

**APPENDIX O
DRAFT ENVIRONMENTAL IMPACT STATEMENT
COMMENT SUMMARIES AND RESPONSES**

ORGANIZATIONS AND INDIVIDUALS COMMENTS

G1 Cathy Lewis, Johnson City, New York – 5/12/99

Comment Summary G1-1: Pipeline construction will cut off all access to driveway and residence

- G1-1 Millennium has reviewed the possibility of moving the pipeline further from your residence and agrees that a realignment of the proposed construction work area and the relocation of the driveway would be feasible. Thus, the pipeline would not have to be crossed to allow access to your residence. Millennium would relocate the driveway before construction, which would permit uninterrupted access to the house during construction and operation of the pipeline.

Comment Summary G1-2: Requests FERC site visit of property

We visited your property on May 20, 1999.

G2 Lawrence Snyder, Voorheesville, New York – 5/5/99

Comment Summary G2-1: The "abandoned bluestone quarry" identified on page 4-3 of the DEIS is not abandoned.

Comment noted. Table 4.1.1-1 of the FEIS has been revised to change the bluestone quarry from abandoned to inactive.

Comment Summary G2-2: The DEIS doesn't document the impact of loss of bluestone on landowner's property

As described in section 5.1.1 of the EIS, if a landowner believes that compensation is due for lost mineral resources, then the issue would be negotiated between Millennium and the landowner during right-of-way procurement. These negotiations would include clearance between the pipeline right-of-way and the boundary of any future mining activity. Core samples of the land could be collected to determine the depth and grade of the bluestone. This information then could be used to calculate a product value that would be lost to the right-of-way easement. Resource value would be reduced by costs associated with mining the resource to yield a compensation value to the landowner in addition to the value of the easement. If an agreement on this issue cannot be reached, and the project is certificated, compensation for loss of mineral resources would be established by court proceedings according to state law.

G3 Christopher Murphy, Lockwood, New York – 4/23/99

Comment Summary G3-1: Concerned that Columbia Gas will not comply with regulations during construction and restoration on landowner's steep, thin soiled, and fragile property.

Comment noted. To address landowner issues, we have recommended that Millennium establish an environmental mitigation complaint resolution procedure that would include a local contact and a toll-free telephone number. In addition, the FERC maintains an Enforcement Hotline at 877-303-4340. FERC and/or its contractor staff would be conducting inspections of construction and restoration of the project.

Comment Summary G3-2: Why will some portions of Line A-5 be abandoned in place when the lift and lay procedure should be used?

- G3-2 Millennium states that Columbia must maintain Line A-5 in service between MPs 154.3 and 285.6 to serve existing customers during construction. For this reason, the portion of Line A-5 in this area would be abandoned in place.

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G4 Louis and Audrey Micha, Johnson City, New York – 5/5/99

Comment Summary G4-1: Requests that the project stay straight south on existing power-line easements at MP 243.5.

Comment noted. We are no longer recommending use of the Town Line Road Variation (see discussion of Micha Variation in section 6.3 of the FEIS).

Comment Summary G4-2: The Town Line Road Variation would take frontage of over 100 acres of Prime Agricultural land.

See response to comment G4-1

Comment Summary G4-3: A barn on Town Line Road would have to be rebuilt if the Town Line Road Variation is used

G4-3 See response to comment G4-1

Comment Summary G4-4: Matthew Brower of the NYSA&M does not recommend the Town Line Road Variation.

G4-4 See response to comment G4-1

G5 Robert Paldao, Purple Island Refuge, Addison, New York – 5/5/99

Comment Summary G5-1: The DEIS doesn't mention beaver activity on the ROW or bald eagles, peregrine falcons, a other endangered species that frequent state regulated wetland RB 8.

Unless you have previously documented or reported the occurrence of listed endangered and threatened species with the appropriate state and federal resource management areas, this information would not be available for inclusion in either Millennium's or our review of the project.

Comment Summary G5-2 Landowners should be consulted along with the NYSDEC when protected wetlands are to be crossed.

Unless otherwise determined through the section 404 permitting and section 401 Water Quality Certification processes, all wetland crossings would be performed using the methodologies outlined in our Procedures and Millennium's ECS. We believe these procedures are sufficiently protective of wetland resource areas.

Comment Summary G5-3: The Purple Island Wildlife Refuge should be listed as a Recreation and Public Interest Area.

Comment noted. We have added the Purple Island Wildlife Refuge to tables 4.8.3-1 and 5.8.3.2-1 of the FEIS.

Comment Summary G5-4: It would be helpful to the landowners to know exactly what Millennium's pertinent plans are before negotiations start.

G5-4 The general location of the pipeline is shown in appendix B1 and would be adjacent to the existing Line A-5 through your property. It is your responsibility to work through negotiations with the company on the easement and that would include time to review Millennium's proposed plan for crossing your property.

Comment Summary G5-5: What fine or punishment would Millennium or it's subcontractors be subject to if they do not comply with the FEIS?

The FERC has no authority to fine natural gas companies. However, it can shut down construction and can order the company to comply with the conditions or requirements of the Commission's Certificate.

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Comment Summary G5-6: Why is Millennium not required to have an environmentally safe abandonment procedure in place before permits are issued?

We are not sure we understand this question. The line that would be replaced (Line A-5) is not contaminated with polychlorinated biphenols (PCBs) as defined in 40 CFR 761.3. If PCBs are discovered during sampling of the old pipeline, Millennium would comply with the requirements in section 40 CFR 761.30 for disposal of the pipeline. As described in section 2.3.2, where the pipeline would be abandoned in place, the pipe would be cleaned and sealed before abandonment. We believe that both of the procedures would be environmentally safe.

G6 David and Edith Blake, New City, New York – 4/27/99

Comment Summary G6-1: The bottom third of Red Rock Road is a "wetland" with a drainage creek and is not recognized in the DEIS.

G6-1 The wetland resource areas discussed in the EIS were identified and delineated by professional wetland scientists. Areas that appear to be wetlands often do not meet the criteria by which wetlands are defined by Federal and state regulations. If a wetland resource area was omitted from the EIS, the wetland would likely be identified during the state wetland permitting process or by the Environmental Inspector, who is responsible for assuring that construction activity associated with the project is performed in accordance with the standards outlined in Millennium's ECS and our Procedures. In addition, only wetlands crossed by the proposed alignment are shown on the construction alignment sheets.

Comment Summary G6-2: The residences along Red Rock Road all maintain independent septic systems.

All private septic systems would be located by Millennium during individual easement negotiations. If individual systems cannot be avoided, Millennium would develop appropriate mitigation measures in consultation with the landowner (see section 4.8.2 and 5.8.2 of the EIS).

Comment Summary G6-3: The construction model and data (DEIS appendix C, table C-1 and ST8525-000A-1081) does not represent the road and residences accurately.

G6-3 The diagrams in appendix C are meant to represent the construction work area graphically. They do not include residences or homes on either side of the work area. As a diagram, we believe it accurately represents the width of the road and the construction work area.

Comment Summary G6-4: All six homes on Red Rock Road are supplied with wells and septic systems. One of which is within 25 feet of the CWA.

As stated in section 5.3.1.1 of the EIS, Millennium would conduct pre- and post-construction water quality and quantity testing of wells and springs used for drinking water within 150 feet of the construction work area. If a water source or spring were damaged as a result of Millennium's activities, Millennium would provide a temporary water source, and repair or replace the well.

Comment Summary G6-5: Calls to a specific Columbia Gas number are not returned.

See response to comment G6-6. We do not know why Millennium has not returned calls.

Comment Summary G6-6: The 75-foot-wide ROW places all homes along Red Rock Road within the CWA.

Millennium has filed construction alignment sheets which provide details on in-street construction techniques. These techniques include the use of stove pipe construction, containment of all construction activities within the curbs of the street, and restoration of the street in compliance with local municipal specifications. Table C1 (appendix C of the EIS) states that Millennium would use a 35-foot-wide construction right-of-way on Red Rock Road. Millennium's ECS refers to a typical 75-foot-wide right-of-way. This right-of-way can and would be restricted in specific areas, such as at Red Rock Road.

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G7 Daniel Dellapenta, Endicott, New York – 4/29/99

Comment Summary G7-1: The proposed pipeline that replaces the Line A-5 pipeline should be a state-of-the-art system to provide reliable, safe, and economical natural gas to the community.

G7-1 Comment noted. See discussion of the Union Center Route Variations in section 6.3 of the FEIS.

G8 John Wilfley, Southern Tier Municipal Coalition, Johnson City, New York – 5/4/99

Comment Summary G8-1: Requests that consideration be given to keep Millennium on existing powerline easements as it continues from MP 243 in the direction of Afton, NY then southeast to Hancock, NY.

G8-1 The FEIS has been revised to recommend the Micha Route Variation, which would be about 0.2 mile longer than the proposed route with associated environmental impacts, but would increase the use of the powerline east of MP 243.5. We did not evaluate the powerline right-of-way as an alternate route to Hancock (about MP 285.0) since it would not serve the existing customers (Port Dickinson, Kirkwood, and Walton-Deposit) along the Line A-5 system. Although the Line A-5 could remain in service, we identified no significant environmental concerns in this segment (such as those in the Union Center area) that would necessitate evaluation of an alternate route.

Comment Summary G8-2: Requests that the Port Dickinson Community Park be directionally drilled along with the Chenango River.

Millennium examined the feasibility of directionally drilling the Port Dickinson Community Park and determined that adequate staging was not available without significant additional clearing within the park boundaries. Millennium estimates that only 3 trees would have to be cut within the fenced park boundaries near the walking trail to allow for staging areas for the directional drill of the Chenango River. Removal of these trees also would be necessary to install the pipeline as it enters the park. The pipeline route has been realigned to parallel State Route 7 along, but just outside of, the fenced area of the park. Tree removal would be necessary in this area along with temporary removal of the chain link fence. Millennium would prepare a site-specific plan for the park crossing in consultation with Port Dickinson and as part of the easement acquisition process.

G9 George Weber, National Fuel Gas Supply Corporation – 4/27/99

Comment Summary G9-1: Requests that the time for submitting comments in response to the DEIS be extended from June 7, 1999 to July 20, 1999.

The Commission granted a time extension for submitting comments from June 7 to June 22, 1999. We believe this extension would allow National Fuel adequate time to comment.

Frank Fava, B&F Development, Baldwinsville, New York – 4/21/99

Comment Summary G10-1: The proposed pipeline will bisect property and would impact both property and tenants.

G10-1 Millennium states that pipeline construction would have a minimal impact on your property since access to the shopping center parking lot would not be restricted. The pipeline would cross approximately 180 feet of the shopping center parking lot in the northeast corner. The parking lot has 221 designated parking spaces, of which a maximum of 60 parking spaces would be affected by proposed construction. Observations over the past 2 years indicate that the 161 parking spaces would be more than adequate to handle parking generated by the commercial businesses in the shopping center for the short duration of construction. The two buildings contain a total of 14 commercial businesses, of which 9 are occupied.

Front Street would be bored, which would require a bore pit in the parking lot of the shopping center that would be fenced during boring operations. A bore can be completed in 1 to 3 days. Flagmen would be available if it becomes necessary to control traffic in the parking lot. If the shopping center is expanded prior to

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construction, Millennium would try to take whatever steps are necessary to keep it open. Millennium has reviewed copies of the plans for future expansion and the current pipeline route would not affect these plans.

However, Millennium has identified and proposes a route variation that would avoid your property. See Fava Variation in section 6.3 of the FEIS.

Comment Summary G10-2: Concerned with the future of the property, ability to protect the property should Millennium receive the power of eminent domain.

It is our understanding that Millennium has met with you regarding your concerns about the pipeline crossing your property. While approval of the project would grant Millennium the right of eminent domain, Millennium may make minor adjustments to address landowner concerns. Millennium has identified a route variation that would avoid your property(see new discussion of the Fava Variation in section 6.3 of the FEIS).

Alice Supa, Johnson City, New York – 4/21/99

Comment Summary G11-1: Concerned with impacts to pond and underground spring on property.

Comment noted. See discussion in section 5.3.1.2 of the FEIS.

Comment Summary G11-2: Concerned with impacts to drinking water supply and 1,000 gallon cistern located 125 feet from the proposed centerline.

Comment noted. See discussion in section 5.3.1.2 of the FEIS.

Comment Summary G11-3: The DEIS contains incorrect information regarding the location of an underground spring in relation to the proposed pipeline.

G11-3 Comment noted. We have used information provided by you in our analysis.

G12 James Farrell, Johnson City, New York – 4/23/99

Comment Summary G12-1: Requests a more exact description of the location of the Town Line Road Variation.

G12-1 Comment noted. We are no longer recommending the adoption of the Town Line Road Variation. If approved, the pipeline would follow the Micha Route Variation described in section 6.3 of the FEIS.

G13 John and Joan Doyle, Union, New York – 4/28/99

Comment Summary G13-1: The proposed pipeline that replaces the Line A-5 pipeline should be a state-of-the-art system to provide reliable, safe, and economical natural gas to the community.

G13-1 We recognize your concern. However, the existing Line A-5 would be operated only as a lateral and, as such, should operate safely since it would no longer provide mainline transportation service and would be operated at a lower operating pressure. Because of numerous concerns identified by residents along the entire length of the existing Line A-5 in this area, we believe the proposed route represents the route with the least environmental impact.

G14 Peter Supa, Johnson City, New York – 5/14/99

Comment Summary G14-1: Requests an investigation of why and how the landowners were denied critical information in spite of FERC's specific request to Millennium to provide data.

We regret you did not obtain the information in a timely manner. It does not appear that you were denied the critical information, only that it was difficult to obtain.

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Comment Summary G14-2: Requests an investigation of why and how Randy Lewis and Pete Supa as intervenors were not included in the October 20 and 27 responses.

G14-2 While intervenors should be copied on all correspondence in this docket, the number of intervenors (71 as of the printing of the DEIS) and their varying interests in the project results in some omissions in the distribution of information. However, the entire public record of the project is available on the FERC's website (www.ferc.gov) using the docket number and either the "RIMS" or "CIPS" link.

Comment Summary G14-3: Requests 45 day extension from date of letter to file comments on the DEIS.

G14-3 The Commission granted an extension of time from June 7 to June 22, 1999. We do not believe an additional 45 days is required for you to prepare your comments. We note that we have received 4 comment letters from you and your neighbor (Mr. Lewis) and 5 comment letters from the Supa family within the DEIS comment period.

James Garlitz, Ransomville, New York – 5/11/99

Comment Summary G15-1: Opposed to the proposed pipeline running through their 12 acre lot.

G15-1 Section 5.8 of the EIS discusses the impact on residences and other properties that would be within 50 feet of the construction work area and the restrictions on land use within the permanent right-of-way. Landowners and/or the company may replant vegetation that is consistent with the safe operation and maintenance of the pipeline.

Henry and Gladys Weissling, Deposit, New York – 4/21/99

Comment Summary G16-1: Requests a copy of the FEIS.

G16-1 Thank you for your comment. Your name has been added to the FEIS distribution list.

G17 Randy Lewis and Peter Supa, Johnson City, New York – 5/14/99

Comment Summary G17-1: Requests a 45 day extension to file comments to the DEIS.

G17-1 See response to comment G14-3.

Comment G17-2: Requests investigation on why Millennium is withholding critical information from intervenors.

G17-2 See response to comment G14-1

Comment Summary G17-3: Requests FERC to supply an index of documents filed to date.

G17-3 The entire public record of the project is available on the FERC's website (www.ferc.fed.us) using the docket number and either the "RIMS" or "CIPS" link.

Randy Lewis and Peter Supa, Johnson City, New York – 5/13/99

Comment Summary G18-1: Requests the method and records that show landowners were notified of the proposed route change.

G18-1 All information on this project is available to the public and can be obtained through the FERC's website (see response to comment G14-2). The route in the Union Center area has been under discussion since our initial site visit in February 1998, which was attended by both of you. Correspondence received to date from you on the proposed route indicates that you have been aware of the location of the pipeline for some time.

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Comment Summary G18-2: Requests the method and records that show landowners were notified of the availability of maps.

We have no proof of the method or the records that show that landowners were notified of the availability of maps. However, we have the sworn filed statements of Millennium that you were contacted about the proposed route.

G19 Randy Lewis and Peter Supa, Johnson City, New York 5/14/99

Comment Summary G19-1: Requests FERC to reexamine and adopt the Modified Union Center Reroute instead of the Union Center Reroute.

G19-1 Comment noted. While we recognize that you are not in favor of the proposed route through your properties, we believe that Millennium has attempted to address your concerns and continues to make route adjustments to minimize potential impacts (see Bradley Creek Variations in section 6.3 of the FEIS). The issue is not the existence of the Line A-5 corridor, but whether it is the better route through this area.

Comment Summary G19-2: The aging Line A-5 is not a new state-of-the-art system.

G19-2 There is no reason to believe that Line A-5 cannot provide safe reliable service. The new pipeline would replace its primary function as a transmission mainline and Line A-5 would be operated at a lower operating pressure.

Comment Summary G19-3: Concerns regarding pipeline construction adjacent to Line A-5 along Boswell Hill Road.

G19-3 The concerns at Boswell Hill Road were only one of many issues raised about the pipeline route adjacent to Line A-5 in the Union Center area.

Comment Summary G19-4: In its response to the FERC's October 15, 1998 data request, Millennium stated that since it had moved the pipeline to the NYSEG powerline, it did not need to provide an analysis of the offset on Boswell Hill Road. This analysis needs to be done.

See response to comment G19-3.

Comment Summary G19-5: Request a full and complete analysis and comparison of the original Line A-5 and the original Line A-5 with Boswell Hill Road 75 foot downslope offset.

Millennium provided sufficient information on the two routes and this information has been supplemented by comments and concerns from residents along both routes. We do not believe that additional analyses are required or that the results of any additional analyses would alter our recommendation.

Comment Summary G19-6: The DEIS does not address the life and death situation created by construction through the Lewis property.

G19-6 We do not believe the pipeline would represent a "serious life and death situation" for the Lewis family. People live safely beside pipelines throughout the U.S. The USDOT regulations contain specifications for the safe construction and operation of pipelines and have been developed to protect the public.

Comment Summary G19-7: Requests FERC to choose either the originally proposed Line A-5 route with the Boswell Hill Road 75 foot offset or the Modified Union Center Reroute Alternate.

G19-7 Comment noted. However, we believe the proposed route is environmentally preferable to either route variation.

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G20 Donald Lewis, Johnson City, New York – 5/22/99

Comment Summary G20-1: Blow valve located in landowner's horse pasture would render the land useless.

G20-1 The DEIS was in error in identifying the exact locations of the block valves. These errors have been corrected on table 2.1-1 of the FEIS and on the maps in figure B1 in appendix B. There would be no block valves or blow down valves on your property.

Comment Summary G20-2: Concerned with impact to apple trees and maple trees on property.

G20-2 Millennium proposes to bore Bradley Creek Road and protect the several apple trees on the west side of the road. Millennium also proposes to construct the pipeline entirely within the NYSEG right-of-way, and impact on apple trees and sugar maple should be minimal.

Comment Summary G20-3: The proposed pipeline route is not acceptable to the Bradley Creek residents.

G20-3 Comment noted.

Anna and Stan Zumba, Endwell, New York – 5/20/99

Comment Summary G21-1: The Zumba's are located at MP 243.0 and support the pipeline route along the existing NYSEG right-of-way.

G21-1 Comment noted.

Comment Summary G21-2: The existing 12" Columbia pipeline should be abandoned.

G21-2 Comment noted. See response to comment G19-2 regarding operation of the Line A-5.

John Bisbee, Ripley, New York – 6/1/99

Comment Summary G22-1: Requests that a closer look be taken at the proposed pipeline route and how it was chosen.

G22-1 We have reviewed the proposed Lake Erie landfall at Wiley Road and the alternative location at Ripley Beach. We have not received any additional information on the environmental conditions present along these routes that would lead us to revise our recommendation of the Wiley Road landfall.

G23 Dale Mooney, Southern Tier Municipal Coalition, Johnson City, New York – 6/2/99

Comment Summary G23-1: Requests consideration of other routes to alleviate impact to landowners along Case Road and Town Line Road.

G23-1 Comment noted. We are no longer recommending the adoption of the Town Line Road Variation. See revised discussion of the Michs Variations in section 6.3 of the FEIS.

Comment Summary G23-2: Request the opportunity to discuss and tour the affected area with both Columbia and FERC representatives should the Union Center Reroute Variation be altered.

G23-2 Comment noted. We have no objections to use of the proposed route in the Union Center area.

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G24 Robert Coleman, Little Valley, New York – 6/7/99

Comment Summary G24-1: Was notified on May 18, 1999 that property would be affected by the proposed pipeline route.

G24-1 Millennium states that the deed to your property was recorded April of 1997. As a result, the tax maps did not reflect your ownership of this property until the maps were revised in early 1998. Likewise your name did not appear on the tax roll until January of 1998. Millennium's survey was completed through this area in the summer of 1997. The properties between MP 89.9 and 91.4 were not surveyed because survey permission was denied by you and other landowners.

Comment Summary G24-2: Was not notified of the public meetings held in May 1999.

A copy of the DEIS was sent to a Robert Coleman in Tonowanda, New York.

Comment Summary G24-3: Concerned with the environmental impact to the land adjacent to the New York State forestlands.

G24-3 Section 5.5 of the EIS discusses the impact on vegetation within the construction work area, section 5.8.2 of the EIS discusses impacts on residences and other properties that would be within 50 feet of the construction work area, and appendix E of the EIS contains construction and restoration procedures that would be used, including erosion control techniques.

Comment Summary G24-4: Concerned that the work area on property is the only work area located on private property.

Extra work areas are proposed on private property throughout the length of this project. Extra work areas are commonly required at road and waterbody crossings for extra spoil storage due to the increased depth of burial under the road surface or waterbody. You may negotiate with the company for reduced extra work areas since, in some cases, these work areas can be reduced or moved to minimize impacts.

We rely on the company to provide the initial list of affected property owners. We mailed an NOI and a DEIS to your address in Tonowanda. As part of this notification process, we attempt to give public notification of the project through contacts with state, county, and local town officials, libraries, and newspapers to ensure that all interested individual are notified and given the opportunity to comment on the project. Attendance at the public meetings and comments from the public indicate that the project was common knowledge in the area.

Comment Summary G24-5: Concerned with the economic impact to property.

G24-5 The issue of compensation for the pipeline easement and potential construction damages is between the landowner and the pipeline company and is outside the scope of the EIS. A landowner may request compensation for perceived loss of property value; however, we have no evidence that the presence of the pipeline would negatively affect property value.

Comment Summary G24-6: Concerned with trespassing caused by people taking advantage of the new right-of-way.

During easement negotiations, we have recommended that landowners may request that Millennium install one or more barriers across the right-of-way, including fences with locking gates, slash and timber barriers, pipe barriers, a line of boulders, vegetation, or any other barrier that would be effective in limiting unauthorized entry to the landowner's property.

Comment Summary G24-7: By using New York State forestland, the route would bypass all private properties and creeks.

See response C2-4.

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Comment Summary G24-8: Concerned with a statement made by a right-of-way agent which implied that Columbia intended to route as much of the pipeline through private property as possible because it would be easier to get Federal approval.

G24-8 This is an unfortunate statement by one of Millennium's/Columbia Gas' representatives. While it is true that the Commission's Certificate carries with it the right for the company to use eminent domain to acquire easement, the Commission does not encourage the use of private property over Federal or state property. To the contrary, pipelines have been constructed in many areas on Federal and state land.

Comment Summary G24-9: By rerouting the pipeline along the southern edge of property lines, economic damage, erosion and runoff problems, and trespassing would be minimized.

G24-9 Millennium states that, although this variation would decrease the pipeline length by about 359 feet and would decrease the number of minor stream crossings by two, the variation would not avoid the vicinity of Rock City-like geological formations as these features are reported to be present along the southern boundary line. Further, the variation at the eastern end would be very close to other Rock City-like formations and a Civilian Conservation Corps camp on state reforestation land. See further discussion of the Coleman Variation in section 6.3 of the FEIS.

Richard Williams, Salamanca, New York – 6/2/99

Comment Summary G25-1: Request further analysis of the Niagara Spur System Alternative.

G25-1 Comment noted. See expanded discussion of the Lake Erie (Niagara River Alternative) in section 3.3 of the FEIS.

Comment Summary G25-2: The Niagara River Alternative seems to be a more viable option.

G25-2 The Niagara River Alternative would require construction of a significantly different route in the U.S. and in Canada. In addition, only preliminary information is available on this alternative since the route has not been surveyed, detailed environmental information on the same par as the proposed route has not been collected, and neither the affected landowners nor governmental agencies have been afforded the opportunity to comment. Any alternative would appear environmentally superior to the proposed route given the disparity in the information presented.

Comment Summary G25-3: Concerned about the cost effectiveness of the pipeline.

G25-3 Cost effectiveness is also in the interest of the public. The higher the cost to build, the greater the cost to the end users, including the public.

Comment Summary G25-4: Suggests altering the proposed route to proceed southerly from MP 88.1 paralleling State Route 353 and an abandoned railroad.

G25-4 The Airport Variation would follow the abandoned railroad south from approximate MP 88.1. However, to rejoin the proposed route, the variation would need to turn east across State Reforestation land and areas known to contain Rock City-like geological formations (see section 6.3.2 of the FEIS).

James Riley, Sterling Forest LLC, Tuxedo, New York – 6/7/99

Comment Summary G26-1: The "Major Waterbody Crossings" section in chapter 5 of the DEIS does not discuss the Indian Kill Reservoir.

Comment noted. Sections 4.3.2 and 5.3.2, table 5.3.2.3-2, and appendix H have been revised to include the crossing of the Indian Kill Reservoir. Millennium states that it would not trench within the reservoir, would lay the pipeline on the bottom of the reservoir, and would open cut only the shorelines. Millennium would use silt

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curtains and other sediment control devices during construction. These measures should minimize the potential for turbidity and protect the water supply.

Comment Summary G26-2: The DEIS does not discuss the special precautions that will be taken to protect water quality of a tributary to the Indian Kill Reservoir.

G26-2 In the DEIS, we recommended that Millennium cross the Indian Kill Tributary using dry construction techniques. Millennium has revised its proposed crossing technique to a dry crossing (e.g., dam and pump) (see revised crossing method for the tributary in table H1 in appendix H of the FEIS). We believe that use of a dry crossing technique would limit the amount of turbidity generated by construction and would protect the water supply. We have also noted that Millennium should notify the South County Water Corporation instead of the Town of Tuxedo.

Comment Summary G26-3: Are there plans to route the pipeline around the Indian Kill Reservoir? Will the existing Line A-5 and cathodic protection be removed or abandoned where the proposed pipeline crosses the reservoir?

G26-3 See response G26-1. Millennium proposes to cross the reservoir by laying the new pipeline on the reservoir bottom. There are no plans to route the pipeline around the reservoir, nor has Millennium indicated that the Line A-5 would be abandoned in place. The existing cathodic protection for the Line A-5 anode string would be abandoned by disconnecting it from the rectifier. Abandoning the pipeline in place would avoid sedimentation that would result from the excavation and removal of the old pipeline. Although we are unaware of any potential water quality problems associated with a pipeline that is abandoned in place, pipeline removal may be feasible if it is a problem. The Sterling Forest should determine the best course of action during easement negotiations with Millennium.

Comment Summary G26-4: The DEIS does not discuss whether South County's existing water and sewer lines will be crossed or paralleled and how the lines will be protected from damage, or how they will be repaired if they are damaged.

G26-4 Although the CAS do not indicate that utility lines would be crossed, the exact location of underground utilities would be determined during easement negotiations with Millennium.

Comment Summary G26-5: The Sterling Forest has no agreement in place with the project sponsors that would permit use of their commercial land for the Proposed Storage Yard 70.

G26-5 The use of proposed pipe storage yards may be discussed during easement negotiations.

Comment Summary G26-6: The DEIS does not mention any staging areas upstream of the Indian Kill Reservoir. Concerned about contamination within its watersheds.

G26-6 There are a number of extra work areas proposed within Sterling Forest LLC property, and some would be within the reservoir's watershed. We believe that the erosion control measures contained in Millennium's ECS, and our Plan and Procedures would adequately protect aquatic resources and prevent contamination of the reservoir from construction or operation of the project.

G27 Tracy Coddington, New York – 6/1/99

Comment Summary G27-1: The Bradley Creek Variation appears to have the least impact on residents.

G27-1 Comment noted (see discussion of Union Center Route Variations in section 6.3 of the FEIS).

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G28 Thomas Rickert, Little Valley, New York – 6/4/99

Comment Summary G28-1: Concerned with easy access of snowmobiles and off road vehicles to property crossed by pipeline route.

G28-1 Comment noted. Section II.J.5 of Millennium ECS states that Millennium would discuss ORV control with each owner along new right-of-way. We have recommended that Millennium also discuss this issue with landowners on existing rights-of-way that would be expanded for the new pipeline. See section 5.8.3 of the FEIS.

Comment Summary G28-2: Concerned with the increased pressure of the proposed pipeline.

The pipeline is designed and tested to operate safely at the proposed design pressure. The USDOT regulations address the issue of safety and allow for a pipeline to be located 12 inches from a structure provided the pipeline is constructed and operated in accordance with the applicable specifications. To ensure public safety, the USDOT regulations require that the pipeline be checked on a regular basis to determine the number of residences within 220 yards (660 feet) on either side of the pipeline. The number and type of these residential structures would determine the pipe wall thickness and the pipe would be replaced if there were changes in residential density. This would not affect residential development, only the specification of pipe wall thickness for safe operation of the pipeline.

Comment Summary G28-3: Concerned with safety and property value of residences located near the proposed pipeline.

See response to comment G28-2.

Comment Summary G28-4: Concerned with potential health problems caused by cathodic protection systems.

Millennium states that cathodic protection systems operate under direct current and thus do not create magnetic fields. Millennium also states that it is unaware of any scientific evidence that suggests that there may be any carcinogenic effects associated with cathodic protection. We have found no evidence or any studies that a cathodic protection system would cause potential adverse health effects (including carcinogenic effects).

G29 Marjorie Collins, Ripley Taxpayers Alliance, Ripley, New York – 6/4/99

Comment Summary G29-1: The alternative route at Ripley Beach would bypass the village of Ripley and would impact fewer residences.

See response to comment G22-1. While we recognize the perceived safety concern of placing the pipeline near population centers, we believe that the USDOT standards developed for the pipeline industry, with respect to the design and operation of these facilities, provide adequate margins of safety to protect the public. Operation of a new pipeline on any route would meet all required safety standards and would ensure adequate protection for the public.

G30 Joe McFadden, McFadden's Fly & Tackle Shop, Hankins, New York – 6/7/99

Comment Summary G30-1: Concerned with open trench crossing of streams the size of the East Branch and the West Branch of the Delaware River.

G30-1 Millennium now proposes to use dry crossing techniques for vast majority of waterbody crossings (see revised table H1 in appendix H of the FEIS). We believe that the dry crossing techniques would substantially limit the amount of turbidity generated by construction. Indian Valley Industries, a major supplier of turbidity curtains, indicated to Millennium that curtains would be effective in streams with velocities of up to 1 foot per second. Millennium states that at least 8 of the streams, which are still proposed for an open cut, have typical flow velocities of less than or equal to 1 foot per second. Only two trout streams are included in the group of 8 streams where turbidity curtains may not be successful, Mongaup River and the East Branch Delaware River. However, Millennium now proposes to cross the East Branch Delaware River using a partial bore and a flow

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diversion (see revised section 5.3.2.3 of the FEIS). Consequently, we believe that Millennium's modified stream crossing proposal would provide acceptable protection to the affected streams and aquatic biota.

Comment Summary G30-2: Requests that streams such as the East Branch and the West Branch of the Delaware River be directionally drilled or horizontally bored.

Comment noted. Millennium has revised its stream crossing methods to make greater use of dry crossing techniques. The West Branch Delaware River would be crossed by conventional bore and the East Branch Delaware River would be crossed by a combination of a conventional bore and a water diversion. See revised section 5.3.2.

Comment Summary G30-3: Requests that Millennium be required to post performance bonds to pay mitigation costs for any environmental damage that may occur.

See response to comment C20-4.

G31 Sandra Wood, Endicott, New York – 5/17/99

Comment Summary G31-1: Pleased to know that there is a possibility that the proposed pipeline route will follow an existing powerline corridor.

Thank you for your comment.

G32 John and Donna Fuller, Johnson City, New York – 5/10/99

Comment Summary G32-1: The Fullers own 17.9 acres of land in Union, adjacent to Townline and Cummings Roads. Currently, there are three NYSEG and one Bell Atlantic rights-of-way on the property. A fifth right-of-way would render the land useless.

G32- Generally, it is considered environmentally preferable to use existing corridors when they are available and provide reasonable routes for natural gas facilities. However, we acknowledge that this can put an additional burden on a landowner.

Comment Summary G32-2: Concerned with the proposed 36-inch pipeline being within 100 feet of the residence and the construction work area within 50 feet.

G32-2 We assume you are referring to the Town Line Variation. See response to comment G32-3 below.

Comment Summary G32-3: Disapprove of the Town Line Road Variation.

G32-3 Comment noted. Based on comments received on the DEIS from affected landowners, we have reevaluated the Town Line Variation and no longer recommend it (see section 6.3 of the FEIS).

Comment Summary G32-4: Support the Micha Variation.

We agree and have recommended it (see section 6.3 of the FEIS).

G33 John Brozdowski, Jr., Pine Island, New York – 5/19/99

Comment Summary G33-1: Concerned with damage to black dirt during construction.

We concur that pipeline construction would damage the black dirt. However, we believe that the procedures outlined in Millennium's site-specific construction and restoration plan for the black dirt area would minimize damage and allow for proper restoration and monitoring of soils within the black dirt area. See discussion of the black dirt plan in SDEIS, part II, section 2.1 and FEIS sections 2.3.2 and 5.2.2, and appendix E2.

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Comment Summary G33-2: Concerned with devaluation of property and inability to build in the future.

G33-2 We have no evidence that the pipeline would devalue your property. However, we recognize that landowners may have specific requirements regarding the placement of the pipeline on their property and have no objection to minor field realignments that would not affect other environmental resources.

Comment Summary G33-3: Requests that an equitable formula for compensation be offered to landowners before the project is certificated.

The project cannot go forward until the Commission issues a certificate. For that reason, Millennium has not finalized easement agreements or negotiated the issue of compensation. These issues are beyond the scope of this document.

Comment Summary G33-4: Suggests alternate route through upland part of landowner's farm to avoid cutting through farm buildings. Also suggests following railroad bed along Mission Land Road.

We believe that the proposed route and the recommended Mission Land Road Variation (see section 6.3 of the FEIS) address your concern. If not, your suggested variation can be discussed with Millennium during easement negotiations. If the variation is feasible, Millennium can file it with the Secretary for incorporation into the proposed route before construction.

Albert Murray, Endicott, New York – 5/21/99

Comment Summary G34-1: Opposed to the reroute proposed by the Lewis family on Bradley Creek Road which moves the pipeline route off the NYSEG powerline corridor and onto the Murray property.

Comment noted. We have eliminated this potential variation from consideration (see section 3.6.2 of the FEIS)

Barbara Prislupsky, Johnson City, New York – 5/21/99

Comment Summary G35-1: Opposed to the reroute proposed by the Lewis family on Bradley Creek Road which moves the pipeline route off the NYSEG powerline corridor and onto the Prislupsky property.

G35. Comment noted. We have eliminated this potential variation from consideration (see section 3.6.2 of the FEIS)

Howard Schupak, Tuckahoe Road Watchdog Group, Yonkers, New York – 5/28/99

Comment Summary G36-1: The DEIS does not adequately address environmental impacts to the aqueduct system which transmits the water supply for the New York City water system.

G36-1 We believe we have adequately addressed the environmental impacts associated with construction and operation of the pipeline, including the crossing of the aqueduct (see FEIS section 5.3.2.3 for discussion of site-specific plan for the crossing of the Catskill Aqueduct and section 6.3 for discussion of the State Route 100 Variation).

Comment Summary G36-2 The DEIS does not address the Ardsley Fault which is within two miles of the proposed pipeline route.

G36-2 There is no Ardsley Fault. You are referring to the Ardsley earthquake which was a series of earthquakes that included a maximum magnitude 4.0 event on October 19, 1985. These earthquakes are correlated with the Dobbs Ferry fault zone and confined to the subsurface (Seeber and Sykes, 1986, Dawers and Seeber, 1991). See SDEIS part I, section 5.1 and FEIS section 5.1.1.

As discussed in section 5.1.1 of the EIS surficial faulting poses a far greater seismic hazard to natural gas pipelines than groundshaking. For groundshaking to pose a significant seismic hazard to the pipeline, a large catastrophic earthquake would have to occur in the region. The likelihood of such an event is extremely remote.

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See SDEIS part I, sections 5.11.1 and 5.11.4 and FEIS sections 5.12.1 and 5.12.4 for a discussion of safety issues related to earthquakes.

Comment Summary G36-3: Concerned with the safety of residents on Tuckahoe Road.

G36-3 The pipeline is proposed to cross Tuckahoe Road about 2,500 feet southwest of your residence on the west side of the Grassy Sprain Parkway/Tuckahoe Road interchange. However, we have recommended the Parkway Variation that would place the pipeline an 1,000 west of your residence. While pipeline installation would result in disruption, the disruption would be short term (1 to 2 weeks) in the vicinity of Tuckahoe Road. The pipeline would be buried with at least 3 feet of cover and would be designed for a USDOT Class 4 location (see section 5.12.1 of the EIS) to ensure safe operation.

Comment Summary G36-4: Requests the comment period be prolonged to afford local civic groups an opportunity to be heard.

G36-4 The Commission granted an extension of time for comments from June 7 to June 22, 1999.

G37 Peter Osterhoudt, Lowman, New York – 5/20/99

Comment Summary G37-1: Concerned with the 75-foot-wide right-of-way in areas where the Line A-5 would be abandoned and future use of the right-of-way.

G37-1 Millennium would construct the new pipeline 25 feet from the existing Line A-5. Pipeline companies typically maintain a 50-foot-wide permanent right-of-way centered over the pipeline to facilitate maintenance activities and to minimize encroachment on the pipeline. However, reduced operation right-of-way widths may be established during easement negotiations between Millennium and individual landowners. Millennium states that it would continue to maintain rights to the abandoned Line A-5 as there may be a future commercial use for that pipeline. Land retained for the abandoned Line A-5 right-of-way (about 25 feet) would not be subject to future disturbance, unless the line is activated. However, landowners may request that the easement associated with the Line A-5 be returned to the landowner during right-of-way negotiations with Millennium.

Comment Summary G37-2: Requests FERC to deny a 75-foot-wide right-of-way and confine Millennium to a 50-foot-wide right-of-way.

Millennium is requesting a 75-foot-wide construction right-of-way and a 50-foot-wide permanent right-of-way. Both the construction and permanent rights-of-way would overlap the existing Line A-5 permanent right-of-way by 25 feet. This would extend the existing permanent right-of-way on your property by 25 feet.

G38 Frederic and Jean Vlasak, Johnson City, New York – 5/24/99

Comment Summary G38-1: Opposes the Town Line Road Variation but favors the Micha Variation.

Comment noted. We no longer recommend the Town Line Variation (see revised discussion of the Micha Route Variation in section 6.3 of the FEIS).

G39 Helen Meloro, Binghamton, New York – 5/27/99

Comment Summary G39-1: Concerned with safety of residence located in close proximity to proposed pipeline route.

The proposed pipeline would be a state-of-the-art pipeline system that would be constructed and operated in accordance with the USDOT regulations. These specifications are designed to protect public health and safety.

Comment Summary G39-2: Concerned with impact to residence, well, septic system, and property during construction.

We believe Millennium's proposed and our recommended mitigation would minimize construction impacts on your residence, septic system, and surrounding property. See sections 5.3.1 and 5.8.2 of the EIS.

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Comment Summary G39-3: Concerned with access to property and access between parcels during construction.

G39-3 We agree that construction of the pipeline could limit access between your southern (08B84) and northern (08B85) parcels. However, roads can be constructed across pipeline rights-of-way using proper engineering methods. We suggest that during the easement negotiation process with Millennium you identify a suitable right-of-way crossing area that would allow access to your northern parcel. If you intend to cross the right-of-way with heavy machinery (your letter mentions potential timber harvest or development), we suggest construction of a hardened right-of-way crossing to protect the pipeline.

Comment Summary G39-4: Concerned with decrease in property value and danger during construction and operation.

We do not believe that construction or operation of the pipeline would result in danger or a decrease in property value.

Comment Summary G39-5: It appears that construction would take place on the uppermost part of property.

Millennium proposes to expand the existing right-of-way on your property by about 25 feet for the installation of the new pipeline.

Comment Summary G39-6: Favors the Micha Route Variation.

G39-6 As currently proposed, the Micha Variation would return to the proposed route (and the existing Line A-5) right-of-way in the vicinity of MP 244.7, west of Oakdale Road. If the Micha Variation were to extend further east along the NYSEG right-of-way, the variation would need to return to the pipeline right-of-way at County Road. It would appear that this route would triple the length of the pipeline on your property.

G40 Ward Grimins, Painted Post, New York – 6/1/99

Comment Summary G40-1: Requests that the proposed route be shifted north of the existing pipeline right-of-way between West Hill Road and Hornby Road (MP 185 - MP 186).

G40-1 Comment noted. We have recommended shifting the pipeline to the north in the vicinity of MPs 185.0 and 186.0. See discussion of the Grimins Variation in section 6.3 of the FEIS.

G41 Robert San Jan, New York – 6/3/99

Comment Summary G41-1: Concerned with open trench crossing of streams the size of the East Branch and the West Branch of the Delaware River. Requests that streams such as the East Branch and the West Branch of the Delaware River be directionally drilled or horizontally bored.

See response to comment G30-2.

Comment Summary G41-2: Requests that Millennium be required to post performance bonds to pay mitigation costs for any environmental damage that may occur.

See response to comment C20-4.

G42 Jacquelyn Mueller, New York – 6/3/99

Comment Summary G42-1: Concerned with open trench crossing of streams the size of the East Branch and the West Branch of the Delaware River (30 feet wide and 8 feet deep).

G42-1 See response to comment G30-1.

Comment Summary G42-2: Requests that streams such as the East Branch and the West Branch of the Delaware River be directionally drilled or horizontally bored.

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G42-2 See response to comment C20-4 and G30-2.

Comment Summary G42-3: Requests that Millennium be required to post performance bonds to pay mitigation costs for any environmental damage that may occur.

G42-2 See response to comment C20-4.

G43 John Duffek, Owego, New York – 5/26/99

Comment Summary G43-1: Opposes the segment of the proposed pipeline route following the powerlines between Beecher Hill Road in Tioga County to Cummings Road in Broome County.

G43-1 Millennium proposes to install the pipeline between the powerlines in this segment which would reduce impact on your farm (see appendix C, right-of-way cross section A-1078 of the EIS).

Comment Summary G43-2: Concerned with cumulative impact the proposed pipeline will have on property.

G43-2 Comment noted.

Comment Summary G43-3: Requests lift and lay of the existing Line A-5 pipeline or use of the originally proposed route following the Line A-5.

G43-3 Comment noted. However, we believe use of the NYSEG right-of-way would be environmentally preferable to construction along the Line A-5 in this area.

Comment Summary G43-4: Requests that the route not be changed to the powerline right-of-way called the Millennium Proposed Pipeline as stated on Page 6-10 in the DEIS.

G43-4 Comment noted.

Leigh Thompson, Johnson City, New York – 6/3/99

Comment Summary G44-1: Opposes construction of the proposed pipeline along existing powerlines on property at MP 241 but supports construction along the existing NYSEG pipeline right-of-way.

G44-1 While use of the Bradley Creek Variation would minimize impact on your property on Pitkin Hill Road, we believe the variation would result in additional impact on other properties. See FEIS section 6.3.

Emil Stastny, Johnson City, New York – 5/31/99

Comment Summary G45-1: Favors the Bradley Creek Variation and is willing to allow the pipeline to be constructed on a remote, uninhabited portion of land at MP 241.4.

G45-1 The Bradley Creek Variation would cross land that is used by the Mount St. Francis Monastery and the Kodey Tree Farm. Both these landowners have expressed concern about the pipeline being routed through these properties.

Stephen and Ann Supa, Johnson City, New York – 5/31/99

Comment Summary G46-1: Concerned with future plans to tap into a drinking water spring on property which will be impacted by construction.

G46-1 We believe that any temporary or permanent impacts on the spring can be avoided with proper planning and mitigation. We have recommended that Millennium verify the groundwater source for the spring and develop appropriate mitigation (see section 5.3.1.2 of the FEIS).

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William Antalek, Endicott, New York – 6/2/99

Comment Summary G47-1: Pleased with FERC's recommendation to construct the pipeline along the existing NYSEG corridor but is upset with certain commentators who claim to speak for all landowners when in fact they do not.

Thank you for your com

G48 Dale and Joseph Mooney, Johnson City, New York – 5/20/99

Comment Summary G48-1: Opposes the pipeline being rerouted onto Mooney property to avoid impact on the Lewis property.

G48-1 :omment noted

Comment Summary G48-2: Concerned with impact to horses and horse pasture on property

G48-2 Comment noted

Comment Summary G48-3: Aesthetics of property will be ruined by clear cutting construction right-of-way

G48-3 Comment noted

Comment Summary G48-4: Concerned with side slope soil erosion on property caused by tree removal

G48-4 Comment noted.

Comment Summary G48-5: Clear cutting trees on property will increase the noise level and reduce the air quality

G48-5 Comment noted

Comment Summary G48-6: Concerned with cumulative impact created on property due to adding a third pipeline

G48-6 omment noted

Comment Summary G48-7: Future plans of subdividing property would be hindered by adding a third pipeline.

G48-7 Comment noted

Comment Summary G48-8: The old Rockerfeller pipeline does not have an easement on the Mooney property

G48-8 Comment noted

Frank Fava, Frank, B&F Development, Baldwinsville, New York – 6/21/99

Comment Summary G49-1: Concerned with safety of customers and tenants during construction.

G49-1 See response to comment G10-1 Millennium states that it would implement residential mitigation in business areas that includes a provision for installing fencing around the work areas. The issue of responsibility for injuries would have to be discussed during easement negotiations. Millennium would be responsible for compensating or repairing any property damage.

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Comment Summary G49-2: Concerned with loss of business during construction.

G49-2 The pipeline would be constructed within an estimated 150-foot-wide construction work area due to the workspace for a road bore. Access would continue to be along the entrance on the southwest edge of the property.

Comment Summary G49-3: Concerned with compensation for property used during construction, whether there will be aboveground structures on lot, and how property will be restored.

G49-3 The issue of compensation would be between the easement grantor and the pipeline company. No aboveground structures are proposed for your property. Your property would be restored to preconstruction conditions. In this case, the parking lot pavement would be restored.

Comment Summary G49-4: Concerned with future use/loss of existing pad site on property.

G49-4 The loss of this pad site should be considered in the easement negotiations.

Comment Summary G49-5: Requests Millennium to explore a route that will avoid property.

G49-5 Millennium proposes to move the pipeline to avoid your property (see discussion of the Fava Variation in section 6.3 of the FEIS).

G50 Randy Lewis and Peter Supa, Johnson City, New York – 6/1/99

Comment Summary G50-1: Suggests two pipeline routes along the existing Line A-5 route in the Boswell Hill area.

G50-1 Millennium states that it considered the existing Line A-5 as a routing opportunity for the proposed pipeline. We believe the Boswell Hill area should be avoided if possible because of residential constraints at the crossing of State Routes 33b and 26.

Comment Summary G50-2: Feels that the Bradley Creek Variation is a superior solution to the proposed route in the Bradley Creek area.

G50-2 Comment noted

Comment Summary G50-3: Commenter provides data about land use crossed by the Bradley Creek Variation versus the proposed route.

G50-3 We believe that both the Bradley Creek Variation and the proposed route would cross similar land uses.

Comment Summary G50-4: Believes that the Bradley Creek Variation is superior to the proposed route in meeting the Commission's regulations presented on page 3-14 of the DEIS.

G50-4 Both the proposed route and the Bradley Creek Variation would meet the intent of the Commission's regulations in that both routes would be sited adjacent to existing rights-of-way.

Comment Summary G50-5: Presents table that depicts the negative impacts to residences located on the Bradley Creek Variation versus the proposed route.

G50-5 We note that Millennium proposes to avoid crossing the Lewis driveway and would bore Bradley Creek Road along with the septic systems and driveways on the Scone and Mitchell properties. We also note that no block valves are proposed at Bradley Creek Road and that timber harvesting would not be severely affected since most of the affected properties are non-forested. However, we recognize that construction would create a disturbance in this area, but no more so than in other areas crossed by the pipeline.

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Comment Summary G50-6: The DEIS does not illustrate all costs and expenses related to slick borings, extra roads, and streams crossed along the Bradley Creek Variation.

The additional length of the Bradley Creek Variation would add costs to construction that could offset the additional cost, if any, associated with the slick boring. Most likely, the costs are comparable and neither route offers significant cost savings.

Comment Summary G50-7: Presents table illustrating other impacts of the proposed route versus the Bradley Creek Variation.

Comment noted.

Comment Summary G50-8: Concerned with impact to septic systems, wells, and a spring on properties of several landowners.

We do not believe the pipeline would destroy the spring, the septic systems, or the wells. While we have received comments from two of the landowners (Thompson and Stastny) supporting the Bradley Creek Variation, these are not the only landowners that would be affected by this variation and these other landowners have commented that they oppose the variation (see comment letters G23, G85, and G98).

Comment Summary G50-9: Requests FERC to adopt the Bradley Creek Variation from MP 241.1 to MP 242.6.

G50-9 Comment noted.

G51 Richard Hare, National Fuel Gas Supply Corporation – 6/7/99

Comment Summary G51-1: Supports the Niagara Spur System Alternative but a 36" pipe should be used instead of 42" pipe.

Thank you for your comment. This alternative would also require extensive rerouting in Canada. See revised discussion of the Niagara River Alternative in section 3.3 of the FEIS.

Comment Summary G51-2: Believes National could construct the Leidy Alternative using fewer miles of pipe and no new compression.

G51-2 Thank you for your comment. See revised discussion in section 3.2 of the FEIS.

Comment Summary G51-3: Independence could deliver both the proposed Millennium and MarketLink design volumes with the addition of 90,000 hp at six compressor stations.

Thank you for your comment. See revised discussion in section 3.2 of the FEIS.

G52 Susan Halbach, Tennessee Gas Pipeline Company – 6/7/99

Comment Summary G52-1: Believes that Tennessee would be able to provide a system alternative to the proposed Millennium Pipeline Project.

Thank you for your comment. See revised discussion in section 3.2 of the FEIS.

Mark Magnuson, Consolidated Natural Gas – 6/7/99

Comment Summary G53-1: Questions the assumptions presented in the DEIS regarding system alternatives.

We believe any viable system alternative must meet the stated objectives of the proposed project. To do otherwise would unreasonably prejudice the viability of any project.

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Comment Summary G53-2: Believes that a market demand does not exist for this project.

It is beyond the scope of the EIS to determine the market demand for this project. The Commission will determine the issues of market demand and need for the project based on analyses being conducted separately and on a parallel track to the environmental analysis. Information from that analysis along with the environmental record will be placed before the Commission for its review and ultimate decision on this project.

Comment Summary G53-3: Feels there is no need for additional pipelines into the Northeast in 2000 or for several years thereafter.

The discussion of need is beyond the scope of the EIS. See response to comment 6.53-2.

Comment Summary G53-4: Sponsors of alternative projects that could meet the main objective of the proposed project have no reason to replace Columbia's Line A-5.

G53-4 We agree that other sponsors would have no reason to replace Columbia's Line A-5. However, in this EIS, we are evaluating a proposed project with a specific route and identified customers.

Comment Summary G53-5: The assumptions in the DEIS on alternatives spring from a view that the applicant defines the objectives of its project and that any alternative must meet the precise objectives defined by the applicant. This approach illogically makes selection of the applicant's proposed project a self-fulfilling prophecy by contriving "a purpose so slender as to define competing 'reasonable alternatives' out of consideration." Properly conceived, reasonable alternatives include those that are practical or feasible from a technical and economic standpoint, rather than simply desirable from the standpoint of the applicant.

G53-5 As stated in response to comment G53-2, the issue of need/market demand is beyond the scope of the EIS. While it is possible to "contrive a purpose so slender as to define competing 'reasonable alternatives' out of consideration," this is simply not the case. We have identified system alternatives to the proposed project and several pipeline companies (e.g., National Fuel, Tennessee, ANR, Independence, and Duke Energy) have offered suggested routes or other means to meet the stated objectives of the Millennium Pipeline Project. However, none of these companies has filed an application or indicated a commitment to constructing the suggested facilities. As a result, it is difficult to determine if these alternatives would indeed be environmentally superior to the proposed route, except for the most basic environmental comparisons. These projects, when fully designed and submitted to the same level of public and agency scrutiny as the proposed project, may prove to have environmental liabilities that could be greater than those associated with the proposed project.

Comment Summary G53-6: The DEIS should consider turn-back capacity as an alternative means of serving any market growth that materializes in the Northeast.

G53-6 Comment noted. The issue of market demand is beyond the scope of the EIS (see response to comment G53-2). Turn back capacity is addressed in section 3.1.

Comment Summary G53-7: The DEIS consideration of system alternatives is very limited and legally insufficient.

Comment noted. See response to comment G53-5.

Comment Summary G53-8: The DEIS assumes not only that Millennium's view of the market need is correct, but that the proposals put forward by other applicants are needed in addition.

G53-8 Comment noted. See response to comment G53-

Comment Summary G53-9: The DEIS considered and rejected the Leidy Interconnection System Alternative but does not recognize that the CNG system connects to the Leidy hub and has potential interconnects with the proposed Millennium route in New York.

Comment noted. See revised discussion in section 3.2 of the FEIS.

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Comment Summary G53-10: CNG has not filed the Crossroads project with FERC because there is no need for the capacity it could offer.

G53-10 We fail to see how the failure of CNG to find shippers for the Crossroads Project substantiates the lack of demand for the Millennium Pipeline Project. One of Millennium's shippers, Stand Energy Corp., requested service from 8,000 Dth per day to 9,800 Dth per day (February 8, 2000 filing). It would appear that the lack of demand for the Crossroads Project may be the result of shippers already having committed to other projects and not needing additional capacity at this time.

Comment Summary G53-11: The DEIS does not consider the use of CNG's existing system as a viable alternative.

G53-11 Comments noted. See revised discussion in section 3.2 of the FEIS.

Rodney Gerik, Duke Energy – 6/7/99

Comment Summary G54-1: Texas Eastern and Algonquin were evaluated as alternatives to the proposed project but it does not appear that the availability of turned back capacity was included in the Commission's evaluation.

G54-1 Thank you for your comment. Turn back capacity is addressed in section 3.1. Also, see revised discussion in section 3.2 of the FEIS.

James Bowe, Jr., eCorp LLC – 6/7/99

Comment Summary G55-1: Under one alternative, the western portion of the Millennium pipeline would be unnecessary. The Millennium pipeline could be constructed from the Stagecoach field (which would require a slight modification to the existing route) to its proposed eastern terminus point. This would replace a substantial portion of the deteriorating Line A-5 and enable the existing Line A-5 customers to be served by the new Millennium pipeline. The Stagecoach field would then serve as a market hub area and eCorp would construct a pipeline south to interconnections points with Tennessee and Transco that would act as a header system and provide access to multiple supply and delivery points.

G55-1 Millennium states that the Stagecoach Gas Storage Field (Stagecoach) that eCORP plans to develop in Tioga County would be 8 miles from Millennium's mainline and thus could potentially benefit Millennium's shippers in terms of reliability of service, diversity of supply, and liquidity. Likewise, Millennium would benefit Stagecoach in the same respects and could provide it with access to electric generation plants and other markets. However, the development of Stagecoach would not eliminate the need to construct Millennium's facilities west of that field. All of Millennium's shippers have designated the Lake Erie import point on Millennium's system as their receipt point for service. Millennium's facilities west of the Stagecoach are thus essential to provide the requested services. Millennium does not propose to alter its proposed route to cross the Stagecoach Field, as eCORP suggests in its comments, but would consider other means of interconnecting with that storage facility if it were developed as planned.

George Risbano, Brookside Residents Association, Yonkers, New York – 6/3/99

Comment Summary G56-1: Concerned with traffic problems on Brookside Circle during construction.

G56-1 The pipeline would be adjacent to the Sprain Brook Parkway in the area of Brookside Circle, which is south of Kimball Road at approximate MP 419.1. Construction would not directly affect Brookside Circle although there may be some indirect effects resulting from traffic disruption on the Parkway and on Kimball Avenue.

Comment Summary G56-2: Concerned with possible damage to foundations or services (water, sewer, electric) caused by erosion.

G56-2 There may be erosion in areas cleared for installation of the pipeline. This would not be significant enough to cause damage to foundations or services on Brookside Circle. See section II.F of Millennium's ECS.

Comment Summary G56-3: Concerned with damage to trees and their roots.

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G56-3 Construction would be adjacent to Sprain Brook Parkway. There would be no impact on trees within properties on Brookside Circle.

Comment Summary G56-4: Concerned with the safety of homes and residents living close to the proposed pipeline.

G56-4 See response to comment G56-1. The pipeline would be buried and would not be placed within 10 feet of any residences on Brookside Drive.

Comment Summary G56-5: Requests researching a less densely populated area for the pipeline.

G56-5 There is no other less populated route to the terminus in Mount Vernon.

Comment Summary G56-6: Feels that the City of Yonkers has been unjustly targeted for every Federal project such as housing, desegregation of schools, and absorption of parklands.

G56-6 The issue of whether Yonkers has more than its fair share of Federal projects is beyond the scope of the EIS.

James Asselstine, Upper Delaware Chapter, Trout Unlimited, Long Eddy, New York – 6/7/99

Comment Summary G57-1: Concerned with open trench crossing of streams the size of the East Branch and the West Branch of the Delaware River (30 feet wide and 8 feet deep).

G57-1 See response to comment G30-1

Comment Summary G57-2: Requests that streams such as the East Branch and the West Branch of the Delaware River be directionally drilled or horizontally bored.

Millennium now proposes to cross nearly all waterbodies using dry construction techniques. See response to comment G30-1.

Comment Summary G57-3: Requests that Millennium be required to post performance bonds to pay mitigation costs for any environmental damage that may occur.

G57-3 We have no requirement for Millennium to post bonds. See response to comment C20-4.

Paris Ronco, Sprain Lake Knolls Civic Association, Yonkers, New York – 6/5/99

Comment Summary G58-1: List of items about construction in Yonkers, NY.

See responses to comment letter C12.

G59 Anne Williams, Hortonville, New York – 6/7/99

Comment Summary G59-1: Concerned with the open trench crossing of the East and West Branches of the Delaware River.

G59- Millennium now proposes to cross the West and East Branches Delaware River using dry crossing techniques. Also, see response to comment G30-2 and G83-1.

Comment Summary G59-2: Favors directional drilling of the East and West Branches of the Delaware River.

See response to comment G30-2 and G83-

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G60 Richard Hall, Millennium Pipeline Company – 6/22/99

Comment Summary G60-1: Millennium believes that the Niagara Spur System Alternative would have greater environmental impacts than the proposed route.

G60-1 Comment noted. See revised discussion in section 3.2 of the FEIS.

Comment Summary G60-2: Millennium would be willing to entertain any proposal that Algonquin might present but no proposal has yet been advanced.

G60-2 Comment noted. See revised discussion on the Hudson River Alternatives in section 6.2 of the FEIS.

Comment Summary G60-3: Millennium affirmatively advises the Commission that it will incorporate the C-CORE recommendations regarding ice scour into its design.

G60-3 Thank you for your comment.

Comment Summary G60-4: Millennium believes that it would be preferable to follow the existing Line A-5 right-of-way through the Town Line Road area.

G60-4 Comment noted. See revised discussion of the Micha Route Variation in section 6.3 of the FEIS.

Comment Summary G60-5: On page 4-14 of the DEIS, the statement regarding mercury samples could be interpreted incorrectly.

G60-5 The text in section 4.3.3 of the FEIS has been revised.

Comment Summary G60-6: Table 4.3.3-1 in the DEIS should be revised to accurately describe the nature of sediment samples.

G60-6 The text in section 4.3.3 of the FEIS has been revised and DEIS table 4.3.3-1 has been eliminated.

Comment Summary G60-7: The DEIS should indicate that all of the specific organic contaminants in all of the sediment samples were below their detection limits with the exception of detectable levels of acetone in some samples.

G60-7 The text in the FEIS has been revised (see section 4.3.3).

Comment Summary G60-8: The discussion of surface water (DEIS page 4-11) should be updated to reflect the revised stream crossing data that Millennium filed with the Commission on May 27, 1999.

G60-8 We have updated sections 4.3.2 and 5.3.2 and appendix H of the FEIS to reflect the revised stream crossing procedures.

Comment Summary G60-9: Pages 4-12 and 5-26 of the DEIS should be revised to note that the Indian Kill Reservoir will also be crossed at MP 367.1.

G60-9 We have updated sections 4.3.2 and 5.3.2 and appendix H of the FEIS to show the crossing of the Indian Kill Reservoir.

Comment Summary G60-10: The DEIS should be revised to show that only two waterbodies within three miles of active public water intakes would be open-cut.

G60-10 We have updated section 5.3.2 of the FEIS to indicate that only two waterbodies used for public water (Olean Creek and Indian Kill Reservoir) would be open cut.

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Comment Summary G60-11: The discussion of site-specific impact of waterbody crossings (DEIS page 5-17) should be updated to reflect the revised stream crossing methods that Millennium filed with the Commission on May 27, 1999.

G60-11 We have updated sections 4.3.2 and 5.3.2 and appendix H of the FEIS to reflect the revised stream crossing data. We have included a description of the conventional bore method in section 5.3.2.3.

Comment Summary G60-12: The description of aqueduct crossings on page 4-12 and 5-26 of the DEIS should be revised.

G60-12 We have updated sections 4.3.2 and 5.3.2 of the FEIS to include the revised aqueduct information.

Comment Summary G60-13: The list of affected golf courses on page 4-35 of the DEIS should be revised.

G60-13 Comment noted. Sections 4.8.3 and 5.8.3 of the FEIS have been revised to include the Scenic Farms Golf Course at about MP 352.6.

Comment Summary G60-14: Table 5.3.2.3-3 on page 5-23 of the DEIS should be revised to reflect information filed with the Commission on February 9, 1999.

G60-14 We have revised section 5.3.2 and table 5.3.2.3-5 of the FEIS to reflect the updated cost information.

Comment Summary G60-15: Sheets 4 and 5 of appendix B3 to the DEIS should be corrected to reflect the valve and launcher/receiver locations filed with the Commission on March 10, 1999.

G60-15 Table 2.1-1 of the DEIS listed the milepost locations for the valves and launcher/receivers provided in your data response filed on March 10, 1999. We have revised these mileposts in the FEIS and the maps in appendix B1 to accurately identify the facility locations based on the station numbers and descriptions provided in your data response. We have also added a note to the sheets 4 and 5 of appendix B3 that the locations for these facilities are identified in table 2.1-1 and the maps in appendix B1.

G61 Diana Trader, Cohecton, New York 6/7/99

Comment Summary G61-1: Concerned with loss of tree screen between residence and proposed right-of-way.

G61-1 Millennium states that it met with Mr. Tradar and Mr. Grund on the property on June 5, 1999. The tree screen, composed of silver maple and wild cherry, is between the residence and the right-of-way which includes a valve that would not be replaced. Both parties and Millennium have agreed to shifting the work area to the Grund property.

Comment Summary G61-2: Two adjacent landowners have agreed to have the working side of the pipeline on their property.

G61-2 Millennium proposes to deviate 10 feet north from the existing Line A-5 for a distance of about 800 feet and decrease the work space to about 30 feet wide by 300 feet long along the property line (see section 3.4 and 6.3 of the FEIS).

Comment Summary G61-3: Requests that any information regarding start of construction on property to be given in writing at least 60 days in advance.

G61-3 Notification of the start date for construction on your property should be negotiated as an element of the easement agreement with Millennium.

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G62 Richard Hoffman, Jr., Ripley, New York – 6/3/99

Comment Summary G62-1: Opposed to proposed alternate route which would impact a spring on property.

Millennium states that they have studied a minor realignment on your property that would move the proposed pipeline down gradient of the spring. Millennium states that it discussed this reroute in the field with you before the DEIS comment meeting held on May 18, 1999, in Mayville. Millennium states that this reroute would be further discussed during the easement acquisition process.

G63 Robert Cullings, Horseheads, New York – 6/4/99

Comment Summary G63-1: Requests an on-site visit of property.

G63-1 On-site visits to specific properties is part the EIS scoping process. We issue a notice of our field trips to allow landowners to request such site visits. Unfortunately, scheduling and timing constraints do not allow us to stop at all properties where landowners have requested a site visit.

Comment Summary G63-2: Favors alternate route paralleling an existing powerline along State Route 17.

G63-2 We eliminated the State Route 17 Alternatives from further consideration (see section 3.3 of the EIS).

Comment Summary G63-3: Favors a rejected alternate route following an existing pipeline right-of-way near route 13.

G63-3 We rejected this alternative because it would require the creation of about 13.2 miles of new right-of-way in previously undisturbed, mostly forested areas.

Comment Summary G63-4: Expects to be compensated for costs incurred should well or pond on property be affected during construction.

G63-4 As stated in section 5.3.1.1 of the EIS, Millennium would conduct pre- and post-construction water quality and quantity testing of wells and springs used for drinking water within 150 feet of the construction work area. If a water source or spring were damaged as a result of Millennium's activities, Millennium would provide a temporary water source, and repair or replace the well.

Comment Summary G63-5: Requests a list of the open items Columbia has been ordered to complete prior to issuance of the FEIS.

Most of the "open items" are listed in the conditions in section 7.2 of the EIS or summarized in section 7.1

Comment Summary G63-6: The DEIS does not define a detailed planned schedule of milestones by date that are requirements of the gas company for compliance to the issuance of the FEIS.

G63-6 No such schedule or requirements have been developed. Many requirements are "prior to construction". Unless such requirements are met, construction cannot begin.

Comment Summary G63-7: Concerned with the devaluation of property due to the presence of a high pressure pipeline.

G63-7 We have no evidence that the pipeline in and of itself would devalue property. See discussion of property values in section 5.10 of the EIS.

Comment Summary G63-8: Requests a DEIS index, a CD-ROM with search engine, and responses to public meeting comments.

G63-8 A subject index has been added to the FEIS. A CD-ROM with a search engine is not available at this time. A summary of the public meeting comments and responses is included in appendix O of the FEIS).

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G64 Mark Hayman, et al., Horseheads, New York – 6/4/99

Comment Summary G64-1: Prefers the proposed variation that shifts the pipeline route away from residences on Moss Hill Road.

G64-1 Millennium has proposed a variation to minimize impact on properties in the vicinity of Moss Hill Road and we have recommended it (see discussion of the Moss Hill Road Variation in section 6.3 of the FEIS).

Maureen Corbett, Gramatan Hills Homeowners Association, Yonkers, New York – 6/7/99

Comment Summary G65-1: Requests a list of times for construction in Yonkers.

See responses to comment letter C12. Millennium has proposed and we have recommended a variation along the Sprain Brook Parkway that would avoid in-street construction in Palmer Road and Desmond Avenue/Bronx River Road (see discussion of the Parkway Variation in section 6.3 of the FEIS).

G66 Jim Cullen, Yonkers, New York – 6/5/99

Comment Summary G66-1: Questions benefits, industry competition, and public interest associated with the proposed project.

G66-1 One of the ultimate end uses of the natural gas would be to fuel power generating and industrial plants that are currently using oil or coal. Natural gas is a cleaner burning fuel that could significantly improve regional air quality if major users converted from burning coal or oil to natural gas. Competition in the natural gas industry would be promoted by providing shippers and end users with more than one source of natural gas.

Comment Summary G66-2: Questions why proposed route crosses one of the most populous sections of Westchester County and why the Hutchinson River Parkway wasn't considered as an alternative.

See response to comment C12-5.

Jerry Mathers, The Last Fisherman, Erie, Pennsylvania – 6/5/99

Comment Summary G67-1: Concerns regarding fishing business and fishing grounds in Lake Erie.

G67-1 Thank you for your comments. Millennium reports that the use of gill nets in Pennsylvania's Lake Erie commercial fishery was banned after 1995 and that you are the only individual who elected to continue his enterprise using trap nets. There are no licensed commercial fishermen in the New York waters of Lake Erie. To date, Millennium states that it has received no information from the Pennsylvania or New York regulatory agencies regarding the presence of specific fishing grounds. Millennium further states it would contact you to discuss the location of fishing grounds, prior to construction. We believe that Millennium would be able to either avoid or mitigate for the loss of your fishing grounds or the loss of any other commercial fishing grounds, if present.

John Prill, Yonkers, New York – 6/9/99

Comment Summary G68-1: Concerned with impacts to property caused by traffic detours.

Bronxville Road appears to be a residential street between Kimball Avenue (and Brookside Court) and Midland Avenue. The pipeline would be installed in the Sprain Brook Parkway in this area (approximate MP 419.1) While it is the only residential street that connects Kimball and Midland Avenues, and bypasses a segment of the Sprain Brook Parkway, a more logical (and probably faster bypass) would be via Kimball Avenue. In any event, traffic disruption would be relatively short-term, lasting no more than 1 to 3 weeks in this area. Temporary traffic detours should be developed so there is no permanent impact to property.

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G69 C. Roland Newkirk, Warwick, New York – 6/4/99

Comment Summary G69-1: Concerned with construction technique that would be used to cross property and impact to residence.

G69-1 Comment noted. The construction technique that would be used in this area is lift and lay. If your driveway crosses the existing pipeline, your residence may be inaccessible for a short time while the new pipeline is put in place. However, there is no indication that the new pipeline would render your residence unlivable.

Mark Fuller, Ripley, New York – 6/3/99

Comment Summary G70-1: Opposes proposed route in the Wiley Road area.

G70-1 See response to comment G22-1

Thomas Curran, Johnson City, New York – 6/4/99

Comment Summary G71-1: Favors the Townline Road Bypass Variation versus the Line A-5 route.

G71-1 Comment noted. While you indicate that the Townline Road Bypass Variation would add 0.2 mile to the overall length of the route, our calculations indicate it would be closer to 0.6 mile. It would also require crossing of a pond southwest of East Maine Road. We have revised our evaluation of the Micha Route Variation in section 6.3 of the FEIS and believe this variation (which would be about 0.3 mile longer than the proposed route) would minimize impact on your property and that of your neighbors without as much of an increase in overall length.

Janice Alperin, Independence Pipeline Company – 6/8/99

Comment Summary G72-1: Independence believes that a Leidy Alternative is feasible and could be successfully implemented without jeopardizing Independence's November 2000 in-service date.

G72-1 Thank you for your comment. See revised discussion in section 3.2 of the FEIS. We note that the Independence Project has not yet been constructed.

G73 Mack, Ripley, New York – 6/7/99

Comment Summary G73-1: Questions how the proposed pipeline route through Ripley, New York was chosen.

G73-1 See response to comment G22-1

Janice Alperin, ANR Pipeline Company, New York – 6/8/99

Comment Summary G74-1: Believes that the Leidy alternative is feasible and can be accomplished without requiring any delay in the authorization of ANR's application at Docket No. CP97-319, *et al.* ANR can add additional facilities and accommodate markets as they develop.

G74-1 Thank you for your comment. See revised discussion in section 3.2 of the FEIS.

Dale Davis, Ripley, New York – 6/5/99

Comment Summary G75-1: Concerned with the Town of Ripley's watershed.

G75-1 Millennium has contacted all towns that would be crossed by the project (including the Town of Ripley) by letter and by telephone with regard to special features, including protected aquifers and water supply watersheds. Millennium states that the use of its standard construction techniques would not impact the aquifer protection areas crossed by the pipeline and we agree with this conclusion. However, we have recommended that Millennium identify aquifer protection areas on the revised CAS. Further, Millennium would implement its SPCC

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Plan, as well as any local spill prevention and control plan, and would ensure that sorbents are available in all vehicles working within the watershed. In addition, special refueling areas would be established within the Ripley Public Water Supply Watershed (see section 5.3.1.2 of the EIS).

G76 Francis Nye, Salamanca, New York – 6/2/99

Comment Summary G76-1: The DEIS does not address the effects of electro magnetic fields generated by the cathodic protection of the pipeline.

Cathodic protection systems operate under direct current and thus do not create magnetic fields. To our knowledge, there is no evidence that direct current electric fields cause the migration of toxic chemicals through ground water systems or that there are potential adverse health effects resulting from cathodic protection systems.

Charles Swift, Van Etten, New York – 6/4/99

Comment Summary G77-1: Concerned with impact to a trout stream on property that has already been affected by the existing Line A-5.

G77-1 Comment noted.

Comment Summary G77-2: Disturbing the creeks on land will be ruinous to property and a new pipeline will devalue the property.

G77-2 Comment noted.

Comment Summary G77-3: Does not agree with abandoning in place the existing Line A-5.

Comment noted.

G78 Gregory and Georgia deVaney, Yonkers, New York – 6/6/99

Comment Summary G78-1: Concerned with traffic congestion, dust, noise, disruption of utilities, and safety along densely populated residential and commercial areas during construction.

Comment noted. See response to comment letter C12 for additional information on potential impact on Yonkers from construction.

Comment Summary G78-2: Concerned with loss of mature vegetation.

Most construction in Yonkers would be in the streets, thereby precluding the removal of most existing trees and vegetation.

Comment Summary G78-3: The DEIS does not provide a detailed map indicating specific homes and a description of impacts that could occur.

The only impact on residences and commercial properties would be those associated with in-street construction. As currently proposed, Millennium would install the pipeline in Palmer Road between Central Park Avenue and the Palmer Road crossing of the Sprain Brook Parkway; and in Desmond Avenue, Midland Avenue, and Bronx River Road between Dewitt Avenue and the Cross County Parkway. However, Millennium has identified and we have recommended the Parkway Variation which would move the pipeline to the Sprain Brook Parkway (see section 6.3 of the FEIS). While the variation would avoid construction in the residential and commercial streets, it would still result in traffic impacts on the northbound lane of the Sprain Brook Parkway.

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Comment Summary G78-4: Concerned with long-term effect on the safety of residences, long-term effect on soil and vegetation, and possibility of a future gas leak.

The pipeline would be designed and operated to meet USDOT safety standards, which are designed to protect the public. Since Millennium would restore and revegetate disturbed soils, there would be no long term impact on soils or vegetation, with the exception of large trees if removed for construction. The possibility of a gas leak is relatively remote since the pipeline would be hydrostatically tested before being put into operation.

G79 Mona Janopaul, Trout Unlimited – 6/7/99

Comment Summary G79-1: The DEIS is inadequate and does not meet the requirements of NEPA.

G79-1 See response to comment S12-1

Comment Summary G79-2: Does not agree with FERC that the proposed project will have minimum impact on fisheries.

Comment noted.

Comment Summary G79-3: The DEIS has provided insufficient information regarding the impacts and mitigation of impacts on public lands.

G79-3 We believe that the EIS adequately identifies public lands and proposed construction techniques. The purpose of the EIS is to provide the Commission with an environmental analysis of the project, to identify the affected resources, and to recommend mitigation to minimize environmental impacts. These mitigation measures may include future finalization of site-specific construction procedures between affected parties and the company. We have required that Millennium continue to work with the managing agencies of affected public lands to develop appropriate mitigation. It is our belief that completion of these negotiations would most appropriately address site-specific concerns.

Comment Summary G79-4: The DEIS does not analyze crossing impacts, direction for construction, or mitigation associated with the crossing of 116 trout streams.

Millennium revised its proposed methods for stream crossings and would now use a dry crossing technique for all but two of the trout streams crossed by the project. NYSDEC authorized the crossing proposal with the issuance of its section 401 Water Quality Certificate. Further measures to minimize impacts on trout streams are contained in Millennium ECS (section IV.A) and our Procedures (section V).

G80 Theresa Rose Hanczor, Riverkeeper – 6/18/99

Comment Summary G80-1: Dredging of the Hudson River would result in direct and irreparable loss of the critical habitat and its inhabitants within the Haverstraw Bay.

G80-1 Comment noted. See revised discussion in sections 4.3.4, 4.4.1, 5.3.4, 5.4.1.2, and 6.2 of the FEIS.

Comment Summary G80-2: Concerned with impact to shortnose sturgeon during construction.

Comment noted. See revised discussion in section 4.6 and 5.6 of the FEIS.

Comment Summary G80-3: Concerned with impact to striped bass wintering in the Haverstraw Bay.

Comment noted. See revised discussion in section 5.3.4 of the FEIS.

Comment Summary G80-4: The DEIS provides an inadequate assessment of the impacts that will occur from the release and transport of contaminants resulting from dredging .

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G80-4 NYSDEC's Water Quality Certificate (issued on December 8, 1999), requires that prior to any construction in the Hudson River, Millennium must collect two additional sediment cores and report the results to the Director of Watershed Assessment and Research (DWAR), Division of Water of the NYSDEC. The NYSDEC may, based upon the contaminant concentrations encountered in these sediment cores, if any, require additional sampling and modification to all aspects of the Hudson River Crossing Plan prior to any construction at this crossing. Millennium must also perform water column sampling for chemical analysis of total PCBs, cadmium, lead and total mercury at two sampling stations, once per day, during the 2 week initial monitoring periods. These conditions adequately address any concerns regarding contaminant transport in the Hudson River.

Comment Summary G80-5: The proposed pipeline construction would cause irreparable destruction to the habitat and fisheries of the Hudson River which was recently designated a National Heritage River.

Comment noted.

G81 Ralph Huddleston, Jr., Carpenter Environmental Associates, Ramsey, New Jersey – 6/17/99

Comment Summary G81-1: A habitat impairment test as required by the Waterfront Revitalization and Coastal Resources Act should be used to determine whether the proposed Hudson River crossing is consistent with coastal habitat policy.

G81-1 Millennium filed its revised coastal zone consistency determination with the NYSDOS in March 2001 (see appendix J of the FEIS). The NYSDOS is in the process of reviewing that documentation and will ultimately determine if the project is consistent with New York's CZM policy.

Comment Summary G81-2: The proposed trench that would be dredged to install the pipeline would destroy the significant quality of Haverstraw Bay.

G81-2 Comment noted. See discussion in sections 4.3.4 and 5.3.4 of the FEIS

Comment Summary G81-3: An alternate crossing location should be found farther away from Haverstraw Bay to avoid any detrimental effect within the bay.

Comment noted. See revised discussion of the Hudson River Alternatives in section 6.2 of the FEIS.

Comment Summary G81-4: Due to the tremendous diversity of fish within Haverstraw Bay, there is no "good" season to install the pipeline.

G81-4 Comment noted

Comment Summary G81-5: An Incidental Take Permit pursuant to the Endangered Species Act, should not be granted for the shortnose sturgeon.

G81-5 Compliance with the ESA is the responsibility of the FWS and NMFS, and the FERC defers to the NMFS' jurisdiction regarding issuance of an incidental take permit for shortnose sturgeon.

Comment Summary G81-6: Moving the route north of the proposed Haverstraw Bay crossing site should be investigated as an alternate route.

Comment noted. See revised discussion of the Hudson River Alternatives in section 6.2 of the FEIS

Comment Summary G81-7: Sediment sampling within the Hudson River to evaluate potential impacts associated with the release of contaminants from excavated materials on fish movement and habitat were not sufficient to accurately depict sediment quality within Haverstraw Bay.

See response to comment G80-4.

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Comment Summary G81-8: Directional drilling of the Hudson River should be analyzed at locations farther north where the shore-to-shore distance is less than 4,500 feet.

G81-8 Because of the rock and the width of the river in this area (including the Algonquin crossing), we do not believe that it is feasible to complete a directional drill of the Hudson River given the current state of the art of the drilling technology. While there may be segments of the Hudson River north of the proposed crossing which are less than 4,500 feet wide, constructing the pipeline to these locations would result in greater impact to the environment.

Comment Summary G81-9: The studies conducted by GAI Consultants, Inc. to predict the transport of suspended solids and associated contaminants, does not necessarily provide worst case estimates or take into account all of the Hudson River or Haverstraw Bay characteristics.

G81-9 We requested that the COE evaluate the modeling and turbidity estimates generated by Millennium for the Hudson River crossing. The COE forwarded the materials to its Waterways Experiment Station (WES), the organization that developed the models used by Millennium, for technical review. The WES concluded that the techniques used and the data employed represent the current state-of-the-practice for turbidity predictions from dredging operations as proposed in the construction of the pipeline crossing. Further, the assumptions and data used in the predictions were reasonable and conservative. The WES ran its own simulations using the same models and found very good agreement with Millennium's results. Finally, the WES reviewed the predicted loss of material and the depth of burial/sedimentation outside the construction trench and found that Millennium's predicted loss and burial overestimated the expected impact. We believe that Millennium's modeling efforts and subsequent predictions of the turbidity plume are appropriately conservative for a sensitive habitat such as Haverstraw Bay.

Comment Summary G81-10: It appears that in calculating TSS and pollutant concentrations zero background concentrations of pollutants and TSS in the Hudson River were assumed.

G81-10 Millennium responded that the GAI modeling effort properly focused on predicting what impact the dredging operation would have on Haverstraw Bay above ambient background conditions. The predicted TSS and pollutant concentrations can readily be added to background concentrations in Haverstraw Bay.

Comment Summary G81-11: No consideration appears to have been given to the effect of wave and wind action on staged dredge spoils.

G81-11 Millennium has modified its proposed construction technique and will store dredged material in barges. Wave and wind action would not affect spoil.

Comment Summary G81-12: The modeling done by GAI does not account for suspension of colloidal particles.

G81-12 Millennium states that the modeling effort properly predicted TSS and associated contaminant concentrations. The DREDGE model includes the colloidal sized particles in the TSS concentrations. The transport of colloidal sized materials is not accounted for separately by the model. CEA's 30 to 40 percent colloidal particle estimate for the suspended sediment cannot be derived from the sieve data collected for the study.

All modeling results inherently have uncertainty associated with them due to the underlying assumptions of the model, and uncertainty associated with the input data used to perform simulations. For these reasons, the modeling study utilized conservative parameters to predict transport and concentrations. These conservative parameters are further discussed in response to the comments below.

Comment Summary G81-13: Because of the failure to include background pollutant concentrations, failure to include the large contribution of pollutants from the colloidal particles, and failure to look at velocities that may result in a smaller area of the plume but with higher TSS, GAI's discussion of the extent and duration of water quality standard violations is incorrect.

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G81-13 As mentioned above, the GAI modeling effort was designed to provide reasonable worst-case estimates of potential impacts caused by the dredging operation. In most cases, the model input parameters were selected to skew the data towards worst-case conservative estimates. These worst case parameters included: 1) the lateral diffusion coefficient, which overestimates the plume size, 2) non-detected values that were not included in the contaminant averages; 3) downstream flow that was assumed to be constant; and 4) the maximum velocity that was used in the model. A few parameters were selected based on the professional judgment to realistically depict the conditions at the site. It is GAI's opinion that the conservative assumptions incorporated into the model, along with those parameters that were determined using professional judgment, were proper in developing the model. GAI's study predicts reasonable worst-case estimates of potential impacts from the dredging operation. See response and comment G81-9.

Comment Summary G81-14: By using the upper end of the estimated range of specific gravity, GAI used particles that would settle faster thus reducing the amount of TSS in the plume and the aerial extent of the plume.

G81-14 Millennium responded that the GAI sensitivity analysis conducted as part of the modeling study evaluated the impacts of decreasing the specific gravity of the sediments to 2.3. The results show that the predicted concentrations increased by a maximum of 12 percent from baseline predictions when the specific gravity was decreased to 2.3. Thus, using a specific gravity of 2.3 would not alter the study's conclusions. Because the majority of other input parameters used in the model were selected to provide conservative results, the use of a specific gravity of 2.6 is considered reasonable to provide conservative estimates.

Comment Summary G81-15: GAI used the average fraction of particles greater than 74 microns. The use of the lower end of the range of particles greater than 74 microns would be appropriate in modeling a worst case scenario.

G81-15 Millennium responded that the fraction of particles greater than 74 microns was selected by GAI because this quantity was thought to provide the best representation of the sediments at the crossing site, based on tests performed on 10 samples that were collected from the crossing location. The average value from these tests was used in the model because it provides the best representation of the sediment at the crossing site. Using the lowest observed value in all situations would unrealistically alter the modeling results toward unrealistically elevated concentrations. The modeling effort was aimed at providing reasonable worst-case estimates of probable impacts caused by the dredging operation.

Comment Summary G81-16: Haverstraw Bay should have been included as a public interest area on page 5-65 of the DEIS.

G81-16 Comment noted. Sections 4.8.3 and 5.8.3 have been revised to include Haverstraw Bay as a recreation and public interest area. However, we note that Haverstraw Bay is a designated Significant Coastal Fish and Wildlife Habitat and it is this aspect of the bay that we consider the most important from an environmental perspective.

Comment Summary G81-17: An in-stream mitigation plan that addresses impacts associated with the dredging and backfilling procedures is mandated and should have been included in the DEIS.

G81-17 Comment noted. See responses to comments F9-5 and F11-7.

Comment Summary G81-18: There is no discussion in the DEIS of the benthic communities that will be impacted due to the dredging process, or buried during the placement of spoil piles. Nor does the DEIS analyze the effects of eliminating the area used by benthic communities, or other populations, as feeding grounds and nursery areas.

G81-18 Comment noted. Section 5.4.1.2 of the FEIS has been revised to include an estimate of the potential impact on benthic communities.

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Christopher Olney, The Catskill Center, Arkville, New York – 6/18/99

Comment Summary G82-1: Limiting stream crossing construction to periods of low flow may limit potential erosion, but this is also generally the time of maximum temperature and oxygen stress suffered by trout.

Comment noted. All but two trout streams would be crossed using dry construction methods

Comment Summary G82-2: "Trench blasting" any Catskill trout stream, no matter how large or small, is extreme and unacceptable.

G82-2 The majority of trout streams are now proposed to be crossed using dry construction methods (see revised appendix H1 in the FEIS). Of the crossings that would be partially open cut or open cut, only two are designated trout waters, the East Branch Delaware River and Mongaup River (Rio Reservoir), respectively. We therefore believe impact on trout habitats has been largely eliminated. Millennium states that it believes that construction activities would scare most fish out of the area before blasting, but that it would use scare charges if required by the state. Some minor impact on benthic invertebrates and habitat within the construction right-of-way are unavoidable. However, these impacts are typically minor, local, and temporary and are unlikely to result in any measurable change in trout populations.

Comment Summary G82-3: Concerned with the potential impacts the proposed project would have on sensitive species in the Catskill area.

G82-3 We believe the mitigation presented in the EIS is comprehensive and would adequately protect the environmental resources of the state. To ensure that proposed and recommended mitigation measures are implemented during construction, we would monitor the project through construction and restoration (see discussion on the FERC environmental inspection program in section 2.3 of the FEIS).

Comment Summary G82-4: The functionality of whole wetlands should be respected and preserved.

G82-4 Our Procedures and Millennium's ECS are directed at preserving wetland functionality and minimizing habitat loss. Wetlands would not be destroyed by the project and there would be no net loss of wetlands. Forested wetlands in the permanent right-of-way would be converted to scrub-shrub or marsh wetlands. This would result in some change in wetland functions, which may be negative or positive depending on the particular function. Additional mitigation for the conversion of forested wetlands, if deemed necessary by the COE, would be included in the section 404 permit.

Comment Summary G82-5: The various environmental impact mitigation efforts put forth in the DEIS seem minimal at best.

The EIS contains detailed construction, mitigation, and restoration measures designed to protect the natural resources of the state. These procedures are included in section 5.0 of the EIS, in appendix E, and in table H1 of appendix H.

Richard Schager, Attorney for Theodore Gordon Flyfishers Inc., New York – 6/21/99

Comment Summary G83-1: Disruption of the Delaware River's West Branch streambed and resulting turbidity will have a severe adverse effect on the fishery.

Millennium now proposes to bore the West Branch, and use a combination of bore and open cut of the East Branch Delaware River. Fish movement in the West Branch would not be impeded at all. When the segment of the East Branch that is not proposed to be bored is constructed, cofferdams or other structures would be used to divert water away from the trench and into the unaffected segment of the river channel (e.g., the segment that would be bored). Therefore, the fish movement past the crossing location would be maintained through most of the East Branch as well. In addition, these crossing methods would have much reduced turbidity effects and should allow the crossing to be constructed while meeting state water quality standards.

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Comment Summary G83-2: Construction of the pipeline during the spring and autumn from the lower Delaware River into the East Branch and West Branch would have an adverse effect on spawning and ultimately the population of wild fish in the entire river system.

G83-2 Our Procedures prohibit construction in coldwater fisheries, except between June 1 and September 30, unless otherwise permitted or further restricted by the state.

Comment Summary G83-3: The DEIS dismisses the proposal to directionally drill the East Branch of the Delaware River and fails to explain why subsurface boulders would prevent drilling and laying the pipeline under the West Branch.

G83-3 See response to comment G83-1. We believe that the proposed dry crossing techniques would provide adequate water quality protection and do not feel that a further evaluation of directional drilling is warranted.

Comment Summary G83-4: While the DEIS discusses efforts to control the turbidity that appears to be unavoidable in surface construction, it fails to provide specific comment on the area of the Delaware River immediately below the East Branch and West Branch crossings.

See responses to comments G83-1 and G83-3. We believe that the proposed crossing techniques would limit turbidity and siltation to acceptable levels.

Comment Summary G83-5: TGF supports the establishment of a compensatory trust fund to fund the identification of important spawning streams and the improvement of access and spawning conditions in such streams.

The issue of compensation, including the establishment of a trust fund, is outside the scope of the EIS.

Comment Summary G83-6: The DEIS fails to address how the crossings will affect the 48,000 angler trips per year to this region and the millions of dollars of income provided to the local economy.

G83-6 The crossing of the West Branch Delaware River would be at MP 276.0 near the Town of Deposit, about 14.5 miles upstream of the confluence with the Delaware River. The crossing of the East Branch Delaware River would be at MP 287.0 near the Town of Hancock, about 2.0 miles upstream of the confluence with the Delaware River. Millennium proposes to cross the West Branch Delaware River using a bore and the East Branch Delaware River using a combination of a bore and a dry crossing (see section 5.3.2 of the FEIS). Both construction methods would limit any adverse impact on the river, and any associated impacts on angler trips and recreational spending.

Comment Summary G83-7: The approach contemplated for the crossing of the Mogaup River and the Callicoon River should be studied at a greater length before crossings are completed.

The Callicoon River crossing would be a dry crossing using a steel dam and culvert. This technique would limit construction-related turbidity and siltation to acceptable levels and would result in only minimal impacts. The Mogaup River crossing would be an open cut crossing, because geologic constraints make a directional drill unfeasible and the width of the crossing (over 600 feet) eliminates other possible dry crossing techniques. The crossing would be within a stretch of the river that contains multiple reservoirs and dams. To limit turbidity, Millennium proposes using turbidity curtains, limiting in-stream construction to 4 days, and investigating the possibility of lowering the pool elevation of the reservoir during construction. Because the affected reach of the Mogaup River is the upper part of a low flow velocity reservoir, we believe that the proposed measures would provide for adequate water quality protection and do not feel that further mitigation is warranted.

Comment Summary G83-8: The DEIS does not adequately consider the impact of construction on the Neversink River.

G83-8 Millennium now proposes to bore under the Neversink River, which would avoid any construction in the river. This crossing technique would essentially eliminate any potential construction-related turbidity and siltation. Consequently, impacts to aquatic biota, including the dwarf wedge mussel, are not expected.

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Comment Summary G83-9: Damage to the Neversink River should be minimized to whatever extent possible.

G83-9 Impact on mussels in the vicinity of the Neversink River would be avoided by Millennium's current plan to bore the crossing rather than open cut.

Comment Summary G83-10: Concerned with the impact to the endangered dwarf wedge mussel populations by construction.

G83-10 See comment response G83-9.

Comment Summary G83-11: Endorses the Commission's position that the construction of the pipeline along State Route 17 would not be appropriate.

G83-11 Thank you for your comment.

Comment Summary G83-12: The DEIS does not adequately describe the impact that construction would have throughout the southern tier of New York, particularly on wetlands and feeder streams of the Delaware watershed.

G83-12 We disagree. The EIS contains proposed construction methods for all streams crossed by the project (see appendix H1 in appendix H of the FEIS) and construction procedures for the crossing of all wetlands (appendix I of the FEIS). The EIS is not meant to replace the CAS or site-specific plans generated in response to landowner and agency requests. We believe the public has had adequate time to comment on the project in the FERC process, and NYSDEC and COE processes. Also, see response to comments G79-1 and S12-1.

Comment Summary G83-13: Millennium should be required to fund independent, third-party environmental monitors to inspect each segment of the pipeline throughout construction and testing.

G83-13 The FERC, and/or its contractors, monitor construction and operation of all projects certificated by the Commission. See discussion in section 2.3 of the FEIS on the FERC inspection program. The Millennium Pipeline Project would be monitored to the same extent as all other projects. We understand that the COE and NYSDEC would require Millennium to provide third-party inspectors who would be under the direction of the COE to inspect compliance with the COE's permits pursuant to sections 10 and 404 and under the direction of the NYSDEC to inspect compliance with the section 401.

Comment Summary G83-14: Millennium should be required to post a performance bond or other financial assurance in an amount sufficient to cover the cost of implementing all mitigation requirements and any restoration that may reasonably be necessary because of any failure to comply with water quality or other environmental standards.

G83-14 See response to comment C20-4.

Comment Summary G83-15: Millennium should consult with USFWS, NMFS, NYS-DEC, NYS-TU, and TGF concerning each body of trout water and trout spawning water the proposed pipeline will cross.

G83-15 The streams that would be affected by construction have been part of the public record and open for comment by any interested party since the date of Millennium's original filing on December 22, 1997. We have received numerous comments on stream crossing procedures. In addition, Millennium has consulted with the NYSDEC and others regarding the proposed stream crossing techniques. These consultations included field review with the agencies and resulted in the current construction proposal that limits use of an open cut crossing technique to only 2 designated trout streams. One of these is a reservoir (Mongaup River) and the other involves a partial bore with flow diversion (East Branch Delaware River) (see section 5.3.2.3 of the EIS). Timing restrictions for construction are included in our Procedures for all coldwater (and warmwater) fishery streams. We believe that the opportunity for comment on the stream crossings was more than sufficient and that the current stream crossing proposal is protective of trout and trout spawning waters. NYSDEC issued its section 401 Water Quality Certificate on December 8, 1999, which contains additional environmental conditions (see appendix J of the FEIS).

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Comment Summary G83-16: Millennium should be required to conduct biological surveys and obtain biological opinions from FWS, NMFS, and NYSDEC for each trout water and trout spawning water the pipeline is expected to cross.

G83-16 A biological opinion is only required when a project would adversely affect federally listed endangered and threatened species. No federally listed salmonid fish species inhabit waters in New York. Only the FWS and NMFS would issue biological opinions about ESA listed species.

Comment Summary G83-17: The effects of all hydrostatic testing to downstream users and aquatic organisms should be determined prior to the performance of each test where trout and trout spawning water may be affected.

G83-17 Millennium must obtain state-issued withdrawal permits, as required. The withdrawal of hydrostatic test water from any waterbody, trout stream or otherwise, would be done at a rate that results in no perceptible change in water levels or flow rates of the source stream (see section II.L in Millennium revised ECS). In instances where it is necessary for Millennium to discharge hydrostatic test water directly into a waterbody, Millennium would acquire all necessary permits and state agencies could impose additional restrictions in these permits, if deemed necessary. Our Procedures require that hydrostatic test water be discharged into well-vegetated upland areas and/or through sediment filter devices or sediment traps, as necessary, to prevent erosion, streambed scour, suspension of sediments, or excessive stream flow.

Comment Summary G83-18: Sediment barriers should be installed prior to any stream-side or in-stream construction activity.

G83-18 See response to comment F4-14. Millennium has incorporated a requirement in its ECS that would limit the grading of stream banks within 25 feet of the water's edge to the area needed to install the equipment bridge and extra work spaces. Our Procedures require that Millennium install sediment barriers across the entire construction right-of-way at all waterbody crossings immediately after initial disturbance of the waterbody or adjacent upland. Initial disturbance includes any grading or earth disturbance, such as uprooting trees.

Comment Summary G83-19: Any water turbidity resulting from construction activity should not exceed the EPA standard of .5 NTUs.

G83-19 Water quality regulation has been delegated to the state and the project would be required to comply with state standards. NYSDEC issued its section 401 Water Quality Certificate for the project on December 8, 1999. Also, see response to comment F4-45.

Comment Summary G83-20: Should a violation of the construction permit conditions occur, the problem should be investigated and resolved with the intervention of the NYSDEC prior to further construction activity.

G83-20 Our recommended condition No. 8 requires Millennium to identify each week all problems encountered and each instance of noncompliance observed by the environmental inspectors for conditions imposed by the Commission or other Federal, state, or local agencies. In addition, the FERC inspectors would monitor and report any problem or violation observed during their inspections of the project. Typically, when problems are identified, the FERC requires the company to initiate corrective action immediately and to report when correction has been made. In instances of non-compliance, or where there is an immediate impact on a resource, construction would be stopped until corrective action is implemented.

G84 Richard Schager, Attorney for Theodore Gordon Flyfishers, Inc., New York – 6/22/99

Comment Summary G84-1: The DEIS fails to provide adequate consideration of the impact of the pipeline crossing the Delaware River, including fish migration, spawning conditions, siltation from excessive turbidity, aquatic insect life, and local economic conditions.

G84-1 See response to comment G83-1

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Comment Summary G84-2: The DEIS does not meet the requirements of NEPA.

See response to comment G83-12

Comment Summary G84-3: Does not believe that the proposed project would have a minimum and/or short-term impact on fisheries and their habitat.

See response to comment G30-1

Comment Summary G84-4: The Commission has provided insufficient information regarding the impact of the proposed project on public lands, and has not met its obligations regarding the protection of resources on public lands or requiring mitigation for the impact of the proposed project on public resources.

We disagree. Public lands that would be crossed by the proposed pipeline route have been identified and are listed in the tables in section 4.8.3-1 and 5.8.3.2-1 of the EIS. The managing agency is best qualified to identify the site-specific mitigation measures to reduce resource impacts. We have evaluated comments from several managing agencies regarding proposed construction activities and, where appropriate, have recommended that Millennium develop site-specific mitigation measures to address these concerns.

Comment Summary G84-5: The DEIS fails to analyze the impacts of the crossing, the direction of construction activities, or prescribe any mitigation for the 16 trout streams to be crossed.

G84-5 See response to comment G30-1 and G82-2

Dale Mooney, Southern Tier Landowners Association, Johnson City – 6/17/99

Comment Summary G85-1: The P. Supa and R. Lewis letter of June 1, 1999 misrepresents or omit facts about the Bradley Creek Variation. For example, the letter: 1) incorrectly represents the footage and description of the properties affected; 2) totally ignores a pond and a stream on the Mooney property and two additional wetlands; 3) does not mention the St. Francis Monastery; 4) ignores the fact that new right-of-way would be required; 5) misrepresents the locations of the various residents and facilities; and 6) neglects to mention a previously reported archaeological site.

G85- Comments noted.

Anne Lutkenhouse, New York/New Jersey Trail Conference, New York – 6/18/99

Comment Summary G86-1: The DEIS does not include the construction alignment sheets for site-specific plans for non-perpendicular trail crossings.

G86-1 To conserve space and limit the size of the EIS, we typically do not include the construction alignment sheets or site-specific plans. Millennium placed the CAS along with all of its filings in several libraries along the proposed route of the pipeline when its application was filed with the FEREC. The CAS have been available for public review.

Comment Summary G86-2: Concur with the site-specific mitigation for the Appalachian National Scenic Trail. No new temporary access roads should be constructed, access should be from the existing right-of-way only.

Thank you for your comment.

Comment Summary G86-3: Site-specific mitigation plans should be developed with Palisades Interstate Park Commission managers prior to beginning project construction, for review and written approval with the Director of OEP.

The PIPC would comment on any site-specific plans developed for pipeline crossings on its land during easement negotiations.

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Comment Summary G86-4: Construction should take place within the existing right-of-way without additional clearing for all trail crossings and lands within the Sterling Forest, Harriman-Bear Mountain State Park, and High Tor State Park.

Millennium proposes to construct the new pipeline by the lift and lay method within Sterling Forest and Harriman State Parks (approximate MPs 364.9 to 375.7). Construction of the pipeline within High Tor State Park would be adjacent to the existing Orange and Rockland Utilities powerline easement. Reduced right-of-way widths may be established during easement negotiations between Millennium and individual landowners. However, we note that Millennium would require at least 50 feet to remove the existing pipeline and install the new pipeline, and that extra work areas may be required for certain situations (i.e., stream, wetland, road or railroad crossings, steep side slopes, agricultural land, etc.).

Comment Summary G86-5: Construction procedures in section II.G of the ECS should be applied to the hiking trail crossings of the Ramapo-Dunderberg, Tuxedo-Mt. Ivy, and Kakiat Trails within the Harriman-Bear Mountain State Park, and the Long Path within High Tor State Park.

Millennium has committed to using the mitigation identified in section II.G of the ECS for all trail crossings, including any additional identified trails.

Comment Summary G86-6: No new temporary access roads should be built for construction. Access should be from the existing right-of-way.

G86-6 Only one new access road is proposed for construction between MPs 365.0 and 386.0. This new access road would be constructed at MP 367.0 within an expanded work area, adjacent to Highway 17A. No additional impacts would be associated with construction of this access road.

Comment Summary G86-7: Request that the easement across the Sterling Forest State Park not be granted.

The issue of easement negotiations are beyond the scope of the EIS.

G87 Philip Hazard, Callicoon, New York – 6/21/99

Comment Summary G87-1: The proposed pipeline will cause permanent damage to the land, devalue the property, and will affect the quality of life for landowners family.

G87-1 If the project is certificated, Millennium would be required to negotiate an easement and compensate the landowner for the use of the land. Following installation of the pipeline, all land disturbed by construction would be restored as close as possible to preconstruction conditions. All land used for the temporary right-of-way and extra work areas would be returned to the landowner. Millennium would retain rights to the permanent right-of-way to maintain the pipeline. We have no evidence to suggest that the presence of a utility easement on an individual's property results in the devaluation of the property or reduces the quality of life for residents.

Comment Summary G87-2: Concerned with impacts during construction to apple orchard, stone walls, trees, springs, wildlife, and topsoil on property.

The pipeline would be installed on your property (about MP 307.5 in Sullivan County) by the lift and lay method. While there would be construction-related impacts including noise, dust, and work-related traffic, these impacts would be of a limited duration as the construction spread typically moves at a rate of about 3,000 to 3,500 feet per day, with completion of all activities in an average of about six weeks in any one area. Site-specific mitigation, including restoration of stone walls, replanting of trees and landscape features, may be established during easement negotiations between the landowner and the company. Further, we have recommended that Millennium identify and protect drinking water wells and springs within 150 feet of the construction work area (see section 5.3.1.2). Millennium would compensate for tree losses as described in section 5.8.1 of the FEIS. However, we agree that the clearing of orchard trees and sugar bush should be avoided whenever possible and have recommended that Millennium reduce its construction work area in orchards, where the pipeline would be replace the existing Columbia Line A-5, to the width of the existing cleared easement, unless otherwise agreed to by the landowner (see section 5.8.1.2 of the FEIS).

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Comment Summary G87-3: Feels that the pipeline will devalue the property

We have no evidence that the presence of the pipeline would devalue your property

Comment Summary G87-4: Concerned with land being acquired by eminent domain.

Although Millennium may exercise its right to acquire its easement by eminent domain(if the project is certificated by the Commission), it must still attempt to negotiate an easement with landowners that would address landowner needs. This could include minor route modifications to avoid or minimize impact on orchards or other features.

Comment Summary G87-5: Concerned with restoration of land to preconstruction conditions

We require that Millennium restore the land to preconstruction conditions, except for the restoration of trees within the construction work areas.

Comment Summary G87-6: Concerned with the abandonment of the existing Line A-5 on property.

Millennium proposes to replace the existing Line A-5 through your property and would compensate you for any additional right-of-way required for construction or operation of the new facilities. We believe that the ECS, our Plan and Procedures, and recommended mitigation measures would minimize or avoid potential environmental impacts.

Comment Summary G87-7: Feels that the proposed project will destroy land and peace of mind

Comment noted.

**G88 Rodney Gerik, Texas Eastern Transmission Corporation and Algonquin Gas Transmission Company
6/22/99**

Comment Summary G88-1: The Commission's environmental review should include an analysis of whether existing capacity, including turned back capacity, can be used as a part of a proposal for a new pipeline.

The issue of need is beyond the scope of this EIS. The Commission will address these and other issues separately as part of its review on non-environmental issues. Turn back capacity is addressed in section 3.

Havery Reiter, Consolidated Edison Company of New York – 6/22/99

Comment Summary G89-1: The DEIS does not analyze the risk to electric system reliability or the implications of an interruption of electric service.

G89-1 Comment noted. See revised discussion in section 5.8.1.2 of the FEIS

Comment Summary G89-2: Public safety and interest require that the Commission reject proposals that entail a risk of catastrophic effects unless the Commission reaches an informed decision that the benefits of such proposals clearly outweigh their risks.

G89-2 The Commission will consider the issue of need. The EIS only addresses environmental impacts

Comment Summary G89-3: The DEIS erroneously assumes the existence of a need for the proposed Millennium Pipeline Project that justifies its environmental impacts.

G89-3 See response to comment G89-2

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Comment Summary G89-4: The DEIS does not adequately consider the issues relating to need.

G89-4 See response to comment G89-2.

Comment Summary G89-5: There is no record support regarding the need for the project or for the no-action conclusions of the DEIS.

G89-5 As stated above, this EIS addresses environmental impacts and leaves issues related to need, the demand for the project, and other available natural gas supplies to the Commission.

Comment Summary G89-6: The DEIS speculates that a need exists for the proposed project and thereby forecloses a meaningful no-action analysis.

Since the need for the project will be determined by the Commission, the premise for the preparation of the EIS is that the project would be built.

Comment Summary G89-7: Assuming that a need exists, the no-action analysis needs to consider whether any major new project would satisfy the market targeted by Millennium with less adverse environmental impact.

Comment noted. These issues will be considered by the Commission during their review of the project

Comment Summary G89-8: Capacity could be provided for new customers without additional pipeline construction.

G89-8 See response to comment G89-7.

G90 Kristine Delkus, TransCanada PipeLines Limited – 6/22/99

Comment Summary G90-1: Comments regarding the feasibility of the Niagara Spur System Alternative.

G90-1 Thank you for your comments.

G91 Mona Janopaul, Trout Unlimited, New York – 6/22/99

Comment Summary G91-1: FERC should require that pipelines cross in riffle/crossover zones which are the most stable part of streambeds in the longitudinal profile.

G91-1 In selecting its proposed route, Millennium maximized the use of existing rights-of-way since it is generally considered to result in fewer environmental impacts (see section 3.3 of the EIS). Of the 116 total trout streams affected by construction, 64 streams (55 percent) would be crossed using the trench of an existing pipeline. Removal and replacement would occur in the same trench. At these locations, there is little flexibility in choosing the crossing location. Similarly, about 38 trout streams (33 percent) would be crossed approximately 25 feet from an existing pipeline. A minimum amount of new vegetation would be cleared for construction and the stream would be crossed at a location that has already experienced some level of disturbance. Given that 88 percent of all the trout stream crossings occur under one of these two conditions, moving the pipeline to a specific crossing location with certain stream bottom characteristics would negate most of the advantages associated with placing the pipeline adjacent to or within existing rights-of-way.

Comment Summary G91-2: Concerned with revegetation of streambanks disturbed by construction.

G91-2 Section V.C.6 of our Procedures requires that Millennium revegetate disturbed riparian areas with conservation grasses and legumes or native plant species, preferably woody species. In addition, section V.D.1 requires that future right-of-way maintenance within 25 feet of the waterbody would limit the area maintained as herbaceous growth to a 10-foot-wide band centered over the pipeline. We have found these procedures to generally be successful in restoring riparian zones.

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G92 James Peterson, National Fuel Gas Supply Corporation – 6/21/99

Comment Summary G92-1: National Fuel would be willing to construct the Niagara Spur System Alternative.

G92-1 Comment noted. See revised section 3.2 of the FEIS.

Comment Summary G92-2: Believes that National could construct the Leidy Alternative using fewer miles of pipe and no new compression.

Comment noted. See revised section 3.2 of the FEIS.

Comment Summary G92-3: ANR could expand its system to transport both the proposed Millennium and MarketLink design volumes.

Comment noted. See revised section 3.2 of the FEIS.

Comment Summary G92-4: Independence could deliver both the proposed Millennium and MarketLink design volumes with the addition of 90,000 hp at six compressor stations.

Comment noted. See revised section 3.2 of the FEIS.

Comment Summary G92-5: The one-corridor Leidy Alternative would be environmentally superior because it would eliminate 254 miles of pipeline and eliminate the need to cross Lake Erie.

G92-5 Comment noted. See revised section 3.2 of the FEIS.

Comment Summary G92-6: The trench depth recommendations submitted by the applicant would not adequately protect the proposed pipeline from the hazards of pressure ridge ice keels as observed on Lake Erie.

G92-6 We asked the COE's Cold Regions Research and Engineering Laboratory (CRREL) to assist us in the assessment of Millennium's work on the potential for pipeline damage by ice scour. In response to our request, researchers at U.S. Army Engineer Research and Development Center (ERDC) examined the issue. Determination of the 100-year ice scour depth was the only issue that required additional analyses to satisfy the concerns of the ERDC reviewers. The original analysis relied solely on data from a single survey along the pipeline route. The ERDC review resulted in the two main changes: only new scours were used to determine the scour-depth probability distribution, and scour data from comprehensive surveys near the pipeline route were included. These changes increased the estimated 100-year scour depth by 25 percent, from 4.0 feet (the C-CORE estimate) to 5.0 feet (CRREL estimate), in pipeline zones nearest to the U.S. shore (zones H, I, and J). In these zones the design trench depth was increased from 9.2 to 11.2 feet. Ice scour is not a design issue in zones F and G, so it does not control the design of trench depth in these areas, and the original trench depth of 6.6 feet is adequate even if it was. The additional benchmark analyses conducted during the ERDC review increase confidence in the estimated scour rates, the scour-depth distribution, and the resulting 100-year scour depths. Millennium has agreed to use these trench depths during construction.

Comment Summary G92-7: Submits an evaluation of Millennium's ice keel protection design.

G92-7 See response to comment G92-6.

Comment Summary G92-8: A substantial amount of work remains to be done before Millennium can seriously consider the taking of threatened and endangered species along the proposed route.

G92-8 Comment noted. We issued a biological assessment (BA) of the project in January, 2001. Sections 4.6 and 5.6 of the FEIS have been revised to include information from the BA.

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Comment Summary G92-9: There are significant flaws in the applicant's methodology and assumptions as described in the DEIS.

G92-9 Comment noted

Comment Summary G92-10: The Commission should not grant a Certificate of Public Convenience and Necessity for the Millennium project because there are feasible alternatives which would have less adverse impacts on the environment.

G92-10 Comment noted.

Cathy Lewis, Johnson City, New York – 6/16/99

Comment Summary G93-1: Submits a video tape showing the serious and permanent impacts the proposed pipeline would cause if constructed near residence.

Thank you

Comment Summary G93-2: Concerned with blasting of rock in the creekbed on property

Millennium states that it would use blasting as a last resort and that it proposes to rip or otherwise remove rock where possible.

G94 Randy Lewis and Peter Supa, Johnson City, New York – 6/15/99

Comment Summary G94-1: It was premature to adopt another route (e.g. the proposed route) without a correct database on which to make an informed decision. This created the need for the Bradley Creek Variation to correct the serious and detrimental permanent impacts on the natural and human environment. This variation does not affect the Boswell Hill Road landowners in any way. Landowners along the proposed route were not contacted.

G94-1 The Boswell Hill area was only one of the issues along this segment as there were several more further east. If the Line A-5 Variation was determined to be the better route, then a route variation at Boswell Hill would probably be required and recommended. The decision not to recommend the Bradley Creek Variation was not based on issues associated with Boswell Hill. Even if Millennium did not contact landowners on the proposed route in Union Center, these landowners were included on the DEIS mailing list and received a copy of the DEIS.

Comment Summary G94-2: Submitted tables illustrating the advantages and amount of human and environmental impact caused by following the Bradley Creek Variation.

G94-2 Comments noted

Comment Summary G94-3: Both the proposed route and the Bradley Creek Variation avoid the Kody Tree Farm, the Mount Saint Francis Hermitage, and the Boswell Hill Road residents but the Bradley Creek Variation also mitigates permanent impacts and the closeness to homes and other serious environmental and safety problems for the Bradley Creek Road and Pitkin Hill Road residences.

G94-3 The DEIS also stated that the Bradley Creek Variation would be longer. It would also affect properties where concerns were identified with the Line A-5. We recognize that neither route is acceptable to all of the affected landowners.

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G95 Cathy Lewis, Johnson City, New York – 6/1/99

Comment Summary G95-1: Concerned with safety and impacts to driveway crossed by the proposed pipeline.

G95-1 The USDOT specifies safety requirements for natural gas pipelines. There is no requirement in the USDOT regulations that prohibits a pipeline from crossing a driveway. To the contrary, it is done all the time.

Comment Summary G95-2: Table 6.3.2-2 on page 6-13 of the DEIS does not calculate the Regulating Station that would have to be constructed if the pipeline would follow the proposed Millennium Pipeline Route.

G95-2 We have added the regulator to the tables on the Union Center Variations.

Comment Summary G95-3: An Emergency Response Plan should be implemented at the Randy Lewis residence.

See response to comment G95-1. Millennium now proposes to move the pipeline so that it would not cross your driveway (see Lewis Variation in section 6.3 of the FEIS). We do not believe an emergency response plan is necessary for your residence.

Comment Summary G95-4: The Bradley Creek Variation should be adopted to avoid the timber harvesting operation on the Lewis and Supa properties.

If hardened crossings over the pipeline are needed to move timber from a more distant part of these properties, this should be discussed with Millennium during easement negotiations. However, the pipeline can be safely crossed with most farm or tree harvesting equipment.

Comment Summary G95-5: Millennium has not calculated in the cost of the regulating station that would have to be constructed on Cummings Road that would feed back to the M & R station on Twist Run Road.

The costs are of somewhat lesser importance than considerations of environmental impact. We do not understand how the Bradley Creek Variation would avoid the need for the regulator station at MP 243.5 (where the proposed route rejoins the Line A-5 right-of-way), since the variation would rejoin the proposed route west of this point at MP 242.6.

Comment Summary G95-6: Requests that a helicopter, helicopter pad, fire truck, ambulance, police, apparatus to fight a pipeline explosion, and manpower to perform any task necessary to protect people and property be made available locally 24-hours a day.

G95-6 This is an unreasonable request. The USDOT's specifications for pipeline construction, operation, and maintenance are designed to protect the health and safety of the public. The USDOT requirements include development of an emergency response plan with affected townships in the event of an emergency. We note that at least two pipelines (the Line A-5 and NYSEG) cross the town of Maine. The Millennium pipeline is not so significantly different from these pipelines as to require such extraordinary measures.

Comment Summary G95-7: Concerned with impact to logging operation on property.

Based on the aeriels and our site visit, most of the affected Lewis property is open land. The pipeline would not affect timber harvesting in areas outside of the cleared powerline right-of-way.

Comment Summary G95-8: Feels that Millennium personnel are not interested in the landowners concerns.

G95-8 Comment noted.

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Comment Summary G95-9: Millennium fails to mention the water supply that feeds the Supa residence and a planned future residence.

G95-9 As discussed in section 5.3.1, potential impacts on groundwater resources have been analyzed and mitigation measures developed to avoid or minimize impacts. If the spring is affected by the construction activity, Millennium has committed to identified mitigation measures for impacts. We have also recommended that Millennium perform studies to clearly determine potential effects on the spring and to develop a mitigation plan before construction if such effects appear possible (see section 5.3.1.2 of the FEIS).

Comment Summary G95-10: It appears that Millennium has performed insufficient investigation with regards to the Bradley Creek Variation.

G95-10 Comment noted.

Comment Summary G95-11: There are many environmental disadvantages with following the proposed route starting with the land that Millennium plans to destroy is virgin land to pipelines has not even been disturbed by NYSEG electrical construction for the past 30 years.

G95-11 Comments noted.

Comment Summary G95-12: Requests that the Bradley Creek Variation be adopted in order to mitigate the serious environmental and landowner concerns present.

G95-12 Comment noted

G96 Alice Supa, Johnson City, New York – 6/1/99

Comment Summary G96-1: Much of the information presented in Table 6.3.2-1 and 6.3.2-2 is incorrect and much of the supporting evidence is information taken from a written landowner response.

G96-1 The information contained in the tables is correct as presented. However, the sentence beginning "At Bradley Creek Road,..." has been revised. You are correct that the Line A-5 Variation crossing of Bradley Creek Road would affect only one residence. It is at other road crossings where the additional residences are affected.

Comment Summary G96-2: Concerned with restricted access to the forest on property

G96-2 Installation of the pipeline would not restrict access to any portion of your property. The construction and placement of hardened crossings for heavy equipment may be established during easement negotiations between the company and the landowner. However, the pipeline can be safely crossed by most farm and timber equipment.

Comment Summary G96-3: The proposed route at MP 242.0 is mostly steep side slopes and the Bradley Creek Variation terrain 0.2 miles south is flat, remote, and away from homes.

G96-3 We disagree.

Comment Summary G96-4: The statement that neither routes would place a residence within 50 feet of the CWA is incorrect.

G96-4 The statement is correct. We did not include an analysis of residences within 200 feet of the construction work area. Millennium states that it would bore under Bradley Creek Road and the septic system.

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Comment Summary G96-5: Both the proposed route and the Bradley Creek Variation cross Bradley Creek. However, on the proposed route, Bradley Creek is in the front yard of the Lewis residence and the only access to the property. The proposed route crosses one extra road and two extra streams.

Comment noted.

Comment Summary G96-6: The DEIS does not mention the slick borings Millennium proposed for construction under guy wires. There is no mention of effect of pipeline construction on Christmas tree business. Concerned about extra work areas.

The issue of how to protect or cross under the guy wires is between Millennium and NYSEG. The only off-right-of-way access roads shown on the CAS (and the maps in appendix B1) are those off of Bradley Creek and Farm to Market Roads. Extra work areas (adjacent to the construction right-of-way) may be required to allow equipment movement around the guy wires. Since construction is scheduled for the summer, we do not believe your U-Cut or We-Cut business would be affected. Overwintering (e.g., postponing restoration until the following growing season) should be an infrequent occurrence and mostly done in agricultural fields where soil conditions may not be conducive to restoration in the fall.

Comment Summary G96-7: The DEIS does not mention the location of a blowdown valve on the proposed route on the Scone property.

There would be no block valves or remote blowdown valves on the Scone property (see table 2.1-1 of the FEIS).

Comment Summary G96-8: Landowners along the proposed route (MPs 241.2 to 242.6) have no existing pipeline property but an existing pipeline right-of-way is followed for the entire length of the Bradley Creek Variation.

G96-8 Both the proposed route and the Bradley Creek Variation would follow existing utility rights-of-way.

G97 Barbara Prislupsky, Johnson City, New York – 6/21/99

Comment Summary G97-1: Take exception to comments made by Pete Supa and Randy Lewis in their June 15, 1999 letter regarding the Prislupsky's private and personal business.

Thank you for your comment.

G98 Father George Roth, Mount Saint Francis Heritage, Maine, New York – 6/21/99

Comment Summary G98-1: As little noise and disturbance as possible is vital to the Mt. St. Francis retreat facility.

G98-1 Comment noted.

Comment Summary G98-2: Concerned with the five fish ponds on property that could be impacted by pipeline construction.

G98-2 Comment noted. See revised discussion of the Union Center Variations in section 6.3 of the FEIS.

Comment Summary G98-3: The June 15, 1999 letter from Pete Supa and Randy Lewis fails to consider the fact that the Bradley Creek Variation would require additional land acquisition on the Mt. St. Francis Hermitage property.

G98-3 Comment noted.

Comment Summary G98-4: The Franciscan Community at Mount Saint Francis strongly opposes the proposed Bradley Creek Variation and continues to support the Union Center Route Variation.

Comment noted.

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G99 Alice Supa, Johnson City, New York – 6/15/99

Comment Summary G99-1: Submits figures illustrating the location of a spring outlet on a steep side slope and the CWA associated with the spring.

G99-1 Thank you for the information.

Comment Summary G99-2: Concerned with impact to underground spring on property during construction.

G99-2 Millennium states it does not believe that the spring is shallow, and thus does not believe that the spring would be impacted by construction activities. Millennium's ECS contains measures to ensure that soils are decompacted following construction. The ECS also contains measures to protect, during construction, wells and springs that provide domestic water. Millennium further states that it does not anticipate impacts to the Supa's spring and cistern. Based on field observations and topographic maps, there is an approximate 30-foot change in elevation between the construction work area and the spring. In addition, the spring is approximately 75 feet from the construction work area and downgradient. Millennium believes that the water source for this spring and the several others noted along the Supa property is a buried shale layer. Field evidence supports that this shale layer is well below the bottom of the trench, which would be about 8 feet deep in this area. However, we recognize this concern and have recommended additional studies to ensure that the spring would not be affected (see section 5.3.1.2 of the FEIS). We have also recommended the Supa Variation that would increase the distance between the spring and the pipeline (see section 6.3 of the FEIS).

Comment Summary G99-3: Feels that a metering station and tap point at the intersection of the NYSEG 16-inch gas pipeline and the proposed project at MP 194.4 would have benefits.

G99-3 This tap is not part of Millennium's proposed facilities and we have no reason to require Millennium to construct it.

Comment Summary G99-4: Feels that the Endicott and Union Center M & R stations should be connected to the proposed Millennium Pipeline Project and not be served by constructing new regulation stations.

G99-4 We have no reason to require that Millennium serve the Union Center and Endicott Stations from the new pipeline.

G100 Ed Kissell, SONS of Lake Erie Fishing Club, Erie, Pennsylvania, New York – 6/22/99

Comment Summary G100-1: What effect will the drilling mud have on fish?

G100-1 The drilling mud (e.g. bentonite) is non toxic to fish.

Comment Summary G100-2: Will there be a screening device installed to prevent sediment from entering the water column?

G100-2 No.

Comment Summary G100-3: What plans are in place should contaminated soil be discovered?

G100-3 See response to comment F9-9.

Comment Summary G100-4: What effects will benthic organisms encounter?

G100-4 Potential impacts to benthic organisms are described in section 5.3.3 of the EIS.

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Comment Summary G100-5: Have sediments in the area been studied for impacts to the mayfly?

G100-5 None of the resource agencies reviewing this project have raised any concerns about the mayfly and therefore we have not analyzed it in the EIS.

Comment Summary G100-6: Could PCBs be present in the transmission of gas through the proposed pipeline?

G100-6 The existing natural gas pipeline system that Millennium would replace is not a PCB contaminated line as specified in 40 CFR 761.3. Since the use of PCB-containing lubricants has ceased and PCB levels in pipelines are generally declining, Millennium does not anticipate the introduction of PCBs into the new pipeline system. However, as pipeline liquids are collected, they would be sampled for PCBs. If PCBs are discovered in the system, engineering controls would be installed as appropriate to prohibit the further migration of PCBs (40 CFR 761.30(i)(1)(iii)(A)).

Comment Summary G100-7: Concerned with impact to spawning habitats of lake trout and whitefish in Lake Erie.

G100-7 Millennium would directionally drill under the near shore which would avoid these spawning habitats. In the deeper waters, affected spawning habitats may be lost during construction, but would be reestablished in subsequent years.

Comment Summary G100-8: What alternatives could be used should the bill currently introduced to Congress (HR 1205) regarding slant drilling be passed?

G100-8 The referenced bill concerns wells drilled for oil and gas exploration development in Lake Erie, some of which may be vertically or directionally drilled. It does not apply to horizontal directional drilling for pipelines.

G101 Louis Micha, et al, Johnson City, New York – 5/4/99

Comment Summary G101-1: The landowners on Town Line Road and Case Road oppose the Town Line Road Variation.

G101-1 Comment noted. We have reevaluated the Town Line Road Variation and no longer recommend it (see section 6.3 of the FEIS).

G102 Donald Lewis, Johnson City, New York – 5/21/99

Comment Summary G102-1: In the DEIS, no consideration has been given to an escape route in case of emergency on the Randy Lewis property.

G102-1 See response to comment G1.

Comment Summary G102-2: Concerned with impact to barn and logging operation on property.

G102-2 There would be no long term impact on your barn or your logging operation. Also, see response to comments G95-67 and G96-2.

Comment Summary G102-3: The Mitchell house and well are on the edge of the existing NYSEG right-of-way and will be affected by the proposed pipeline.

G102-3 Technically, the residence should not be within the NYSEG powerline right-of-way for operating and safety reasons. Millennium states that it would bore by the Mitchell house.

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Comment Summary G102-4: The Scone house, septic system, and well are within the existing NYSEG right-of-way and will be affected by the proposed pipeline.

G102-4 See response to G102-3. Millennium plans on boring under the septic system and the tree screening on the Scone property. Millennium also proposes to fence around the apple tree on the power line corridor to protect it from disturbance during construction.

Comment Summary G102-5: Peter Supa's water supply is within the existing NYSEG right-of-way and will be affected by the proposed pipeline.

G102-5 See response to comment G99-1

Comment Summary G102-6: The DEIS states that a blow valve would be placed in Bradley Creek.

G102-6 The DEIS was in error. There would be no block valve in Bradley Creek (see revised table 2.1-1 of the FEIS).

Comment Summary G102-7: Suggests following the existing Line A-5 right-of-way.

G102-7 Comment noted.

Comment Summary G102-8: Suggests following the existing Line A-5 with a 75-foot offset near Boswell Hill Road.

G102-8 Comment noted.

Comment Summary G102-9: Suggests using the modified Union Center Reroute Alternate.

G102-9 Comment noted.

Comment Summary G102-10: Suggests following the existing Line A-5 to the Mooney property and then crossing the creek to the existing NYSEG right-of-way.

G102-10 Comment noted.

G103 Kenneth Rozek, Maine, New York – 5/10/99

Comment Summary G103-1: As a potential customer of natural, concerned with the consequences of the subsequent reduction in the current maximum operating pressure.

G103-1 Pressure would drop on this section of the old Line A-5 since it would not be needed to serve customers at these two M & R stations. The higher pressure was needed for gas transmission through Line A-5. The constraints to expansion may be the result of inadequate supply rather than pressure.

Comment Summary G103-2: A project of this magnitude needs to take into consideration long-range results. If the outcome of a bypass of the Union Center and Endicott measuring stations is that a whole community may never have the potential for residential and commercial development, it would be most unfortunate.

G103-2 If the market is there, it will probably be served.

G104 Kathryn Kowalczyk, Johnson City, New York – 5/5/99

Comment Summary G104-1: Opposes the Town Line Road Variation recommended in the DEIS.

G104-1 Comment noted. We have reevaluated the Town Line Road Variation and no longer recommend it (see section 6.3 of the FEIS).

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Comment Summary G104-2: Construction and operation of the proposed pipeline would impact 25 percent or more of the Kowalczyk property.

G104-2 Comment noted. See response to comment G104-1

Comment Summary G104-3: It appears that the Town Line Road Variation was not examined closely enough.

G104-3 See response to comment G104-1

Comment Summary G104-4: Requests a reexamination of the Town Line Road Variation.

G104-4 Thank you for your comment.

Patricia Cargill, Endicott, New York – 5/19/99

Comment Summary G105-1: The proposed project should replace the existing Line A-5 pipeline with a state-of-the-art system to provide reliable, safe, and economical natural gas to the community.

G105-1 We believe this segment of the Line A-5 would continue to provide safe and reliable service. See response to comment G103-1.

William Welch, Erie, Pennsylvania – 6/21/99

Comment Summary G106-1: What alternatives does Millennium propose in lieu of the legislation introduced into Congress (HR 1205) with respect to slant drilling in the Great Lakes?

G106-1 Millennium is proposing a horizontal directional drill to install the pipeline. This is a construction technique that is based on technology used for the drilling of wells, except that the drill is horizontal instead vertical. As a construction technique, it should not be considered as "drilling" per se in Lake Erie since it would not result in an operating oil or gas well.

Lorna Slater, Erie County Environmental Coalition, Erie, Pennsylvania – 6/5/99

Comment Summary G107-1: Chagrined by the applicants' failure to inform the Presque Isle State Park, the Erie Water Authority, the Pennsylvania Sea Grant Program, and the Pennsylvania commercial fishermen about the proposed project.

G107-1 We believe Millennium has provided adequate notification of the project to agencies and the public.

Comment Summary G107-2: Believes that the applicant failed to use proper sampling protocol in Lake Erie.

G107-2 See response to comment F9-9.

Comment Summary G107-3: Concerned with contamination of Erie County's drinking water obtained from Lake Erie.

G107-3 See response to comment C11-2.

Comment Summary G107-4: Concerned with contaminated sediments that have been reintroduced into the water column by blasting and hydrojets and the bioaccumulation effects of toxins in benthic organisms, insects and bait fish.

G107-4 See section 5.3.3 of the FEIS for a discussion of contaminated sediments in Lake Erie.

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Comment Summary G107-5: Requests that consideration be given to the effects of 18.6 acres of cathodic protection ground beds in Lake Erie. Concerned about sunken ships, affects on other pipelines, and fish.

G107-5 The 18.6 acres that would be disturbed for the cathodic protection beds would be on the land segment of the pipeline and not in Lake Erie. The cathodic protection system in Lake Erie would be installed on the pipeline itself and would not affect nearby pipelines, which have their own protection systems. The pipeline has been routed to avoid proximity to sunken ships and would not affect them. No regulation or monthly monitoring on adjacent pipes or sunken ships is proposed. To our knowledge, the electrical charge would be so low and the pipeline would be buried so deep that there would be no effect on navigation or fish movement.

Comment Summary G107-6: Concerned with contaminated sediments and turbid waters in swimming areas within the Presque Isle State Park.

G107-6 Presque Isle State Park is located nearly 30 miles southwest of the pipeline route in Erie, Pennsylvania. The maximum plume (35 mg/l) from jetting in Lake Erie is expected to extend for about 1.2 miles (see table 5.3.3.2-2 of the FEIS).

Comment Summary G107-7: Requests that more sediment samples be taken and analyzed and more studies on current transport be conducted.

G107-7 See response to comment C11-2.

G108 George Schuler, The Nature Conservancy, New York – 6/3/99

Comment Summary G108-1: Concerned with impact to the dwarf wedge mussel during crossing the Neversink River.

G108-1 Millennium proposes a conventional bore under the Neversink River to avoid impact on the dwarf wedge mussel.

Comment Summary G108-2: Requests that the Neversink River be directionally drilled if it is crossed at all.

G108-2 Millennium now proposes to bore under the Neversink River which would accomplish the same result (e.g. no impact on the river) as a directional drill.

Comment Summary G108-3: Concerned with the release of sediment into the Neversink River during directional drilling.

G108-3 Millennium's ECS and our Procedures provide requirements for sediment and erosion control measures that apply to all river crossings, and would be employed at the Neversink River. These measures would provide adequate protection of the river.

G109 John McKay, Upper Delaware Council, Narrowsburg, New York – 6/3/99

Comment Summary G109-1: Concerned with the effect the proposed project would have on water quality.

G109-1 Since publication of the DEIS, Millennium has changed most of its stream crossing methods and has reduced the number of open cut crossings to minimize in-stream construction and related impacts. The only crossings still proposed for open cut within the Delaware River watershed are the Mongaup River (Rio Reservoir) and a portion of the East Branch Delaware River. With these changes, surface water impacts within the Delaware River watershed would be minimized. Also, see response to comment G83-15.

Comment Summary G109-2: Concurs with the recommendation made by the NYSDEC which states that "all streams be crossed using dry-crossing techniques."

G109-2 No one stream crossing technique can be used uniformly at all crossings because of limitations of geology, topography, and existing land use. However, as stated in response to comment G83-1, Millennium is proposing to use dry crossing techniques, wherever feasible. In addition, mitigation measures for the few remaining open

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cut crossings include in-stream sedimentation devices and other appropriate sedimentation and erosion control measures to help minimize downstream sedimentation impacts.

Comment Summary G109-3: Suggests that any streams which are tributaries to the Upper Delaware Scenic and Recreational River be crossed by using dry crossing techniques.

G109-3 See response to comment G109-1

Comment Summary G109-4: Recommends that sediment sampling and monitoring of the water quality be undertaken before, during, and after crossing the tributaries to the Upper Delaware Scenic and Recreational River.

G109-4 Millennium is now proposing to bore the West Branch Delaware River, which would avoid disturbance of the river bottom. The East Branch Delaware River would be partially bored and partially open cut. The procedure for the open cut section would include a water diversion dam to minimize water flowing through the trench and, therefore, the potential for excessive sedimentation. Known contaminated sediments in the East Branch Delaware River are 1 mile downstream of the crossing. Millennium is consulting with the NYSDEC regarding the need for sediment sampling in the East Branch Delaware River and would finalize this consultation before construction.

Comment Summary G109-5: Does not object to abandoning in place the existing pipeline provided there are no detrimental environmental or safety impacts, such as future pollution or an impediment to the free flow of water for recreation or fisheries.

G109-5 We do not believe that the abandoned pipeline would affect free flow of the river.

Comment Summary G109-6: Supports erosion protection but suggests that alternatives to riprap used to stabilize streambanks be considered before any work begins.

G109-6 We agree. Our Procedures (section V.C.5) state that use of riprap be limited to areas where flow conditions preclude effective vegetative stabilization techniques or unless otherwise specified by state permit.

Comment Summary G109-7: Requests that weekly proposed work schedules be provided to the UDC and the appropriate state and federal agencies, including the National Park Service.

G109-7 Our recommendation No. 8 requires that Millennium provide weekly status reports to Federal and state agencies with permitting authority. These reports can also be provided to the UDC and NPS at your request to Millennium.

Comment Summary G109-8: Concerned with the impact to the ecology of the tributaries of the Upper Delaware River during hydrostatic testing.

G109-8 Our Procedures require that hydrostatic test water withdrawal rates be below that needed to maintain and protect aquatic life, and provide for all other downstream waterbody uses. Further, Millennium would need to obtain permits for source and discharge of hydrostatic test water, which would provide an opportunity for the stipulation of additional conditions by the approving agencies. Also, see response to comment G83-17.

G110 Chester Karwatowski, Trout Unlimited, New York – 6/22/99

Comment Summary G110-1: The Applicants should be required to fund independent, third-party environmental monitors to inspect each segment of the project throughout construction and testing.

G110-1 The FERC, and/or its contractors, monitor construction and operation of all projects certificated by the Commission. See discussion in section 2.3 of the FEIS on the FERC inspection program. The Millennium Pipeline Project would be monitored to the same extent as all other projects.

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Comment Summary G110-2: The applicants should be required to post a performance bond or other financial assurance in an amount sufficient to cover the cost of implementing all mitigation requirements and any restoration that may reasonably be necessary because of any failure to comply with water quality or other environmental standards.

G110-2 We have no requirement for Millennium to post bonds. See response to comment C20-4.

G111 John Hart, Jr., Attorney for James Senefelder, West Clarksville, New York – 6/7/99

Comment Summary G111-1: The proposed pipeline proximity to residence will create not only a long term risk of personal danger, but also the risk of serious property damage during and after construction.

G11 Millennium would negotiate easements and compensation with property owners for all land required for construction of the pipeline. The negotiations would include the limits and location of the easement, mitigation for construction impacts, and terms for operation and maintenance of the right-of-way. As part of these negotiations, the landowner may request minor route modifications and Millennium may be able to accommodate these requests. The actual terms and conditions included in the easement and compensation agreements are outside of the scope of this EIS.

Comment Summary G111-2: The existing right-of-way on property is limited in its scope and does not extend to permit this proposed project.

G111-2 Depending on the terms of the existing easement agreement, it is possible that construction and operation of any new facilities across your property would require a new easement agreement or renegotiation of the existing agreement.

Comment Summary G111-3: Landowner has been informed by a Columbia representative that 1) water testing would be performed both prior to and after construction; 2) under no circumstance would the pipeline go through their home; and 3) an environmental evaluation would be performed prior to construction.

G111-3 The statements are correct. See response to comment G111-1

G112 Ellen and Patrick Young, Bronxville, New York – 6/17/99

Comment Summary G112-1: Concerned with the negative impact to quality of life and noise if the Palmer Road Variation is adopted.

G112-1 We have not recommended adoption of the Palmer Road Variation. However, Millennium has proposed the Parkway Variation which would place the pipeline within the Sprain Brook Parkway. Based on comments received on the DEIS, this would appear to be the route that would address the most significant issues identified by Yonkers and its residents, and we have recommended it.

Comment Summary G112-2: Concerned with safety of the proposed pipeline because of the proximity to residence.

G112-2 The USDOT regulations address safety issues associated with construction and operation of the pipeline in any situation. The regulations include design and operating standards for pipelines in urban environments. For instance, in Yonkers, the pipeline would be in a Class 4 location requiring pipeline with the thickest walls specified in the regulations. See section 6.3 of FEIS.

Comment Summary G112-3: Concerned with traffic, parking, and safety along Palmer Road during construction.

G112-3 We have expanded our discussion of potential impacts in the urban areas of Westchester County. We have also recommended that Millennium continue to work with the affected municipalities to develop appropriate mitigation for potential impacts on traffic, emergency services, and public safety. Further, we have recommended the Parkway Variation, so Palmer Road would not be affected by construction.

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- G113 Rita and George Teamsa, Bronxville, New York – 6/11/99**
Comment Summary G113-1: Concerned with potential danger, inconvenience, and expense that may occur in Yonkers
G113-1 Comment noted. We have expanded our discussion of potential impacts in the urban areas of Westchester County. Also, see response to comment G112-3.
Comment Summary G113-2: Concerned with potential disasters caused by leakage or explosion.
G113-2 See response to comment G112-2.
Justin McFadden, Cochection, New York – 6/14/99
- Comment Summary G114-1: Concerned with the potential negative impacts of open trench wet crossing streams the size of the East Branch and West Branch of the Delaware River.
G114-1 See response to comment G30-2.
Comment Summary G114-2: Concerned with the impacts to aquatic life and stream habitat downstream of in-stream sediment filters.
G114-2 See response to comment G30-1
Comment Summary G114-3: Concerned with impact to fishing and recreation associated with the high quality streams and rivers in the Delaware River area.
G114-3 See response to comment G83-6
- Donald Lewis, Johnson City, New York – 7/12/99**
Comment Summary G115-1 Lists potential impacts to family farm and others affected by the proposed project.
G115-1 See responses to comment letter G102
G116 John Bisbee, Ripley, New York – 6/5/99
Comment Summary G116-1: Concerned with impacts to the town of Ripley, New York during construction and operation of the proposed pipeline.
G116-1 Millennium has contacted all towns that would be crossed by the project (including the Town of Ripley) by letter and by telephone with regard to special features, including protected aquifers and water supply watersheds. Millennium states that the use of its standard construction techniques would not impact the aquifer protection areas crossed by the pipeline and we agree with this conclusion. However, we have recommended that Millennium identify aquifer protection areas on the revised CAS. Further, Millennium would implement its SPC Plan, as well as any local spill prevention and control plan, and would ensure that sorbents are available in all vehicles working within the watershed. In addition, special refueling areas would be established within the Ripley Public Water Supply Watershed (see section 5.3.1.2 of the EIS).
- G117 Lynn Kasten, Yorktown Heights, New York – 6/27/99**
Comment Summary G117-1: Landowner did not give permission for a survey but stakes appeared on property
G117-1 Your property, located at about MP 306.5, would be on a portion of the route where the existing Line A-5 would be removed and the proposed Millennium Pipeline would be installed in about the same location. Centerline staking over the existing right-of-way may be allowable under the existing easement agreement across this property.

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Comment Summary G117-2: Concerned with the impact to aesthetics on property.

G117-2 Construction would occur along and within an existing cleared right-of-way. Impacts on aesthetics would be minimized.

Comment Summary G117-3: The impact on the land from tree clearing and blasting will alter the vegetation and affect drainage.

G117-3 Construction would occur along and within an existing cleared right-of-way. Vegetation removal would be limited in this location. Further, Millennium has not identified this location as an area that would require blasting to install the new pipeline. Implementation of our Plan and Procedures along with Millennium's ECS would minimize the likelihood of pipeline construction altering drainage and would result in the minimum amount of tree clearing necessary to construct the project. Some areas of forest would be permanently altered to shrub or herbaceous plant communities; however, the temporary construction work area would be allowed to revegetate with trees.

Comment Summary G117-4: Maintenance practices will further disrupt the environment.

G117-4 Maintenance practices are discussed in section 2.4 of the EIS. Future maintenance activities would be similar to those occurring now for operation of the Line A-5 pipeline.

Comment Summary G117-5: Concerned with the decrease in value of property due to affect to land use.

G117-5 Property values are discussed in section 5.10. Land use should be minimally affected since the proposed project would replace an existing pipeline.

Comment Summary G117-6: Other corridors and routes should be considered.

G117-6 Alternatives considered in the EIS are discussed in sections 3.0 and 6.0 of the EIS.

G118 Cathy Lewis, Johnson City, New York – 6/27/99

Comment Summary G118: Concerned with interruption of electrical service during construction.

G118: It is not uncommon for pipelines to be constructed adjacent to powerlines that remain in service throughout construction. The issue of whether the powerlines would continue in operation or continue at a reduced voltage would be determined between Millennium and NYSEG. If the powerline is shut down or operated at a lower voltage, electricity would be supplied to Maine and Union through other unaffected powerlines on the power grid. We have recommended that a construction plan be developed to address safety and reliability considerations.

Comment Summary G118-2: Concerned with blasting especially near NYSEG transmission lines.

G118-2 See section 5.1 of the EIS regarding blasting procedures. See sections 2.3.3 and 5.8.1 for discussion of construction adjacent to or within powerline rights-of-way.

Comment Summary G118-3: Concerned with impact to NYSEG's access roads to transmission lines during construction.

G118-3 The pipeline would be underground and would not cut off access to the NYSEG powerlines. The issue of hardened crossings would be between Millennium and NYSEG.

Comment Summary G118-4: Concerned with impacts caused by blow valves, block valves, and pig launchers placed in close proximity to the NYSEG transmission lines.

G118-4 Appendix B3 of the EIS includes diagrams of the aboveground facilities. These facilities are listed on table 2.1-1 and shown on the maps in appendix B1 of the EIS. Visual impacts are discussed in section 5.8.4 of the EIS.

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The specifications and safety considerations associated with the remote blowdown valves are specified in the regulations governing these utilities.

Comment Summary G118-5: Concerned with possibility of a ground fault catastrophe occurring due to construction within the NYSEG transmission corridor.

G118-5 Comment noted. See revised discussion in section 5.8.1 of the FEIS.

Comment Summary G118-6: Concerned with construction within guy wires.

G118-6 Millennium would not install the pipeline within the guy wires.

G119 Lori Parker, Southern Tier Landowners Association, Endicott, New York – 7/2/99

Comment Summary G119-1: Believes that, while supporting the project in the event it is justified, the Southern Tier Landowners Association has benefitted many landowners who are concerned with the environment, contrary to comments made by certain landowners.

G119-1 Thank you for your comment.

G120 Vincent DeRosa, Polish Legion of American Veterans Post 16, Pine Island New York – 7/16/99

Comment Summary G120-1: Concerned with the impact pipeline construction will have on the community's local environment and quality of life.

G120-1 The general nature of the project and its environmental impacts were addressed in the DEIS, including construction and operational impacts on soil, water resources, fisheries, wildlife, vegetation, endangered species, wetlands, land use, cultural resources, and socioeconomics. These impact assessments have been further expanded in the FEIS as a result of ongoing state and local agency review and project-specific DEIS comments.

Comment Summary G120-2: Requests that Columbia mitigate adverse impacts resulting from pipeline construction in the community by developing a funding program for environmental and recreational projects which will benefit the community.

G120-2 We do not require applicants to establish funding programs for environmental and open space projects. Millennium would be paying taxes on the new pipeline and these revenues could be applied to any environmental and open space projects that the town may believe appropriate.

G121 Michele Tate, Bronxville, New York – 6/10/99

Comment Summary G121-1: Concerned with impacts to the urban areas of Westchester County.

G121-1 Comment noted. We have expanded our discussion of potential impacts in the urban areas of Westchester County. We have also recommended that Millennium continue to work with the affected municipalities to develop appropriate mitigation for potential impacts on traffic, emergency services, and public safety.

G122 Chester Karwatowski, Trout Unlimited, New York – 6/3/99

Comment Summary G122-1: The applicants should be required to consult with the USFWS, the NMFS, the DEC, and NY/TU concerning each body of trout water and trout spawning water that the proposed pipeline would cross.

G122-1 Millennium has been and continues to consult with the FWS, the NMFS and the NYSDEC regarding waterbody crossings. Site-specific crossing plans have been or are being developed for sensitive crossings where the potential for impacts warrants such specificity. The Mongaup River (Rio Reservoir) and East Branch Delaware River are the only "t" or "ts" designated waterbodies currently proposed for an open cut or partial open cut.

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Therefore, the project is anticipated to have minimal impacts on trout habitats or populations. Also, see response to comment S12-8.

Comment Summary G122-2: The applicants should be required to conduct biological surveys and obtain biological opinions from the USFWS, the NMFS, and the NYSDEC for each body of trout water or trout spawning water the proposed pipeline would cross.

G122-2 See response to comments G83-16 and G122-1

Comment Summary G122-3: The applicants should be required to utilize dry crossing construction techniques for all trout and trout spawning waterbodies that the proposed pipeline would cross regardless of stream size.

G122-3 Millennium has revised its stream crossing methods and has reduced the number of trout streams that would be open cut to two. This reduction in open cut crossings and compliance with the requirements in our Procedures and Millennium's ECS would provide adequate protection of trout fisheries without the additional requirements you have requested. Also, see response to comment G30-1.

Comment Summary G122-4: The impacts of all hydrostatic testing to downstream users and aquatic organisms should be determined prior to performing each test where trout and trout spawning water is involved.

G122-4 The protective measures requested are mostly included as requirements in our Procedures (section VII) and Millennium's ECS (section II.L). Millennium also states that it would monitor water temperatures to verify that New York water quality standards for temperature are not violated. Also see response to comment G83-17.

Comment Summary G122-5: Sediment barriers must be installed prior to any streamside or instream construction activity.

G122-5 Sediment barriers are required to be installed immediately following clearing and grading and prior to any other construction activity and would be maintained until revegetation is successful. Millennium would also limit initial grading within 25 feet of the water's edge to only that area needed to install the equipment bridge.

Comment Summary G122-6: A process should be established whereby the applicants must immediately notify the FWS, the NWFS, the NYSDEC and NY/TU of any violation of the construction permit conditions and consultation and resolution of the problem with such agencies should be required prior to further construction activity.

G122-6 Reporting requirements for violations of permit conditions are specified in the permits and do not need to be specified by the FERC. If the New York State Council wishes to be notified of violations, it should contact Millennium.