

Submitted by Ann Harrison

I wholeheartedly support the decision of the
AT DEP to deny Islander East's appeal

Due to a less environmentally damaging feasible
route a tentative, please do not allow

Islander East to use their current preferred'

route

Please deny Islander East appeal

Ann Harrison
Roxford, VT

To the Dept of Commerce: NOAA

My name is Rebecca Mars and I oppose the Islander East project. I stand behind our very competent and capable DEP when it determined that the Islander East gas pipeline project did not meet CZMA coastal consistency certification.

Islander East has been given the option of siting their pipeline in an ecological preferable location by FERC, but has chosen not to take the advise and extensive knowledge of Connecticut's DEP, FERC and the Connecticut citizens who vehemently want this project relocated. Instead, a handful of people from this newly formed LLC company, backed by large energy interests, have chosen to try to circumvent the system by appealing to you to override our DEP.

There is no emergency here for a gas pipeline and no lack of gas pipelines to service Long Island. In fact, Iroquois Gas states they have excess capacity in their existing pipeline across LIS and withdrew their application to FERC for a lack of need and customers base on LI. The same happened with the Cross Bay project which was withdrawn from FERC to supply Long Island.

Our President ran on the Republican platform that states have strong rights and should control their own destinies. I am sure that our President would not approve of compromising his ideals for the special interest groups of KeySpan and Duke Energy. I believe you will employ the Republican ideals and platform that states rights take precedent here. You are an extension of our President, and chosen by him to uphold his beliefs and act in his behalf. Surely you and our President care about our democracy and our Connecticut's environment too!

To override this application from a federal level would surely cast doubt about special favors being paid behind the scenes. This project just has no common sense justification. Islander East CAN relocate to a less environmentally impacting location!

I petition to you today, to reject the request to override the decision of the Connecticut DEP and all of us who adamantly oppose this egregious project that will destroy our sensitive coastline, shellfish beds, tidal marshes, wetlands, valuable estuary of LIS and most of all, our quality of life.

Thank you

Respectfully,

Rebecca Mars

Enclosed are pictures of birds and wildlife that reside within 20 yards of this proposed project and would be destroyed.

Also two pictures of a 2000 ton barge that overturned twice in the past 3 years in the proposed pipeline route (this issue has not yet been evaluated by the DOT, which may rule that the site is in fact too dangerous anyway).

November 5, 2003

Office of the General Counsel for Ocean Services
National Oceanic & Atmospheric Admin.

U.S. Dept. of Commerce
1305 East-West Highway
Silver Spring, MD 20910

Subject: Islander East Appeal

We have so much to save and so little time.

Thank you for giving us an opportunity to speak on this important issue.

In short, please deny Islander East appeal and please uphold the Connecticut DEP ruling.

We have been through so many hearings these past two years. Army Core of Engineers, CT Siting Council, Town of Branford, North Branford, North Haven, State of CT Legislature, and on and on... all to Stop this Pipeline

project. The fact that we are here tells us that to date we have proven our case before all these other local, state and federal agencies that this pipeline is a BAD idea for Connecticut and for Long Island Sound. There are many special interest groups that are trying to override common sense and good judgment by requesting you to override CT DEP decision. Please stay the course and deny this appeal.

I care about CT environment and Long Island Sound. The current route proposed by Islander East is so bad it is hard to think of a more damaging route. The current route is dangerously close to houses, wells for drinking water, a school, marshlands, a golf course, a land trust, a heavily used railroad track, personal septic system with no options to work around, and our precious Long Island Sound which will effect water quality, shellfish beds, and coastal wetlands for a very, very long time.

Please keep in mind that there is a less environmentally damaging feasible route alternative. Even FERC sited this alternative as better for the environment.

Our CT DEP carefully reviewed all the facts and correctly denied Islander East coastal consistency determination. I wholeheartedly support the decision of the CT DEP. Please deny Islander East appeal and support our CT DEP.

Please do not override our state's authority.

Mark DeFelice

Mark DeFelice

79 Colonial Drive

North Branford, CT 06471

markdcpa@yahoo.com

Work 203.624.9928 Ext 22

11-5-03

March 25, 2002

From: William G. Lazine
 69 Stony Creek Road
 Branford, CT 06405-3235
 (203) 481-6564 - Home
 (203) 453-7027 - Work
 (203) 453-7028 - Fax

To: Mr. S. Derek Phelps
 Executive Director
 Connecticut Siting Council
 10 Franklin Square
 New Britain, CT 06051

NORR

Islander East Pipeline Company, L.L.C. * **Docket No. 221**

Subject: Motion Requesting Permission To Intervene On:

Listed herein are conditions of concern supporting my decision to request permission for party status: *IN OPPOSITION OF THE PIPE-LINE*

- As an affected property/land owner within 50 feet of proposed pipeline
- Concern for septic system and well on this property (blasting)
- Potential harmful effect to endangered species both plant and animal in this area (Branford)
- A map clearly indicating the project is within many locations that may have potential conflict with a species or natural community. This is on land and in Long Island Sound off Branford shores.
- Information is based on data collected by CT Geological & Natural History Survey, other units of DEP, private conservation groups and the scientific community and compiled by the Natural Diversity Data Base (NDDB).
- The proposed pipeline in Long Island Sound would transverse Branford's approved recreational shellfish harvesting areas and also in or adjacent to commercial fishing areas.
- This area is mainly comprised of pink granite that would require extensive blasting.
- Effect of blasting/construction to wells and possible contamination to water. This area has a very high water table.
- Addressing sanitation issues, homes along the southern portion of the proposed pipeline do not have access to city sewer lines. Many of the homes in this area are close to inland wetlands that are linked to tidal wetlands. This is compounded by the extent of pink granite throughout the area. Contamination from blasting.
- The proposed pipeline would cross Route 146 which is a registered scenic state highway.
- A 24 inch gas pipeline with operating pressure of 814 pounds per square inch within close proximity of Wightwood School.
- Adverse ecological effect to Branford, a registered coastal town, including woodland, marshland and tidal wetland.
- Permanent visual disruption of natural growth and topography in this area.
- The 75 foot construction right of way and a 50 foot permanent right of way.
- The threat of eminent domain proceedings.
- The simple fact that this does not hold any benefit to anyone in this area.
- Taking land from a land trust, destroying the basic reason for having a land trust.
- Most important is that all this damage is absolutely not necessary. There is another proposed project by Iroquois Gas Transmission System to service the same market that uses a pipeline that is already built with respect to Connecticut soil. No further damage to Connecticut would result from this alternative project.

5, Nov 2003

05/0637 e s t

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

The gas pipeline (Islander East-Keystone Energy) project is attempting to sidestep much, if not all, of the established requirements, as follows:

Locating a commercial project that clearly violates the Federal Coastal Management Act;

Locating a commercial project within the Coastal Boundary Zone of the State of Connecticut Coastal Management Act, that has no water dependent use;

I have always been disturbed by two statements used in this pipeline proposal and discussion: One is the Islander East's need to use an abbreviated or short-circuited approval process. Why is this Quick approval needed?

The answer has been one of the following:

- 1) Islander East has commitments to meet its contracts on Long Island so that they need speedy approval to allow customers to arrange switchovers from fuel X to fuel natural gas. However, they fail to mention that, in fact, these customers like Islander East itself, are part of the Duke Energy-Keystone energy cabal;

2) Is the rather threatening statement "if you do not make a deal with us now we will take your land anyway via the courts";

3) Because our Company is bigger than all of you, and our business needs to do this project cheaply we do not intend and we do not need to follow the same rules that Towns, business interests and residential zoning usage, have been operating under for 250 years under State of Connecticut statutes.

I find it particularly offensive the belief that (Islander East -Keystone Pipeline) does not have to comply with any state & town regulations pertaining to zoning, health & safety, & environment that will cost money or time for compliance, and using political clout from certain political elements within the Federal government, to ignore the Federal standards(CMA) that the rest of us work within.

NOAA/Commerce Department Public Hearing
11-5-03
Mary Margaret Visnic
347 Pine Orchard Road
Branford, CT
06405

My name is Mary Margaret Visnic.
I reside at 347 Pine Orchard Road, Branford, CT.
I have been part of CT Stop The Pipeline for over 2 years.
I will be brief.
My husband Kevin and I have 4 young children, they have also been active with CT Stop the Pipeline.

We live on the water approximately 300 yards from the proposed pipeline.

One summer day we had a childrens beach party, we had approximately 40 children. It was a beautiful day, the sky was blue, the water was blue and clear and the kids were having a blast. I remember feeling lucky to have all these wonderful children and the beautiful sound to swim in. The kids were all sitting on the beach eating their ice creams and I said "Kids, look how beautiful the sound is." One little girl stood up and said..."If they put the pipeline in what would happen if it explodes while we are swimming."

Please deny the appeal by Istvan Eck

Sincerely, do the only
Mary Margaret Visnic right and fair thing -

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

The proposal by Islander East (Duke Energy/Keystone Power) to build a gas pipeline across Long Island Sound has been denied for good and proper reasons by all those agencies whose business it is to protect the environment. I will not belabor these points. My property at Juniper Point lies next to the proposed pipeline route, and therefore my testimony against the installation must necessarily be biased. However, beyond my fear for the safety of my family and myself, and the incipient decline in property value, I have a more fundamental concern: I fear for my country when the unanimous will of the people of Connecticut can be overruled by a company so powerful it can make its deals behind closed doors in Washington. The Founding Fathers of this country instituted safeguards against the excesses of an autocratic central government by affirming the right of states to control business within their borders, and to make decisions regarding highways and waterways in the best interest of its citizens. To erode this sacred trust in order to benefit a powerful business with ties to political energy interests, is to break faith with the American people.

I ask that the NOAA, and its parent agency, The U.S. Dept of Commerce respect the right of the State of Connecticut to determine what is best for its environment and its citizens.

Barbara Falconer Gailey
24Juniper Point Road

3 Howd Avenue
Branford, Ct. 06405

November 5, 2003

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

Gentlemen,

Subject: Islander East Coastal Consistency Determination

Please support our Connecticut DEP and deny Islander East's appeal.

The health of Long Island Sound as an economic and recreational resource is important to Connecticut. Any benefits of this pipeline are far outweighed by the environmental harm done to water quality, shellfish beds and coastal wetlands. Island East would destroy the economic development of many commercial shellfish beds.

This is a case of a short-term benefit to a few, Islander East, at the long-term expense and detriment to the many, the people of Connecticut.

Please uphold the decision by the Connecticut DEP to deny Islander East Pipeline Company a "coastal consistency determination" under the Coastal Zone Management Act.

Sincerely,

Dennis G Kelly

Marie Kelly

Mr. and Mrs. Dennis Kelly

November 5, 2003

My name is Dr. Carmela Cuomo. I am a trained geologist/geochemist and marine ecologist. My overall specialty is in marine benthic biogeochemical interactions and my primary focus is on hypoxic and anoxic marine and estuarine conditions. Much of my research is centered in and around Western and Central Long Island Sound. I do not reside in Branford; rather, I am a resident of Hamden, CT and as such, the pipeline installation does not directly impact my home or my neighborhood. On the other hand, the pipeline installation will drastically impact Central Long Island Sound. To this end, I feel it is my duty, as both a scientist and a citizen, to express my deep misgivings about the installation and operation of this pipeline. You should be aware that I have read both the DEIS and the FEIS thoroughly and have followed this situation for quite some time. In fact, it was my reading of the environmental impact statements that led to my great concern about this project. I will present my concerns below.

First, the FEIS fails to adequately address the extreme likelihood that bedrock will be encountered. It simply dismisses the possibility by stating in Section 3.1.1.1. "Islander East has conducted site-specific studies that determined that shallow bedrock is not present in these areas". Nowhere does it provide more adequate geological information than this. In fact, a central problem with the entire report is the lack of accurate geological information contained within it. In Section 3.1.3.1 "Geologic Hazards", the FEIS states that the pipeline route does not cross any major geologic faults. Furthermore, it states that Islander East has conducted a review of geologic maps for the project area and has determined that the pipeline does cross the Eastern Border Fault but, "none of these faults are considered active, defined as having had movement within the past 11,000 years". Frankly, I do not know from what sources they are drawing their conclusions. Varekamp, et al. (2001) have shown that a portion of the Eastern Border Fault cuts through Branford, between the Farm River and Kelsey Island. This region lies within the proposed pipeline site. The data indicates that this area has been seismically active and shows an "active pattern of slight upwelling in the Kelsey Island marsh... followed by substantial earthquakes, which have occurred about once every 200 years over the past 1,200 years. The last significant earthquake to shake up the Connecticut River Valley was magnitude 4.4 and occurred in 1791-just about 200 years ago. Current research indicates that such an upwelling is now occurring in the area." The area can sustain an earthquake of magnitude 5 on the Richter Scale. Blasting and other activities undertaken in this area must take this potential for earthquake occurrence into account and not dismiss it as is done in the FEIS.

Furthermore, the statement that earthquakes in the Northeastern United States are not directly related to mapped faults or the plate tectonic model flies in the face of seismic evidence. It is quite obvious that Islander East did not consult a qualified geologist when preparing either the DEIS or the FEIS. Their FEIS displays a blatant misunderstanding about geology, as a whole, and the geology of the region specifically. Although I will focus my comments on Connecticut, I feel I must say that as a former New Yorker and resident of Stony Brook, Long Island I was totally surprised to read in Section 3.3.1.1 that the groundwater contained within the Lloyd Aquifer is of excellent quality. I would be interested to know which groundwater hydrologist on Long Island

made this statement since there have been documented saltwater intrusions and chemical intrusions into all the aquifers on Long Island.

Additionally, the general geologic description of the area fails to include a description of the three large pools of methane gas that occur directly within the proposed pipeline setting (Lewis and DiGiacomo-Cohen, 2000). Any major disturbance to the sediments, such as blasting, would most likely result in the release of this methane into the overlying waters. A large-scale release of methane would result in the death of most organisms caught within it.

In Section 3.3.2.2 of the FEIS, it is stated that prior to undertaking HDD, Islander East would conduct comprehensive geo-technical investigations. It appears, from a scientific perspective, that these studies should have been undertaken prior to deciding on either the route or the method. The scientific method generally requires that one gather the data before one draws the conclusion. Yet, throughout both the DEIS and the FEIS, conclusions are drawn and stated, without the necessary tests having been performed.

Section 3.3.3.1 details the present state of Long Island Sound, stating that hypoxia is the primary problem in the Sound and that it stems from excess nitrogen loading. First of all, hypoxia is the main problem in the Sound – it should be noted that the hypoxic conditions in the Sound were the most extensive on record this summer (2003) (CT DEP Water Quality Monitoring Program), extending even further than last summer's record shattering hypoxic event. In fact, hypoxic conditions are continuing as of the writing of this letter. The statement in the FEIS that hypoxia stems simply from nitrogen loading is an oversimplification of the problem. Nitrogen loading in LIS is certainly responsible for excess phytoplankton production. However, efforts by the EPA over the past ten years to reduce nitrogen loading have proven effective. Non-point source nitrogen does remain a problem. My research, however, over the past three years, has shown that the sediment oxygen demand of the sediments – in other words, the organic matter in the sediments – coupled with warmer than average water temperatures and sometimes higher than average precipitation – contributes significantly to the formation of hypoxic and anoxic waters right at the sediment-water-interface. It appears, in fact, that such conditions acted as a significant stress on the lobsters in WLIS in 1999, making them vulnerable to the neoparamoeba that killed them. In light of the trends in temperature and organic matter enrichment to the Sound, it appears that hypoxic conditions in the Sound are much more likely to increase over the next decade rather than decrease. This increase is related to forcing functions outside of the Sound and not under simple direct human control – global warming is real and is occurring. Its effects are being felt not only in LIS, but also in Chesapeake Bay, the Gulf of Mexico, and many other water bodies throughout the world. Branford, at this time, remains a region in Central Long Island Sound, that does not experience significant hypoxia. The installation of the pipeline will result in anchor scars and other significant damage to the sediments of CLIS – creating significant regions of topographic lows, that will accumulate fine sediments and organics and which will have a high likelihood of going anoxic. The borrow pits of WLIS remain some of the deepest areas in that part of LIS and are the sites where I have measured the absence of oxygen most often. The installation of the pipeline would result in similar topographic lows that could seriously impact and compromise CLIS, in my opinion, if this pipeline were to proceed. As of now, my most recent research, which is on file with the EPA and will be published shortly, indicates that WLIS is in the process of becoming a “dead

zone” akin to that which exists in the Gulf of Mexico. There appears to be no need to hasten the arrival of similar conditions in Central Long Island Sound.

In Section 3.3.3.2 and 3.4.1.2 the FEIS discusses environmental impacts from construction. Various metals, including several of the ones that are stated in the FEIS as being present in the immediate vicinity of the pipeline installation (Pg. 3-42), remain bound under anoxic conditions, such as those that may exist below 10 cm in much of the Central Sound, but undergo release from sediments under oxic conditions (Khalid, et al., 1978). This point is not adequately addressed anywhere in the DEIS or the FEIS except to allude to the fact that it is simply a minor problem and will not significantly affect the food chain. Such statements cannot be backed up by fact. As they state on Pg. 3-65 the release of contaminants and their uptake by benthic organisms could result in chronic effects to the benthic community.

Furthermore, accompanying the release of metals and other contaminants from organic-rich sediments into the water column will be a release of several reduced chemical species, including hydrogen sulfide, ammonia, and methane. Sulfides are known to be toxic to most organisms at varying concentrations and ammonia has been shown to cause deleterious effects in lobsters at even very low concentrations in the marine environment (McLeese, 1970; Draxler, personal communication).

Additionally, nowhere in the FEIS is there a detailed description of the methods employed in conducting their contaminants survey. While the appendix lists the sites surveyed, no detailed information is provided on how the sites were chosen. How often were they surveyed? At what time of year were they surveyed? What conditions (oxic or anoxic) were present in the sediments at the time of the survey? What methods did they use to ascertain levels of metals and other contaminants in the region of proposed pipeline installation? In addition, the authors of the FEIS, once again, display a misunderstanding and misinterpretation of the scientific data presented in the literature (Buchholtz ten Brink, et al. 2000 and Mecray & Buchholtz ten Brink 2000).

In Section 3.3.3.2, pg. 3-53 of the FEIS, it is stated “the drilling fluids would consist of bentonite clay, native rock cuttings, and freshwater with no additives; these fluids are benign and do not exhibit a toxic capacity, although some bentonite may contain very low levels of mercury”. In a study conducted by Atema, et al. (1982), it was demonstrated that the physical effects, alone, of drilling muds are capable of interfering with post-larval lobster survival. I was one of the scientists who worked on this paper and it was my portion of the research that investigated the effects of a “clean” bentonite drilling mud on larval lobsters. My work demonstrated that even a 1-2 mm layer of clean bentonite-barite clay was enough to impact the ability of post-larval lobsters to effectively burrow into the sediment. Post-larval lobsters exposed to 4 mm-deep layers of the clean clay mixture had serious problems digging shelters, and a significant number of them were not able to construct adequate shelters at all. Inability to successfully burrow into the sediment and construct adequate shelters results in an increase in predation susceptibility. Therefore, it is likely that the use and release, accidental or otherwise, of drilling fluids of any kind into the Sound can have a deleterious effects upon the one and two year classes of lobsters in the vicinity. Although the FEIS mentions this and states that larval lobsters would be affected, its overall conclusion is that “the overall lobster population of LIS would not likely suffer any significant long-term impacts.” This is a very disturbing statement and shows a lack of familiarity with the lobster crisis presently

occurring in LIS. In 1999 the lobster population of WLIS underwent a significant population crash and has yet to recover from it. This crash has been linked to warm waters, the presence of reduced end-products of anaerobic decomposition in bottom waters, and the presence of a neoparamoeba. In 2002, the lobster population in Central and Eastern Long Island Sound suffered a severe die-off, equal to or greater than that which occurred in the Western Sound in 1999. The die-offs and occurrences of sick lobsters continue to this day. Any lobster population in LIS is presently at risk. It appears that one would not want to further risk impairing the already severely damaged lobster industry by causing environmental damage in a region where the lobsters are still surviving.

Furthermore, Adams (1978) has reported that drilling fluids released at a site can be found covering sediments to a depth of 1 mm several kilometers away from the initial discharge site. This goes against the DEIS which states that drilling muds impacts to water quality would be, "short-term in nature and likely confined to a small area". In addition, additives are added to drilling fluids in order to make the fluid a good lubricant for the drill. As the drill is likely to encounter different sediments and rock types, it is highly unlikely that the entire project will be able to be undertaken with totally clean drilling fluids. Common additives to drilling fluids include various heavy metals.

As for the impacts of anchor dredging on the area, Clark, et al. (1997), in their book on Marine Pollution, discuss the impacts of anchor dredging at length. They state, "The rate at which the topography of the seabed is restored after dredging depends upon bottom currents and, except in areas of shifting sands, is generally slow.... Particularly where deep pits are formed by anchor dredging, the speed of bottom currents is reduced locally and this results in the infill being formed of fine sediments and it may also be subject to periodic or long-term deoxygenation which inhibits the establishment of a new fauna. Even without this complication, it is commonly found that infill sediments differ from the original substratum and have their own characteristic fauna." Thus, Islander East's continued assertions that the area will not be impacted long-term and that the benthos will return to its original, pre-installation state, appears incorrect.

Furthermore, anchor pits are analogous to borrow pits that exist in other areas of LIS. These pits represent new depressions in the seafloor. They have the potential to alter the local hydrodynamic regime present in the area. Borrow pits are known to accumulate fine-grained sediments and organic materials (Swartz & Brinkhuis, 1978). The sediments that accumulate in borrow pits are usually more organic rich than the surrounding sediment and, as such, attract a different type of benthic community. The organisms that inhabit borrow pits and other such anthropogenically-created depressions, tend to be early stage colonizing species, such as *Capitella* sp. These species are often used as pollution-indicator organisms as they are known to be able to tolerate extremely low levels of oxygen and can exist in the presence of hydrogen sulfide, ammonia, and other reduced end-products of organic matter decomposition.

Fine-grained sediments, such as the kind that will tend to accumulate within the anchor scar pits, act as scavengers of heavy metals and other water-borne contaminants (Swartz & Brinkhuis, 1978; Burns & Schubel, 1983). Areas where they accumulate, such as anchor scar pits and borrow pits, tend to become localized hot spots for contaminants. These heavy metals have the potential to bioaccumulate in the tissues of the polychaete worms and other small infauna living within these sedimentary pits. These organisms, in

turn, are fed upon by demersal fish, such as flounder, which further bioaccumulate the heavy metals and continue to move them up the food chain, potentially reaching humans.

In Section 3.4.1.2 the FEIS states that “the placement of the pipeline across the Sound would result in primarily short-term impacts to the benthic macroinvertebrate species at or near the footprint of the proposed project”. On Pg. 3-66 it states “offshore portion of the pipeline route was dominated by late successional stages (stage III communities). Therefore, recovery of the most of the disturbed benthic communities along the pipeline route could be expected to occur within 2-5 years”. As a benthic ecologist with many years experience working with benthic communities, and as one trained in benthic ecology by Dr. Donald C. Rhoads, who is one of the scientists who worked out the successional hypothesis for the development of benthic communities in Long Island Sound, I find this statement quite puzzling. Although there are different models that can be applied in attempts to predict recovery of benthic communities, including ones used by the ACE and based on their DAMOS projects, the general rule is that the later the successional stage, the longer recovery takes. In LIS, these communities may take anywhere from 3 to 10 years to fully establish themselves (Rhoads and Germano, 1983) under ideal conditions. These communities are not adapted to frequent disturbance and, as a result, are hard hit by physical disturbance. Given that full recovery still has not taken place in Milford, CT, ten years after the natural gas pipeline was installed there, I find their estimate of 2-5 years a wild guess, at best. They give no detailed explanation regarding how they applied Newell et al.’s (1998) model to this particular set of circumstances in LIS. Their recovery estimates also fail to take into account that the modification of the bottom will, in itself, alter the area and make it potentially more susceptible to future disturbances. Such disturbances would, in effect, keep resetting the clock on benthic recovery. There is no real accurate way to determine the recovery time of the benthos all along the undersea route of the pipeline.

Finally, I find their overall approach to the benthos in the area to be less than compelling. What methodology did they use to conduct their benthic surveys? At what seasons of the year did they survey? How did they choose their sites? In the DEIS it was stated that many sites were sampled only once. It is well known and well documented that LIS consists of a series of spatial and temporal mosaics and that the benthic communities are a patchwork – one that changes greatly over the course of a year in healthy areas. Constant sampling over time is vital in order to decipher and predict long-term trends in benthic communities. It also must be noted that the methods used by Pellegrino, as stated in the DEIS, are not consistent with the EPA Protocols for even a Tier I minimal biological assessment of marine soft-sediment communities (EPA, 2000), never mind a higher level of assessment of a system such as central LIS.

Furthermore, for Long Island Sound, there exists an additional important structuring feature on the benthos in addition to those (e.g. sediment characteristics, geomorphology, and hydrodynamics) mentioned by Pellegrino and Zajac in the DEIS and the FEIS. This most important structuring feature for soft-sediment communities, especially for temperate urban estuaries like Long Island Sound, is the geochemical state of the sediments and the water column. Numerous papers have been written stressing the relationship between benthic community types and the geochemistry of an area (Rhoads & Germano 1983, Cuomo, 2002) yet little to no geochemistry, specifically as it relates to the cycling of organic matter, the development of hypoxic and anoxic sediment pore

water and bottom water conditions, its influence on macrobenthic community development, and its relationship to the release of sediment contaminants under changing redox conditions, has been adequately addressed within the FEIS. There appears to be a dearth of data to support most of their claims.

I will send you copies of all the papers referred to here if requested. If I can answer any questions or clarify any of my statements in this letter, feel free to contact me at Yale by phone (203-432-3177) or e-mail (carmela.cuomo@yale.edu).

Sincerely yours,

Carmela Cuomo, Ph.D.
Carmela Cuomo, Ph.D.

References:

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GILBERT KELMAN
15 HALL'S POINT ROAD
STONY CREEK, CONNECTICUT 06405

For 50 of my 81 years I have been a salt water fisherman on Long Island Sound. Since 1952, the year I found can markers 5 and 7, I fished that area for bluefish, striped bass and flounder.

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

One Thursday, with the kind of bright sky that makes mornings on Long Island Sound such a beautiful place, I approached can 7 to see a flotilla of two boats and barges working the area near a newly-developed building site that I later learned was to become Shoreham, a nuclear plant that never was to produce a single kilowatt of electric power. That flotilla was installing several major-sized pipes that would accommodate cooling outflows and intakes for the plant.

The work was to invade Long Island Sound for as long as a mile offshore. Just as suddenly as the project started, fishing ceased at cans 5 and 7. Fishing has never returned to those areas.

I then found Brown's Reef near the Thimble Islands. Bluefish, striped bass, flounder and later blackfish became my fish of the day. Brown's Reef is almost as good as the other side of the Sound when that was still a good fishing ground. Brown's Reef and its proximity are almost equal to the beauty of Long Island's north shore--a rocky type of beauty.

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

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



Gilbert Kelman

15 Hall's Pt. Rd.

Stony Creek, Ct. 06405,

Public Hearing Nov. 5, 2003
Gas Pipeline

My name is Peter J. DeBona, I reside at 113 Flat Rock Rd., in the town of Branford. I am not a long term Branfordite, nor am I a Creeker. I am a family man who chose to move to Branford. I chose Branford for it's proximity to the water, and it's small town feeling. I have resided in Branford for 7 years. It is everything a family could want in a small town. I was fortunate to find a spot for my small boat in Stoney Creek. I am retired with a disability, and the peace and tranquility of the water is my therapy.

I am extremely concerned about what can happen to the peace I enjoy on the water if all of this proposed drilling begins. I am also concerned with the disturbance to my fishing grounds, and the surrounding areas both through the Thimble Islands and also inland. I live about a mile from Stoney Creek, and during the boating and fishing season there is hardly a day that I am not there. I want this to continue for my lifetime and the lifetime of my family.

I have with me 2 articles that I would like to submit for your consideration. They are both concerning Duke Energy's Hubline project. The first is from the Sound Newspaper, written by Kiki Kennedy and details the problems that Duke Energy has had with the construction of a 29 mile 30" gas pipeline being built offshore from Salem to Weymouth, Ma. The second is from a national boating magazine called Offshore and it is dated Oct, 2003. It also details the ongoing problems being faced by Duke energy.

I readily admit to not being an engineer or technical person, however through the media I have seen and read about the destructive force of a gas line explosion. I am just an ordinary citizen who thought he had found his little town.

How can they be so sure that there will not be problems of a like nature or worse here, when obviously they are still encountering problems in Ma. If these problems can occur off shore, What can we expect inland. Will I ever be able to feel comfortable about this pipeline buried in the ground, traversing railroad lines, abutting school grounds and neighborhoods, and leaving a permanent open space scar across our town?

Lastly, will this proposed pipeline make our town a target for terrorism?

I ask you to NOT let this project go forward, to stop it once and for all.

Thank You for taking the time to listen to me.



Peter J. DeBona
113 Flat Rock Rd.
Branford Ct. 06405
203-483-0299
e-mail rowman@aol.com

Massachusetts' Million-Dollar Migraine: How Duke Energy deals with delay

By Kiki Kennedy

We aren't the only ones handling pipeline pain: if Connecticut's gas pipeline headache is Islander East, Massachusetts' migraine is the HubLine.

Both Islander East and Hubline are owned, at least in part, by Duke Energy, a billion-dollar corporation.

Both Islander East and HubLine traverse sensitive water bodies, dig up the seafloor and require some Horizontal Directional Drilling (HDD) to mitigate environmental damage.

Both Islander East and HubLine are part of Duke Energy's grand scheme to deliver dwindling supplies of Nova Scotia's gas to New England – and beyond.

The difference? HubLine is under construction. Islander East is stopped.

These seemingly similar pipelines have very different stories. Islander East has been halted by a vigilant state environmental protection agency and strong grassroots opposition. HubLine was snuck in quietly – is this Duke Energy's standard practice? – never mustering enough public outrage to gain state officials' attention. (Did Duke Energy expect that complacency in Connecticut? If so, they must be shocked by our response.)

HubLine was approved by the Federal Energy Regulatory Commission (FERC) in 2001, just a year before Islander East's 2002 FERC approval. After obtaining its requisite state and federal permits, HubLine began construction in the Fall of 2002.

Shorter than Islander East, HubLine's 29 miles are mostly underwater across Massachusetts' Bay, starting at Beverly, north of Boston, crossing Boston Harbor and terminating south of Boston at Weymouth. Whereas Islander East has only one Horizontal Directional Drilling (HDD) operation, HubLine has a whopping four.

What's happened with construction?

First, area residents – finally -- became concerned. According to a January 2003 article in Quincy's *The Patriot Ledger*, "The giant boats and barges loom off the coast like an invading army, their unfamiliar presence prompting residents to pull out their binoculars and assess the threat to local harbors and fishing waters...the sight of Duke Energy and its massive construction equipment has brought disquieting thoughts of long-term damage to local wildlife... For residents and local environmentalists, it is a nerve-wracking process, especially as they watch work crews conduct blasting and horizontal drilling operations along the river bottom."

Second, -- surprise! -- because of winter storms and HDD drilling difficulties, HubLine fell way behind schedule: HubLine's planned completion was April, with a drop-dead date of May 1, 2003. This construction schedule planned a "no in water work" period after May 1 to avoid harm to area fisheries, especially spawning and juvenile shellfish and lobsters.

But then, as May 1 neared, work in the water -- basically the entire HubLine -- would have ceased in order to not violate permit conditions.

At this point, HubLine still had trenches up and down the entire route, with huge mounds of sediment on either side; two of the four HDD operations were far from finished.

Do you think that Massachusetts held fast and denied Duke Energy's request to alter their permit?

Nope. The deadline was extended as scientists became concerned about the fragile lobster population, already in decline. They worried that lobsters might migrate into the open trenches, make homes and be destroyed in the fall when operations resumed, that the trenches might physically hinder lobsters from

making their usual inshore migration and even that lobsters might leave the area forever.

According to a May 29, 2003 story in the *Boston Globe*, “‘It’s tough on the lobstermen; we’re hitting prime lobster season,’ said Bill Adler, executive director of the Massachusetts Lobstermen’s Association, who said several hundred lobstermen work in the area near the pipeline construction. ‘We understand about the delay, but the sooner the lobsters can get through the better.’”

So in mid-May, according to *The Boston Globe* story, Duke Energy “agreed to pay the state \$5 million, in part to figure out how marine life was harmed by the pipeline delay and then fix the problem. But lobstermen say the damage to their livelihoods may already be done.”

So HubLine construction goes on, even today. Although most of the trenches have been filled, two HDD operations still continue – without any completion date in sight.

The full environmental costs for Massachusetts remain unclear. *The Boston Globe* states: “The big unknown for state fishery biologists, however, is what the longterm effect will be from the pipeline obstruction, perhaps unsettling the area in some way that might not be visible now...Part of the \$5 million will go to help to understand this, in hopes of using the information to make decisions about similar projects in the future.”

Hopefully we will learn from Massachusetts’ troubles more about the full environmental costs to our water and fisheries.

But what did Duke Energy learn? With enough cash, they can violate their permit requirements, wreak potentially devastating long-term effects to our environment and deal economic ruin to fishermen -- and still get their pipeline in.

Can Connecticut teach them a different lesson?

MEN AT WORK

A Massachusetts construction project brings highway headaches to the sea.

Cautions signs. Construction crews. Drilling. Boaters usually leave these roadway problems behind them when they head to sea. But not this summer in Massachusetts Bay, where an offshore pipeline project turned much of the coast into a construction zone, putting some lobstering grounds off-limits, and even displacing one yacht club's moorings.

The work was part of Duke Energy's HubLine Project—a 29-mile, 30-inch wide natural gas pipeline being built offshore from Salem to Weymouth, Massachusetts. The line connects a 650-mile natural gas pipeline that runs from Nova Scotia to Salem, to a 1,000-mile pipeline running from Weymouth to New Jersey. According to Duke Energy spokesman John Sheridan, it will increase the amount of natural gas available to consumers in the Northeast.

The work included drilling at sites off Weymouth, Beverly, Salem, and Deer and Georges Islands in Boston Harbor. Scores of vessels were used for the project, ranging from tugboats to 380-foot barges.

Boaters had to stay up to 2,500 feet away from working vessels. Fishermen temporarily lost some lobstering grounds due to the project, and some people complained of the noise from the drilling. But the project caused perhaps the biggest pain for boaters at the Jubilee Yacht Club in Beverly, where nearly half of the club's 300 moorings were displaced. Bruce Egan, the club's mooring coordinator, said Duke Energy began removing the moorings last fall. "We had expected them to put the moorings back in April," said Egan.

But crews had drilling problems, delaying work through the summer. The company moved some moorings to other places in the area. Other club members took their boats to places like Maine for the summer. Others decided not to put their boats in the water, and the company paid to store those boats for the season.

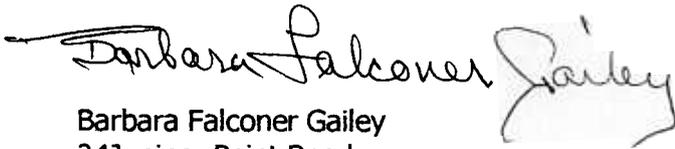
The work near Beverly ended in mid-August, and Sheridan said he hopes the club's moorings will be back in place this fall. The entire project, he said, should be completed by the end of the year.

—Dan Mathers

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

The proposal by Islander East (Duke Energy/Keystone Power) to build a gas pipeline across Long Island Sound has been denied for good and proper reasons by all those agencies whose business it is to protect the environment. I will not belabor these points. My property at Juniper Point lies next to the proposed pipeline route, and therefore my testimony against the installation must necessarily be biased. However, beyond my fear for the safety of my family and myself, and the incipient decline in property value, I have a more fundamental concern: I fear for my country when the unanimous will of the people of Connecticut can be overruled by a company so powerful it can make its deals behind closed doors in Washington. The Founding Fathers of this country instituted safeguards against the excesses of an autocratic central government by affirming the right of states to control business within their borders, and to make decisions regarding highways and waterways in the best interest of its citizens. To erode this sacred trust in order to benefit a powerful business with ties to political energy interests, is to break faith with the American people.

I ask that the NOAA, and its parent agency, The U.S. Dept of Commerce respect the right of the State of Connecticut to determine what is best for its environment and its citizens.

A handwritten signature in cursive script that reads "Barbara Falconer Gailey". The signature is written in black ink and is positioned to the right of the typed name.

Barbara Falconer Gailey
24Juniper Point Road

5, Nov 2003

05/0637 e s t

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

The gas pipeline (Islander East-Keystone Energy) project is attempting to sidestep much, if not all, of the established requirements, as follows:

Locating a commercial project that clearly violates the Federal Coastal Management Act;

Locating a commercial project within the Coastal Boundary Zone of the State of Connecticut Coastal Management Act, that has no water dependent use;

I have always been disturbed by two statements used in this pipeline proposal and discussion: One is the Islander East's need to use an abbreviated or short-circuited approval process. Why is this Quick approval needed?

The answer has been one of the following:

- 1) Islander East has commitments to meet its contracts on Long Island so that they need speedy approval to allow customers to arrange switchovers from fuel X to fuel natural gas. However, they fail to mention that, in fact, these customers like Islander East itself, are part of the Duke Energy-Keystone energy cabal;
- 2) Is the rather threatening statement "if you do not make a deal with us now we will take your land anyway via the courts".
- 3) Because our Company is bigger than all of you, and our business needs to do this project cheaply we do not intend and we do not need to follow the same rules that Towns, business interests and residential zoning usage, have been operating under for 250 years under State of Connecticut statutes.

I find it particularly offensive the belief that (Islander East –Keystone Pipeline) does not have to comply with any state & town regulations pertaining to zoning, health & safety, & environment that will cost money or time for compliance, and using political clout from certain political elements within the Federal government, to ignore the Federal standards(CMA) that the rest of us work within.

I was the lot owner of the 25 acre parcel located immediately adjacent (westward) to the proposed gas pipeline as it enters Long Island Sound. Further, I chose to develop and was the developer of this property into a residential area that allowed the lot owners to enjoy land without damaging the environment. We chose to install sewers in the community, and managed to create extensive common areas that left 14+ acres of the 25 acres (56%) in its natural state. This area is now known as "Juniper Point a Planned Community". I still own 3 lots within the community and my residence will be located approximately 150 feet west of the gas pipeline entry point into Long Island Sound.

In the development of this community, I was required to meet all the requirements of the Connecticut Coastal Management Act. I do not need to tell you that the Connecticut Coastal Management Act was derived from Federal Coastal Management Act. The Federal Coastal Management Act, itself, was the result of the National Estuarine Survey that determined and decried the loss of shoreline in the United States of America. All of the above legislation was conducted by the Federal Government because it was felt that individual states would not understand of the magnitude of protecting the entire coastline of the United States. This was at that time, and in this time, a very wise decision. States adopted the Federal Coastal Management Act and incorporated them into current state laws. Certainly the most obvious thread of all of these State Acts was the decision that all coast line development, particularly new construction should be developed to and for "Water Dependent Use". Gas Pipelines and residential housing are not considered "Water Dependent Use". Shell fishing and recreational fishing are considered "Water Dependent Use".

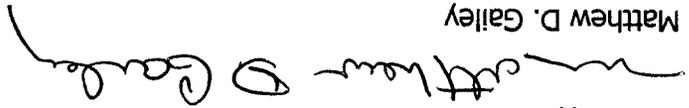
The residential development project at Juniper Point was no exception. Single family residences are not considered as meeting the requirements for "Water Dependent Use." A lot of work, money and professional effort went into protecting the shoreline, its adjacent Tidal Marshes, and to accommodate Public Access to the shoreline for public use, in lieu of a "water Dependent Use"

It is my belief that compliance with the Connecticut Management Act (an excellent act) to preserve the immediate Coastline and to limit land use in the Coastal areas is being tossed aside by a company or companies whose sole purpose is to decrease their costs of operation and to increase all dollars of profit in all operations. These certainly are goals for business, but not at the expense of degrading the Coastal areas of the United States. The Federal Coastal Management Act was created precisely because it was known that some States could not resist the local economic pressures. This is particularly true in the land use, hence land control as the zoning rules within some states are used for rather limited personal or business profit motives.

In Connecticut, the people of the State passed a Connecticut Coastal Management Act. It defined the best use of land in, under and immediately adjacent to the Coastline. It was hard to accommodate these changes; it was hard to alter one's thinking that there is a higher reason for these Coastal actions. Certain concepts of profit based motives, and control of the usage of private property for larger goals for the whole country are awkward to accept initially, but are necessary both then and now for the common or greater good of the people.

I do not believe that the Federal Government, having had such a positive role in establishing the action, as it relates to the Coastal Shoreline should suddenly reverse itself and say in effect, "we really did not mean it." I do not believe that the role of the Federal Government is to overturn the State of Connecticut Coastal Management Act in the case of this proposed Gas Pipeline.

Sincerely,



Matthew D. Galley

24 Juniper Point Road
Branford, Connecticut 06405-5632
Area code 203-481-9303

Dear NOAA

My husband, Dr David Bull,;

and I are opposed to the proposed

pipeline planned by Islander East

We are both scientists and that is dangerous

to the environment. These photographs (attached) are

just a few I have taken over the

past ten

we have been

* All of these photographs

were taken on the Stony Creek side

of the proposed pipeline. All of them

are also within a quarter of a mile

of the proposed route. This whole area

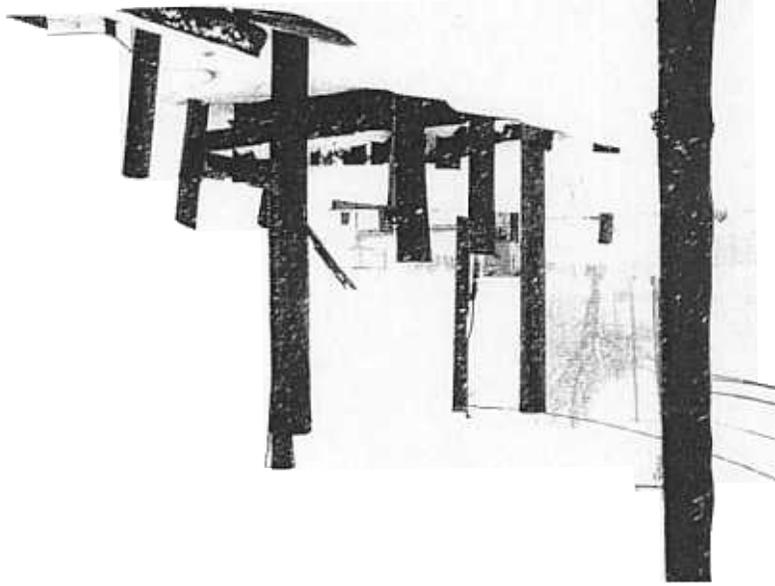
is beautiful and very fragile.

It would be a big mistake.

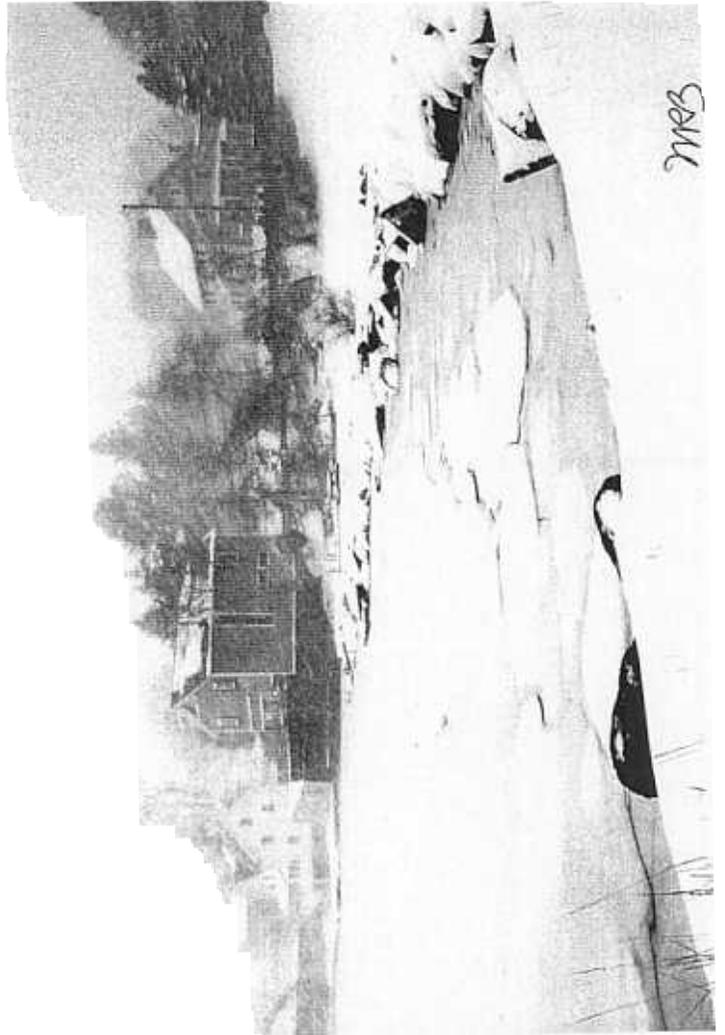
Sincerely,
Mavis R. Bull
Mavis R. Bull

11/5/03

240 Stony Creek Rd
Stony Creek CT 06405



MAVS BRITELL
240 Stony Creek RD
Stony Creek CT 06405



2 Ledgebrook Court
Weston, Conn 06883
Nov. 5, 2003

NOAA/Commerce Dept.
1305 East-West Highway
Silver Spring, MD. 20910

Committee Members:

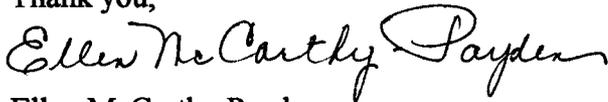
I am Ellen McCarthy-Payden and I thank you for this opportunity to express my opposition to ISLANDER EAST.

Long Island Sound is Connecticut's greatest natural resource. It is the home to hundreds of sea creatures and various types of plant life. It has provided people with a live hood as well as a place for all to absorb the beauty of creation.

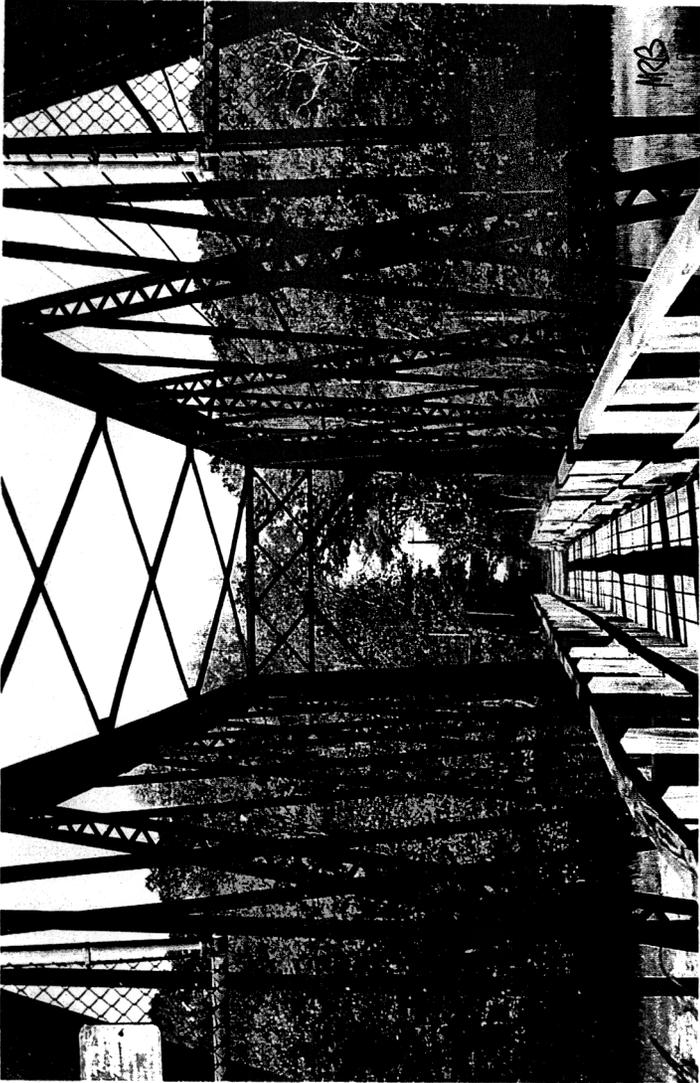
Please do not allow the greed of big business to destroy FOREVER this treasure. Numerous damage to wet lands, acres of seafloor, the release of toxins and contaminants, and the risk of explosion are but a few of the devastating results.

Stop this catastrophic disaster and deny Islander East's appeal.

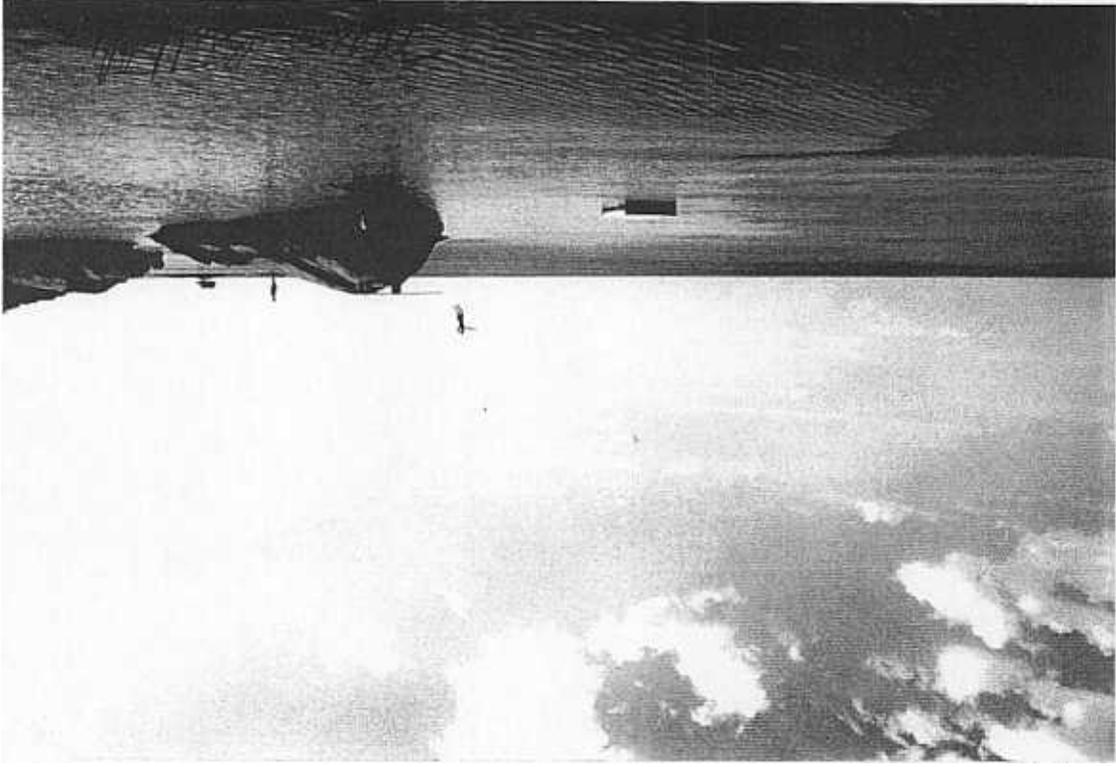
Thank you,

A handwritten signature in cursive script that reads "Ellen McCarthy-Payden". The signature is written in black ink and is positioned above the printed name.

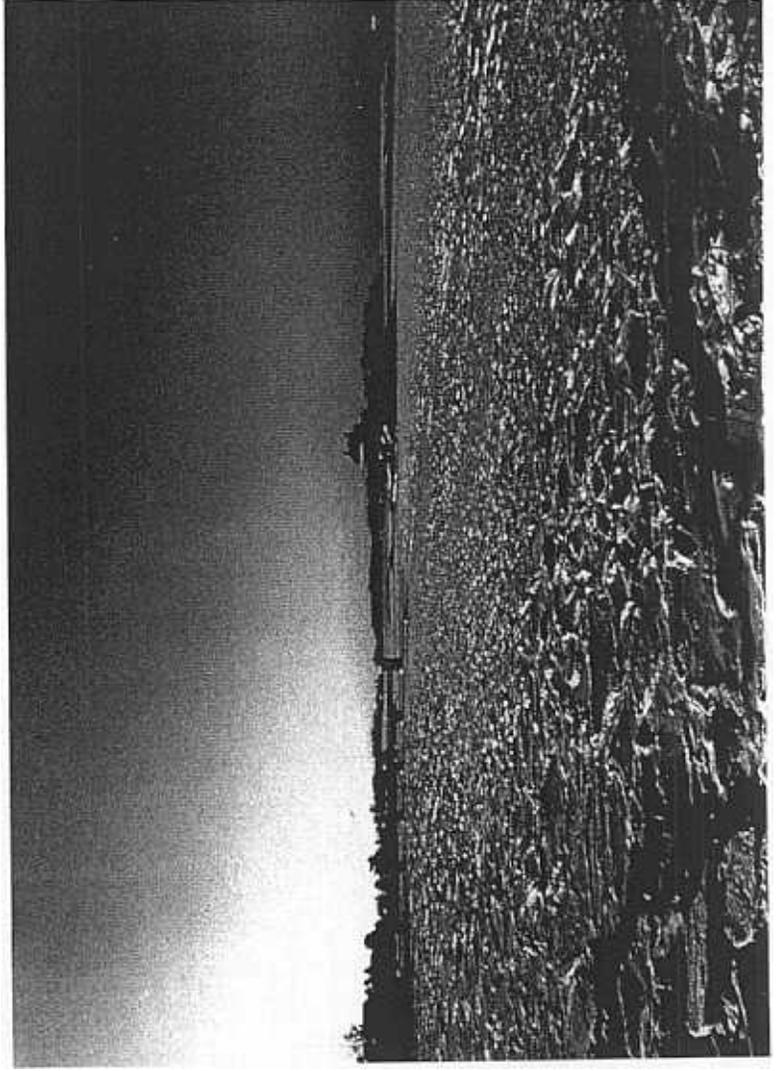
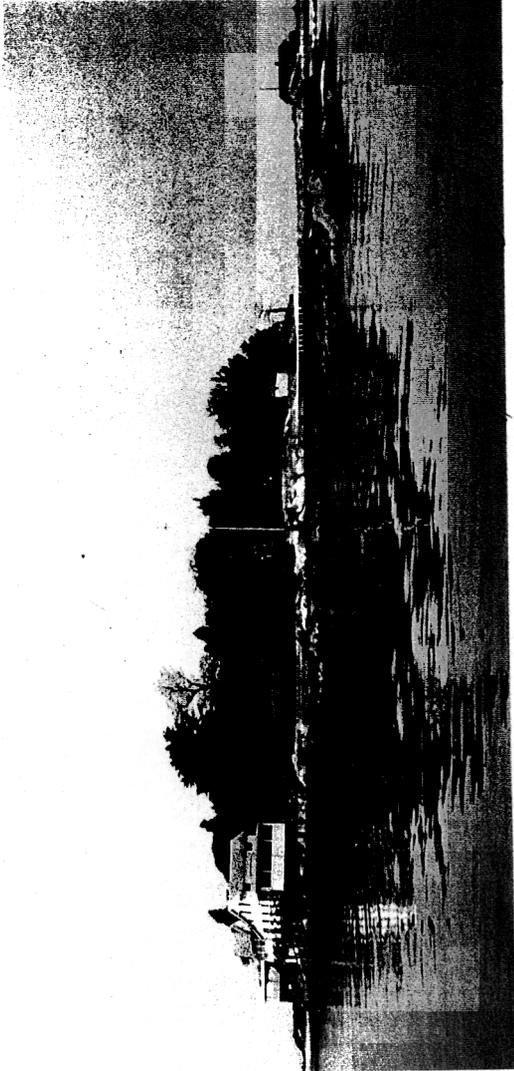
Ellen McCarthy-Payden

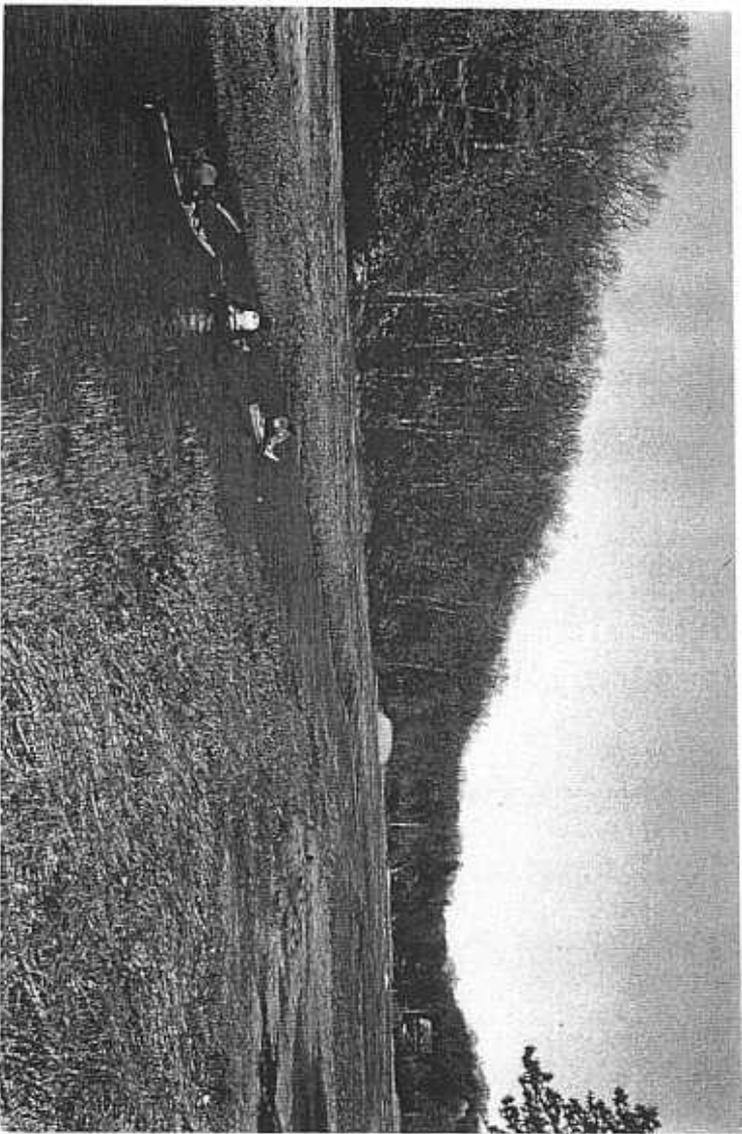


May 5 BRITTELL
240 Stony Creek Rd 4n5



MAN S R BRITTELL
240 Stony Creek Rd
BRANFORD CT 06405



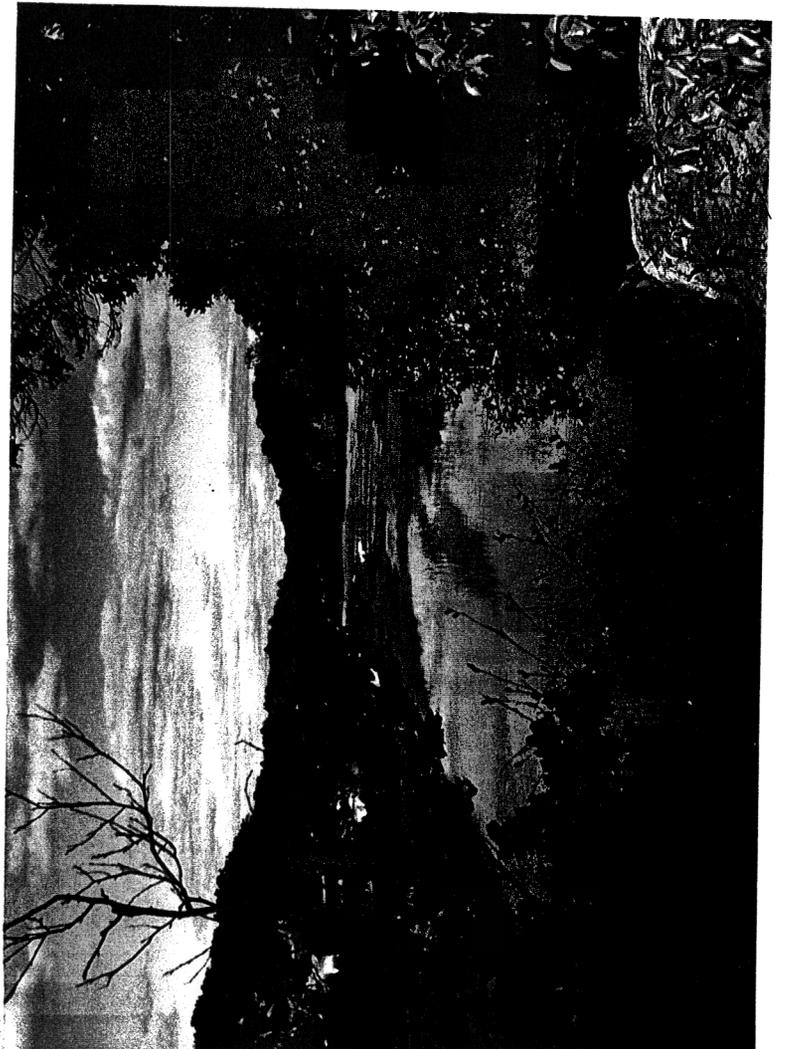
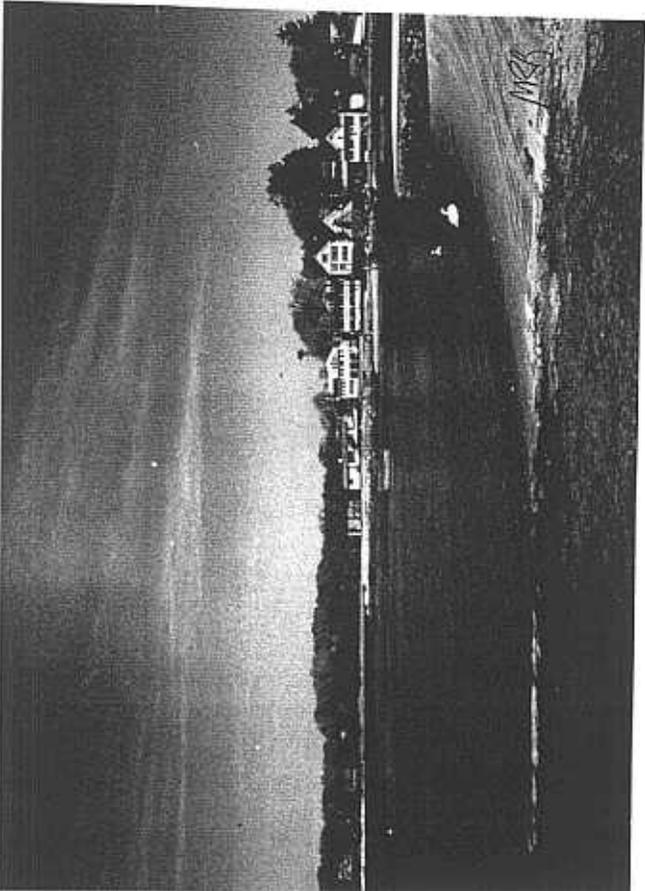
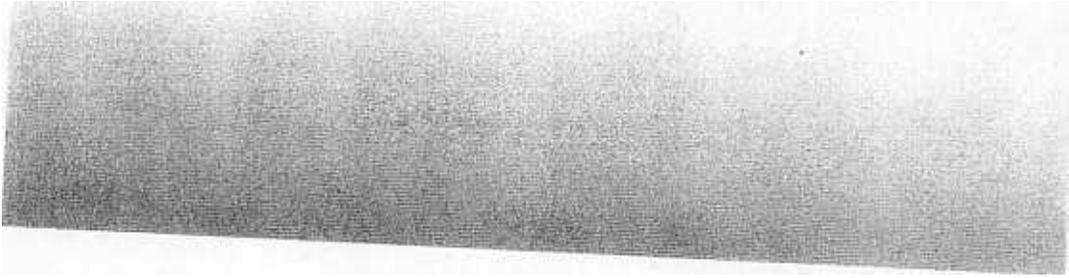
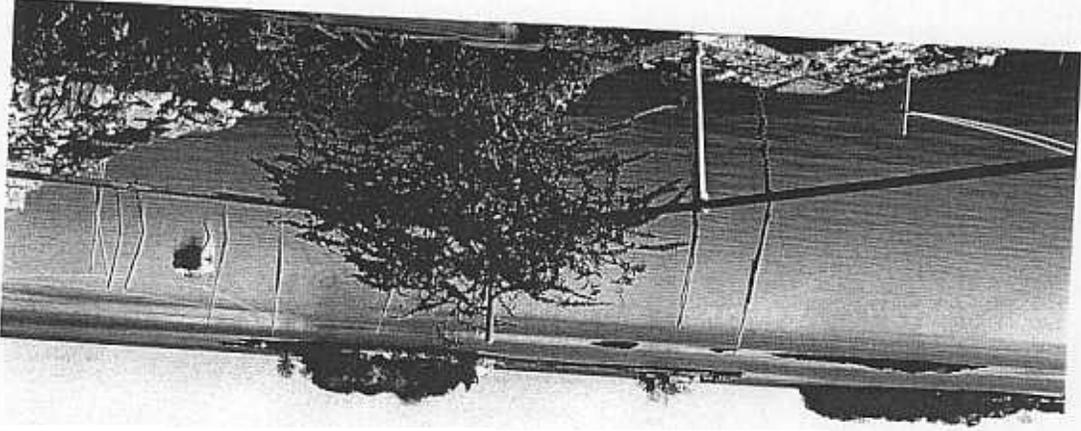


MAN'S BRITTELLI
240 Stony Creek Rd
Stony Creek CT 01405

Lady St.

240 Stony Creek Rd
Stony Creek CT 06440

MAVIS BRITTELL



2 Ledgebrook Court
Weston, Conn. 06883
Nov. 5, 2003

NOAA/Commerce Dept.
1305 East-West Highway
Silver Spring, MD. 20910

Committee Members:

My name is James Payden and I thank you for the opportunity to express my concerns. I am totally opposed to the Islander East proposal and the degradation of our God-given resources that this proposal will destroy, - on land - as well as the natural resources that presently exist on the bottom of Long Island Sound.

The Iroquois Gas Transmission Project of some 20 years ago , should have taught us, that man can't play with Mother Nature and hope to win. The damage inflicted by the Iroquois Project has never been and never will be remediated.

Based on the knowledge we have obtained, the potential damage and destruction to invaluable wetlands, and Branford Land Trust protected areas, damage and destruction of thousands of acres of Long Island sea floor and shell fish beds will be destroyed forever.

Do we want to be a party to the destruction of Long Island Sound ? (one would hope not)

Thank you,



James Payden

My name is Virginia Shaw. I have lived in Branford for almost sixteen years and have grown to treasure its lovely coastline, its carefully preserved open spaces, the recreational pleasures of its clean waters, and to value its long history of citizens who make their livings from shellfishing. Islander East's project would destroy a large part of these activities, and for what? For profits for a company producing power for Long Island, for which there are many other options.

It should be clear after the multiple governmental denials of permits and plans suggested by Islander East that the laws appropriately serve the people and will not allow this travesty.

Virginia Shaw
33 Queach Road
Branford, CT 06405
Nov. 5, 2003