

Subject: Millennium Pipeline RE: Haverstraw Bay crossing

Resent-From: Millennium.Comments@noaa.gov

Date: Mon, 28 Oct 2002 18:17:58 -0500

From: "charleskane" <zenith@bestweb.net>

To: <millennium.comments@noaa.gov>

CC: "Leo Wiegman,trustee" <trusteew@bestweb.net>, <christian_semonsens@dc.kirkland.com>, <dmccarthy@mfdds.com>, <drgreg412@aol.com>, "Frances E Allen" <franalle@us.ibm.com>, "Georgianna Grant" <grantgk@bestweb.net>, <rherbek@bestweb.net>

Dear NOAA,

Please review the attached word document. This document is written as information relative to the Millennium pipe line's proposal to cross Haverstraw Bay, an area designated as Significant Coastal Fish and Wildlife Habitat by New York State. The attached information illustrates the peculiar nature of the Hudson Rivers flushing rate, and the adverse impacts dredging of Haverstraw Bay may have on the Bays benthic communities. As a nursery for important northeast coastal fishes and home of the shortnose sturgeon, these valuable benthic communities play a critical role in supporting young of the year Atlantic Coast species.

Charles Kane, Chairman, Village of Croton Water Control Commission
Member, Village of Croton Waterfront Advisory Committee

Leo Wiegman, Liasion to Village of Croton Water Control Commission
Trustee, Village of Croton

	national_oceanographic.doc	<p>Name: national_oceanographic.doc Type: WINWORD File (application/msword) Encoding: base64 Download Status: Not downloaded with message</p>
---	--	---

National Oceanographic and Atmospheric Agency

October 30, 2002

Re: Millennium Pipeline Consistency Review

Dear NOAA:

We write to inform the Agency about the peculiar nature of the Hudson's flushing rate. The low flush rate will have adverse impacts in prolonging any disturbance from the cross-river trenching, dredging, and blasting proposed by Millennium in Haverstraw Bay, as opposed to an alternative navigation channel dredging procedure or other alternative route.

During low runoff conditions from upstate drainage basins, as typically occurs during the fall season, the flushing rate will be much slower than during spring runoff conditions. At this time of year freshwater flow is usually only a small fraction of the water moving past any given point in the river, most of the flow is water sloshed back and forth by tidal currents. Tidal inflow may be > 10 times that of freshwater outflow. Combined with the above action, more dense ocean salt water intruding with an incoming tide will travel close to the river bottom. Fresh flows from upstate will override the denser salt intrusion creating the wedge shaped salt front. Friction between the layers of fresh and salt water create turbulence, mixing the two currents. This dynamic action will also create stratification or layering in Haverstraw Bay depending on current flows. The productivity of the Bay depends on the friction between the layers creating turbulence which circulates nutrients upward to well-lit surface areas where algae and planktons grow to great abundance feeding young of the year Atlantic fishes.

The importance of Haverstraw Bay as a nursery for North Atlantic fish species is directly related to the phytoplankton (algae) that is constantly stirred and trapped in the Bay by tidal action (nutrient trap). At the lowest end of the Bay food web, diverse bottom dwelling detritivores, numerous in number, keep the energy and nutrients of the Bay's detritus circulating in the Bay. Production by bacteria alone (the storing of chemical energy) is four times that of algae.

The burial of these lowest forms of Bay life by siltation, related to dredging, and blasting, may interrupt the food web that exists in Haverstraw Bay. As information, if a 2"x10" piece of lumber marked with "Albany Beef" on it's pointed prow were to be tossed into the Hudson at the Troy Dam, an estimated 126 days will pass before the craft Albany Beef travels the 153 miles downstream to the Battery at Manhattan. This is the approximate flushing rate of the Hudson.

If not mitigated, tidal action back and forth every six hours, may deposit silt as a flour sifter will deposit flour in a bowl, the entire length of the bay and beyond, exacerbated by turbulence along the salt wedge. For these reasons we are greatly concerned about the amount of suspension of construction related matter in the waters of Haverstraw Bay.

Charles Kane
Chairman, Village of Croton-on-Hudson Water Control Commission
Member, Village of Croton-on-Hudson Waterfront Advisory Committee

Leo Wiegman
Trustee, Village of Croton-on-Hudson N.Y.

Subject: Amicus briefs
Resent-From: GCOS.Inquiries@noaa.gov
Date: Fri, 1 Nov 2002 06:02:53 -0500
From: "Glaser" <d.l.glaser@worldnet.att.net>
Organization: Beadangled.com
To: <millennium.comments@noaa.gov>, <gcos.inquiries@noaa.gov>
CC: "Geri Shapiro" <gerishapiro@aol.com>, "Jean Bordewich" <schumer@valstar.net>, "Charlie Fox" <charles.fox@chamber.state.ny.us>

Dear DOC,

As November 13th approaches, the public and officials are trying to get up to speed on all of the briefs so they can properly comment at the hearing.

It is not fair that the amicus briefs have not yet been posted, not to mention any of the exhibits (including DOS).

Please post this information as soon as possible.

Thank you.

Dani Glaser
On behalf of the United Communities of Westchester
14 Westminster Drive
Croton-on-Hudson, NY 10520
914-736-1322

cc:
Senator Hillary Rodham Clinton
Senator Charles Schumer
Governor George Pataki

Subject: Millennium Pipeline
Resent-From: Millennium.Comments@noaa.gov
Date: Tue, 5 Nov 2002 15:37:10 -0500
From: "Richard Messina" <local17@hvc.rr.com>
To: <Millennium.comments@noaa.gov>

To Whom It May Concern,

November 5, 2002

On behalf of the 1173 members of our local union, I urge you to support the appeal by the Millennium Pipeline. The critical energy needs of our state should not be ignored in order to address the complaints of a few residents who live near the route of the proposed pipeline. The pipeline has already been approved by a number of state and federal agencies. Issues that were raised in New York State's most recent action can be readily and satisfactorily addressed.

Our union members who will be building the pipeline live and work in communities along the proposed route. They will make sure that the pipeline is built safely and that the local environment is protected.

Sincerely,

L. Todd Diorio
Business Manager
Local 17 Laborers

Subject:

Resent-From: Millennium.Comments@noaa.gov

Date: Tue, 5 Nov 2002 23:53:10 -0600

From: "Beverly Haberberger" <bjhab@penn.com>

To: <Millennium.comments@noaa.gov>

 ~MAP0004.jpg	Name: ~MAP0004.jpg Type: JPEG Image (image/jpeg) Encoding: base64
--	--



Laborers' In Union of No Local #621

Email to: Millennium.comments@noaa.gov

On behalf of the 621 members of our Local Union in Olean, support the appeal by the Millennium Pipeline. The critical state should not be ignored in order to address the complaints who live near the route of the proposed pipeline. The pipeline is approved by a number of state and federal agencies. Issues with New York State's most recent action can be readily and satisfactorily addressed.

Our union members who will be building the pipeline live in communities along the proposed route. They will make sure the pipeline is built safely and the local environment is protected.

JM/z/dg

**1521 North Union Street
Olean, NY 14760**

**Email: labor621@netsync.net
Toll Free: (888) 242-5280**

Subject: millenium pipeline

Resent-From: Millennium.Comments@noaa.gov

Date: Wed, 6 Nov 2002 18:19:37 -0500

From: "sara campbell" <scambel@earthlink.net>

To: <millennium.comments@noaa.gov>

CC: <gcos.inquiries@noaa.gov>

September 17, 2002

Secretary Donald L. Evans
Office of the Secretary
Room 5854
U.S. Department of Commerce
14th & Constitution Ave. NW
Washington, DC 20230

Dear Secretary Evans,

I am writing in support of the New York State Department of State decision on the Millennium Pipeline project that ruled the project inconsistent with the Coastal Zone Management Act. This ruling properly recognized the devastating impacts of the project to the Hudson River and the New York City Watershed. You should not impinge on State's rights by overriding this well thought out decision. This past spring, the Administration announced a plan to buy out oil drilling leases in Florida based on a policy to protect the State's coastal zone. The same courtesy should be extended to the Governor and State of New York.

The Secretary of Commerce should not override the New York State decision. In addition to the devastating impact on the Hudson River, the Millennium project as currently planned seriously undermines our national security by building the pipeline in the midst of critical infrastructure that has never undergone a site study after 9/11. The pipeline would be built:

- within 1.6 miles of the Indian Point Nuclear Facility (placing it within the 10-mile evacuation zone)
- within feet of the Con Edison transmission towers that supply 40% of New York City's electricity
- 1.6 miles from the Algonquin Pipeline
- through the New Croton Reservoir that provides drinking water to millions of New York City and Westchester residents
- within 2-feet of the Bryn Mawr Siphon in Yonkers that supplies 40% of New York City's drinking water.

As I write, the New York City Department of Environmental Protection is investing \$70 million dollars to rapidly install anti-terrorism measures to the New York City watershed. This protection is being added because New York City recognizes the vulnerability of this system and after extensive study has determined that this is necessary even in this fiscally constrained environment. We should not add additional risk to the vulnerable watershed by placing a gas pipeline through the heart of a system that supplies drinking water for millions.

There are alternatives to this destructive route through the Hudson River and Westchester County. For example, the Tennessee Gas Pipeline, a subsidiary of El Paso Corporation, plans

to file an application with FERC by the end of 2002 that provides 500,000 Dth/d to the Northeast region and New York City.*

Your agency has had an open invitation since May from the Westchester County Executive to hold a public hearing regarding the Millennium Pipeline administrative appeal in Westchester County. Your decision to wait until after the November election has sent a negative message to the citizens of Westchester County, one of protecting politicians, not citizens. As a courtesy to the working citizens of Westchester County, please do not begin the November 13th hearing before 7:00 p.m. We look forward to the opportunity to express our concerns about this project at the hearing. We sincerely hope that you will listen on that evening and truly judge this appeal based on the merits.

Sincerely,

Sara Campbell
Croton on Hudson, New York

Subject: RE: State of Alaska Coastal Management Program - Routine Program Change
Date: Wed, 6 Nov 2002 13:50:07 -0600
From: <Beverly.Sires@mms.gov>
To: David.Kaiser@noaa.gov, Beverly.Sires@mms.gov
CC: Masi.Okasaki@noaa.gov, kerry_howard@gov.state.ak.us, Bill.Millhouser@noaa.gov, Molly.Holt@noaa.gov

David,

Official paper copy on our letterhead is in surnaming and will be sent to you ASAP. I will fax a copy and send you the original via mail. I will also send a copy to the State DGC.

Thanks -

- Bev
(907) 271-6419
(908) 271-6507 (fax)

-----Original Message-----

From: David Kaiser [<mailto:David.Kaiser@noaa.gov>]
Sent: Tuesday, November 05, 2002 1:54 PM
To: Beverly.Sires@mms.gov
Cc: Masi.Okasaki@noaa.gov; Kerry Howard; Bill Millhouser; Molly Holt
Subject: Re: State of Alaska Coastal Management Program - Routine Program Change

Thanks Beverly. Your comments are part of the file and we will consider them. We may want to discuss further with you and the State before we take any action. If you could mail a hard copy on letterhead that we can put in the file, that would be helpful.

Thanks,
David

Beverly.Sires@mms.gov wrote:

- > To: David Kaiser and Ms. Masi Okasaki:
- >
- > Regarding the above, the U.S. Minerals Management Service, Alaska OCS
- > Region continues to have concerns related to the above. The State
- > of Alaska staff who worked on these changes did an admirable job
- > working with the various diverse constituencies -MMS included.
- > However; we continue to have concerns in two areas:
- >
- > .State regulation of federally permitted and regulated outer
- > continental shelf (OCS) activities [6 AAC 50.485(e)], and
- >
- > .The scope of the project review (6 AAC 50.005; .0025; .430)
- >
- > We address these two items separately because they are addressed
- > separately in the regulations; however, they are very much related.
- >
- > 6 AAC 50.485(e) provides for State resource agency enforcement of
- > alternative measures adopted by the applicant. Although the wording
- > has been changed since the previous draft, we remain concerned
- > regarding the applicability of this statement to federally permitted
- > activities on the OCS. Our concern is based, in part, on recent
- > consistency reviews in which the State has presented as the only
- > acceptable alternative measures requirements that conflict with

> federal regulatory responsibilities; such as oil spill cleanup methods
> and design of ice islands. Several of the alternative measures
> included specific requirements for the design of the ice-island and
> specific methods for recovering spilled-oil.

>
> The State would not concur with the consistency certification for the
> exploration plan unless their design criteria were met for the
> ice-island and a very prescriptive method for oil spill cleanup was
> part of the plan (a method MMS believes is not the most efficient or
> effective), substituting its judgment over the authority and
> jurisdiction of the federal permitting agency. 6 AAC 50.485(e)
> implies that the State may regulate these activities.

>
> The scope of the project review is also an area of concern. Clarity
> of requirements is important for the applicant, the State, and MMS.
> All must know clearly what the information requirements are, and they
> must be founded in enforceable policies. A recent consistency review
> of an exploration plan resulted in the State requesting very technical
> information on ice island design (goes through an MMS platform
> verification process involving 3rd party review). The MMS process
> is a technical review that is conducted separate and independent of an
> exploration plan EP and is commonly completed after the exploration
> plan consistency review. The State would not concur with the
> consistency certification for the exploration plan without the
> technical information required by the platform verification process.
> In the end, the State did not concur, in part because of the
> determination that their design criteria for the ice-island must be
> met, ignoring the federal regulations that have very stringent
> requirements including a comprehensive technical review by the federal
> agency and an independent Certified Verification Agent.

>
> Please accept these comments as formal comments on the Routine Program
> Change to the Alaska Coastal Management Program. If you require a
> paper copy, please advise.

>
> Thank You.

>
> - Beverly Sires

>
> Senior Mineral Leasing Specialist

>
> Minerals Management Service

>
> Alaska OCS Region

>
> 949 E. 36th Avenue, Third Floor

>
> Anchorage, AK99508

>
> (907) 271-6419

>
> (908) 271-6507 (fax)

>

Subject:

Resent-From: Millennium.Comments@noaa.gov

Date: Wed, 6 Nov 2002 10:36:22 -0500

From: "ellen" <fuman1@localnet.com>

To: <millennium.comments@noaa.gov>

On behalf of the 621 members of our Local Union in Olean, NY, I urge you to support the appeal by the MILLENNIUM PIPELINE. The critical energy needs of our state should not be ignored in order to address the complaints of a few residents who live near the route of the proposed pipeline. The pipeline has already been approved by a number of state and federal agencies. Issues that were raised in NEW YORK STATE'S most recent action can be readily and satisfactorily addressed.

Our union members who will be building the pipeline live and work in communities along the proposed route. They will make sure that the pipeline is built safely and the local environment is protected.