GROUPS AND INDIVIDUALS 68

ORIGINAL

TROUTMAN SANDERS LLP

ATTORNEYS AT LAW

Donald F. Santa, Jr.
donald.santa@troutmansanders.com

Direct Dial: 202-274-2815
Fax: 202-654-5651

May 20, 2002

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

Re: *Islander East Pipeline Company, LLC*, Docket No. CP01-384-000
Algonquin Gas Transmission Company, Docket No. CP01-387-000

Dear Ms. Salas:

Enclosed for filing in the above-referenced dockets are an original and two (2) copies of the Comments of Iroquois Gas Transmission System, L.P. on Draft Environmental Impact Statement in the above-referenced proceedings. One copy of the Comments is labeled for the attention of Gas Branch 2, PJ11.2.

Also enclosed are two extra copies; please date/time stamp the same and provide them to the courier in attendance. Thank you for your cooperation regarding this matter.

Respectfully submitted,

Donald F. Santa, Jr.

Counsel for
Iroquois Gas Transmission System, L.P.

Enclosure

ATLANTA • HONG KONG • LONDON • NORFOLK • RICHMOND
TYSONS CORNER • VIRGINIA BEACH • WASHINGTON, D.C.

02052203 95-2

FERC DOCKETED

GROUPS AND INDIVIDUALS 68

ORIGINAL

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

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

COMMENTS OF
IROQUOIS GAS TRANSMISSION SYSTEM, L.P. ON
DRAFT ENVIRONMENTAL IMPACT STATEMENT

Pursuant to the Rules of Practice and Procedure of the Federal Energy Regulatory Commission ("Commission") and the Commission's "Notice of Availability of the Draft Environmental Impact Statement for the Proposed Islander East Pipeline Project" ("Notice") issued on March 29, 2002, Iroquois Gas Transmission System, L.P. ("Iroquois") respectfully submits its comments on that Draft Environmental Impact Statement ("DEIS").

I.

BACKGROUND

According to the Notice, the DEIS has been prepared to satisfy the requirements of the National Environmental Policy Act, 42 U.S.C. §§ 4321 et seq. ("NEPA"). The DEIS concludes that, with the modifications recommended by the Staff and with appropriate environmental mitigation, the Islander East Pipeline ("Islander East") project would have limited adverse environmental impact. Among the matters reviewed in the DEIS were alternatives to the proposal, including system alternatives. In reviewing these alternatives, Staff evaluated three alternatives that are based upon

Iroquois' proposed Eastern Long Island Extension ("ELI") project pending in Docket No. CP02-52-000:

1. The "One-Pipe System Alternative" would transport the total volume of gas from both proposals (435,000 Mcf per day);
2. The "ELI System Alternative" would only transport Islander East's proposed firm volumes (260,000 Mcf per day) which, as noted in the DEIS, is approximately equivalent to the total of Iroquois' proposed deliveries for the ELI project and Islander East's proposed deliveries to two power plants; and
3. The "Long Island System Alternative" would use a single pipeline on Long Island, since, if the Commission approved both projects, both the Islander East and the ELI projects would use the same route on Long Island.[1]

With respect to the One-Pipe System Alternative, the Staff indicates in the DEIS that:

> It appears that since the One-Pipe System Alternative reduces the amount of pipeline constructed it would reduce impact to: Long Island, including the Central Pine Barrens; Long Island Sound, including the Connecticut shellfish beds; and the Branford Land Trust. It would also reduce emissions since only one compressor station would be constructed. However, although it eliminates impacts to one group of landowners in Connecticut along the 10 mile mainline, it creates new impacts to another group of landowners in Connecticut along the 16 mile loop. At this time we do not have sufficient information to recommend the One-Pipe System Alternative.[2]

Similarly, with respect to the ELI System Alternative, the Staff concludes that:

---

[1] The DEIS also evaluated a fourth alternative, the Tennessee Connecticut-Long Island Lateral Project System Alternative, which Staff did not consider to be a reasonable alternative, because it would require a system that was 60 miles longer that the Islander East project. DEIS at 4-20.

[2] Id. at 4-13.

> Based on our preliminary analysis, if the ELI System Alternative was constructed instead of the Islander East Project there would be no change in impacts on Long Island. Air Emissions would increase due to the greater amount of compression at Milford (versus Cheshire). In Connecticut the impacts would be moved from the landowners along the Islander East mainline to those along the loop. Impacts to Long Island Sound should be reduced since the crossing length would be reduced by 5.5 miles. At this time we do not have sufficient information to recommend the ELI System Alternative.[3]

Finally, with respect to the Long Island System Alternative, the Staff indicates that "[c]onstructing a single 12-mile-long, 30-inch-diameter pipeline instead of dual pipelines would result in a reduction of environmental impacts… ."[4] The Staff notes, however, that "the Long Island System Alternative would also require the construction of a 5,000 hp compressor station near landfall in Shoreham, New York."[5] Staff concludes "[a]t this time we do not have sufficient information, particularly on the compressor station, to recommend the Long Island System Alternative."[6]

Within these comments, Iroquois will provide additional information on the ELI System Alternative and the Long Island System Alternative to assist Staff in its further evaluation of these alternatives.

---

3 DEIS at 4-18.

4 Id. at 4-19.

5 Id.

6 Id.

II.

RESPONSE

A. **COMMENTS ON ALTERNATIVES**

Iroquois appreciates the recognition in the DEIS that the ELI project facilities could be utilized as system alternatives to the Islander East project and could satisfy the criteria for being environmentally preferable alternatives to Islander East. In particular, Iroquois believes strongly that the ELI project, as
G68-1 proposed, satisfies these criteria, because it (1) is technically and economically feasible and practical, (2) possesses significant environmental advantages over Islander East, and (3) is capable of meeting the
G68-2 stated objectives of Islander East. Iroquois also appreciates the recognition in the DEIS that the Commission has not yet determined whether the Islander East and ELI projects are competing projects and whether demand for natural gas on Long Island will be sufficient to warrant both projects and that the DEIS has structured the system alternatives in recognition of these pending threshold issues.

G68-3 Still, as will be discussed below in greater detail, Iroquois believes that the system alternatives utilizing the ELI project facilities that are defined in the DEIS are flawed in two important respects. First, the system alternatives defined in the DEIS are based on unreasonable hypotheticals that do not reflect the market conditions faced by both Islander East and the ELI project. Second, these system
G68-4 alternatives utilizing the ELI project facilities overstate the environmental impact of such alternatives. Iroquois believes that the most valid system alternative to the Islander East project is the ELI project as
G68-5 proposed and submits that, to fulfill its obligations under NEPA, the Commission must make this comparison.

GROUPS AND INDIVIDUALS 68

G68-1 Thank you for your comment.

G68-2 Thank you for your comment. The determination of whether the two projects are competitive is beyond the scope of this document.

G68-3 The system alternatives presented in the DEIS were based on our analysis of information from many sources, including Iroquois. Based on your new information, we have revised our discussion.

G68-4 Section 4.2 of the FEIS has been revised to include additional information on system alternatives.

G68-5 A revised discussion of the ELI System Alternative is contained in section 4.2 of the EIS.

1. **The One-Pipe System Alternative is Both Unrealistic and Overstates the Environmental Impacts**

The One-Pipe System Alternative is the first alternative analyzed by Staff. This alternative

G68-6 would expand Iroquois' proposed ELI project to transport the total volumes of gas proposed for both the Islander East and ELI projects, about 435,000 Mcf per day. As stated in Iroquois' April 8, 2002 Motion to Consolidate,[3] sufficient market on Long Island does not exist to warrant the construction of facilities capable of delivering anything close to the 435,000 Mcf per day case analyzed in the One-Pipe System Alternative and Iroquois is not proposing to construct such facilities. Therefore, the One-Pipe System Alternative is simply not a realistic alternative for Staff to analyze.

G68-6 The only conceivable basis for analyzing the One-Pipe System Alternative would be to ascertain possible future environmental impacts if either the Islander East or the ELI project is constructed and ultimately expanded in the future to serve this level of market. Even if that is the purpose of this analysis, the DEIS misses the mark by comparing the impacts of an expanded ELI project (i.e., the One-Pipe System Alternative) with the combined impacts of the Islander East and ELI projects. This is not an "apples to apples" comparison. The appropriate comparison would be between an expanded ELI project and an Islander East project expanded to provide this same level of service.

The Islander East certificate application indicated that contract quantities for the project ultimately would reach 445,000 Dth per day by November 1, 2008.[4] Islander East stated that its proposal was designed to meet future capacity requirements with a minimum of environmental impact

[3] Motion of Iroquois Gas Transmission System, L.P. to Consolidate Proceedings and for Comparative Evidentiary Hearing, Docket No. CP01-384-000, et al., (Apr. 3, 2002) ("Motion to Consolidate").

[4] Islander East Pipeline Company, Abbreviated Application for a Certificate of Public Convenience and Necessity, Docket No. CP01-384-000, at 21 (June 15, 2001) ("Islander East Certificate Application").

GROUPS AND INDIVIDUALS 68

G68-6 Section 4.2 has been revised to include more information on system alternatives.

and that it would file "as necessary additional applications to install compression and/or minor looping when final capacity commitments are made and the ultimate needs of its customers are known."[9] Beyond this representation by Islander East, Iroquois is unaware whether Islander East ever has been asked in this proceeding to identify the additional facilities that would be required to deliver 445,000 Dth per day.[10] A review of Exhibit G to the Islander East certificate application indicates that the Algonquin system feeding Islander East is constrained by the 16-inch line and the 10-inch line in Connecticut. A means of accommodating the additional volumes would be for Algonquin to replace the 13.7 mile 10-inch CI line with a new 20-inch line and then remove the 10-inch CI line. In addition, some increased compression would be required. There in fact may be a variety of possible facility configurations by which Islander East and Algonquin could accommodate 445,000 Dth of deliveries.

G68-7 The record in this proceeding, however, is devoid of details regarding any of these configurations and, without such details on the configuration of the Islander East project expanded to provide this level of service (or the slightly lower level of 435,000 Dth per day assumed in the One-Pipe System Alternative), any analysis of the One-Pipe System Alternative is inappropriate.

G68-8 Furthermore, the DEIS significantly overstates the environmental impact of the One-Pipe System Alternative. The One-Pipe System Alternative analysis includes the impacts of a 16-mile, 36-inch diameter loop of Iroquois' existing mainline in Connecticut, which Staff characterizes as "[t]he only facility required for the system alternative which has not been proposed in either the ELI Extension

[9] Islander East Certificate Application at 22.

[10] In response to the Commission's September 7, 2001, data request, Islander East responded on September 24, 2001, that "[a]s these markets rationalize in ensuing years, Islander East anticipates that it will expand its capacity to the extent the market requires by installing compression and/or minor pipeline looping." This response was in answer to a question focused primarily on what approach Islander East would take to Commission filings for new

G68-7 See response to comment 6.

G68-8 See response to comments 6 and 7.

Project or Islander East Project...."[11] This, however, is not necessarily the only system configuration or the most environmentally benign system configuration that could be used to achieve the assumed level of service. The configuration utilizing the 16-mile loop to provide the 435,000 Mcf per day level of service is based on Iroquois' responses to data requests by the Staff in the ELI project proceeding.[12] In its response to the Commission's February 8, 2002 data request, Iroquois simply provided one configuration capable of achieving the 435,000 Mcf per day level of service. Iroquois did not understand this data request to be asking Iroquois to provide all of the alternative system configurations to achieve this level of service or the most environmentally benign configuration.[13]

G68-9

In fact, the 16-miles of loop could be constructed anywhere within the approximately 29.5 miles between Brookfield, Connecticut and Devon, Connecticut. Also, the 16-mile loop would not need to be continuous, but could be divided into smaller segments to avoid identifiable environmental impacts. Therefore, the Staff's statements on page 4-12 of the DEIS that "[the 16-mile loop] would cross about 13.3 miles of forest and at least 15 streams" is based on a misplaced assumption regarding the required location of this looping.[14] Similarly, Staff's conclusion on page 4-13 of the DEIS that "although [the

facilities to expand its system. It does not appear as if the Commission ever asked about the actual facilities that Islander East thought would be required to affect such expansions.

[11] DEIS at 4-3.

[12] Iroquois Gas Transmission, L.P., Response to the Federal Energy Regulatory Commission's Data Request dated February 7, 2002, Question No. 002 (Feb. 19, 2002).

[13] Iroquois had only 20 days to respond to this data request. It did not have the time or resources to perform a complete analysis of more environmentally benign configurations. In any event, Iroquois does not believe that there is a need for such facilities and is not proposing to construct such facilities.

[14] In conjunction with a Connecticut Siting Council hearing regarding the proposed Islander East project, Islander East prepared a document titled "Comments on Iroquois ELI and One-Pipe System Alternatives" dated April 12, 2002. That document purports to analyze the impacts of the 16-mile loop included in the Staff's analysis of the One-Pipe System Alternative. It concludes that "FERC's preliminary examination of the One-Pipe System Alternative, as presented in the Islander East DEIS, significantly understates the environmental resources that would be affected

GROUPS AND INDIVIDUALS 68

G68-9 The location of the looping was based on a map filed by Iroquois.

G68-9 One-Pipe System Alternative] eliminates impacts to one group of landowners in Connecticut along the 10 mile mainline, it creates new impacts to another group of landowners in Connecticut along the 16 mile loop," suffers from the same malady.

2. The ELI System Alternative Overstates Both the Necessary Facilities and the Resulting Environmental Impact

The ELI System Alternative is the second system alternative that the Staff analyzes in the DEIS. In Section 4.2.2 the Staff indicates that "[i]n the event that the Commission decides that there is a market for only one pipeline to serve eastern Long Island we have examined using the Iroquois' proposed ELI Extension Project (ELI System Alternative) instead of the Islander East Project to deliver 260,00 Mcf per day."[15] Staff recognizes that Iroquois has not proposed to serve the Calverton Plant when it states that "since Islander East has one customer (AES Calverton) which could not be served by Iroquois proposed facilities we are including the Calverton Lateral as part of this system alternative."[16]

G68-10 Iroquois does not believe that the proposed AES/Calverton plant is a realistic market in the near term. In fact, testimony by Iroquois' Vice President for Marketing and Transportation, Herbert Rakebrand, submitted as part of Iroquois' April 8, 2002 Motion to Consolidate, indicated that the New York Public Service Commission's website page

by the construction and operation of the 36"-diameter mainline loop along the existing Iroquois easement." This analysis suffers from the same defects found in the DEIS in that it assumes that the 16 mile loop would necessarily have to be located as indicated in the DEIS. As noted above, while Iroquois is not proposing to construct such facilities, much of the impact identified in this report could be avoided through selective placement of looping between Brookfield and Devon, Connecticut.

[15] DEIS at 4-13.

[16] Id.

G68-10 The Calverton Lateral is part of the Islander East Project proposal and must be considered.

G68-10 contains no indication that AES/Calverton has even filed any preliminary scoping statements. Therefore, it is very unlikely that this facility could enter service any time before 2004. Even if it filed immediately and the Article X process takes as long as it has taken the Brookhaven site, the AES/Calverton facility would not be in-service prior to 2005.[17]

Therefore, Staff's inclusion of the Calverton Lateral to serve that plant as part of the ELI System Alternative is misplaced.

G68-11 Including the Calverton lateral greatly skews the resulting DEIS analysis. In order to serve the Calverton plant, Staff includes in the ELI System Alternative analysis not only the 5.6 miles of 24-inch-diameter pipeline lateral in Suffolk County, New York (the Calverton Lateral), but 7 miles of 36-inch-diameter pipeline loop in Connecticut. This 7-mile loop forms the basis for Staff's conclusion that "[i]n Connecticut the impacts would be moved from the landowners along the Islander East mainline to those along the loop."[18] In light of the serious doubt as to the timing and ultimate construction of the Calverton Plant, these additional facilities should not be included in the Staff's analysis of the ELI System Alternative.

G68-12 Even if Staff concludes that including the Calverton lateral is appropriate in the ELI System Analysis, the assumption about the 7 miles of 36-inch loop in Connecticut is unsupportable. Unlike the 16-mile loop analyzed by Staff as part of the One-Pipe System Alternative, Iroquois has never been asked to provide information regarding the facilities that would be required to increase the deliverability of the ELI project from 175,000 Mcf per day to 260,000 Mcf per day. Presumably, Staff determined

[17] Prepared Direct Testimony of Herbert A. Rakebrand, III on Behalf of Iroquois Gas Transmission System, L.P. at 7. The latest updated listing (May 16, 2002) of Article X Cases on the New York Public Commission is void of any indication that AES/Calverton has in any way initiated the Article X process. (Article X of the New York Public Service Law, enacted July 24, 1992, controls siting and certification of electric generation in New York).

[18] DEIS at 4-18.

G68-11 We have revised our discussion of the ELI System Alternative.

G68-12 See response to comment 11.

G68-12 through its own modeling that the 7 miles of 36-inch looping would be required and that such looping would have to be located "in a rugged, mainly forested area."[19]

G68-13 As with the One-Pipe System Alternative, this entire section of the ELI System Alternative analysis is based on a faulty assumption. Iroquois would not have to construct 7 miles of 36-inch loop in "rugged, mainly forested area" to increase the deliverability of the ELI project from 175,000 Mcf per day to 260,000 Mcf per day.[20] The table attached as Exhibit 1 demonstrates that there are several different facility configurations that would achieve this same result, including additional compression in place of any looping. If, however, looping proves to be the best alternative, the 6.6 miles of 36-inch loop could be located anywhere between Brookfield, Connecticut and Devon, Connecticut (a span of about 29.5 miles) and would not need to be continuous. Therefore, through compression or selective placement of looping, Iroquois could significantly reduce the environmental and landowner impacts of these additional facilities.[21]

G68-14 The ELI System Alternative is certainly more realistic than the One-Pipe System Alternative.

G68-11 Still, including the Calverton Lateral and the Connecticut loop in the ELI System Alternative for the

---

[19] Id. at 4-14.

[20] The Islander East "Comments on Iroquois ELI and One-Pipe System Alternatives" noted in footnote 14 above, also purport to describe the impacts of the 7-mile loop of Iroquois' system included in Staff's analysis of the ELI System Alternative. It states that "The ELI mainline loop would have to cross rugged, forested terrain across various wetlands and watercourses (including Pond Brook and the Footatuck River) and through new residential areas." It concludes that, "like the evaluation of the One-Pipe option, [the ELI System Alternative] understates the environmental impacts of constructing the 7.1-mile pipeline loop along the Iroquois mainline through the towns of Brookfield and Newtown." Again, all that the Islander East study has analyzed is the impacts of one particular 7-mile stretch downstream of Brookfield, Connecticut. Thus, these suggested impacts are meaningless.

[21] In testimony before the Connecticut Siting Council, representatives of Islander East conceded that typically a pipeline has flexibility in its choice between compression and looping and in the particular location and number of segments of pipeline looping. Algonquin Gas Transmission Company and Islander East Company, LLC, Application for a Certificate of Environmental Compatibility and Public Need, Hearing Transcript, at 112-15 (Apr. 12, 2002), attached hereto as Exhibit 2.

GROUPS AND INDIVIDUALS 68

G68-13 See response to comment 11.

G68-14 See response to comment 11.

G68-11 purpose of serving the AES Calverton plant, a plant which likely will not be constructed in the time frame contemplated by either of these projects, seriously skews this analysis. In any event, much like the

G68-13 One-Pipe System Alternative, the Staff's ELI System Alternative suffers from faulty assumptions regarding the facilities that would be required to expand the deliverability of the ELI Project. As a

G68-15 result, the DEIS ELI System Alternative seriously overstates the impacts of the ELI Project as compared to the Islander East project and should be revised accordingly.

3. The Long Island System Alternative is Unrealistic Because There is Inadequate Market to Support Both Projects

G68-16 The Long Island System Alternative analysis assumes that both the Islander East Project and the ELI project are constructed. As Iroquois stated in its April 8, 2002 Motion to Consolidate, there is inadequate market for the two projects and, therefore, they are mutually exclusive. Simply stated, if the Islander East project is constructed, Iroquois would not consider building the ELI project. Therefore, the Long Island System Alternative is not a realistic alternative and Iroquois will make no further comment in that regard.

4. The ELI Project, as Proposed, is the Reasonable Alternative to the Islander East Project That Should be Considered

The system alternatives defined by the DEIS are unrealistic hypotheticals that do not respond to the market needs that are driving both the Islander East project and Iroquois' competing ELI project.

G68-17 The reasonable alternative to the Islander East project that should be considered by the DEIS is the ELI project as proposed by Iroquois.

G68-15 See response to comment 11.

G68-16 Thank you for your comment. The market for natural gas on Long Island is beyond the scope of this environmental document.

G68-17 Thank you for your comment. We believe we have studied a reasonable range of system alternatives.

G68-17 First, as noted in Iroquois' Motion to Consolidate, the ELI project is capable of meeting the project objectives of the Islander East project.[22] Second, the ELI project as proposed clearly is technically and economically feasible and practical. Third, the ELI project possesses significant environmental advantages over the Islander East project with regard to the differences in both the near-shore and on-shore environmental impacts.

G68-18 In particular, Islander East would have a much more significant adverse impact on the near-shore shellfish beds in Connecticut, which are extremely valuable to the State of Connecticut from both an environmental and a commercial perspective, than would the ELI project. Islander East is proposing to traverse the Town of Branford, Connecticut shellfish beds by using horizontal directional drilling. The horizontal drill will emerge within a transition basin that must be constructed approximately 4,100 feet offshore. According to Exhibit 27 to the Islander East Certificate Application, this transition basin will be approximately 200 feet in length, have a maximum depth of 20 feet and a width of 130 feet. Approximately 6,500 yards of sediment will be removed and placed around the basin perimeter, forming a berm that will have a base of 65 feet and and a maximum height of 11 feet. Islander East's expert has acknowledged that virtually all shellfish within this area will be buried and will not survive.[23]

Beyond the point where directional drilling ends, Islander East will use mechanical dredging and plowing to lay pipe across approximately 2,500 feet of state-owned shellfish beds. The width of the dredged trench will be approximately 50 feet, and beside one side of the trench there will be a mound of dredged material approximately 60 feet wide. Mechanical plowing will result in a trench that is 25 feet

[22] Motion to Consolidate at 7-8.

[23] Exhibit 2 at 127-30.

GROUPS AND INDIVIDUALS 68

G68-18 The impacts of the HDD within Connecticut waters and shellfish lease areas is addressed in section 3 of the EIS.

wide, with displaced materials along both sides of the trench in an area that will be approximately 25 feet wide on each side. A copy of the Initial Evaluation of Marine Sediment Dispersion Associated with the Installation of the Islander East Natural Gas Pipeline, which details the dispersion of sediment associated with the transition basin and the dredging and plowing, is attached as Exhibit 3. Islander East's expert concedes that virtually all shellfish within the area disturbed by dredging and plowing will be buried and will not survive.[24]

G68-19 This description is not intended to criticize the techniques proposed by Islander East for traversing the shellfish beds adjacent to the shoreline in Branford, although Iroquois believes generally that both the Islander East certificate application and the DEIS understate the environmental impact attributable to the Islander East project.[25] The proposed techniques are likely those which will cause the least environmental impact given the technology available to Islander East and the particular terrain that the proposed pipeline must cross. Still, the Commission cannot ignore that the ELI project avoids virtually all of these kinds of environmental disturbance where it will traverse the near-shore sea bottom adjacent to Milford, Connecticut.[26] This is because the existing Iroquois pipeline already crosses the Connecticut shoreline and the near-shore shellfish beds. It is proposed that the ELI project tap into the existing Iroquois pipeline near the edge of the shellfish beds just before the bottom of Long Island Sound drops off to deeper water. Iroquois must construct a much smaller transition basin (only one

[24] Id.

[25] E.g., Letter to the Honorable Magalie R. Salas from Raymond J. Cincavage dated May 8, 2002. (Homeowner concerned about clearcut for pipeline corridor and the destruction of noise and visual barrier between residences and railroad).

[26] In testimony before the Connecticut Siting Council, Islander East's expert conceded that the ELI System Alternative would avoid the near-shore impacts that would be caused by the construction of the Islander East project adjacent to Branford, Connecticut. See Exhibit 2 at 132-33.

GROUPS AND INDIVIDUALS 68

G68-19 Thank you for your comment. The ELI System Alternative discussion includes impacts to shellfish bed.

quarter the size of the Islander East basin) to tap its existing pipe and must traverse only a limited span of shellfish bed before exiting this area. In addition to this difference in the projects' near-shore impacts, the total span of the ELI project crossing Long Island is over five miles shorter than the crossing route proposed by Islander East.

The preservation of the near-shore shellfish beds is an environmental and economic priority of the State of Connecticut and the cumulative impact of multiple energy transmission and telecommunications lines proposed to be constructed across Long Island Sound from Connecticut to Long Island, New York has been a major focus for the legislative and executive branches of the State of Connecticut government.[27] The Connecticut General Assembly recently passed legislation establishing a one-year moratorium on the consideration or final approval of applications (including pending applications) to construct natural gas pipelines, electric transmission lines or telecommunications lines across Long Island Sound. By the end of the one-year moratorium, the legislation requires the preparation and completion of a comprehensive environmental assessment and plan for the Long Island Sound's resources. The legislation also requires the Connecticut Siting Council, within 15 days of passage, to request that the Commission not approve any new electric transmission line or natural gas pipeline across Long Island Sound until the State has completed its assessment. A copy of Substitute House Bill No. 5609 is attached as Exhibit 4. It is anticipated that this recently passed legislation will be signed by the Governor of Connecticut. Additionally, the Governor of Connecticut issued an executive order requiring a moratorium on permitting energy projects in Long Island Sound and establishing a

[27] The State of Connecticut has a unique legal interest in the submerged lands beneath Long Island Sound that would be traversed by these projects. Idaho v. Coeur d'Alene Tribe of Idaho, 521 U.S. 261, 281-87 (1997); Hartford Elec. Light Co. v. Water Res. Comm'n, 162 Conn. 89, 101 (1971); Conn. Gen. Stat. §§ 22a-359 to 22a-363f.

GROUPS AND INDIVIDUALS 68

parallel environmental assessment process. A copy of Executive Order No. 26 issued by Governor John G. Rowland is attached as Exhibit 5. In compliance with the Governor's Executive Order and in anticipation of the effectiveness of the new legislation, the task force, which includes a representative from the Commission, already has been convened and has issued a request for comments to assist it in preparing the required environmental assessment.[28]

G68-20 Finally, in addition to the comparative near-shore environmental impacts of the Islander East and ELI projects, the ELI project as proposed also is an environmentally preferable alternative from the perspective of on-shore impacts in the State of Connecticut. Islander East has proposed constructing 10.2 miles of mainline facilities plus additional compression in Connecticut. In contrast, the ELI project as proposed would require only the construction of additional compression in Connecticut.

B. LEGAL ARGUMENTS

The DEIS Does Not Evaluate Reasonable Alternatives to the Proposed Islander East Project

NEPA requires federal agencies to evaluate and disclose to the public the environmental consequences of their proposed major actions. As the regulations of the Council on Environmental Quality ("CEQ") emphasize, the "heart" of that analysis is a comparison of the effects of a proposed action with the environmental impacts of reasonable alternatives to the action.[29] To clarify the environmental issues and to provide a clear basis for choice among options by the decisionmaker and by the public, agencies must "rigorously explore and objectively evaluate all reasonable alternatives."[30]

---

[28] See Exhibit 6, Task Force Investigation of All Proposals for Gas or Electric Transmission Projects, Request for Written Comments, May 29, 2002, Notice of Meeting, May 17, 2002, and Agenda, May 17, 2002.

[29] 40 C.F.R. § 1502.14(a) (2001).

[30] Id.

G68-20 The onshore impacts of the Islander East project are discussed in section 3 of the EIS.

The range of alternatives that should be considered in any particular case is determined by reference to the purpose of the agency action: "The broader the purpose, the wider the range of alternatives; and vice versa."[31] But an agency frustrates the primary purposes of the NEPA if it defines the range of alternatives too narrowly, or ignores reasonable alternatives that may have less environmental impact than its proposed course.[32]

G68-21 The consideration of alternatives in the DEIS for the Islander East project, unfortunately, is so fundamentally flawed that Iroquois believes that a new draft EIS must be prepared and circulated for comment. As discussed in detail above, the alternatives defined by the Commission's Staff are unrealistic hypotheticals that do not respond to the market needs that drive both the Islander East project and Iroquois' competing proposal, the ELI project. Even more disturbing, the DEIS does not provide a fair comparison between the Islander East project and an existing, credible and less environmentally-damaging alternative, the ELI project. Rather than objectively evaluating both proposed projects on their own terms, to permit the Commission and the public to evaluate which might better serve the public interest with less environmental harm, the DEIS alters Iroquois' proposal to provide an expanded capacity beyond Iroquois' present intentions and to serve a potential customer that Iroquois considers entirely speculative. The additional pipeline construction envisioned by the Staff to realize this "ELI System Alternative" distorts the comparison between the ELI project as Iroquois has actually proposed it and the Islander East project. The actual ELI project in fact has significantly less environmental impact than the Islander East proposal, particularly on sensitive aquatic resources.

---

[31] Simmons v. U.S. Army Corps of Engineers, 120 F.3d 664, 666 (7th Cir. 1997).

[32] Id.

GROUPS AND INDIVIDUALS 68

G68-21 Staff believes that the analysis of alternatives are not flawed and a new DEIS is not required. The ELI Extension Project is being evaluated in a separate EIS.

G68-21 Unfortunately, the DEIS's discussion of the inflated ELI System Alternative fails to recognize this critical point.

G68-22 This artificial comparison precludes the public or the Commission from fairly evaluating the actual choice that is presented by these competing proposals, in direct violation of NEPA. As Iroquois has made clear to the Commission in its Motion to Consolidate Proceedings and for Comparative Evidentiary Hearing, filed April 8, 2002, the Islander East and ELI proposals are in fact direct competitors, aimed at precisely the same end-user market in Long Island and drawing on the same supply sources of natural gas; therefore, construction of one proposed line will economically preclude the other. Under the *Ashbacker* doctrine, as Iroquois argues in its motion, the Commission has an obligation to consider the merits of the competing proposals against each other.[33] NEPA mandates the same result in environmental analysis: the Commission is required to assess objectively the comparative environmental impacts of these directly-competing proposals against each other. Comparing the Islander East project to a straw-man proposal developed by the Staff, instead of the actual project

G68-23 proposed by Iroquois, distorts the comparison beyond recognition. Only the preparation and circulation of a new draft, with a fair and objective comparison of the impacts of the Islander East project and the actual ELI project, can correct this flaw.

III.

CONCLUSION

Iroquois appreciates the recognition in the DEIS that the ELI project facilities could be utilized as system alternatives to the Islander East project and could satisfy the criteria for being environmentally

[33] See Motion to Consolidate at 4-8.

GROUPS AND INDIVIDUALS 68

G68-22 As stated in section 4.2 of the EIS, the Commission has not determined that the Islander East and ELI Extension Projects are competitors.

G68-23 NEPA does not mandate that a Lead Agency, in this case FERC, comparatively evaluate proposed actions on a business basis as implied by this comment. NEPA does require comparative evaluation of the potential impacts that might result from taking the proposed action and alternative actions that are identified by the Lead Agency.

The remainder of the comment, six exhibits, was reviewed and can be found at: http://www.ferc.gov/ferris.htm DOC 2279514.

preferable alternatives to Islander East. Iroquois also appreciates the recognition in the DEIS that the Commission has not yet determined whether the Islander East and ELI projects are competing projects and whether demand for natural gas on Long Island will be sufficient to warrant both projects and that the DEIS has structured the system alternatives in recognition of these pending threshold issues.

Still, Iroquois believes that the system alternatives utilizing the ELI project facilities that are defined in the DEIS are flawed in two important respects. First, the system alternatives defined in the DEIS are based on unreasonable hypotheticals that do not reflect the market conditions faced by both the Islander East and ELI projects. Second, these system alternatives utilizing the ELI project facilities overstate the environmental impact of such alternatives. Iroquois believes that the most valid system alternative to the Islander East project is the ELI project as proposed and submits that, to fulfill its obligations under NEPA, the Commission must make this comparison. The ELI project as proposed clearly is the environmentally preferable alternative to the Islander East project with respect to both the near-shore and on-shore impacts in the State of Connecticut.

NEPA requires federal agencies to evaluate and disclose to the public the environmental consequences of their proposed major actions. As the CEQ regulations emphasize, the "heart" of that analysis is a comparison of the effects of a proposed action with the environmental impacts of reasonable alternatives to the action. An agency frustrates the primary purposes of NEPA if it defines the range of alternatives too narrowly, or ignores reasonable alternatives that may have less environmental impact than its proposed course.

The system alternatives defined in the DEIS are unrealistic hypotheticals that do not respond to the market needs that drive both the Islander East project and the competing ELI project and do not provide a fair comparison between the Islander East project and an existing, credible and less

GROUPS AND INDIVIDUALS 68

environmentally-damaging alternative, the ELI project as proposed by Iroquois. Rather than objectively evaluating both proposed projects on their own terms, to permit the Commission and the public to evaluate which might better serve the public interest with less environmental harm, the DEIS alters Iroquois' proposal to provide an expanded capacity beyond Iroquois' present intentions and to serve an entirely speculative potential customer. The additional pipeline construction envisioned by the Staff to realize the ELI System Alternative carries with it substantial additional environmental impacts, distorting comparison between the ELI project as Iroquois has actually proposed it and the Islander East project. The actual ELI project in fact has significantly less environmental impact than the Islander East proposal, particularly on sensitive aquatic resources. Unfortunately, the DEIS's discussion of the ELI System Alternative ignores this critical point.

This artificial comparison precludes the public or the Commission from fairly evaluating the actual choice that is presented by these competing proposals, in direct violation of NEPA. NEPA mandates that the Commission assess objectively the comparative environmental impacts of these directly-competing proposals against each other. Comparing the Islander East project to a straw-man proposal, instead of the actual project proposed by Iroquois, severely distorts the comparison. Only the preparation and circulation of a new draft, with a fair and objective comparison of the impacts of the Islander East project and the actual ELI project, can correct this flaw.

GROUPS AND INDIVIDUALS 68

Respectfully submitted,

Donald F. Santa, Jr.
Anna A. McKenna
TROUTMAN SANDERS LLP
401 9th Street, N.W., Suite 1000
Washington, DC 20004-2134
(202) 274-2950

Jeffrey A. Bruner
General Counsel
Paul W. Diehl
Senior Attorney
IROQUOIS GAS TRANSMISSION SYSTEM, L.P.
One Corporate Drive, Suite 600
Shelton, CT 06484
(203) 925-7200

Dated: May 20, 2002
Washington, DC

GROUPS AND INDIVIDUALS 68

Respectfully submitted,

Donald F. Santa, Jr.
Anna A. McKenna
TROUTMAN SANDERS LLP
401 9th Street, N.W., Suite 1000
Washington, DC 20004-2134
(202) 274-2950

Jeffrey A. Bruner
General Counsel
Paul W. Diehl
Senior Attorney
IROQUOIS GAS TRANSMISSION SYSTEM, L.P.
One Corporate Drive, Suite 600
Shelton, CT 06484
(203) 925-7200

Dated: May 20, 2002
Washington, DC

GROUPS AND INDIVIDUALS 68

Andrew Josephson
305 Townsend Avenue
New Haven, CT 06512

FILED
OFFICE OF THE SECRETARY
02 JUN 10 PM 1:33
FEDERAL ENERGY
REGULATORY COMMISSION

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

CP01-384
385
386

May 22, 2002

RE: RESPONSE TO DEIS FOR ISLANDER EAST PIPELINE PROJECT

Dear Ms. Salas,

I apologize for the tardiness of these comments regarding the Islander East proposed pipeline in Long Island Sound. The reasons for their being sent late are several: first, FERC requested that letters be sent via postal mail as a non-preferred, but still viable, option, and second, upon respect of this preference, I failingly attempted to use the internet site for several days, being then met by an inability to register via the RIMS server, yet still guided by FERC statements claiming general quicker receipt of comments submitted by email. I spoke with clerks at FERC via telephone who on two separate occasions attempted to provide service, but, alas, circumstances nonetheless prevented my use each time(I tried on IE 5/Mac 8.1 and IE 6/Windows 2000). I would appreciate it greatly if you would still add these comments to the public record, as well as take reasonable steps to look into glitches in your web network.

G69-1 The DEIS contains an elaboration of some of the requirements necessary for a safe and inobtrusive use of a practices to be undertaken by Islander East in the construction of its pipeline project. The document contains details that, while detailing the probable impact due to many of the key areas of passage, leaves several gaps open that deteriorate the

02061400152.2

FERC DOCKETED

G69-1 Thank you for your comment.

G69-1 overall credibility of a fluid and respectfully-performed project. It should be noted by FERC that these oversights mask some of the true effects of the project and disguise potential areas of detriment whose restitution measures are not clear in the draft. Overall, this shortness may imply a hazard to natural areas and damages to native features of the environment that are a direct result of practices left unchecked and science left for granted. It is important for FERC to dutifully make public and comprehensively establish the risks and detriment that would be placed upon areas within the scope of impact and to effectively and to the best recognition of known science enumerate such distinctions objectively. It may be easy to proceed with a project that is destined to provide, in lieu of accident, a reliable temporary supply of energy to an area that currently possesses polluting generators, aging facilities, and a growing demand for reserves of power to fuel and heat homes and businesses, but a look at some of the facts calls significantly into question the benefit of the short-term gains that may be manifested by the project over the environmental detriment probably resulting from the means with which the energy transportation scheme is installed. Particularly in light of lesser impacting alternatives to the pipeline project, the alteration due the environment in the cross-sound portion of the project seems unnecessary and without warrant. A look at the consequences that would be borne by the Islander East proposal shows the inability to customize practices of pipeline installation adequately to the subterranean environment beneath Long Island Sound, and through a more encompassing view of ascertaining feasible methods of providing energy to Long Island Sound demonstrates the nonnecessity of the twenty-plus mile long pipeline under the Sound from its genesis.

Long Island Sound is a recovering body of water that has a long history of problems, counterance, and recurrence of problems. Within the past forty years the Sound has seen oscillating amounts of notable environmental detriment exhibited through its waters and nearwater land masses that have reached highs exceeding those of other waterways throughout the nation and that have marked Long Island Sound as one of the most troublesome spots for maintaining quality and quantity of any resources that can be derived from it. What once was one of the largest estuaries on the East Coast became plagued with grossly recurring amounts of toxins, pollutants, and the diminishing results

of excessive extraction. Long Island Sound in this period has shown some of the largest concentrations of heavy metals found in any body of water in the nation, exceedingly high percentages of fecal coliform bacteria, and declines in many native species throughout its waters. The results of such environmental detriment have migrated and been integrated into governmental regulations in recent times that have prohibited swimming, declared moratoriums on fisheries, mandated immense restrictions on eating in health any catch from its waters, assigned huge fines to industries engaged in practices that pollute, and enacted extensive research into ways to save and restore the pristine beauty of Long Island Sound. Many problems have disintegrated--for example it is at this time not considered prudent to search for industries in violation of discharge permits or to restructure government permitting procedures for many hydrocarbon-based pollutants. Much of the evidence centered around many point-source polluting bodies and their effluence has been extremely optimistic in recent times. Yet, problems continue to abound. New evidence for such issues as residual heavy metal concentration, anoxyia, bacterial contamination, the inability of many diminished species to recover, and others continue to mount and turn heads in the not-yet restored waters of Long Island Sound. An approach at combatting pollution in this much-used and depended-upon region rich in natural resources is at this time far from complete.

G69-2 The Draft Environmental Impact Statement for Islander East makes several overarching assumptions that do not fall into guidelines for what the area needs. The volatile nature of the area does not warrant excessive environmental detriment under the guise that such effects will be absorbed by the surrounding ecosystem. Even should impact be deemed minimal now, there is no guarantee that a flawed assessment will attribute adequate safety to practices and guarantee the recovery that is necessary to again bring the waterway back to a near-original or better overall state. It is unrealistic and naive to assume that because glossed damages are limited to a certain area, that interests in the area are inconsequential and that alternative areas of secondary preference are available and desired. It has been said that it is impossible to successfully feed one hand while spiting the other, and this

G69-2 metaphor has resounding relevance to the Islander East proposal. It is here that grossly underrated environmental catastrophe is planned under the assumption that overall

G69-2 Impacts to commercial fisheries are discussed in section 3.8.3.2.

G69-2 resiliency of the Sound will somehow make up for losses sustained a select area. This environmental degradation is more than a drop in the bucket to the Sound, it is a negation of ways of life that has unalterable and rippling consequences. To follow the metaphor, "spite" will be experienced not just in a way of nonthreshold disappointment, but by extreme, realized financial and environemental damage. No more will a person be able to wholeheartedly enjoy the fruit of labors attributed bimanualism while suffering severe ill-ease to one of its's hands than will the vast number of people dependent on clean natural resources in Long Island Sound be able to reap fully the benefit of a partially-restored Sound.

Since the dawn of the industrial age in the 1800's the Long Island Sound has sustained damages from heavy metal concentrations largely as a result of industrial runoff in the watershed areas of Connecticut affecting Long Island Sound. Similarly high amounts of PCB's have shown a preponderance of accumulation throughout Long Island Sound beginning in the 1930's, when technology to produce capacitors, paint additives, and insulators began emitting these substances as a by-product and dumping them into the rivers leading to Long Island Sound. For decades there were little or no regulations limiting the amount of these toxic contaminants that found their way into Long Island Sound. Much of the geological result of such dumping is in the sediment lining the upper portion of the bottom of the Sound, where old amounts of toxic pollution still remain. Legislation has been enacted to enforce far lowered or banned quantities of most of these substances throughout the state, and fortunately a steady, albeit incomplete, decline in the amounts witnessed in the benthic sediment has ensued. It is unfortunate for ecological sustenance, and indeed dangerous for the lives of species of animals, humans included, that depend upon prey species taken from areas of concentrated toxic residue, to have otherwise, yet the possibility is real that further declines can be noted under certain circumstances.

Damages from PCB's and heavy metals in animals can be fatal or can cause severe upset. It is important to study their effects to reverse their accumulation. In vertebrates, in addition to physical discomfort and hospital or veterinary care as precipitated professional

recommendations, ecological populational difficulties can be caused due to increased mortality and reproductive difficulties. Fisheries, for purposes of this paper, have demonstrated considerable vulnerability to PCB and heavy metal contamination which can be passed to humans that has been noted extensively in the literature throughout the years. Concentrations hazardous to predator species feeding on affected population are a concern that has been noted by the government to be presently existant today in Long Island Sound bluefish, sea bass, and lobster, and it stands to reason from the near ubiquitous presence PCB's maintain throughout benthic sediment in Long Island Sound, as well as observations in a number of animals elsewhere, that for policy purposes, the list of species here may merit expansion.

PCB's and heavy metals are relatively stable chemicals and exhibit very little tendency to break down under standard conditions. While this may or may not be useful in given situations, the study that has entailed in living systems has brought generally deleterious observations about their behavior, possibly one of the factors deterring pleasant distribe concerning their proliferation. PCB production was outlawed in the United States in the 1970's, but this inability of the chemicals to independently or with aid transform into less toxic substances still contributes to the fact that they remain in living systems. Most heavy metals are highly monitored as to their active distribution. Perhaps the most illustrative example of toxic contamination being disruptive to health is found among Eskimo populations, where eating large quantities of PCB-contaminated fish led to an abnormally high level of hospitalizations and major organ malfunction in the 1970's, as well as an unfortunately health-mandated end to a treaty-guaranteed way of life. Even in Connecticut, reports of irreversible health problems in humans have been noted of people who have eaten too many fish from the contaminated area of Long Island Sound. As safe levels of toxin eradication have not fully occurred throughout habitat taken by biota on the planet, and people are creative enough to locate partial solutions, there are still a number of steps that can be taken to limit the extent to which toxins will continue to cause populational and independent health problems, in line with conclusions drawn from science and legislation recommending that harmful exposure be limited. An authorized government agency ignoring reasonable recommendations such as these implies

discrimination against health requirements of the affected part of the population and an unjustified dependence on time to eliminate hazards to the sustainable maintenance of the natural resources of the United States.

PCB's, like heavy metals, have a strong tendency to bioaccumulate in organisms. Once absorbed by most animal tissue, they are largely uneradicable, and thus, exhibit a strong tendency to accumulate over time in an individual repeatedly exposed. This can pose increasing problems with prolonged or repeated exposure due to occurrences of concentration-dependent threshold levels being reached, crippling the organism or a part of it. Additionally, although I am unaware of studies implying populationally-sustainable pain assigned by these toxins, it may be reasonable that discomfort could ensue at low amounts. For purposes of triage it may be necessary to eliminate this latter supposition, but any of its principle geneses may be lessened by addressing the former, and with sufficient resources a more thorough approach to diminishing overall problems may include additional designations to the latter's countenance or appeasement. Generally, exposure to toxic substances can occur either through direct ambient exposure or through prey eaten as a food source. Although the results of toxicity are quantitatively different for each path of introduction, the end storage mechanisms and the parts of the organism that are affected are similar for each path. Both imply detriment, and hence both are important in maintaining an awareness of what problem-eradication steps are prudent. I feel fortunate to provide FERC with some analysis regarding what I perceive is the Draft Environmental Impact Statement's use of underestimated risk to fashion an assessment of the feasibility of the pipeline plan. PCB's and the various heavy metals that continue to plague the Sound's health are all denser than water and hence settle at some point during
G69-3 their tenure in the water in benthic sediment. Not only are dissolved amounts of most toxins still present in aqueous parts of the Sound, but raising this aqueously dissolved amount can be accomplished by a disturbance of benthic sediment. This action would unequivocably physically raise the chance that imprudent detriment is served to areas of ecology traditionally most treasured and used by people.

Two types of ingestion models for toxins spring to the forefront of this discussion. I

G69-3 Section 3.4.1.2 of the FEIS has been revised to include a discussion of potential impacts to marine organisms from the disruption of contaminated sediments.

would like to clarify briefly these methods for use in the development of practical applications surrounding this knowledge. Generally, these differ due to the relative quantities that are ingested by an organism in each. In the first technique, which I would like to label ambient absorption, organisms accept toxic concentrations through interaction with substrates which are not generally deemed living. In the case of Long Island Sound the substrates would loosely be grouped as the water, non-biota in the sediment, and dissolved air particles. Dissolved air particles to which the toxin has adsorbed represent one of the more minimal additions to these scenarios, but essentially, the mechanism of physiological introduction is the same as with the other two. The organism generally either ingests directly the toxin, absorbs it through a respiratory mechanism, or experiences a direct diffusion through dermal membranes which results in its dissolution with the bloodstream. From point of entry, amounts that are delivered to body tissues and organs end up with great concentrations stored permanently, commonly in tissues such as the liver, muscles, dermis, neuronal structures, and gonads. High levels of toxins are found in tissues of many fish, shellfish, and other invertebrate species throughout Long Island Sound.

The second method of bioaccumulation of these toxins, and for that matter uneradicable toxins in general, is through predation of that which already been collected in already-infected organisms. This process would be termed biotic absorption and carries with it on average a higher ingested rate of toxicity for the individual in question. Naturally, delineating these two processes would be unnecessary in more of a utopian society, but continue I do here. In a localized population which has been existing in a toxin-affected environment, the toxins would be, without significant exception, disbursed in proportion to the amount of time spent in contaminated areas in the organisms of the population. A predator species then eats whatever number of prey species is required for nutritional purposes and with the organism, ingests the toxins that are present in the eaten parts of the organism. This method greatly amplifies the amount of toxins to which the still-living organism is exposed due to the previously-stated tendency for these toxins to persist in biological systems after being subsumed from geological or hydrological systems. Concern for the ramifications of this method of introduction can be interpreted

as more severe, then, because of the rapid magnification of intraorganism levels of toxicity. With humans eating fish species, and with a desire to eat fish species, it remains through this conclusion that to protect their health more optimally, it is prudent to prevent toxic contamination in recoverable species. This factor will be addressed more later. For
G69-4 now I'd like to address some of the key fish species in Long Island Sound whose presences, I feel, have been underevaluated by the DEIS.

Winter flounder are a known commercially valuable bottom-dweller in Long Island Sound that have been significantly reduced in the past several years. Surprisingly, their reduction is not in keeping with a homogeneity of population levels of winter flounder found elsewhere along the Atlantic seaboard, which have largely remained stable during this time period. Winter flounder in Long Island Sound have unfortuitously undergone an 80% decline in the past three years in Long Island Sound. Therefore with numbers exceedingly low and dropping readily, sound indicators of regional extirpation have recently been played and desire for indicator absence, due to a general inobtrusiveness of this species is herein iterated.

The Long Island Sound population of winter flounder undergo a life cycle whose assessment allows discernable observations about concrete congruence between the necessity to avoid toxic contamination and where and when this necessity is foregone in areas of the Sound. Obviously with the severity of the drops noted in recent years, it is prudent to avoid adversely affecting the diminishing species to provide concurrence with the purposes of legislation relevant to sustainable levels of these animals and allow heightened risk of failure in this case to muster deservedly feathered. Let us allow a pragmatic and possibly aesthetic description of aspects of winter flounder habits, and perhaps more environmental justice, rather than further accumulation of degradation will be served as a result. After all, this scheme fits far better within a legal framework.

A noticable characteristic of winter flounder is that they live almost exclusively near benthic structures. Winter flounder feed on an array of marine invertebrates and other, smaller finfish that live in their habitat. Their eyes have evolved to one side of their head

GROUPS AND INDIVIDUALS 69

G69-4 The Essential Fish Habitat Assessment (appendix I) has been revised to more completely assess direct, indirect, and cumulative impacts to essential fish habitat and federally managed fish that occur in the project area.

to facilitate unhindered sight. The prey that they eat are smaller than them, and often they pull worms and other invertebrates directly out of the fine silt that characterizes most of Long Island Sound. Typically winter flounder in Long Island Sound are at no loss for food sources, regardless of any additional undesired holistically-detracting toxic substance. Birth patterns in winter flounder are well-studied and involve a laying and fertilization of eggs in the same nearshore natal area in which the fish were born. Once hatched, the juveniles often migrate to deep water to mix with individuals from other areas of the Sound, however nearshore areas remain vital as they are the only place noted as conducive to spawning of the fish. Many of the above-listed toxins, most notably arsenic, lead, and many of the PCB's are extremely detrimental to developing fetuses whose eggs adhere to contaminated benthic sediment bringing disability in the form of prespawning mortality and disability in procreation later in life. The animals' habitats, while providing unique distinctions, have been riddled with toxic quantities, the awareness of which should help management plans develop thoroughly and comprehensively.

The culturally valuable bluefish and striped bass in the Sound face problems of their own. Despite being at sustainable levels in Long Island Sound, having each survived notable diminishments, as well as having enjoyed successful resuscitation measures centered largely around fishery maintenance, marine water pollutant reduction, and spawning habitat restoration, they carry with them toxic detriment to themselves and to predators that eat them. Each of these species has been designated as carrying human health warnings regulating the amount of each that should reasonably be consumed by human due to higher than average PCB contamination and excessive amounts of each have been shown to adversely affect human health. Comparative physiology between effects in humans and in other wildlife species that may feed upon Long Island Sound bluefish and sea bass, such as shark or seals demonstrates that is quite reasonable to extend the implication of nutritive hazard to these animals as well, regardless of genus. Furthermore, high levels of PCB contamination have shown to cause individual mortality in both of these fish species inhabiting Sound waters in recent years, giving further practical reason for reducing or preventing additional contamination of these prolific fish

species.

G69-4 The Draft Environmental Impact Statement for the Islander East proposal leaves several ends undone in maintaining critical species balance. How one responds to some of the growing pressures facing what in many ways is a rebounding Sound, and in many ways are stains on the bottom of a shirt that has become trendy to leave untucked dictates the curve of risk and the ease of many minds over the future of life in the estuary. I would like to call attention to some of the practices necessary for the subterranean portions of the project's scope underneath Long Island Sound and how these practices retain underanalyzed impact. To do this, it is necessary, then, to bear in mind recovery objectives for the quality of ecosystems in Long Island Sound, as well as specifics about Islander East's proposals so that we are not faced with mediocrity in predicting fate, nor are we exposing vulnerability to harm, and we are instead reinforcing methodologies aimed at achieving and maintaining bounty. The law and human desire, as iterated to FERC over and over, have mentioned the detriment posed to the environment as not only avoidable, but proactively restrictable. I mention the flaws I see in the DEIS to provide a citizenship-oriented approach to minimization of environmental damage. They are thusly enumerated.

G69-5 First, the Draft does not take into consideration any impact to increased toxic levels due to the horizontal drilling device in offshore areas of Branford, CT. The coastal areas of this community are rich in quantities of the aforementioned finfish. Current levels of discharge and disruption from HDD units employed elsewhere indicate that effluence and migratory toxins emitted from the horizontal directional drill elevate both ambient and intrabiotic levels of many heavy metals and PCB's significantly in the surrounding area, in this case above EPA-mandated standards for lead, cadmium, chromium, mercury, and lead in the waterway and dicey at-best levels in the upper levels of the benthos. Nonetheless, despite current practices involving horizontal drilling devices and a number of studies evaluating the effectiveness of different methods of recovering disrupted toxic flow necessary for horizontal directional drilling, the text does not contain any reference to specifics regarding the types of monitoring that will be accomplished by the following

G69-5 Impacts associated with the offshore HDD are discussed in section 3.3.2.2. The issue of contaminated sediments are addressed in section 3.3.3.1. Offshore monitoring is discussed in section 3.4.1.2.

G69-5 - any drilling that may proceed, the types of recovery machination that will be present, or any cessational activities that will occur should high levels of rising pollution be emitted through inadvertence, guise of minimalization, or otherwise from any portion of what would be this near-mile-long portion of pipeline running through popular fishing and spawning areas. The DEIS mentions inadequately enumerated adverse effects or any type of adequate remedy for such through the aforementioned processes of biohazard due to leaching or introduction of cadmium, chromium, zinc, mercury, arsenic, lead, nickel, or any PCB or petroleum byproduct that are common in the vagarous inland harbor bottom through which the HDD is slated to extend. Please advise or correct.

One or more of three methods of toxic removal--radio frequency heating, pneumatic fracturing, and hydraulic fracturing--would probably be used in the project, if any was to be used, in the surrounding bedrock that is typical throughout the length of Islander East's proposed use of the HDD segment of pipeline. All of these methods have side-effects and imperfections that increase the risk factor of an introduction of excessive, life-voiding toxins into a vast portion off the coast of Branford. This productive, traditionally fishing-sustainable area faces a strong deterrent to safety infiltrating additionally through the food chain, plugging away at what flourishment is left, and the DEIS mentions Islander East as proposing to do extremely little to even examine damages, let alone protect the interests of the ecosystem. As has been shown, radio frequency heating commonly produces high levels of inexcusable fecal coliform bacterial contamination due largely to warming of the area above the drilling, possibly bringing Connecticut beaches a recurrence of the year 2000's decadal record for beach day closures or some similar unpleasantry, and fracturing has caused excessive difficulties with soil cracking and creating inhospitable conditions for the long-term success of oysters. The record contains no reference to any of these processes, and I am justifiably afraid in light of their absence of a treacherous degree of freedom allowing multidecade ramifications to populations as we attempt to move toward increased health of Long Island Sound.

G69-6 In conclusion, while it may seem trivial to eliminate such preservatory methods thinking that other species may make up the difference or that yet another hazard extends in a

G69-6 See response to comment 4.

G69-6 fragile waterway, the grieved losses to the town of Branford, to the population of fish in Long Island Sound, and to the water quality of Long Island Sound through allowable precedent of the frequent installation of subground pipelines that is nowhere in the DEIS mentioned as possibly being environmentally unsound, could realistically be catastrophic and clarification is requested from FERC as to what expected damages and restitution in this area would comprise.

G69-7 In light of the aforementioned circumstances, concern is expressed for the entirety of the span of the pipeline that Islander East has proposed to install several feet underneath the surface of the benthos along a stretch of Long Island Sound extending further than twenty miles. Islander East has mentioned and implied a great deal of benthic manipulation through this area that includes repeated anchoring with some of the largest anchors in commercial production today through valuable oyster beds and extensive trenching with

G69-5 machinery producing mile-long plumes strewn with toxic levels of above EPA-mandated levels of the same heavy metals that would be released during HDD. The information prepared for inclusion in the DEIS mentions only minimal adversity for these practices, while failing to address these standards and their well-documented effects, as well as the fact that NMFS documented extensive losses to fisheries due to the construction of the the 1991 cross-sound pipeline. It is unreasonable and unscientific to expect that backward steps away from a sustainability of Long Island Sound will not occur should any of the proposed options for laying pipe under Long Island Sound be pursued.

G69-8 In conclusion, I would like to state that a draft environmental impact statement written subsequent to an announcement for a well-thought out, damage-minimizing scheme extending natural gas availability to Long Island--one that is of similar geographically-specific fuel supply as that to which these comments specifically refer, but of overall lessened environmental detriment, would occur adjacent to the urban area of New York City. It is to here that the Algonquin Company, a chief financial provider for the Islander East Company owns lines already partially installed, and it is around here that oil lines

G69-8 would run through an area already far more largely urbanized and well-suited to the effects that a pipeline would pose. I firmly believe that demand and need on Long Island

G69-7 Thank you for your comment.

G69-8 System alternatives are discussed in section 4.2.

G69-8 will attract further providers of energy, and that should those sources of energy be in the form of natural gas systems, rather than more readily sustainable wind-derived systems whose entrepeneurs are proposing cleaner-operating systems in a culture-enhancing way in areas throughout the Northeast, that disallowing toxic effects in volatile areas like Long Island Sound for conduits marks among the better ideas for energy provision. Thank you for your attention to these comments.

Sincerely,

Andrew Josephson

DOW REALTY CO.

35 Elm Street, New Haven, CT 06510 (203) 776-0000

May 24, 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:

G70-1 I am in receipt of a form letter asking for my support for the approval of the Islander East Natural Gas Pipeline project by the Federal Energy Regulatory Commission (FERC) However, after listening to both sides regarding pros and cons and obtaining as much information as possible, I must speak out in opposition to the Pipeline East proposal.

G70-2 I recognize the importance of natural gas service in Long Island and Connecticut as possibly the most efficient route for a pipeline. However, I think it is at best uncertain as to whether Branford is the best route or Pipeline East the best company to supply that service. Pipeline East's efforts to convince various involved parties to support their proposal have been fraught with deception and misconception. I would ask that FERC take the time to consider all other options both in location of the line and quality of the people involved in its' construction, maintenance and management.

G70-3 Pipeline East has attempted to shield FERC and the Site Council, as well as the public, from the full impact and potential problems and dangers involved. One of many instances was when FERC and the Siting Council inspected the New Haven Trap Rock Line right-of-way. The rail service was terminated during both inspections specifically for fear that concern might be raised because of the vibration resulting from the heavy rail cars (the only time in the last two years when the rail line was interrupted during normal business hours).

G70-2 Before making a decision on the Pipeline East Project, FERC should take the time for their own individual study of all options for the delivery of natural gas through Connecticut to Long Island. If Pipeline East's project is the best and the quality and safety of the project is reasonable, then it should proceed but not until FERC and the Siting Council, in their honest and individual judgment, feel it is the best project for Connecticut and Long Island consumers.

Very truly yours,

Robert E. Dow

Brokers and Consultants for Commercial Industrial Investment Properties.

No warranty or representation, express or implied, is made as to the accuracy of the information contained herein, and same is submitted subject to errors, omissions, change of price, rental or other conditions, withdrawal without notice, and to any special listing conditions imposed by our principals.

G70-1 Thank you for your comment.

G70-2 As stated in section 1.1 of the DEIS, the Commission will consider a number of factors, including environmental issues, in deciding to issue a Certificate for the Islander East Pipeline Project. Locations for alternatives are discussed in section 4 of the FEIS.

G70-3 Thank you for your comment. During the FERC site visit, our understanding was that the rail service was terminated because of safety concerns involving pedestrians in close proximity to moving rail cars; vibration from heavy rail cars was not a concern. The Branford Steam Railroad is discussed in section 3.8.3.2 of the FEIS.

Paul and Jacqueline Vierling Huang
50 Island View Avenue, Branford, Connecticut 06405 Fax 203-483-1099 Phone 203-483-1011

May 28, 2002

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

RE: Docket Nos. CP01-384-000; CP01-387-000; and CP02-52-000

Dear Ms. Salas:

As you well know, the Long Island Power Authority (LIPA) is a corporate municipal instrumentality of the State of New York and was created by State legislation enacted in 1986.

On March 12, 2002, Richard M. Kessel, Chairman of the Long Island Power Authority (LIPA) summarized the state of Long Island's energy needs and plans. (The full text of his remarks can be found at http://www.lipower.org/papers/speeches/conletters3_12_02.html.)

Here's part of what he said:

G71-1

- "The demand for electricity on Long Island is still growing at a rate of about 100 megawatts per year."
- "Last year, we added 44 megawatts of new generation with a new turbine unit in Brentwood."
- "We developed the Powering Long Island 2002 Project, which calls for ten new turbine units to be built on Long Island by this summer. The process for getting ten new units, which will produce some 400 MW of electricity got underway last year."
- "Presently, we are working with TransEnergie LLP to install a new 330-megawatt power cable from New Haven to Shoreham. The project was stalled for awhile, but we took a more aggressive role in that project, and...Finally won the approval from the Connecticut Siting Council."
- "With the new cross-Sound cable and ten new turbines, we'll add some 740 megawatts of new resources to meet demand."

At a rate of growth of 100 megawatts per year, these new projects will take care of Long Island's needs for the next *seven* years.

Mr. Kessel did not mention the Islander East Pipeline Application in LIPA's plans.

In addition, Mr. Kessel said:

- "We have also kept the Governor's pledge...that earmarks $170 million for eleven specific programs to...energy conservation and energy efficiency."
- "We are now testing 75 grid-connected fuel cells at our West Babylon substation...It's the largest test of fuel cells...in the nation."
- "We're also working with the Long Island Farm Bureau to locate small wind turbines on farm property in Suffolk County."

G71-1 Thank you for your comment.

G71-1

- "We're also working with the Brookhaven National Laboratory...on a study of offshore wind turbine generation...and could lead to the placement of wind turbines off the South Shore of Long Island in several years."
- "To encourage greater use of solar power on Long Island, we recently increased the per-watt LIPA rebate from $3 to $6 for units installed...solar becomes even cheaper because of the state tax credit and net metering laws authorized by Governor Pataki."
- "Our Commercial Construction Program helps building developers and owners...For example...the Inn at Fox Hollow...a beautiful, 145-room luxury suites hotel that uses geothermal technology for heating and cooling...will save approximately $40,000 in electricity costs annually. And we paid Scotto Brothers Enterprises $180,000 to incorporate geothermal into their plans...We paid the owners of Atlantis Marine World in Riverhead $52,000 to use a geothermal system to keep their 100,000 gallon shark tank...at a steady temperature. Atlantis will save about $20,000 per year in energy costs."
- "We will invest nearly $320 million in electric system improvements this year alone. That's a 37% increase over last year's expenditure. We have committed an additional $240 million in system improvements for 2003."

Clearly, the LIPA and the Governor of New York are planning to meet Long Island's future energy needs through research, innovation and alternative energy sources.

Significantly, no reference was made to the Islander East Pipeline project as part of the solution to Long Island's energy needs, present or future.

In a few years, the use of alternative energy sources could very well ***decrease*** Long Island's dependence on traditional energy sources.

I believe that the FERC should research this trend and make energy-use projections based on LIPA's plans.

Here's what Robert B. Catell, Chairman and Chief Executive Officer of KeySpan Energy wrote in his Annual Report dated March 12, 2002. (Please note that the full text of the KeySpan Annual Report is available online at http://www.keyspanenergy.com)

> "Our gas business has a three-pronged strategy for achieving growth. The first part of the strategy focuses on increasing gas use by existing customers. While gas heating has always been our industry's mainstay, maximizing growth means emphasizing nontraditional uses. In Addition to heating, water heating, cooking and clothes drying, we aggressively promote gas grills, gas fireplaces, gas lights, pool heaters, and patio lighting. These uses add significantly to residential growth, providing almost twice the gross profit margin of traditional uses."
>
> "One project in particular – the Islander East pipeline – is crucial for growing our gas business and maintaining reliable supply...The pipeline is expected to be completed in late 2003 and would initially deliver more than 260,000 dekatherms of gas daily, enough to heat 600,000 homes. At full capacity, Islander East would be capable of delivering 500,000 dekatherms daily."
>
> "The Islander East pipeline will optimize the assets KeySpan has in New York and New England."

This ***proposed*** pipeline could, single handedly, heat 1,150,000 homes on Long Island. Considering that there are about one million housing units (according to U.S. Census figures) on Long Island, this increase in supply would instantly ***create a 100% gas surplus*** in the region.

Please note that the Annual Report does not state that the Islander East Pipeline is currently under review by both State and Federal agencies. This omission is clearly intended to promote, hype and otherwise inflate the value of KeySpan's stock to the public and its shareholders.

During a time when America needs a coherent National Energy Policy, it is socially reprehensible for a publicly owned Company like KeySpan to aggressively promote such wasteful uses as gas lights and patio lighting. A responsible leader of the community would aggressively promote energy ***conservation***.

Mr. Robert B. Catell's words: "The pipeline is expected to be completed in late 2003..." clearly assumes that the FERC will simply rubber-stamp his proposal.

Under current social, economic and political conditions, it would appear to be unwise for the present Administration to follow Mr. Catell's course. Since Enron, energy companies are under intense scrutiny by the public and the press.

It is clear to me that should Mr. Catell's words as written in his Annual Report reach the press, they would most certainly look carefully at everyone's involvement. And that would involve FERC.

I support the Motion made by Iroquois Gas.

Sincerely,

Paul C. Huang

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

FILED OFFICE OF SECRETARY 2002 MAY 30 P FEDERAL ENERGY REGULATORY COMM

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*)

G72-1 OF COURSE A GAS PIPELINE SHOULD NOT GO THROUGH A RESIDENTIAL NEIGHBORHOOD, RECREATION AREA, TOURIST AREA. SHELLFISHING GROUNDS - COMMERCIAL & PRIVATE - NATURE PRESERVE, WILDLIFE HABITAT, WETLANDS - PAST A SCHOOL - NEAR OR UNDER A RAILROAD TRACK. ESPECIALLY IF IT IS A LIMITED LIABILITY CO. WITH A SUSPICIOUS STRUCTURE. THE CITIZENS ARE WONDERING ABOUT THE CITING OF AND FERC.

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

SANDRA STONE BAILEY
33 ISLAND VIEW AVE
BRANFORD, CT
06405-5629

G72-1 Thank you for your comment.

Long Island Association, Inc.
80 Hauppauge Road
Commack, Long Island, NY
11725-4495

OFFICE OF THE SECRETARY
2002 MAY 30
FEDERAL ENERGY REGULATORY COMMISSION

Comments of the Long Island Association

Application of *Islander East Pipeline Company*

For approval to construct *natural gas transmission pipeline*

Docket Nos. CPO1-384-000, CPO1-385-000, CPO1-386-000

The Long Island Association ("LIA") submits these comments to the ***Federal Energy Regulatory Commission*** with respect to the application of ***Islander East Pipeline Company*** for approval to construct a natural gas transmission pipeline from Connecticut to Long Island under Long Island Sound.

The LIA is Long Island's largest business and civic organization with over 5000 member organizations representing approximately half of Long Island's workforce. The LIA brings together business, labor, government and academia in a shared effort to improve the Island as a place to live, work and do business.

G73-1 The LIA's primary purpose in submitting these comments in this proceeding is to underscore the critical importance of approving, in a timely manner, and constructing new natural gas pipelines and other energy generating facilities to meet Long Island's growing need for power as well as to replace aging and obsolete generating facilities. These LIA comments are not directed at the environmental, economic, or community impact issues specific to this proposed project. Rather, they are submitted to emphasize the concern we have regarding the current electric power situation and the importance we feel should be placed on the region's need for new power generation and transmission facilities in your agency's consideration of this application.

G73-2 The power situation on Long Island has deteriorated significantly over the past few years. Due to substantial load growth over the past half decade, the demand for power has reached the point where existing generation facilities and transmission interties are no longer adequate to meet the demand for power. The Chairman of the Long Island Power Authority ("LIPA") has issued dire warnings of blackouts if new power facilities are not brought on line. Similarly, the Chairman of the New York State Public Service Commission has also indicated that the power supply situation has deteriorated and that it is imperative that new power facilities be brought on line on an urgent basis in the near future in the downstate area (specifically including Long Island) to avoid power supply shortages. Twice in the past three summers, the Island came extraordinarily close to rolling blackouts because the reserve margin between available supply and the demand for power is simply too low.

G73-1 Thank you for your comment.

G73-2 Thank you for your comment.

G73-2

In addition to the need for new facilities to meet growing load, new power facilities are also needed to replace older generation facilities. Half of the existing power generating capacity on Long Island is over thirty years old and is composed of plants that are far more polluting and are significantly less efficient than new power plants. Environmental quality would be improved, energy security would be enhanced, the emission of global warming gases reduced, the reliability of supply would be increased, and the region's exposure to higher fuel prices decreased if newer power facilities substituted for older generating units on Long Island.

Additional supplies of natural gas will also help support new gas-fired electric generating facilities, which will not only help Long Island meet its growing power needs, but, will be more friendly to the environment. The New York Independent System Operator has stated that with demand for electricity and natural gas increasing on Long Island, additional gas-fired electric plants will need to be developed, along with the associated expansion of the region's natural gas transmission infrastructure. The NYISO has stated "it is critical that new plants be located "on-island" to maintain reliability, enhance competition and support economic growth.

The Long Island Association urges you to take these comments into account as you decide whether to allow this project to proceed to construction. Thank you very much.

Mitchell H. Pally

Vice President for Government Affairs

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

FILED
OFFICE OF THE SECRETARY
2002 MAY 30 PM 3:43
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*)

G74-1 Our area is unique and the plan to destroy it is evil. The fight to save it is heartfelt and unanimous.
Politics and profit have created a monster which will be remembered at the next election.

Commentor's Name and Mailing Address (*PLEASE PRINT*)
Lillian S. Stamler
14 Long Point Rd.
Stony Creek
Ct. 06405

G74-1 Thank you for your comment.

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

FILED
OFFICE OF THE SECRETARY
2002 JUN -3 PM
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***

G75-1 COMMENTS: (***Please print**; use and attach an additional sheet if necessary)*

YOUR MISSION AS EXPLAINED PRIOR TO THE HEARING, IS TO SEE THAT OU
VALUED LAND & SHELLFISH BEDS ARE NOT CO-OPTED BY A GIANT "DEVELO
EVEN IF THEY TELL YOU NOTHING BAD WILL HAPPEN! THE ONLY THING TH
WILL BE DEVELOPED IS ENORMOUS PROFIT TO THE ISLANDER EAST/ENRON
PLEASE DO NOT BE GUIDED BY STUDIES PREPARED BY THE PERPETRA
CONCLUDING "MINIMAL ENVIRONMENTAL IMPACT." (WE RESENT TH
VICTIM HAVING TO SUBMIT REASONS WHY THE RAPE SHOULD NOT TAK
PLACE.) PLEASE DO THE RIGHT THING, FOR ALL OF US WHO CANNOT AF
TO BUY A LOBBY.

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

NANCY DAX BIAMONTE
87 TURTLE BAY
BRANFORD, CT 06405

G75-1 Thank you for your comment.

GROUPS AND INDIVIDUALS 76

May 16, 2002

FILED
OFFICE OF THE
SECRETARY

2002 JUN -6 PM 3:15

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:

G76-1 Thank you for the opportunity to offer this letter in ~~support of~~ opposition to 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.~~ unnecessary.

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.

G76-1 I encourage you to ~~approve~~ oppose the Islander East Pipeline ~~to help us protect our future~~.

Sincerely,

Walter Tusson McCoy
Wightwood School
56 Stony Creek Rd
Branford, CT 06405

02060140141.2

FERC DOCKETED

G76-1 Thank you for your comment.

EISENBERG, ANDERSON, MICHALIK & LYNCH LLP
ATTORNEYS & COUNSELORS AT LAW

STEPHEN J. ANDERSON
ROBERT A. MICHALIK
EDWARD T. LYNCH, JR.*
CHARLES W. BAUER
DENNIS G. CICCARELLO
PAMELA R. REYNOLDS
JOHN C. SLAVIN†
PETER N. UTTON
LAURA G. DONNELLY
GREGORY J. SPUCKES†
DAVID K. JAFFE
HILARY S. DALIN
BRUCE A. ZAWODNIAK*
DAVID G. JORDAN

*ALSO ADMITTED IN D.C.
†ALSO ADMITTED IN N.Y.

136 WEST MAIN STREET
P.O. BOX 2950
NEW BRITAIN, CONNECTICUT
06050-2950
(860) 229-4855
FAX (860) 223-4026

16 SAYBROOK ROAD
KOHN, CONNECTICUT
06426
(860) 767-9191
FAX (860) 767-2340

TRL ADDRESS
HTTP://WWW.EAML.COM

02 JUN 11 PM 2:20
FEDERAL ENERGY REGULATORY COMMISSION

June 6, 2002

Mr. David P. Boergers, Secretary
Federal Energy Regulatory Commission
Room 1A, East
888 First Street, NE
Washington, D.C. 20426

RE: Islander East Pipeline Company, LLC
Docket Nos. CP01-384-000, CP01-385-000, & CP01-386-000

Dear Secretary Boergers,

On May 24, 2002, your Commission requested additional information from Duke Energy Islander East Pipeline Company and Algonquin Gas Transmission Company.

On April 9, 2002, I filed on behalf of Tilcon Inc. and Branford Steam Railroad Company their comments to the Connecticut Siting Council. I'm enclosing a further copy of those comments for your consideration of the matters raised in Item #33 of your request.

G77-1 The Applicant's proposal to locate the high pressure gas line within or in close proximity to the narrow railroad right of way is a bad idea! The negative impacts on operation and maintenance of the railroad will be significant and the potential for a catastrophic accident is extremely great! My client believes that the Applicant has chosen not to explore the other feasible and prudent alternatives to using the railroad right of way as a shortcut to Long Island Sound. Additionally, the Applicant has not provided detailed building or construction information regarding the proposed gas line. All we have seen is a penciled line on an aerial photograph.

Very truly yours,

Stephen J. Anderson

SJA/dmv
Enclosure
cc: All Parties of Record

020621-0181-2

FERC DOCKETED

G77-1 Section 3.8.3.2 of the FEIS has been revised to recommend that Islander East prepare a site-specific plan for constructing next to the railroad.

The remainder of the comment is a copy of your April 5, 2002 submission, comment G3, in this Comment Response Document. See responses to comment letter G3.

CHECKCASHERS, INC.
81 Dixwell Avenue, New Haven, CT 06511
(203) 789-8669

FILED
OFFICE OF THE SECRETARY
2002 JUL 22 AM 11:54
FEDERAL ENERGY REGULATORY COMMISSION

ORIGINAL

7/15/02

Honorable Magalie Roman Salas
Federal Energy Regulatory Comm
Dockets Room, Room 1A, East
888 First St, NE
Washington DC

CP01-384

Dear Ms Roman Salas

G78-1 I would like to recind my letter written by Islander East and signed by me supporting the gas pipeline from Connecticut to Long Island. Until I get further information I wish to stand neutral.

Sincerely
Linda Kaye Scionjay

RE: Islander East Pipeline Co, LLC and Algonquin, Docket #'s CP01-384-000, CP01-387-000

0207240100-2

DOCKETED

G78-1 Thank you for your comment.

BETTER BUSINESS BUREAU®, INC.
Responsible Businesses Serving Connecticut Consumers in the Public Interest
821 North Main Street Ext. • Wallingford, Connecticut 06492-2464
Tel: (203) 269-2700 • www.connecticut.bbb.org • Fax: (203) 269-3124

BETTER BUSINESS BUREAU BBB 02 JUL 17 PM 4:58 FILED FEDERAL ENERGY REGULATORY COMMISSION

July 11, 2002

ORIGINAL

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

RE: **Islander East Pipeline Co., L.L.C. and Algonquin, Docket Nos. CP01-384-000, CP01-387-000**

Dear Honorable Federal Energy Regulatory Secretary:

G79-1 I had written earlier in support of the Islander East Pipeline, L.L.C. but have since discovered that I had received misleading information on the effect the pipeline would have on Connecticut business and its residents.

At this time, I am very concerned that this project with its current plans for implementation may deplete the energy resources available to Connecticut. While, I have no problem with a pipeline that takes gas from point A to point B, I can not support a project that would impact my home state supplies. There must be a better way to accomplish supplying the businesses and residents of Long Island without causing economic and environmental problems to Connecticut.

At this time I would like to rescind my original support for the Islander East pipeline project.

Sincerely,

Paulette Hotton, President
Better Business Bureau of Connecticut

DOCKETED

02072401044-2

G79-1 The Commission has already addressed the Connecticut Companies' concern regarding the change in design delivery pressures at the North Haven city gate. In the Preliminary Determination issued on December 19, 2001, 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 the Connecticut Companies.

Dr. Jerry C. Shaw
188 Thimble Islands Road
Branford, CT 06405
June 14, 2002

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

Re: Comments on the preparation of an FEIS issuance. Islander East and Algonquin
Dockets CP01-384, CP01-387

Dear Secretary Salas and Commission Members:

On June 3, 2002, Islander East responded to May 27, 2002 interrogatories submitted by the Commission in preparation for the final environmental impact statement (FEIS). Both of these documents have appeared in the FERC's RIMS public database, and can be viewed on the Internet at the RIMS website at
http://rimsweb1.ferc.gov/rims.q?rp2~getImagePages~2281795~46~10~1~50 and
http://rimsweb1.ferc.gov/rims.q?rp2~getImagePages~2281079~16~1 13~1~50 .

In addition, there are other issues that have not been addressed in recent RIMS archives on the preparation of an FEIS for this docket, and I present new information that will be helpful to the Commission.

I respectfully request that the Commission consider the following points with regard to preparation of an FEIS for this docket.

G80-1 1) **The potential wetlands impact of disrupted soils along the Branford Steam Railway ROW continues to be ignored.** The data requests of May 27th failed to address the lack of soil testing for wetland crossings of the shared Branford Steam Railroad ROW, even though three different submissions to this docket included scientific data to support the author's concerns of the effects that this disruption would have on wetland crossings. One of these submissions included a report from the Canadian Environmental Protection Agency on leaching of hazardous chemicals into areas near railroads.

G80-2 2) **Planned expansion by Islander East has a foreseeable, cumulative, direct and indirect impact on the environment resulting from the proposed project. As part of the application to FERC for public convenience and necessity, this impact must be addressed in the FEIS as required under the NEPA.** The National Environmental Policy Act of 1969 (NEPA) requires Federal agencies to evaluate the indirect and cumulative effects of a Federal action. Cumulative effects are defined at 40 CFR § 1508.7 as "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency

G80-1 Section 3.8 discusses Islander East's Unexpected Contamination Encounter Plan that outlines the procedures that Islander East would implement in the event that unexpected soil contamination is encountered during construction, including the area to which you are referring. In addition, proper implementation of Islander East's ESC Plan would contain the soil in place and limit soil movement off of the right-of-way.

G80-2 Cumulative impacts are discussed in section 3.13 of the FEIS.

(Federal or non-Federal) or person undertakes such other actions." Indirect effects are defined in the Council of Environmental Quality regulations at 40 CFR § 1508.8 as effects "caused by the action and are later in time or further removed in distance, but are reasonably foreseeable. Indirect effects may include growth inducing effects or other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air, water and other natural systems, including ecosystems." The potential environmental impact of this increased capacity must be evaluated in the FEIS as required under the NEPA.

G80-3 3) **The planned expansion by Islander East should be considered as a system alternative, and the environmental impact evaluated on the same footing as those system alternatives proposed in the DEIS.** The May 27th interrogatories omit requests for data on the environmental impact resulting from planned increases in capacity, yet the DEIS considers the impact of the one-pipe system alternative, with about the same transmission capacity as the proposed Islander East expanded pipeline. In order to consistently evaluate the impact of all system alternatives, the expanded Islander East pipeline must be included in the Commission's consideration of the environmental, social and economic impacts.

On several occasions, Islander East has been asked to provide a meaningful response to questions about the details of capacity expansion plans necessary to meet 445,000 Dth/d maximum transmission capacity projections for the year 2008 presented in their application, and again outlined in the Commission's issuance of a preliminary determination on December 21, 2001 (please see http://rimsweb1.ferc.gov/rims.q?rp2~getImagePages~2232111~12~35~3~50).

In recent submissions to this docket by Mr. Huang, references are made to a KeySpan 2001 annual report available on their website, www.keyspanenergy.com and http://echo4.mobular.net/echo/7/40/43/. The report states the following "At full capacity, Islander East would be capable of delivering 500,000 Dth/d". This planned capacity will almost double the initial capacity identified in the application and will require significant changes in the Algonquin mainline, additional looping, and compression station upgrades or additions. The potential environmental, social and economic impact of the planned expansion must be evaluated in the FEIS as required under the NEPA, and as required by a consistent evaluation of all system alternatives.

G80-4

G80-5 4) **The Algonquin Maritime/HubLine is woefully incapable of supplying Sable Island capacity to offset demands of new proposed pipelines to Long Island. The potential depletion of Connecticut natural gas supplies brought about by the Islander East pipeline proposal, its planned expansion, and the FERC's proposed System Alternatives, has been ignored and must be considered in the FEIS.** On September 7, 2001, the Commission asked Islander East to respond to question Q.2, which states, "*The application at page 12 states that Islander East's facilities will increase access to Sable Island gas supplies via the Maritimes/HubLine expansion. However, the available capacity on Algonquin*

GROUPS AND INDIVIDUALS 80

G80-3 The One-Pipe System Alternative was not presented to incorporate any future expansion by Islander East, but rather to compare a system alternative that would incorporate the volumes of both the Islander East and ELI Extension Projects.

Any future expansion by Islander East, including looping or compression, would have to be analyzed under NEPA for a certificate to construct. This would include reviewing environmental, social, and economic impacts.

G80-4 See response to comment 3.

G80-5 The Commission has already addressed the Connecticut Companies' concern regarding the change in design delivery pressures at the North Haven city gate. In the Preliminary Determination issued on December 19, 2001, 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 the Connecticut Companies.

Gas Transmission Company's (Algonquin) HubLine facilities is substantially less than the capacity of Islander East's facilities. The application also states on page 23 that it is each shipper's responsibility to obtain capacity on Algonquin's system."

In response, in a September 24, 2001 submission to this docket (see http://rimsweb1.ferc.gov/rims.q?m2~getImagePages~221030l~44~40~1~50), Islander East made the following statement: "*Transportation paths are available beyond the Algonquin system as a result of its existing interconnections with the systems of Tennessee, Iroquois and Texas Eastern and others, including its future interconnection with Maritimes and Northeast via the HubLine project.*"

G80-5 On several occasions, Islander East has responded to concerns on the depletion of Connecticut's natural gas supplies, without substantial or convincing analysis. In February, 2002, a phase 2 study conducted by Levitan Associates for ISO-NE (Attachment A) was concluded on the effects of tight gas supplies on the reliability of the natural-gas fed power plants planned for Connecticut and the northeast. In a quote from the Levitan study: "*Despite the many new pipeline facility enhancements into and within New England, the results of the updated gas simulation analyses show that the new pipeline facilities do not materially mitigate the size of the expected gas transportation shortfall to the electric generation sector during each winter peak day through 2005.*"

G80-5 The Levitan report clearly indicates that Islander East and the FERC-proposed system alternatives will create a substantial shortfall in natural gas supplies; thereby placing Connecticut at risk for reliably supplying their electrical generation needs. Connecticut is being asked to risk substantial degradation in reliable power generation in order to provide Long Island with reliable power… a trade off that is both unfair and avoidable.

G80-6 5) **Comparisons of environmental impacts between the Iroquois ELI project and the Islander East project continue to be ignored.** Questions addressing the comparisons and contrasts that would have highlighted substantial environmental issues were not addressed in the May 27th data request. As I understand it, the FERC is required to conduct an investigation into these issues as part of compliance with the NEPA.

G80-7 6) **Data sampling sparseness concerns continue to be ignored in the May 27 data request.** Commentary submitted to this docket has addressed the issue of the lack closely spaced coring information necessary to scientifically evaluate bottom characteristics and sediment quality, particularly along the proposed pipeline path through the Thimble Islands. Recent local events associated with the installation of a HVDC cable in New Haven Harbor highlight the need for accurate determination of bottom characteristics in order to avoid unanticipated difficulties in the installation process. Cross Sound Cable discovered seven places where installation depths required by the USACOE were not achievable. These obstructions were not detected by ping sonar. Please see the attached New Haven Register article on this issue (Attachment B). In order to avoid the necessity of

GROUPS AND INDIVIDUALS 80

G80-6 The ELI System Alternative is addressed in section 4 of the FEIS. Under NEPA, a separate DEIS is being prepared to analyze the environmental impacts of the ELI Extension Project.

G80-7 Thank you for your comment

G80-7 blasting in the Thimble Islands, I encourage the FERC to require core sampling at 100-foot intervals instead of one-mile intervals along the proposed pipeline path in order to bury the pipe in compliance with DOT safety requirements.

G80-8 7) **Unwarranted reliance on sediment dispersion modeling and simulation studies will lead to an environmental disaster in the Thimble Islands.** Questions posed in the May 27th data request suggest an over reliance on

G80-8 simulation studies that have yet to be completed. Relationships between experimental measurements and simulation studies do not take into account spikes in wind and current strengths that can reasonably be expected during the winter construction window. Spoil erosion caused by frequent wind events in excess of 50 knots, such as often occur in the Thimbles, has not been evaluated. Issues relating to contingency plans for the replacement of eroded sediment needed for adequate back-fill are not addressed. This is particularly important given the required burial depth dictated by DOT safety requirements. In a May 20, 2002 submission by the National Marine Fisheries (see the RIMS data base link: http://rimsweb1.ferc.gov/rims.q?rp2~getImagePages~2284487~46~4~1~50), these concerns are highlighted, yet no direct request for proposed mitigation measures are made in the May 27th data request. There is adequate evidence to suggest that the prediction of the impact of such events is beyond the ability of the current simulation technology.

G80-9 8) **No engineering studies have been submitted or requested to validate claims that added cable buoys will be effective in avoiding bottom scouring within the anchorage path.** Cable tensions, cable catenary trajectories and other engineering parameters have not been analyzed as part of the conclusions submitted by Islander East, nor have such studies been requested. The dynamics of accurate positioning of barges and their anchors, lowering and raising of anchor cables and the disruption of bottom sediment by such a process has been grossly over simplified and is not accurately reflected in the data supplied by Islander East.

G80-10 9) **Mitigation of environmental impacts has not been adequately addressed.** Questions on how shell fishermen plan to harvest shellfish prior to pipeline construction, such as posed in the May 27th request, miss the mark on evaluating the real impact produced by digging a trench through the Thimble Islands. Islander East's own actions in offering to pay shellfish bed leaseholders millions of dollars, suggest that Islander East expects the impact to be substantial. Many productive beds and fallow, but potentially productive beds will be un-mitigated and will become unproductive, not to mention recreational fishing reefs. Mitigation efforts such as those deployed in the Hubline project should be the model that Islander East is required to follow. Suggestions by Islander East that Remote Observational Vehicle monitoring of post-installation impacts in the anchorage corridor would be too costly misses the point. If this technique is too costly, I respectfully suggest that another method be found in order to assess post-installation impacts and measures be proposed for mitigation of damages, including anchor divots.

G80-11 10) **Environmental impacts on Inner Reef and other popular recreational fishing areas have been ignored.** While Browns and Branford reef areas are important,

GROUPS AND INDIVIDUALS 80

G80-8 Results of the sediment dispersion modeling have been incorporated in sections 3.3.3 and 3.4.1.2 of the FEIS. The modeling takes into account the potential for storm events in the analysis. Section 3.3.3 has been revised to recommend obtaining clean fill to replace any eroded spoil.

G80-9 Our review of the available data leads us to believe that midline buoys would help to minimize impacts associated with cable sweep. See sections 3.3.3 and 3.4.1.2 for discussions on offshore impacts associated with cable sweep and anchor scars.

G80-10 Section 3.4.1.2 of the FEIS has been revised to include an analysis of potential long-term impacts to shellfish habitat resulting from pipeline construction activities. Also section 3.4.1.2 of the FEIS has been revised to include a recommendation that Islander East conduct monitoring to assess the long-term impacts of pipeline construction to the Long Island Sound seafloor.

G80-11 See response to comment 8.

G80-11 no attempts have been made to inventory other areas of concern to recreational fishermen. Islander East's projected impacts on Browns and Branford reef areas show ar over reliance on flawed (and, as yet, un-produced) sediment dispersion simulation results that do not take into account trench spoil erosion during storms or frequent high-wind events. As stated above, there is adequate evidence to suggest that the prediction of the impact of such events is beyond the ability of the current technology.

G80-12 **11) No attempts have been made to determine the true status of property owner approvals in Connecticut.** While Islander East has submitted copies of survey and access agreements for several Long Island parties (Meadowcrest, in particular) in their June 3rd response, no such submissions have been requested by the FERC for Connecticut. In submissions by Islander East concerning the use of existing ROW for installation of the pipeline, the claim is made that a large percentage of the pipeline path is along existing utility ROW, some of which includes that of the Tilcon railway. In submissions to the Connecticut Siting Council, Tilcon, the company that owns the Branford Steam Railway, has refused to allow the collocation of the pipeline with their railroad ROW. Please see the attached letter to the CSC from Tilcon (Attachment C). There is significant evidence that many Connecticut property owners have not given consent, and it behooves the FERC to assess the possibility of protracted legal proceedings prior to the installation of this pipeline.

G80-13 **12) Geotechnical studies concerning the HDD installation are still incomplete, and designs for bentonite containment are still in the conceptual stages, yet, no questions were posed in the May 27th data request addressing these issues.** In recent HDD installation activities associated with the Cross Sound Cable project, accidental releases of bentonite occurred; requiring clean-up efforts that may have caused additional environmental damage. As mentioned in the Islander East response, SNET experienced a significant bentonite release into the Thames

G80-13 River in 1995. An engineered containment system must be designed and tested before construction activities are allowed to begin. "Frac outs" must be avoided by adequate core drilling to enable avoidance of problem areas.

G80-14 **13) The contaminated Ravesi and Hall properties in North Branford were mentioned in the May 27th data request. Islander responded by supplying the RIZZO Associates report, a report that was entered into this docket on two previous occasions by the Town of North Branford.** My understanding is that two other DNAPL and PCE contaminated properties are involved. Islander East proposed using "reduced charge weights" if blasting is required in order to "reduce" bedrock fractures that could promote migration of contaminated water. I submit that this cavalier and speculative approach puts our environment at risk. I would respectfully submit that if, after Connecticut DEP and East Shore Health review and consultation, it were found that this approach involves significant risk, that Islander East be required to reroute their pipeline path.

G80-15 **14) Independent third-party environmental monitoring was not broached in the May 27th data request.** While Islander East has discussed the use of environmental inspectors, there continues to be no requirement to hire inspectors who are not employees of Islander East. In recent local events, bentonite was

GROUPS AND INDIVIDUALS 80

G80-12 The Commission has authority under the NGA to allow applicants to use eminent domain to construct pipeline projects certified under section 7(c). In the case of pipeline rights-of-way, this typically involves the use of eminent domain to obtain easements and does not involve taking. In these cases, the courts would determine fair compensation for the easement in the event that landowners and the applicant cannot come to an agreement.

G80-13 Preliminary geotechnical borings for the HDD have identified cobbles and boulders in the 30 feet of overburden material overlying bedrock in the vicinity of the HDD exit point. For the vast majority of the drill route, solid gneiss and metaquartzite bedrock is present and it is expected that the HDD would be successful in this material. Additional borings would be completed prior to designing the HDD path.

The HDD containment structures and HDD contingency plan are addressed in section 3.3.3.2 of the FEIS.

G80-14 Section 3.3.1 has been revised to recommend a site-specific study, in consultation with the CTDEP, between MPs 5.4 and 5.6 to determine if construction activities, particularly blasting, would affect contaminated groundwater migration in this area.

G80-15 In addition to having the Islander East environmental inspectors present, FERC conducts independent environmental inspections during and after construction of projects authorized by the Commission. Depending on the specifics of the project, these inspections are completed by FERC staff and/or qualified

G80-15 accidentally released into New Haven Harbor during HDD operations and clean-up activities were conducted without adequate third-party supervision. In addition, as discussed in item 7 above, installation of the Cross Sound Cable was not achieved to the required depths, requiring substantial efforts on the part of state and federal agencies. It continues to be of great concern that independent monitors answering to the appropriate regulatory entities, and with the power to halt the project be available to insure compliance with environmental mitigation requirements.

G80-16 **15) A requested change in construction schedule by Islander East should be denied.** On May 24, 2002, three days before the data request was issued, Islander East requested that the construction schedule be modified to start preliminary construction activities in October, 2002 instead of the winter of 2002/2003 for MP 19.1-19.9. A moratorium on all energy projects crossing Long Island sound has overwhelmingly passed the Connecticut legislative process and has been signed into law by Governor Rowland. Many unresolved issues continue to plague the Islander East application. If the FEIS is issued in July, this new schedule assumes certification only 60 days after the expiration of the FEIS comment period, hardly time to resolve issues relating to the protection of our environment, and certainly in violation of the will of the people of Connecticut. This request should be denied.

In conclusion, I encourage the Commission to conduct a thorough review of the above issues, those concerns communicated directly to this docket, and those presented at the Branford May 8th hearings before crafting a final environmental impact statement.

Sincerely,

(signed)

Dr. Jerry C. Shaw

Attachments: A, B, C

GROUPS AND INDIVIDUALS 80

G80-15 contractors under direct supervision of FERC staff. The environmental inspector would also be charged with verifying that compliance remained intact, and that ongoing mitigation measures were succeeding once construction was completed.

G80-16 Comment noted. 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 on the proposal during the moratorium, the Commission would explain the reason for its decision in the order.

To: 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.

CP01-384
385
390

FILED
OFFICE OF THE
SECRETARY
2002 JUN 10 AM 11:35
FEDERAL ENERGY
REGULATORY COMMISSION

Dear Secretary Salas:

This letter is in regard to the proposed Islander East Pipeline Project. My husband and I own 2 businesses, one in Branford and one in North Branford, Ct. I have been listening to claims from different people both for and against this pipeline.

G81-1 We cannot see any benefits to our Ct. community either now or in the foreseeable future. From all the information we have been privy to, it looks as if the only ones to benefit from this project are Long Island residents and the company installing the pipeline.

In addition, we can see problems with our waters, our fishing industry and pollution to oyster beds.

What about the detrimental effect on our shores, our tourist trade, the disruption of the of area activities due to barges been out on the sound digging and piling silt in ever increasing mounds of ugly eyesore?

We have spent considerable time and money to clean up our shores and to start digging now and making a mess to supply gas to someone other than CT. residents doesn't make much sense to me. We are definitely against any sort of work to be done in the sound.

Sincerely,

Elaine T. Cote

Elaine T. Cote
Terri's Hairlines
540 E. Main Street
Branford, Ct. 06405

020614 0106-2

FERC DOCKETED

GROUPS AND INDIVIDUALS 81

G81-1 Thank you for your comments. We believe that the natural resources and tourist trade along the marine route were adequately characterized, appropriate mitigation measures identified, and construction scheduling addressed in the DEIS. However, the FEIS has been updated concerning offshore monitoring plans and sections 3.3.3.2 and 3.4.1.2 of the FEIS have been updated with information from the sediment dispersion modeling.

G82-1

NO [X] NO, I DO NOT SUPPORT Pipeline

[X] ~~Yes.~~ I support the approval and completion of the Islander East Pipeline as a necessary part of a long-term energy strategy to guarantee a secure supply of natural gas to our state.

CP01-354, 385, 386

[ ] I have sent a letter of support to the FERC Secretary.

Name: Ray Figlewski FERC DOCKETED

Company Name: Pocatko

141 3110 00.21 PB8527139

Islander East Pipeline 06405

Attention Tammy Keith

454 East Main Street, Route 1

Branford, CT 06405

FILED OFFICE OF THE SECRETARY

0206140421.2

G82-1 Thank you for your comment.