



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Washington, D.C. 20230

OFFICE OF THE GENERAL COUNSEL

DEC 2 2002

Mr. Crane Miller, Esq.
Office of the General Counsel
Federal Emergency Management Agency
500 C Street, S.W.
Washington, D.C. 20472

Dear Mr. Miller:

I am writing to memorialize conversations with the staff of the Federal Emergency Management Agency (FEMA) concerning the opportunity to submit agency comments on the Millennium Pipeline Company's administrative appeal filed under the Coastal Zone Management Act (CZMA), 16 USC 1451 et seq., and currently pending before the Secretary of Commerce. The National Oceanic and Atmospheric Administration (NOAA) undertakes many aspects of the CZMA appeals process on behalf of the Secretary, and in this capacity sent out letters on September 26, 2002, requesting comments on the Millennium appeal from interested federal agencies. (See 15 C.F.R. §930.128(c).) At the time, FEMA was not considered likely to have an interest in the Millennium appeal and therefore did not receive a letter inviting comment.

On November 19, 2002, information was received indicating that FEMA had been asked previously by another federal agency to evaluate the potential impact of Millennium's proposed pipeline on evacuation routes for the Indian Point nuclear power plant. The information suggested that FEMA may have an interest in Millennium's pending administrative appeal. Consequently, I contacted Vanessa Quim and Linda Davis of FEMA to inquire as to whether the agency was interested in submitting comments to NOAA for inclusion in the Millennium appeal administrative record. I explained procedural aspects of the pending appeal and referenced the Department of Commerce CZMA website (www.ogc.doc.gov/czma.htm) for further information. In particular, for background information on issues relevant to the Secretary's decision, I noted both the September 9, 2002 Federal Register notice and the letters (dated September 26, 2002) sent to federal agencies requesting comments on the appeal. Subsequently, I was informed that you would respond to my inquiry.

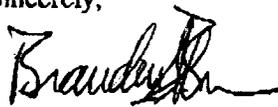
On November 25, 2002, you left a message advising that FEMA requested until December 6, 2002, to review information in the Millennium appeal record, and to submit any comments for the appeal. Given the late point in the agency comment period at which FEMA was contacted concerning possible comment, I advised, on November 26, 2002, that NOAA



would extend the agency comment deadline for FEMA as requested. You also confirmed that any comments submitted from FEMA would reflect the views of the agency, as opposed to a particular office.

Thank you for your prompt reply to my inquiry. Please contact me if you have any questions concerning this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Branden S. Blum". The signature is written in a cursive style with a prominent initial "B".

Branden S. Blum
Senior Counselor