

G58-1 Thank you for your comment.

FILED May 17, 2002
OFFICE OF THE SECRETARY
02 MAY 20 PM 2:17 ORIGINAL
FEDERAL ENERGY REGULATORY COMMISSION

Magalie R. Salas, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E., Room 1A
Washington, D.C., 20426

Re: Docket Nos. CP01-384-000 and CP01-387-000

Dear Ms. Salas:

I am submitting my letter for the purpose of comment upon the findings and conclusions which are contained within the Draft Environmental Impact Statement (DEIS), referable to the above indicated docket numbers, in particular, that part of the proposed project designated as the "Calverton Lateral". After careful review of the above mentioned DEIS,
G59-1 it is observed to contain analysis, findings, and conclusions which I view to be erroneous and subjectively slanted against the Calverton State Route 25 Route (MP 37.8 to MP CA 5.5) and the Calverton Lateral Route Alternative (MP CA 0.5 to CA 3.3). Furthermore, the analysis, findings, and conclusions for the Calverton Lateral Proposed Route (MP CA 0.5 to MP CA 3.3) of the DEIS are also erroneous and subjectively slanted. Many important facts have been ignored in this DEIS.

CAVERTON STATE ROUTE 25 ROUTE ALTERNATIVE
(MP 37.8 to MP CA 5.6)

G59-2 This route is superior in that it would minimize both the short-term and long-term impacts on the 12 residences of the Mays subdivision, the 12 residences along the Calverton Lateral Route Alternative, and the additional residences proposed within the Section One, Spring Meadows subdivision. A map of approximate impact upon the Spring Meadows properties is attached.

The Calverton State Route 25 Route Alternative runs along existing roadways and powerline rights-of-way for it's entire length. The corridor within the Central Pine Barrens Core Preservation Area (CPA) are minimally impacted as they travel along rights-of-way which are already used and would be minimally expanded for the pipeline on this route.

020522014S - 2

FERC DOCKETED

G59-1 Thank you for your comment. See section 4.3 for a revised alternatives discussion for the Calverton Lateral.

G59-2 Thank you for your comment. Additional information on the Meadowcrest development and the proposed Spring Meadows subdivision has been added to section 4.3.8 in the FEIS.

The Park Property which is crossed by the Calverton Lateral Proposed Route and the County Park Variation are property purchased by the County of Suffolk under it's Groundwater Preservation Program to protect the identical underground aquifers protected by the Central Pine Barrens Core Preservation Area. Additionally, the Park Property is habitat for State Listed Species including wild turkey, box turtle, tiger salamander, and praying mantis.

I urge the Commission to reject the Proposed Route in favor of the Calverton State Route 25 Route Alternative.

CALVERTON LATERAL ROUTE ALTERNATIVE
(MP CA 0.5 to CA 3.3)

The Calverton Lateral Route Alternative (north of 25A) is not recommended by the DEIS despite using existing rights-of-way to avoid crossing the Central Pine Barrens Core Preservation Area (CPA). The DEIS indicates that there are 12 residences within 50 feet of this route. The DEIS
G59-3 does not acknowledge that these residences in fact already adjoin the powerline rights-of-way.

This route is also indicated as not impacting the habitat for any State Listed Species. Yet the DEIS erroneously concludes that neither the
G59-4 Calverton Lateral Route Alternative and the Calverton Lateral Proposed Route are environmentally superior. Both the Calverton Lateral Proposed Route and the County Park Alternative property cuts through watershed property purchased by the County of Suffolk under it's Groundwater Preservation Program. The CPA and Groundwater Preservation protect the identical underground aquifer. Selecting either of these routes, namely, the Calverton Lateral Proposed Route or the County Park Variation (MP CA 1.1 to CA 1.9) will disturb a significant area of this recharge area. The Park Property also is habitat to State Listed Species including the Eastern Box Turtle, Tiger Salamander, Pine Barren's Bluet, and numerous species of dragonflies.

The DEIS arbitrarily applied a more stringent set of standards in evaluating the Calverton State Route 25 Route Alternative and the Calverton Lateral Route Alternative, as opposed to the Calverton Lateral Proposed Route.

G59-4 Again it is urged that the Commission reject the Calverton Lateral Proposed Route in favor of either the Calverton State Route 25 Route Alternative (MP CA 37.8 to MP CA 5.6) or the Calverton Lateral Alternative (MP CA 0.5 to CA 3.3).

G59-3 Section 4.3.7 of the FEIS acknowledges that the residences are adjacent to the powerline ROW and that removal of all tree screening between some of the residences and the powerlines would result with the Calverton Lateral Route Alternative.

G59-4 See revised sections 4.3.7 and 4.3.8.

G59-5

Additionally, it has been observed that the Town of Riverhead may reject approving an electric generating plant that would utilize the natural gas line that the Calverton Lateral pipeline is intended. Furthermore, it is also noteworthy to indicate that LIPA is not under any obligation to purchase power generated at this plant. Approval of this project should be postponed or denied by the Commission concerning the Calverton Lateral Pipeline.

Very truly yours,

Clifford B. Rimler

Clifford B. Rimler

enc.

G59-5 FERC agrees that the availability of an electrical generating plant at the Calverton site is not a foregone conclusion. The proposed action in this FEIS includes the Calverton Lateral because it is a component of the activities within FERC's jurisdictional review, and because it would be improper of FERC to segment this action for the purposes of NEPA review. Inclusion of the Calverton Lateral in the NEPA review process does not constitute approval of a Certificate. Additionally, if the Calverton Lateral were a component of a Certificate approved by FERC, this does not imply that a power plant should, or would be built at the Calverton site. If the power plant is no longer proposed or not constructed, the Calverton Lateral would not be built.

GROUPS AND INDIVIDUALS 60

May 18, 2002

Federal Energy Regulatory Committee
888 First Street, NE
Washington, D.C. 20426

Docket Number CP01-384-000

There is an issue with the proposed construction of the Islander East pipeline in the area between Twin Lakes Road and Route 139, specifically in the area behind Colonial Drive that is MP 5 and NHV 106 through NHV 117. This area is the site of the existing Algonquin easement.

G60-1 **Issue 1) Lack of sufficient space to safely install the pipeline.** The Algonquin pipeline was installed some 50 years ago. Many of the existing houses were not yet built when that pipeline was installed. The houses built after the Algonquin pipeline was installed used every available parcel of land to construct their houses and yards. Many of the homes are built right up to the current easement. There is insufficient space to safely operate the equipment and keep the required safety zone for the existing pipeline. Please remember that there is an existing 8 inch pipeline that the construction crews are working around. There must be a required safety zone to operate in. This zone does not exist behind NHV-109 NHV-111 and NHV 108.1.

G60-2 In addition, the work crew must have enough space to store excavated trench spoil on site and install the pipe. There is not enough area to work, install and store the excavated trench spoil safely.

G60-3 **Issue 2) Loss of trees, vegetation and wildlife.** The existing easement for Algonquin is a 50 foot wide area cleared of all trees. On each side of the current easement are a few remaining trees which provide a nesting place for our wildlife. Since this area already lost many trees when the original pipeline was installed the remaining trees are very important to our wildlife.

Issue 3) Loss of trees used as a barrier. The existing trees also provide a much needed barrier for the noise from Tilcon stone quarry and the traffic on Route 80. This area cannot afford to lose any more of these important trees.

G60-4 **Issue 4) Loss of well water. Our existing well is within 3 feet of the current easement. Based on the construction methods detailed by Islander East, there is no way for them to come through our and not disrupt our well.**

G60-1 Pipeline companies often encounter situations where residential or commercial development has occurred up to their rights-of-way. Maintenance activities, including pipeline repair, as needed, can usually be accomplished in tighter spaces for limited distances. Pipeline repair is also routinely accomplished when there are adjacent pipelines to consider. The FERC does not require a safety zone for this type of activity. One Call System suffices in these instances to protect pipeline workers, nearby residences or other structures, and pipelines.

G60-2 Spoil may be stored in extra workspaces before or after areas where the right-of-way width is reduced.

G60-3 Islander East's proposed alignment has minimized tree clearing to the maximum extent possible.

G60-4 Monitoring and mitigation of damage to below ground infrastructure, including wells, is addressed in section 3.3.1.2 of the FEIS.

G60-5 **Issue 5) Disruption of Vernal Pool.** The area behind 79 Colonial Drive and 83 Colonial Drive is a vernal pool. Vernal pools are temporary wetlands that form in pools in wooded areas, serving as habitat for salamanders, wood frogs and other creatures. This is evidenced by pictures taken by Islanded East in March, 2001. The proposed construction path would go directly through this important ecological pool.

G60-6 **Alternative Route.** Can Islander East follow Route 80/Route 22 east from Twin Lakes Road to Route 139 on the north side (Tiloon side) of Route 80? This area is scheduled to be widened from a two-lane road to a four-lane road and Islander East would be able to parallel the road. The current area is wooded that will be cleared and leveled for the new road. There are no homes on the north side of Route 80/Route 22 and it follows the existing railroad tracks which Islander East is following once it gets to Route 139. This would avoid the already congested area behind Colonial Drive. This propose route would avoid the issue with the chemicals in the Riverzzi property.

Pleases address our concerns and the alternative route as described above.

Very truly yours,

Mark DeFelice
79 Colonial Drive
North Branford, CT 06471

G60-5 See response to comment 25 in letter S1.

G60-6 See section 4.4.1 for a discussion of this alternative.