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By FedEx (copy by Email)

H. Keith Lesnick
Associate Administrator for
Intermodal System Development
Maritime Administration
1200 New Jersey Ave. SE
Washington, D.C. 20590

Mr. Curtis Borland
Chief, Deepwater Ports Standards Division
U.S. Coast Guard
2100 Second St., SW
Washington, D.C. 20593-7126

**Re: Liberty LNG Port Ambrose (Docket USCG-2013-0363) /
Request Tolling of the Deepwater Port Act "Clock"**

Dear Mr. Lesnick and Mr. Borland:

We represent Clean Ocean Action, Inc. ("COA") and Catskill Citizens for Safe Energy ("CCFSE") with respect to the within request regarding the above matter. We write to you today to officially request that you toll the time limit set forth in the Deepwater Port Act for your respective agency's review of Liberty LNG Port Ambrose application (Docket # USCG-2013-0363).

As you are no doubt aware, COA and CCFSE have previously requested that MARAD and the USCG issue a stop-clock decision on the review process for Liberty LNG's Deepwater Port application because of failure of the sponsor to provide a complete application for public review. As submitted, the Port Ambrose application fails to consider climate change, cumulative impacts, and impacts on the State of New Jersey. It is also lacking a New Jersey coastal zone consistency statement which is required by law. Moreover, federal agencies and the applicant's consultant have identified over 150 unique data gaps in the application.

In addition to these application deficiencies, tens of thousands of concerned citizens submitted scoping comments to MARAD and the USCG detailing numerous other substantive and procedural failures, calling for the Port application to be denied. With thousands of unique letters to review and hundreds of issues to address, it is difficult to see how the public's voice will receive the attention it is due if the review clock is not tolled.

Finally, the partial government shut-down impacted your agencies, impeding any review of the subject application or the comments in opposition thereto, for a period of 16 days. On a 240-day clock, that is not an immaterial loss of time. Accordingly, and at the very least, the review clock should now be deemed to have tolled during the shut-down to ensure that your agencies have the full amount of the statutory time afforded to conduct their reviews; otherwise, all of the concerned citizens who took the time to submit comments—and who have a reasonable expectation that the review of those comments will not be hastened or eliminated—will be short-changed.

Accordingly, we request that each of your agencies (1) update the docket to reflect the application's deficiencies, (2) toll the Deepwater Port Act "review clock," and (3) suspend any further agency action or public review process until the application is legally complete and the application deficiencies, data gaps, and failures are remedied.

Thank you for your attention to this request. We await your reply.

Very truly yours,



Andrew J. Provence

cc: Clean Ocean Action, Inc.
Catskill Citizens for Safe Energy