

DEPARTMENT OF THE ARMY
BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3199

REPLY TO
ATTENTION OF:

July 30, 1998

Regulatory Branch

SUBJECT: Department of the Army Application No. 97-320-
0003(1),
FERC Docket Number CP98-150-000

Mr. David P. Boergers, Acting Secretary
Federal Energy Regulatory Commission
888 First Street N.E., Room 1A
Washington, DC 20426

Dear Mr. Boergers:

This is in reference to a Notice of Intent to Prepare an Environmental Impact Statement for the Millennium Pipeline Project, Docket Number CP98-150-000, dated February 27, 1998. The proposed project involves the construction, acquisition, and operation of approximately 440 miles of a natural gas pipeline system in the States of Pennsylvania and New York. The pipeline is proposed to be interconnected at the United States/Canada border in Lake Erie and would then connect with a pipe that extends from Erie County, Pennsylvania through Chautauqua, Cattaraugus, Allegany, Steuben, Chemung, Tioga, Broome, Delaware, Sullivan, Orange, Westchester, and Rockland Counties, New York. Additionally, the proposed project includes the construction and/or acquisition of some spurs to the main pipeline into Westchester County, New York and Pike County, Pennsylvania. The proposed pipeline will cross multiple waterways regulated by the U.S. Army Corps of Engineers under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

The following comments provide technical assistance only for the development of the Environmental Impact Statement and do not constitute the review or comments of the Department of the Army on any forthcoming Environmental Impact Statement. These comments do not preclude separate evaluation by the Department of the Army which will be necessary under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. The project sponsor or their authorized agent must receive written Department of the Army authorization prior to the installation of the proposed pipeline.

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The U.S. Army Corps of Engineers recommends that the Environmental Impact Statement discuss all temporary and permanent impacts to aquatic resources that could occur as a result of the construction of the pipeline through multiple waters of the United States, including freshwater wetlands. To minimally address potential impacts to aquatic resources, including freshwater wetlands, the Environmental Impact Statement should include:

1. a delineation of all waters of the United States using established protocol contained within the "1987 Corps of Engineers Wetland Delineation Manual Technical Report Y-87-1" within the route of the proposed pipeline.
2. an evaluation and description of all intermittent and perennial tributaries, streams, creeks, and rivers proposed to be crossed including classification, width, bottom substrate, and potential impacts to riffle and pool complexes or other special aquatic sites associated with riparian crossings such as adjacent wetlands.
3. an evaluation and description of all temporary and permanent impacts to freshwater wetlands associated with the pipeline installation and right-of-way clearing, including the impacts to different wetland systems such as forested, emergent, and scrub shrub.
4. an evaluation and description of all temporary and permanent impacts to aquatic resources associated with access roads and staging areas.
5. a discussion of the proposed methodology for the Lake Erie crossing including post construction pipeline depths related to International Great Lakes Datum (IGLD) 1985.
6. a discussion of any potential direct or indirect effects to Federally listed endangered or threatened species as a result of the pipeline installation.
7. an Environmental Management and Construction Plan (EMCP) including proposed methodologies utilized for all stream and wetland crossings and restoration techniques after construction.

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8. an assessment of alternative routes that may reduce impacts to aquatic resources.

I hope these comments are useful in your development of the proposed EIS. Questions pertaining to this matter should be directed to me at (716) 879-4229, by writing to the following address: U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, or by e-mail at:
James.P.Pullano@usace.army.mil

Sincerely,

James P. Pullano
Biologist, USACOE