U.S. Department of Homeland Security

United States Coast Guard

Commandant
United States Coast Guard

Commandant (CG-OES-4)
Attn: Deepwater Ports Standards Div.
U.S. Coast Guard STOP 7509
2703 Martin Luther King Jr. Ave. SE
Washington, DC 20593-7509
Phone: (202) 372-1444
Fax: (202) 372-8382
Email: Curtis.E.Borland@uscg.mil

16113
October 21, 2013

Jason M. Goldstein
Chief Operating Officer
Liberty Natural Gas, LLC
51 John F. Kennedy Parkway, Suite 309
Short Hills, NJ 07078

Subject: Port Ambrose DWP Application Timeline Suspension and Additional Data Requests
Docket#: USCG-2013-0363

Dear Mr. Goldstein:

An applicant for a license under the Deepwater Port Act (DWPA) of 1974 (33 U.S.C. § 1501 *et seq.)* is required to assist us in gathering information crucial to the processing of its application (see e.g., 33 C.F.R. § 148.107). In the letter from the Acting Maritime Administrator on June 14, 2013, we indicated that, based on an initial review by the U.S. Coast Guard (Coast Guard), the Maritime Administration (MARAD), and several other Federal agencies, the Liberty Natural Gas LLC (Liberty), Port Ambrose deepwater port license application appeared complete, meaning it contained sufficient information to commence formal processing.[1]

For the reasons set forth below, the Coast Guard and MARAD have determined that in order to complete the Environmental Impact Statement (EIS) within the statutory timeframe required by the DWPA, we must suspend the timeline for processing the license application. The period of this suspension is for 90 calendar days commencing on October 21, 2013 and ending on January 18, 2014. The period of suspension shall not be counted in determining the date prescribed by the time limits set forth in 33 U.S.C. § 1504(g) and § 1504(i)(4) of the DWPA.

To date, there have been a number of factors that have resulted in delays in the processing of your application. Some have been within your control, and others have been outside of your control. Your application was originally filed September 28, 2012. In accordance with past practice, MARAD and the Coast Guard initiated a completeness review with other federal agencies that have a role to play in the authorization, permitting or review of your proposal. Although your application was ultimately deemed complete, the completeness review identified a number of data gaps which needed to be addressed during the NEPA process.

On June 21, 2013, the Coast Guard sent you a list of approximately 177 initial data gaps. Many of these were relatively minor; however, there are some which will require intensive, longer

[1] Pursuant to the requirements of the National Environmental Policy Act (42 U.S.C. § 4321 *et seq.*), the public scoping comment period ran from June 24 through August 22, 2013 and public scoping meetings were held in Long Beach, New York and Edison, New Jersey on July 9 and 10, 2013.

duration modeling (e.g., affects of the port's construction and operation on air quality, water quality, noise generation, and biological resources). Also, as was expected, comments received from the public during the scoping period identified several other issues (e.g., New Jersey coastal zone consistency documentation, completion of a risk assessment, documentation regarding existing pipeline distribution capacity, Army Corps pipeline burial depth requirements, coordination with BOEM regarding proposed wind energy area, etc.) which we feel must also be addressed in the NEPA document.[2] As of the date of this letter, we have only recently received some of your responses on the original data gaps from the completeness review, leaving several responses still outstanding. In addition, by enclosure to this letter, we are including the updated Data Request Matrix which includes the additional matters identified during the scoping period that will also need to be addressed.[3]

Unfortunately, due to the recent Federal Government shutdown, we have only recently been able to commence review of your data gap responses. During the shutdown, most of the MARAD and Coast Guard deepwater port teams were in a furlough status. All work on your application ceased, and we were barred from communicating with Tetra Tech, the third party contractor who is assisting with the preparation of the NEPA document. The government shutdown lasted 16 days, and it is clear that the cessation of application processing has resulted in a delay to the commencement of critical air and water quality modeling, and other labor intensive analysis.

Additionally, when the government shutdown occurred, the Coast Guard and MARAD were just beginning the process to select a risk assessment contractor to facilitate the Phase 1 and Phase 2 risk assessment workshops. The purpose of the risk assessment workshops is to identify and validate: 1) natural and manmade hazards which may threaten the proposed port; 2) hazards which may be created by the operation of the port; 3) potential environmental consequences of an LNG release; and 4) development of mitigation strategies to minimize those hazards. Once the risk assessment workshops are completed, the contractor is required to prepare a report. In order to fulfill our NEPA responsibilities to keep the public informed, we generally include the Phase 1 report as an appendix to the draft EIS. Once the risk assessment contractor is selected, we anticipate holding the Phase 1 workshop in December 2013, Coast Guard, MARAD and local stakeholder resources permitting.[4]

We recognize that other issues outside of your control have affected the timely processing of your application. One of the unique features of the DWPA is its provision to allow the Governor of an adjacent coastal state to approve or disapprove the issuance of a federal license for a project that occurs wholly outside of state jurisdictional waters. The DWPA requires that adjacent coastal states be designated by MARAD in the Notice of Application.[5] In a case of first impression, Liberty's proposed site for the deepwater port fell at 15.1 statute miles from the coast of New Jersey. MARAD, in its legal opinion, determined that the appropriate unit of

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[2] These additional issues were added to the original list of 177 data gaps.

[3] Attached is the revised data gap list which includes those added after scoping (#178-277).

[4] The risk assessment will also identify, and develop mitigations for, any navigational safety hazards which may result from the construction and operation of the proposed New York Power Authority Long Island – New York City wind energy project which will be in close proximity to the proposed deepwater port.

[5] The DWPA defines the term Adjacent coastal State in relevant part to mean any coastal State which "would be located within 15 miles of any such proposed deepwater port." (33 U.S.C. § 1502(1)).

distance for automatic designation as an adjacent coastal state should be measured using nautical miles not statute miles. This necessarily caused some delay in preparing and publishing the Notice of Application.

Of greater significance and concern was the Coast Guard's and MARAD's intention not to undertake any action that would exclude the public from the NEPA process. The destruction caused by Superstorm Sandy was devastating, and it disrupted (and continues to disrupt) lives and infrastructure throughout the New York and New Jersey coastal zones. After conferring with the Coast Guard's Captains of the Port in Sectors New York and Long Island Sound, and our federal agency colleagues in the affected area, we determined that publication of the Notice of Application and commencement of public scoping would have to be delayed until the public could meaningfully participate in the NEPA process. While not a regulatory basis to "stop the clock," the practical effect of Sandy, apart from the incalculable human toll, has been to cause substantial delay in processing the Liberty application.

Please be advised that we may request additional information as our analysis continues. Every effort will be made to provide any additional data requests to you as soon as possible to minimize the impact to the schedule. Our goal is to develop an EIS that will satisfy public and agency requirements.

We appreciate Liberty's efforts in working with us to ensure that a technically sound EIS is completed. If you have any questions, please contact Mr. Roddy Bachman, Coast Guard, at (202) 372-1451/Roddy.C.Bachman@uscg.mil; or Mr. Wade Morefield, MARAD, at (202) 366-7026/Wade.Morefield@dot.gov. Please be advised the Coast Guard's mailing address has changed. All future correspondence to the Coast Guard should be sent to:

Commandant (CG-OES-4)
Attn: Deepwater Ports Standards Division
U.S. Coast Guard STOP 7509
2703 Martin Luther King Jr., Ave. SE
Washington DC, 20593-7509

Sincerely,

C. E. Borland
Acting Chief
Deepwater Ports Standards Division
U.S. Coast Guard
By direction

Tracey L. Ford
Acting Director, Office of Deepwater
Ports Licensing and Offshore Activities
Maritime Administration

Encl: Information Data Request Matrix

cc: Docket # USCG-2013-0363
Agency Distribution

Information Request Number	Resource	Application Volume	Application Section	Source	Information Request	Applicant Response
Application Completeness Review						
1	Air Quality	II	9 (Air)	Tetra Tech	Please provide a copy of the full PSD permit application submitted to USEPA.	
2	Air Quality	II	9 (Air)	Tetra Tech	Please provide a copy of the modeling protocol that was submitted to USEPA Region 2 and NYSDEC in May 2012.	
3	Air Quality	II	9.2.3	Tetra Tech	Section 9.2.3: On p. 9-6, it states that a single regas engine at 68% load is sufficient for annual average sendout of 400 MMscf/day. But on p. 9-7 it states that with a single engine the maximum sendout is limited to 341 MMscf/day, at an engine load of 85%. Please address the discrepancy.	
4	Air Quality	II	9.2.7	Tetra Tech	Section 9.2.7: Please confirm that the regas boilers can maintain the required SCR operating temperature at only 15% load for the low sendout case.	This is a yes or no question to be answered by Liberty.
5	Air Quality	II	9.2.7	Tetra Tech	Section 9.2.7 anticipates up to 45 shutdowns and startups per year for both a second boiler and a second engine. It does not appear that startups were addressed in the 1-hour modeling. Please comment on the decision not to model startup emissions.	This is a gray area whether or not this will be required. Liberty should consult with the EPA regarding this at their meeting in August.
6	Air Quality	II	9.2.9	Tetra Tech	Section 9.2.9: It is stated that Table 9-12 presents hourly emission rates per LNGRV at average sendout, no-sendout, and low-sendout loads. However, Table 9-12 only appears to present the average sendout case. Please address the discrepancy.	
7	Air Quality	II	9.4.5.1	Tetra Tech	Section 9.4.5.1 states that because PM2.5 is a nonattainment pollutant, it is not subject to PSD, and that because PM2.5 emissions are below the NNSR threshold, the SIL is not applicable. Please provide documentation of EPA concurrence with this position.	
8	Air Quality	II	9.6.1	Tetra Tech	Section 9.6.1 states: "Operational emissions subject to Conformity rules need to be quantified; however, further consultation with USEPA on this matter is required to determine the exempted activities." Please provide operational emissions and the operational Conformity analysis subject to General Conformity when they become available.	
9	Air Quality	II	9.6.2	Tetra Tech	Section 9.6.2: Please provide some discussion of the availability and potential sources of required offsets during construction and any determined to be required for operation.	
10	Air Quality	II	9.8.1	Tetra Tech	Section 9.8.1 states: "Fugitive emissions of CH4 are not quantified but will be minimal due to the leak detection and repair procedures that are necessary to ensure safe operation of the LNGRVs." Please quantify fugitive CH4 emissions from the LNGRVs while moored to the port.	
11	Air Quality	II	9.8.1	USCG	Sections 9.8.1 and 9.8.2 – Breakdown Greenhouse gases for Operations and Construction and Decommissioning.	
12	Alternatives	II	2.11.1.7	BOEM	There is a significant OCS sand/ borrow area approximately 0.7 mile (1.1 km) near the main pipeline (between MP 19.3 and MP 16). This needs to be included on a plan view map somewhere in the environmental report.	Liberty needs to show OCS sand/borrow areas in state waters. This should be done on Figure 2-3 and any other figures as appropriate to show sand/borow areas inside the 3-mile boundary.
~~13~~	~~Alternatives~~	~~II~~	~~2.2~~	~~BOEM~~	~~The second bullet screening criteria in the Alternatives section (Avoid or minimize potential adverse effects) should be removed as it is too general. There is a CEQ requirement to look at this for any alternative, but no requirement to adopt it.~~	Editorial comment to be addressed in EIS by USCG.
14	Alternatives	II	2.3	BOEM	The No Action description talks about natural gas demand for the region, but the region is not defined as other times NYC, New York area markets, downstate New York, or even the Atlantic East Coast may be meant. The Region that is going to be served by the proposed project should be clearly defined early and consistently. Impacts of No Action should not be discussed in the description of No Action. The No Action description states that "Several natural gas transmission companies have recently, are currently, or in the near future are planning expansions of their regional transmission pipeline systems to help accommodate current demand." Therefore the need for further expansion appears to be only for forecast future demand and not the current situation. This should be made clear in the need section.	

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15	Alternatives	II	2.4.1	BOEM	The Conservation Alternative is dismissed in cursory fashion with no apparent attempt at quantification of the amount (e.g. 1 percent or 5 percent) that might be saved. This would seem to be a critical number that can be compared to the future demand number before dismissing the conservation alternative.	
~~16~~	~~Alternatives~~	~~II~~	~~2.4.2.1~~	~~BOEM~~	~~Why is fossil fuel carbon emissions suddenly appear in the Alternatives section? These are impacts and would be attributed to natural gas as well. Impact discussion does not belong in the description of alternatives including the proposed action except as a comparative impacts analysis of alternatives including No Action and Proposed Action.~~	Editorial comment to be addressed in EIS by USCG.
17	Alternatives	II	2.9.2	Tetra Tech	Section 2.9.2 states "…permitting a port site in Study Area B was not feasible due to regulatory concerns." Provide further details regarding the specific regulatory issues that were determined to be fatal flaws for this alternative port area.	
18	Alternatives	II	2.7	USCG	Section 2.7 – Add Bienville Deepwater Port - Hi-Load to port design analysis	
19	Alternatives	II	2.8	USCG	Section 2.8 – A more robust analysis of Vaporization Process Alternatives. (Please see Bienville Deepwater Port FEIS as an example)	
20	Alternatives	II	2	USCG	Figures should be modified to show ALL alternative port and pipeline locations. Include port and pipeline locations from the Liberty Deepwater Port Application.	
21	Alternatives	II	2	NMFS	We recommend that the applicant provide additional information on alternatives. Although Port Ambrose LNG proposes to construct and to operate a LNG deepwater port facility to serve as a delivery point for the importation of natural gas supplies to New York, the application does not fully discuss alternative methods of natural gas importation or the expansion of existing natural gas facilities or pipelines in the region. Additionally, a robust discussion of alternate locations for the proposed project and alternative alignments for the subsea pipeline is lacking. Some of these discussions are in the information provided for our preliminary review; however, there are numerous sections which do not adequately justify stated claims or otherwise fail to present a robust analysis. An evaluation of reasonable alternatives is required for the NEPA analysis. See 40 C.F.R. §§ 1502.14. We specifically note that the alternatives analysis should include a discussion of practicable alternatives that are less damaging to the environment. We also recommend that sequencing of avoidance, minimization, and mitigation of impacts be incorporated into the proposed project timeline and rollout plan and included in the alternatives analysis. These steps are essential to ensuring that impacts on the aquatic environment have been avoided and minimized to the extent practicable. Because the application does not contain sufficient information on these issues, we recommend that a full and complete analysis of alternatives be included in the NEPA document for this project. We suggest that these issues be coordinated jointly with the involved Federal and State regulatory agencies to ensure that any refinements to this application and its accompanying documents will suffice for all project evaluation needs.	Liberty should expand the explanation as to why the currently operated and proposed LNG terminals (onshore as well as offshore) cannot meet the need of the proposed project. A discussion of sequencing of avoidance, minimization and mitigation of impacts is not necessary at this time.
22	Alternatives	II	2	NMFS	We recommend that the applicant provide additional information on commercial and recreational fishing at the proposed site and pipeline locations. The proposed DWP is located approximately 18.5-19 miles offshore of Jones Beach, New York, and 31 miles offshore of the entrance to New York Harbor. Under the current preferred alternative, an appurtenant 19.3 mile long pipeline would extend from the new DWP facilities and interconnect into the existing Transco pipeline in New York State waters. Topic Report Two –Alternatives Analysis does not clearly identify and discuss the criteria used to select the DWP location or pipeline routes or why other locations within the New York Bight were unsuitable. In addition, the application appears to use siting criteria for the DWP and pipeline that does not fully account for our trust resources. While the application discusses criteria addressing some potential effects to resources of concern to us, including proximity to designated fishing grounds, spawning areas, and critical habitats for protected resources or EFH, additional information regarding commercial and recreational fishing should be utilized in the site selection analysis. Further, we specifically caution that the selection of this site prior to identifying ichthyoplankton and other life stages of aquatic resources present within the project area may result in incomplete analyses and incorrect conclusions in the eventual EFH assessment and other natural resource documentation.	

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~~23~~	~~Biological Resources~~	~~II~~	~~4.1.5.1~~	~~BOEM~~	~~Section 4.1.5.1. Ballast water is not the only mean of introduction. Non-natives can also be introduced by attachment to ships and equipment. So may want to add to sentence something like " Therefore, ballast water will not be vector for non-native species introductions."~~	Editorial comment to be addressed in EIS by USCG.
24	Biological Resources	II	4.2.5	BOEM	Seasonal primary production estimates should be mentioned if available.	
~~25~~	~~Biological Resources~~	~~II~~	~~4.2.8~~	~~BOEM~~	~~Reviewed the bird and bat sections of biological resources and notice that there wasn't anything on red knots. This is a species that occurs in NY and is ESA candidate species. There are numerous sighting of these birds reported by birders in eBird along NY beaches. I suggest they include this species because it is a species that BOEM will have to include in a BA of the area for renewables.~~	USCG to respond to comment
26	Biological Resources	II	4.2.8.1	BOEM	The statistics that are referenced concerning the status of shorebirds are generally 15 years old. Aren't there more recent statistics?	
~~27~~	~~Biological Resources~~	~~II~~	~~4.2.11~~	~~BOEM~~	~~Define invasive species using the Federal Executive Order. (see http://www.invasivespeciesinfo.gov/laws/execorder.shtml)~~	Editorial comment to be addressed in EIS by USCG.
~~28~~	~~Biological Resources~~	~~II~~	~~4.3.1.5~~	~~BOEM~~	~~Noise impacts on marine life are also dependent on how important sound is for inter and intra-species communication.~~	Duplicate to comment number 29
29	Biological Resources	II	4.3.1.5	BOEM	Noise impacts on marine life are also dependent on how important sound is for inter and intra-species communication. Noise impacts to species other than marine mammals (fish/turtles/shellfish/birds).	
~~30~~	~~Biological Resources~~	~~II~~	~~4.3.1.8~~	~~BOEM~~	~~Add seabirds to the list of animals that are vulnerable to ingestion of marine debris.~~	Duplicate to comment number 34.
31	Biological Resources	II	4.3.2	BOEM	Natural gas at high enough concentrations can be toxic. According to Patin 1999, acute fish poisoning and lethal damage occur at concentrations of gas hydrocarbons over 1 mg/l. Primary behavioral responses are observed at levels as low as 0.02-0.1 mg/l. (See Patin, Stanislav. 1999. Environmental Impact of the Offshore Oil and Gas Industry. EcoMonitor Publishing, East Northport, New York, 425 pp.	
32	Biological Resources	II	4.3.2.4	BOEM	Section 4.3.2.4. States what will not be affected (larger, mobile organisms). Should also state what will be affected. (fish eggs, larvae, small invertebrates, small fish).	
33	Biological Resources	II	4.3.2.5	BOEM	Section 4.3.2.5. Suggests that due to the small number of vessels associated with the port that the additional noise won't be significant. But are the kinds, size and noise production comparable or unique as compared to other vessels?	
34	Biological Resources	II	4.3.2.8	BOEM	Add "seabirds" to species groups that can be adversely affected by marine debris. In Section 4.3.2.8	
35	Biological Resources	II	4.3.2.12	BOEM	Provide a reference to reinforce statement that LNG is non-toxic and would dissipate quickly in Section 4.3.2.12.	
36	Biological Resources	II	4.3.3.1	BOEM	Add reference concerning rate of recolonization in Section 4.3.3.1.	
~~37~~	~~Biological Resources~~	~~II~~	~~4.3.3.3~~	~~BOEM~~	~~Section 4.3.3.3. Time of year will be very important to determine which fish eggs may be affected. Not all species will be affected equally.~~	USCG to respond to comment
~~38~~	~~Biological Resources~~	~~II~~	~~4.3.4.1~~	~~BOEM~~	~~To include shellfish might want to make heading "Marine Fishery Resources" instead of Marine Fish Resources"~~	Editorial comment to be addressed in EIS by USCG.
~~39~~	~~Biological Resources~~	~~II~~	~~4.3.4.1~~	~~BOEM~~	~~In Section 4.3.4.1, add "adult" before fish. Not true for eggs, larvae and most shellfish.~~	USCG to respond to comment
40	Biological Resources	II	4.3.4.1	BOEM	On page 4-74 add reference to support lower densities of fish entrainment/impingment.	
41	Biological Resources	II	4.3.4.1	BOEM	Which species are most likely to be affected based on location of intakes, time of year and densities of fish offshore?	
42	Biological Resources	II	4.3.4.1	BOEM	Another effect on fish is interference with communication. A number of fish communicate using sound. Also noise can cause generalized stress (See the above referenced synthesis for more details and references).	

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43	Biological Resources	II	4.3.4.1	BOEM	Much is unknown about the effects of noise on invertebrates but there have been some studies concerning their hearing capabilities and impacts of sound. (Again see the Synthesis). Cephalopods might be especially affected.	
~~44~~	~~Biological Resources~~	~~II~~	~~4.3.4.1~~	~~BOEM~~	~~On page 4-76, add after "Marine fisheries" "that are sufficiently motile"~~	Editorial comment to be addressed in EIS by USCG.
45	Biological Resources	II	4.3.4.1	BOEM	How large and how hot is the thermal plume expected to be?	
46	Biological Resources	II	4.3.4.1	BOEM	Larval densities are estimated from a 2001 publication (which probably means the data was from earlier years). With climate change Atlantic fish have been changing their ranges, adding uncertainty. Some species have been moving north and some have been moving further offshore. I also note that the American eel is a species which might be affected, a species whose status under ESA is being reviewed.	
47	Biological Resources	II	4.3.4.2	BOEM	Section 4.3.4.2 states that the only invertebrates that will have measurable impacts from the Project will be benthic invertebrates. Are we certain there will be no effects on squid, and other water column invertebrates?	
~~48~~	~~Biological Resources~~	~~II~~	~~4.3.4.2~~	~~BOEM~~	~~On page 4-84 change "could" entrain to "will likely"~~	Editorial comment to be addressed in EIS by USCG.
49	Biological Resources	II	4.3.4.2	BOEM	On page 4-84 add concept of loss of artificial reef with the removal of piles?	
~~50~~	~~Biological Resources~~	~~II~~	~~4.6.2~~	~~BOEM~~	~~Could include monitoring to see how effective mitigation measures are to avoid entrainment, which size/species are entrained and how that might vary by season, water temperature, time of day. Compare to models.~~	Editorial comment to be addressed in EIS by USCG.
51	Biological Resources	II	4.6.8	BOEM	To protect birds may want to include language something like—Will project comply with FAA and USCG requirements while using light technologies (e.g., low-intensity strobe lights) that minimize impacts to avian species.	
52	Biological Resources	II	4.6	BOEM	Specifically include solid waste management training to avoid impacts to wildlife.	
53	Biological Resources	II	4.3.2	Tetra Tech	No section on alteration of prey species abundance and distribution is included for Disturbances Related to Operations, Section 4.3.2. Liberty needs to take into consideration when activities at the port occur and how this will affect the removal of the plankton community and thus, potentially impact foraging whales in the area. Any analysis should take into account the long term impacts of water removal on the plankton community and the effects of this removal on listed species of whales (i.e., abandonment of the affected area) during the lifetime of the project.	
54	Biological Resources	II	4.3.4.5	Tetra Tech	Referencing Section 4.3.4.5, no assessment is provided on the affect the removal of plankton and potential impact on foraging whales in the area during construction. Water removal rates of construction vessels needs to be detailed and assessed in terms of what this means to potential food-web issues.	
55	Biological Resources	II	4.3.4.5	Tetra Tech	No actual assessment is provided on the affect the removal of plankton and potential impact on foraging whales in the area during operation as discussed in Section 4.3.4.5. Water removal rates of LNGRVs needs to be detailed and assessed in terms of what this means to potential food-web issues.	
56	Biological Resources	II	4.3.4.5	Tetra Tech	Impacts to marine mammals from maintenance and repair are not discussed in Section 4.3.4.5. Provide details on whether particular repairs will generate underwater noise levels in association with those produced by the vessel involved in the repair/maintenance with a similar analysis on the extent of the 120/160/180 dB threshold (e.g., what is involved with the annual inspection of the pipeline , replacement of components, or annual inspections of the port etc…). As maintenance/repair vessels will be present at the port, what is the acoustic footprint of these operations? Maintenance and repair should consider "major" repair/maintenance as well as "minor" repair/maintenance. Number of vessel transits by these vessels should also be estimated for potential impacts from vessel strike.	

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57	Biological Resources	II	4.3.4.5	Tetra Tech	Referencing Section 4.3.4.5, impact analysis of vessel strike should include the total number of vessel transits occurring for construction, LNGRVs, and maintenance/repair vessels in appropriate sections. Currently, the sections are vague on how small the increase in vessel activity actually is.	
58	Biological Resources	II	4, Appendix B	Tetra Tech	Section 5.1.9 – Atlantic Highly Migratory Species Fishery Management Plan. Include albacore tuna, scalloped hammerhead shark, and smooth dogfish within this Fishery Management Plan and associated tables.	All species identified in the Atlantic Highly Migratory Species Fishery Management Plan should be included in the tables.
59	Biological Resources	II	4, Appendix D	Tetra Tech	Confirm that the representative species for ichthyoplankton discussed in Section 2 are appropriate considering the depth of withdrawal (20 feet and 32 feet below surface).	Liberty should overlay the data used for this analysis with the project area. Also, Liberty should address that the representative species are appropriate for the depth of withdrawal.
60	Biological Resources	II	4, Appendix D	Tetra Tech	Referencing Section 5, confirm that using data collected from a 333 micron mesh would sufficiently characterize eggs of the representative species, with respect to egg diameters.	
61	Biological Resources	II	4, Appendix D	Tetra Tech	The approach for estimating potential entrainment based on existing data should be sufficient. However, site-specific data will likely be needed prior to and during facility construction/operation, particularly when considering (as stated in the text); "species totals in the MARMAP/ECOMON data may underestimate the densities."	
26	Biological Resources	II	4.2.4.2	USCG	Section 4.2.4.2 – Provide results from videographic surveys of Mainline.	
63	Biological Resources	II	4.3.4	USCG	Section 4.3.4 – Provide NOAA spill model output to defend the statement "…the release of diesel fuel…the spill would be small...so impact to fish and prey resources would be local."	
~~64~~	~~Biological Resources~~	~~II~~	~~4~~	~~USACE~~	~~Page 4-17 contains out-of-date information regarding Atlantic sturgeon.~~	Duplicate to comment number 129.
65	Biological Resources	II	4.2.4 Appendix C	NMFS	We recommend that the applicant provide additional site specific information regarding the benthic resources in the proposed project area. Site-specific benthic sampling data are necessary to reach conclusions regarding the impacts of the project on the benthic communities and the fish species for which the benthos is a primary food source. We recommend that the applicant develop and implement a comprehensive benthic sampling program for both the deepwater port site and the entire pipeline alignment. We specifically recommend that all benthic profiling be prepared and transmitted in color-enhanced format and that all methods and results of studies are presented clearly. It is advisable that any references used also are provided in their entirety in an appendix so that they may be consulted in subsequent stages of project review. This will improve your ability to analyze fully the proposed project‟s impacts on benthic resources and the forage base for federal and non-federal fishery resources.	Liberty should provide a color coded map of benthic resources for the project area.

Information Request Number	Resource	Application Volume	Application Section	Source	Information Request	Applicant Response
66	Biological Resources	II	4.2.5 Appendix D	NMFS	We recommend that the applicant provide site-specific data regarding ichthyoplankton. Past phytoplankton surveys of the New York Bight show that ichthyoplankton distributions are not uniform, suggesting the likelihood that some areas of the Bight are more important than others or at the very least that occurrence is spatially and/or temporally patchy. Further, the "Ichthyoplankton Entrainment Assessment" included as Appendix D of Topic Report Four – Biological Resources cannot be considered a valid assessment of the potential entrainment effects of the proposed project due to the data used in the assessment. According to the document, the larval density data were obtained from studies within Great South Bay, New York. The STL Buoys proposed by the applicant will be approximately 18 miles offshore in water depths of approximately of 100 to 120 feet. The estuarine data are taken from an environment that is not representative of the conditions, habitat, and larval densities that may be found at the DWP site or along the pipeline alignment. Project-specific fishery resources data are necessary in order to allow for a full analysis of impacts that the project may have on federal and non-federal fishery resources. Further, any ichthyoplankton entrainment assessment done for this project should be comprehensive enough to evaluate the effects on various guilds of species that may be represented at the project site including pelagic, demersal, and forage species.	
67	Biological Resources	II	4.6	NMFS	We recommend that the applicant provide more information on a potential fisheries monitoring plan. The need for a monitoring plan will likely be dependent on the degree of impact on ichthyoplankton and other marine resources, which (as stated in the above comments) would be aided by a more complete presentation of such data in the project application. Here, we may recommend that a monitoring plan be developed to ascertain the effect of seawater intake and LNG operations on marine fishery resources. Such a biological monitoring plan would be designed to determine the distribution and abundance of marine fishery resources at the project site (by species and life stage and including early life stages) and quantify the impacts on those species and the fishery from impingement, entrainment, and properties (e.g., temperature, salinity, and biocide concentration) of the discharge plume. The monitoring plan would also be linked to a plan for adaptive management of the LNG facility to allow operational or mechanical modifications to prevent or minimize adverse impact to the marine environment. We also are concerned with the potential for persistent or chronic benthic disturbances in the proposed pipeline alignment as well as with the various mooring gear and interconnections. The monitoring plan should also include pre and post construction monitoring of the pipeline alignment to ensure proper burial of the pipeline and benthic community recovery. We strongly encourage color-enhanced profile charts for this purpose. We look forward to coordinating with you and the applicant on the development of such a monitoring plan.	
68	Biological Resources	II	4.6	NMFS	We recommend the applicant include a discussion of compensatory mitigation for impacts resulting from the construction and operation of the pipeline and the deepwater port. While we note that the applicant must prevent or minimize adverse effects to the marine environment, compensatory mitigation may be required to offset permanent and temporary impacts on fish habitats. Construction of the pipeline will result in impacts on the benthic community along the pipeline alignment that may result in permanent or temporary changes in the community structure. Temporary loss of functions and values – from the time of initial impact to the time of full recovery – are typically mitigated. We recommend that the applicant analyze the anticipated effects and anticipated recovery times for marine fishery habitats within the environmental evaluation. For impacts that cannot be avoided, compensatory mitigation for impacts should be proposed within the application.	

Information Request Number	Resource	Application Volume	Application Section	Source	Information Request	Applicant Response
69	Biological Resources	II	4.3.4.5	NMFS	Construction, support, and carrier vessels associated with the construction and operation of the LNG port have the potential to affect marine mammal species due to an increase in the frequency of vessel transits, movement along vessel traffic patterns, and the speed of vessel traffic. The applicant has indicated that, overall, the event of a vessel collision with marine mammal species throughout this project is unlikely. Vessel collisions are one of the primary sources of human-caused mortality to the North Atlantic right whale (Eubalaena glacialis), with many vessel strike events not being recognized or reported. Based on the status of this population, we have implemented ship speed reduction and reporting requirements along the U.S. East Coast to reduce vessel collisions with right whales in critical feeding, calving, and migratory areas (50 CFR 224.105). The applicant has predicted that the construction, operation, including maintenance and repair of the proposed LNG port, and decommissioning of Port Ambrose would contribute a minimal increase in risk for vessel collisions with right and other listed species of whales since the area in which the project is proposed is already subject to high levels of vessel traffic. During the operational phase of the project, LNG carrier vessels are predicted to approach the port using pre-existing shipping lanes at average speeds of 20 knots. Vessel speeds are expected to decrease to about 3 knots within 500 meters of the port. As cited in the proposal, the risk of striking a marine mammal increases greatly as vessel speeds exceed 14 knots. We recommend that the applicant provide a more robust evaluation of potential marine mammal/vessel interactions associated with the proposed project and how suggested vessel strike avoidance measures will mitigate for these potential interactions. An appropriate risk analysis should include a "Before and After Control Impact Analysis." This analysis should take into account the increase in vessel traffic before and after port construction and whether this increase, based on species density in the area, will cause a significant risk of vessel collision.	A BACI Analysis is not required at this time and the USCG will await further comments from NMFS on this issue.
70	Biological Resources	II	4.3.4	NMFS	Sea turtles, Atlantic sturgeon, and whales can interact with construction (e.g., plows, jetting devices) and operational equipment (e.g., mooring lines, cable sweep). The document does not address such interactions. The types of construction activities and equipment that sea turtles, Atlantic sturgeon, and whales may come into contact with and the potential effect of such an interaction should be fully assessed. The document should contain an analysis of whether such activities have the potential to adversely affect listed species and whether these affects are likely to jeopardize the continued existence of the species or whether the effects of such activities are insignificant or discountable.	
71	Biological Resources	II	4.3	NMFS	The proposed Port Ambrose and pipeline will result in the alteration of the physical environment within the New York Bight. Alteration of the physical marine environment will include not only the destruction and alteration of the benthic community and habitat but will also include noise pollution, release of marine debris, discharges (i.e., heated water), and changes in water quality and/or temperature resulting from fuel spills, turbidity during construction, and wastewater discharges. We believe that additional analyses of the effects of these alterations, both short term (i.e., construction phase) and long term (i.e., operation of the port), are necessary in order to assess potential impacts to listed species. For instance, the potential for the construction and operation of Port Ambrose to destroy benthic habitat/communities as well as produce increased levels of suspended sediment (i.e., turbidity) within the project site must be evaluated further. The report does not sufficiently address the alteration of the benthic community (e.g., amount removed, recovery time) or turbidity plumes produced by each construction activity (e.g., concentration levels, distance the plume extends, and period of time plume remains within the area) and the associated impacts on listed species. Analyses of such impacts are needed as such effects could potentially alter sea turtle, Atlantic sturgeon, and marine mammal foraging success, health, or result in temporary abandonment of the affected area.	

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72	Biological Resources	II	4.3	NMFS	The report does not sufficiently address the impacts of underwater noise produced during construction and operation of the LNG DWP/pipeline on sea turtles, Atlantic sturgeon, and marine mammals. Throughout construction, operation (including maintenance and repair) and decomissioning of the deepwater port and pipeline, underwater noise will be generated. Pile driving; jetting; and vessel presence (i.e., use of DP thrusters) will also generate elevated noise levels that may adversely affect listed species of whales, Atlantic sturgeon, and sea turtles. More information on and a detailed description of the source levels produced by all construction and operation activities as well as information on the distance at which noise levels will be below injury/disturbance/harassment thresholds established by us for marine mammals, sea turtles, and Atlantic sturgeon for underwater noise, must be provided (Atlantic sturgeon: Injury: 206 dB re 1 µPa Peak and 187 dB accumulated sound exposure level [dBcSEL; re: 1µPa2•sec] [183 dB accumulated SEL for fish less than 2 grams]; Behavior harassment: 150 dB re 1 µPa RMS. Listed species of Whales: Mortality: 180 dB re 1 µPa RMS; Behavioral Disturbance/Harassment [non-continuous noise]: 160 dB re 1 µPa RMS; Behavioral Disturbance/Harassment [continuous noise]: 120 dB re 1 µPa RMS. Listed species of sea turtles: Injury/Behavioral modification: >166 dB re 1 µPa RMS). If exact underwater noise levels cannot be ascertained, then modeling to estimate the acoustic impact of these construction/operation activities will be necessary in order for us to accurately evaluate and assess the impacts of these underwater noise levels on listed species. In addition, sufficient information on ambient noise levels is not provided. Ambient noise levels within the project area and the contribution of additional noise from DWP/pipeline construction and operations needs to be evaluated further. Any underwater noise levels produced during the construction and operations of the deepwater port that is above ambient for any period of time has the potential to cause behavioral and/or physiological changes in listed species and, thus, needs to be considered. Based on this evaluation, direct and indirect effects to listed species of whales, Atlantic sturgeon, and sea turtles will need to be fully addressed.	
73	Biological Resources	II	4, Appendix D	NMFS	The report does not sufficiently address the uptake of sea water throughout construction (i.e., hydrostatic testing of pipelines, commissioning of LNG vessel, support vessels) and operation (e.g., ballast water during safety and security checks and regasification) of the LNG terminal and its impacts on listed species of whales (i.e., the removal of phytoplankton, zooplankton, and ichthyoplankton, the primary food source of listed whale species). A more detailed analysis on the amount of sea water that will be taken up throughout each phase of construction, followed by a full evaluation of the effects of this water removal on the phytoplankton, zooplankton, and ichthyoplankton community (e.g., how much (biomass) is removed) within the project area and the effects this removal will have on listed species of whales (i.e., what percentage of plankton species will be removed from the whales diet) needs to be provided. Additionally, we will need a similar analysis to be conducted for the long term operation of the DWP and its impacts on the plankton community and the resultant effects on listed species of whales. We need both analyses in order to evaluate the short term and long term effects of the proposed action on listed species of whales.	
74	Cultural Resources	II	5	BOEM	Based on the results of the identification survey, potential cultural resources may be located within the APE. These potential historic properties may require avoidance or additional investigation.	
75	Cultural Resources	III	A.7.1	BOEM	As described in Volume II, Topic Report 1, the STL buoys will be moored by 8 pile driven anchors buried to a depth of 50-100 feet. Page 5 of the archaeology report however, only considers a maximum potential disturbance depth from the project to be 15 feet. Because of this discrepancy, the full potential impacts of the project within some portions of the port area may not have been considered.	

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76	Cultural Resources	III	A.7.1	BOEM	The archaeology analysis is based on the results of 2 phases of geophysical survey, described on page 43. Based on this description it appears that sufficient survey coverage of the pipeline corridor was completed during the second phase with instrumentation run at a 30-m line spacing along a 300-m wide corridor with tie lines at 150-m. However, it is not clear in the discussion on page 43 if the port area was subjected to this same survey strategy. The report states that during the second phase "no additional data were acquired along the alternate route option or in the Port study area", however, the survey track lines plotted on the attached figures seem to indicate that the port area was surveyed with a 30-m line spacing and the sonar mosaics seem to indicate 100% coverage of the port area. It should be clarified what remote sensing equipment was run at what line spacing in what particular areas in order to determine if sufficient survey coverage of the port area was completed. As the lead federal agency, USCG is responsible for determining if the level of effort is appropriate for the identification of historic properties as this may differ from BOEM's recommended guidance for renewable energy projects provided in the GGARCH.	
~~77~~	~~Cultural Resources~~	~~III~~	~~A.7.1~~	~~BOEM~~	~~30-m survey lines will be needed to clear project areas.~~	Duplicate to comment number 76.
78	Cultural Resources	II	5	Tetra Tech	The numbers of targets noted in Topic Report 5 that were assessed as potential cultural resources do not match the numbers of targets described in each of the cultural resources reports of work performed in federal and state waters. The discrepancies between the reports and Topic Report 5 reports should be addressed and clarified.	
79	Cultural Resources	II	5.10	Tetra Tech	In Topic Report 5 there is reference to a staging area in Coeymans, NY. There is no information about this staging area within the cultural resources survey reports. When will cultural resources surveys be performed at this staging area and when will results be provided?	
80	Cultural Resources	II	5.10	Tetra Tech	Provide documentation that the staging area at Quonset Point, RI has been previously surveyed and reviewed by SHPO and FERC.	
81	Cultural Resources	II	5.9	USCG	Section 5.9 – Develop an Unanticipated Discoveries Plan before Draft EIS is completed.	
82	Cumulative Impacts	II	7.5	BOEM	There are no active oil or gas leases near the project area. Future offshore exploration for oil and gas needs to be addressed more specifically in relationship to the actual project location. Demonstrate why or why not oil and gas activities would need to be considered in a cumulative effects analysis.	
83	Cumulative Impacts	II	8.5.1	BOEM	As stated in the Cumulative Impact section (Section 8.5) there will be no construction-related cumulative impacts with the Port Ambrose Project concerning the NYPA project however one must keep in mind timelines change all the time and the NYPA project needs to be discussed in the cumulative section within the EIS.	
84	Cumulative Impacts	I	NA	BOEM OREP	Even though Liberty is aware that BOEM has been processing NYPA's application for over a year, Liberty has not approached BOEM to discuss its LNG proposal or to engage in fundamental conversations with our respective agencies concerning the compatibility of the two projects. Further, it is unclear from Liberty's application whether they have reached out to NYPA to discuss the compatibility of their different proposals. Liberty's application may have benefitted from early outreach or discussion on this topic. At a minimum, we find this section does not address potential conflicts that could exist between a LNG facility and a large wind power project operating in the same area.	

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85	Cumulative Impacts	I	NA	BOEM OREP	The area proposed by NYPA is 127 square miles (81,120 acres or 32,832 hectares). Liberty states that the LNG project footprint "only occupies 0.3 square miles for each buoy system, or less than 1% of NYPA's total proposed area," and that it believes its project is small enough to have minimal effect on NYPA's proposed wind power project. BOEM believes a more thorough discussion needs to be included in the Liberty application on this point. For example, there is no doubt that large vessels traverse the area and that certain safety measures are needed to ensure that the risk of collisions with wind turbines are minimized. NYPA's proposed lease area (and Liberty's proposed LNG Port) is located between two Traffic Separation Schemes (TSS) for vessels transiting into and out of the Port of New York and New Jersey. Because of its close proximity to shipping lanes, the U.S. Coast Guard has initially recommended that a buffer zone—a minimum 1 nmi setback line from the adjacent TSS—be applied to the area for purposes of reducing the risk of allision of vessels with wind turbines. This buffer zone may be expanded in the future pending additional analysis. BOEM has worked closely with the USCG on marine safety and navigation issues, and takes the USCG's recommendations seriously. Thus, Liberty's statement that its LNG Port would have only a "minimal effect" on the proposed wind facility needs further consideration given that LNG vessels are up to 300 m in length and that such vessels themselves require special safety considerations, such as safety zones that are extended out to 1500+ meters (2.73 square miles per buoy) during offload procedures (which Liberty has indicated could take up to 17 days to complete, with 40+ deliveries occurring each year).	
86	Cumulative Impacts	II	2.9.2.8	Tetra Tech	Section 2.9.2.8 Use Conflicts. Describe the nature and extent of discussions that have been held between Liberty and the Collaborative and provide additional information regarding the Collaborative's position regarding the Port Ambrose Project.	
~~87~~	~~Cumulative Impacts~~	~~NA~~	~~NA~~	~~NMFS~~	~~We recommend that the USCG"s environmental analysis include all direct, indirect, and cumulative impacts associated with the proposed project, including all of the DWP up to the interconnecting facility tie in with the existing Transco pipeline. This analysis should include impacts resulting from construction, operation, repair and maintenance, as well as decommissioning. Doing so will allow all of us to better understand the scope of the analysis.~~	Editorial comment to be addressed in EIS by USCG.
88	Cumulative Impacts	II	4.5	NMFS	We recommend that the applicant more clearly describe the relationship between the project and other projects in the area. The applicant notes the lease application by the New York Power Authority to develop an offshore wind facility in close proximity to the proposed DWP location. While the applicant suggests the potential for compatible uses between the two facilities, the Port Ambrose project applicant should consider cumulative effects of the two projects on fish habitat, fishery resources and commercial and recreational fishing activities.	
~~89~~	~~EFH~~	~~II~~	~~4, Appendix B~~	~~BOEM~~	~~EFH Assessments often include a section on ESA-listed, proposed, candidate species, and species of concern. Does help identify species at special risk.~~	Editorial comment to be addressed in EIS by USCG.
90	EFH	II	4, Appendix B	BOEM	In Section 5.2 certain species were discussed in greater depth. Not clear why they were selected.	
~~91~~	~~EFH~~	~~II~~	~~4, Appendix B~~	~~BOEM~~	~~Change "may entrain/impinge egg and larval life stages" to "will entrain" Section 7.1~~	Editorial comment to be addressed in EIS by USCG.
~~92~~	~~EFH~~	~~II~~	~~4, Appendix B~~	~~BOEM~~	~~Remove the word "recent". Studies from 2004 and 2006 are not that recent. It suggests to the reader recycled language in Section 7.2.3.2.~~	Editorial comment to be addressed in EIS by USCG.
93	EFH	II	4, Appendix B	BOEM	Change "may include mortality" to a more definitive statement that the activities will include mortality in Section 7.2.3.2.	
94	EFH	II	4, Appendix B	BOEM	Table 13 - Entrainment/impingement is missing from the table of anticipated impacts to EFH.	
95	EFH	II	4.2.2.1	USCG	Section 4.2.2.1 – This section states two species with EFH are within the project area and have HAPC identified but only one species is discussed. What is the other species?	

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~~96~~	~~General~~	~~I~~	~~NA~~	~~BOEM~~	~~Include the Bureau of Safety and Environmental Enforcement (BSEE) throughout the document, for example, in Acronyms and Abbreviations (ix) and under the Agency Review process and Opportunities for Stakeholder Participation (p.8)~~	Editorial comment to be addressed in EIS by USCG.
~~97~~	~~General~~	~~II~~	~~NA~~	~~BOEM~~	~~The environmental report notes that previous risk assessments of LNG deep-water ports, have included analyses of a large LNG spills, including pool fires, flammable vapor clouds, cryogenic hazards, rapid phase transitions, ice formation, and their possible consequences. This information needs to be applied in detail to the proposed project location.~~	Editorial comment to be addressed in EIS by USCG.
98	General	NA	NA	USACE	Provide a completed copy of the USACE permit application. All comments provided in the letter from USACE dated October 18, 2012 should be addressed.	
~~99~~	~~Geological Resources~~	~~II~~	~~3~~	~~BOEM~~	~~The issue of scour caused by disturbance to the seafloor, primarily if scour protection will be implemented, was not addressed in the proposal.~~	USCG to respond to comment
100	Geological Resources	II	7.2.5.1	Tetra Tech	Section 7.2.5.1 states that a not well understood fault line exists beneath a section of the proposed pipeline. This is also stated on figure 7.7. Liberty concludes that evidence of seismic activity has not taken place in recent times (Quaternary)…for these reasons ….the corridor is at minimum risk. Quantify reason suggesting minimum risk, other than the fact that no earthquakes have occurred there. Describe/define 'minimal' other than stating 4-6% risk of a quake.	
101	Geological Resources	II	7.2.5	Tetra Tech	Provide discussion on procedures in the event of the discovery of unknown geologic conditions that could affect portions of the pipeline. Conditions such as hardpan over a rift or sediments hiding other features not picked up by survey work may pose additional risk or scheduling issues. Provide a plan to address safety/construction/schedule/equipment changes etc.	
102	Land Use	II	8.1	Tetra Tech	Section 8.1 – Regulatory Environment. Discuss local regulations and planning efforts that may be applicable to the Project, such as the New York City Department of City Planning Waterfront Revitalization Program.	
103	Land Use	II	8.3	NMFS	We recommend that the applicant provide additional information on the project's landside impacts so that the appropriate analysis of impacts can be completed. The applicant has stated that no onshore facilities will be constructed for this project; however, the application notes that upland areas will be necessary for fabrication, laydown and staging of construction materials for the proposed pipeline assembly. In order to evaluate the direct, indirect, individual, and cumulative effects of the proposed DWP, we recommend that a full and complete discussion of the landside impacts be included in the deepwater port application.	

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104	Noise	II	9.9.4 9.9.5	Tetra Tech	The only discussions of noise impacts are qualitative and include a comparative analysis to the underwater noise impacts associated with noise modeling efforts conducted for the Neptune LNG Deepwater Port Project by LGL and JASCO from 2005 to 2009. All statements are under the assumption that the construction, operation, maintenance and decommissioning of the Neptune Project in relation to noise quality would provide an approximate level of the noise impacts expected for the Port Ambrose Project. The analyses indicate that there are differences in site conditions between the Neptune and the Port Ambrose Project that will affect the level of noise received at sensitive receptors; however, these differences are never stated. For instance, the Port Ambrose project is proposed within a location approximately 19 mi (30 km) from the shore in water approximately 100 ft (30 m) deep. In comparison, the Neptune project was constructed offshore of Gloucester, Massachusetts in waters approximately 240 ft (73 m) deep. Received sound levels could not only vary based on differences in bottom depth but also factors such as sound power, source dimensions, construction method, pile diameter, etc. Underwater construction pile driving noise, dynamic positioning (DP) vessel noise, pipeline trenching noise, LNGRV transiting, maneuvering, and operating noise should be considered in a more detailed and quantitative manner with respect to site-specific conditions. Specific identification of the potential for impacts from noise to specific marine mammal and fish species should be assessed from the noise modeling.	
105	Noise	II	9.9.4	Tetra Tech	Provide additional information on the sound profile and duration of sound generation from vessels that will be used during Project construction and operation such as: • Dynamically Positioned Dive Support Vessel; • Dynamically Positioned Pipelay Vessel; • Heavy Lift Vessel; and • Other vessels used for construction, maintenance, and/or repair activities. Where applicable analyze sound associated with thrusters. Information should be provided for each class of vessel that would service the Project.	
106	Noise	II	9 (Noise)	Tetra Tech	There are several places where the following statement is included in the acoustic analysis: "Expected noise levels are anticipated to be negligible compared to existing background noise in the New York Bight and is expected to have insignificant impacts." There is no supporting data to verify this statement so it is difficult to determine how this conclusion was reached. The underwater analysis indicates that calculations for expected noise level will be approximately 55 dBA for equipment that "might operate on typical LNGRVs" (as of 2006-2009). This level is at the upper bound of the ambient range is 50-55 dBA so it's possible that for slight variations due to such factors as variations in equipment types actually employed, more recent equipment and sound power information (i.e., since 2009), and dependent site-specific conditions (i.e., weather, cumulative effects) that the expected noise level may be >55dBA. Provide additional analyses or documentation to support the claims regarding insignificant impacts.	
107	Noise	II	9.9.5.1	Tetra Tech	In Section 9.9.5.1 it is written "The number of trips by support vessel is not statistically significant in comparison to existing vessel traffic and therefore will not result in a significant increase in ambient noise levels." There is no supporting data to verify this statement so it is difficult to determine how this conclusion was reached. Provide additional analyses or documentation to support this statement.	

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108	Noise	II	9 (Noise)	Tetra Tech	The underwater analysis includes the following statement: "Depending on the season and receiver depth, the distance the 120-dB received level contour (Level B harassment for continuous sound levels) could travel from a single transiting LNG vessel is approximately 1.5 to 1.7 mi (2.4 to 2.8 km) from a transiting LNG vessel with a support vessel (Table 9-31). A species close to the ship could be exposed to this noise level for approximately 30 minutes. Furthermore, due to the short duration of each episode and their infrequent occurrence (LNG arrival/departure every 5-16 days), there will be little long-term effect on the individual animals and no effects on populations (USCG 2006a)." Provide a site-specific quantitative acoustic analysis that would support this statement. Document expected received sound levels by receiver depth or by species type.	
109	Noise	II	9 (Noise)	Tetra Tech	In Topic Report 4 – Biological Resources the following conclusion is made with reference to potential impacts on marine mammals from construction pile driving: "Therefore, it is anticipated that impacts on marine mammals resulting from construction activities will be short-term and consist of minimal to negligible behavioral harassment effects. Impacts on marine mammals from noise and acoustic shock during construction are expected to be insignificant and temporary." Provide additional data and analysis results to justify these statements regarding impacts to marine mammals.	
110	Noise	II	9 (Noise)	Tetra Tech	The STL Buoy System will be located approximately 19 miles (30 km) off Jones Beach, New York; therefore, airborne noise impacts are expected to be low; however, the pipeline interconnect location is only 2.2 miles (3.5 km) from the nearest point on the New York coastline. Identify the noise-generating construction activities that will be occurring at the interconnect location and assess impacts at those nearest coastline receptors as appropriate.	
111	Noise	II	9.9.4.2	USCG	Section 9.9.4.2 – Impact of the alternative anchoring systems (fluke anchors and grouted piles).	
112	Project Description	II	1.6	BOEM	From a NEPA perspective, the total project should be discussed. The onshore facilities that will support construction activities and those that will support the O&M component are addressed minimally. For example, the location(s) of support facilities have not been determined and/or discussed. While the report states that the onshore facility(s) will be selected based upon contractor input (for construction?) - given the controversial nature of LNG projects, additional information on the onshore impacts and/or benefits seem appropriate.	
113	Project Description	II	1.3	BOEM	Is there a need for future pipelines/infrastructure to support added product?	
114	Project Description	II	1.4	BOEM	The Major Deepwater Port components are identified and explained in some detail such as the STL Buoy system. It appears the STL buoys will be lowered to a landing pad on the sea floor and maintain that position until retrieved by an LNGV. One would assume there is potential for impacts therefore one must understand, examine and mitigate the potential impacts if necessary along with the timeframe of this potential impact.	
115	Project Description	II	1.4.1.2	BOEM	One must assume a decision will be made sooner than later whether to drive pile anchors or the alternative such as the fluke anchors or grouted piles. The less impact procedure would be the best option.	
116	Project Description	II	1.4.1.2	USCG	Section 1.4.1.2 – "Define "noise and time" in the "brief periods of stern thruster use under certain metocean conditions to prevent cargo tank sloshing."	

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~~117~~	~~Project Description~~	~~II~~	~~1.6.2~~	~~USCG~~	~~Section 1.6.2 – Provide NEPA analysis for "Shore-based Office and Warehouse Space for Construction"~~	Duplicate to comment number 112.
~~118~~	~~Project Description~~	~~II~~	~~1.6.3~~	~~USCG~~	~~Section 1.6.3 Provide NEPA analysis for "Shore-based Office and Warehouse Space for Operation"~~	Duplicate to comment number 112.
119	Project Description	II	1.7.3.2	USACE	Note that for buried utility lines, USACE requires a minimum bottom cover of 4 feet below the existing bottom. Specific burial requirements for the proposed project will be determined after submittal of a complete permit application for Liberty Natural Gas to USACE.	The USCG has issued a request to substantiate the request for a 4 foot depth of cover. USCG to have informal discussion with ACOE to ensure we understand their requirement and appropriately analyze it in the NEPA document.
120	Purpose and Need	II	1.2	BOEM	In volume 1 there is a claim that NG prices in NYC are at a premium. Compared to the rest of the USA that may be true, but NG prices in the USA are very low at present and are expected to stay low for the foreseeable future. This seems to be ignored in this ICF report or the ICF report is mischaracterized as it seems to be focused only on increasing demand and lessening supply. The most recent EIA report indicates there is considerable export of USA NG via LNG and there is talk of exporting more of USA NG via LNG. In Volume 2 a better job is done of focusing on the need, for example the statement "lower natural gas prices and lower price volatility, as well as increase the reliability, flexibility, and diversity of natural gas supply for the New York area markets" However, the need is really about adequate distribution links of NG to a this particular area, not the overall supply or cost of NG although the document claims the ICF report says Port Ambrose will increase the overall supply. Unless this supply is coming from overseas (which is not indicated until much later), this is a misstatement. Port Ambrose is incorrectly depicted as a new supply (the distinction is not made as to local vs. national) when it is actually a new point in the distribution system. The overall supply is coming from the ground throughout the USA and Port Ambrose will not increase that overall supply unless overseas LNG is brought in to Port Ambrose, which is apparently the case although not stated as such until the end of Section 2.5.	
121	Socioeconomics	II	1.3/6.3	BOEM	The discussion notes that O&M staff will be small; will existing businesses and industrial support come from the local community, and is there a long term economic/ jobs benefit? Please also add discussion to address this in Topic Report 6.	
122	Socioeconomics	II	6.4.2 Table 6-13	BOEM	"The minority population percentage in Queens and Kings Counties are lower than 50 percent and lower than the percentage in the State of New York (Table 6-13). In Kings County, the population describing themselves as "white alone" represents approximately 36 percent of the population, and in Queens County, only 27.6 percent of the population is "white alone." These two counties (Kings, NY and Queens, NY) are considered to have significant minority populations." However, the stated criteria is 50% and above is a minority population. These explanations do not make sense.	
123	Socioeconomics	II	Table 6-13	BOEM	These numbers don't add up or show relationship. Recommend using the chart from the census bureau. Cannot find, "white alone."	

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124	Socioeconomics	II	6.4.2	BOEM	"Since launching the Project, Liberty and its representatives have meet with members of the public, community organizations, area businesses and business associations, and local, state, and federal government officials to present the Project proposal and receive feedback from potential stakeholders. Stakeholder outreach continues to this day, and will continue throughout the administrative review of the Project, including during the various public hearings that will be held as set forth in the DWPA." But how has the EJ review been incorporated into these hearings? When were the hearings? How often do the hearings occur? The need for EJ is stated repeatedly, but the actual explanation of how it was incorporated lacks those important details.	
125	Socioeconomics	II	6.3.2.1	Tetra Tech	Provide more information for all nonlocal workers required for the Project as discussed in Section 6.3.2.1, including why nonlocal workers are required (i.e., Liberty Natural Gas, LCC employees or specialized labor) and where these workers would be from.	
126	Socioeconomics	II	6.3.2.2	USCG	Section 6.3.2.2 – What are the impacts of having onshore staging area for urea and mercaptan tanks to resupply LNGRVs? What is the storage volume for these agents?	
127	Socioeconomics	II	6.3.2.2	USCG	Section 6.3.2.2 - What is the impact of mooring a dedicated Support Vessel at the shore-side facility?	
128	Socioeconomics	II	6.3.1.2	NMFS	We recommend that the applicant provide additional fisheries information, including information on the economic impacts of a potential fisheries exclusion zone, as the applicant seeks authorization for an exclusion zone of 500 meters around each buoy, as well as a 1000 meter no anchor zone. It is important to use current and accurate data and information in determining the potential impacts on historical, current and future fishing activities. The proposed DWP site is in area known as Cholera Bank. This area and the adjacent Middle Ground, Angler Bank, East of Cholera and Mussel grounds are all important recreational and commercial fishing grounds. The applicant should discuss the economic impacts caused by the creation of an exclusion zone that would preclude commercial and recreational fishing activity in the area. We recommend that a discussion of ecological effects to fishery resources as a result of the exclusion of commercial fishing operations be included. For example, issues such as displacement of existing commercial fisheries into other areas resulting in increased fishing pressure to other locations need to be addressed. We also recommend that you include in the NEPA document a comprehensive discussion of the socio-economic impacts resulting from the potential exclusion of commercial and recreational fishing operations within the vicinity of the DWP area. The NEPA document should also evaluate the regional impacts on fishing ports resulting from the potential closure of these fishing grounds due to LNG operations.	
129	T&E	II	4.2.2.3	BOEM	Need to update regulatory information concerning the Atlantic sturgeon. Its status has changed from proposed to listed. (See http://www.nmfs.noaa.gov/pr/species/fish/atlanticsturgeon.htm). Also the EFH Assessment includes Atlantic salmon adults in the project area. They are not mentioned in the Biological Resources Section of the Environmental Evaluation.	
130	T&E	II	4.2.2.3	BOEM	May also want to mention the status of the American eel which is undergoing a status review after a may be warranted petition finding (http://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=E0AG) In addition the alewife and the blueback herring are undergoing a status review with a 12-month finding to list or not list due soon. They are found in the area of the proposed project.	

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131	T&E	II	4.2.8.1	BOEM	Include references associated with "one quarter of the piping plover population" and "one quarter of the least tern population" statistics.	
~~132~~	~~T&E~~	~~II~~	~~4.2.8.1~~	~~BOEM~~	~~Only the Great Lakes population of the piping plover is federally listed as "endangered". Other populations are "threatened". (See http://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=B079)~~	Editorial comment to be addressed in EIS by USCG.
~~133~~	~~T&E~~	~~II~~	~~4.2.2.3~~	~~USCG~~	~~Section 4.2.2.3 – Update Atlantic Sturgeon ESA status.~~	Duplicate to comment number 129.
134	T&E	II	4.3.4.5	NMFS	Although listed species of whales, Atlantic sturgeon, and sea turtles were identified and briefly described in the document, potential effects to these species from the proposed construction, operation, including maintenance and repair, and decomissioning of the LNG terminal were not fully identified or assessed. We recommend a detailed and complete analysis of potential impacts on each of the endangered and threatened species and marine mammals.	
135	T&E	II	4.3	NMFS	The applicant needs to provide a more robust assessment of the direct and indirect effects on listed species of maintenance and repair activities that will occur throughout the life of the LNG terminal. A similar assessment is also needed for decommissioning operations. Stating that the effects to listed species of these phases of port operations will be similar to or no worse than the construction phase of the port is not sufficient, and, thus, we request a full and thorough analysis of effects to whales, sea turtles, and Atlantic sturgeon of maintenance and repair and decommissioning activities. Because the construction, operation, and decommissioning of Port Ambrose has the potential to affect listed species, a Section 7 consultation under the ESA must be conducted. However, in order to conduct Section 7 consultation, additional information is needed by us before consultation can be initiated as the present document is inadequate to serve as the basis for a biological assessment for the purposes of Section 7 consultation. We believe that this additional information will assist us in evaluating the potential impacts of the proposed DWP on endangered and threatened species.	
136	Water Resources	II	3.2.2.1	BOEM	Section 3.2.2.1. "Coastal runoff also impacts nearshore seawater temperatures." How so? Do these effects extend into the proposed project area?	
137	Water Resources	II	3.2.2.4	BOEM	Proposal mentions turbidity conditions generally but, since a USACE 2008 report is cited in Turbidity section, it would be helpful to know more about the minimum/maximum or a turbidity range encountered with depth and the type of turbidity measurements made.	
138	Water Resources	II	3.2.2.5	BOEM	Section 3.2.2.5. "In general, water quality in the vicinity of the Port is expected to be better (i.e., lower trace element and contaminant concentrations) than that observed in the HARS or coastal areas." Could use a brief sentence explaining why… open ocean…_ miles from HARS or coastal areas.	
139	Water Resources	II	3.3.2.1	BOEM	Section 3.3.2.1. "Accordingly, water quality impacts associated with pipeline installation, lowering and backfilling operations are expected to be localized, short-term, and minor." Curious if this has been monitored or shown in previous pipeline construction work. A citation for this would be helpful.	
140	Water Resources	II	3.3.2.3	BOEM	Section 3.3.2.1. "Turbidity impacts associated with submersible pumping will be marginally greater than hand jetting impacts." Neither of which impacts are estimated here. I assume they would both be greater than the plowing and backfilling impacts. Please address.	

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141	Water Resources	II	3.3.2.3	BOEM	Section 3.3.2.3. "Due to the sandy characteristics of the bottom sediments and the limited duration and intensity of the bottom disturbance, the turbidity plume resulting from movement of flexible risers and anchor cable will be minor in magnitude, extent, and duration, and associated impacts on water quality and the environment are expected to be minor." While I don't disagree with the impact assessment if this has been monitored elsewhere a citation would be helpful.	
142	Water Resources	II	3.3.2.3	BOEM	Accidental Releases of Petroleum Products, LNG, and/or Other Chemicals – General comment. Multiple negligible effects decisions are made without any citation to a study examining the dissipation of LNG in the water and the chemical reactions that result following a spill.	
143	Water Resources	II	4.3.1.7	BOEM	Proposal needs some kind of estimate of the general size of vessels to be used during construction.	
144	Water Resources	II	3.2.2.1	Tetra Tech	Section 3.2.2.1 Temperature. Reference is made to summer season stratification but the CTD data were collected during the January/February 2012 timeframe. Provide data that support that summer stratification does occur within the water column at the proposed buoy location.	
145	Water Resources	II	3.2.2.2	Tetra Tech	Section 3.2.2.2 Salinity. Provide reference or data for the statement that "Surface salinity can be expected to be less than salinity at depth throughout the year, especially during periods when thermal stratification is prevalent."	
146	Water Resources	II	3.2.2.3	Tetra Tech	Provide percent saturation values for DO in the water column to support the statement in Section 3.2.2.3 that "the well mixed conditions allowed DO to approach saturation throughout the water column."	
147	Water Resources	II	3.2.2.3	Tetra Tech	Section 3.2.2.3 states that profile data were collected during winter 2012; provide reference or data for the statement that these data are representative for the fall season as well.	
148	Water Resources	II	3.2.2.3	Tetra Tech	Provide the distance and water depths from those areas where sewerage disposal has occurred relative to the proposed project location as discussed in Section 3.2.2.3.	
149	Water Resources	II	3.2.2.3	Tetra Tech	Provide current or historic data that support the trend in seasonal dissolved oxygen levels described at or near the project location as discussed in Section 3.2.2.3.	
150	Water Resources	II	3.2.2.3	Tetra Tech	Provide concentration data that support the declines in oxygen levels to levels that are 10-30 % below surface concentrations in the summer months as discussed in Section 3.2.2.3.	
151	Water Resources	II	3.2.2.3	Tetra Tech	Provide seasonal water column profile data for temperature and dissolved oxygen at the buoy location as discussed in Section 3.2.2.3.	
152	Water Resources	II	3.2.2.5	Tetra Tech	Provide water depths where historic water sample data were collected from "bottom" depths as referenced in Section 3.2.2.5.	
153	Water Resources	II	3.2.2.5	Tetra Tech	Provide assessment if any of the observed concentrations of trace metals discussed in Section 3.2.2.5 are in excess of ambient water quality criteria for the area.	
154	Water Resources	II	3.2.3	Tetra Tech	In Section 3.2.3, the discussion of PAH data is limited to Phenathrene and Pyrene. Are other PAH data available or are total PAH data available from Mecray et al. (2003) for the project area such as data provided in Ambrose et al. (2003)?	
155	Water Resources	II	Table 3-6	Tetra Tech	Provide reference for ERL/ERM values used in Table 3-6 and include applicable NYSDEC sediment quality values for comparison.	
156	Water Resources	II	3.2.2.5	Tetra Tech	Dioxins are addressed in the surface water characterization; provide additional information or data that addresses if dioxins are a concern in the sediments at the project location.	

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~~157~~	~~Water Resources~~	~~II~~	~~3~~	~~Tetra Tech~~	~~Define the area of impact associated with increases in turbidity from water jetting and submersible pumping operations as discussed in Section 3.3.2.1.~~	Duplicate to comment number 140.
158	Water Resources	II	3.3.2.1	Tetra Tech	Given that ambient turbidity readings are not available as stated in Section 3.3.2.1, how will turbidity impacts be assessed and mitigated for during installation?	
~~159~~	~~Water Resources~~	~~II~~	~~3.3.2.1~~	~~Tetra Tech~~	~~Define impacts that are local, short-term and minor in relation to turbidity impacts for water jetting and submersible pumping operations discussed in Section 3.3.2.1.~~	Duplicate to comment number 140.
160	Water Resources	II	3.3.2.2	Tetra Tech	Provide a detailed water balance model and table summarizing the LNGRV operation needs including all intakes and discharge ports and consumptive losses as discussed in Section 3.3.2.2.	
161	Water Resources	II	3.3.2.2	Tetra Tech	Provide the cooling water intake and discharges for the ballast cooling water system and the operation of the LNGRV during withdrawal of seawater to meet cooling needs as referenced in Section 3.3.2.2. Provide percentage scenarios for each mode of operation based on the proposed cooling water discharges detailed in the DRAFT NPDES permit application.	
162	Water Resources	II	3.3.2.2	Tetra Tech	Provide a thermal balance of water used in the cooling water system during the ballast water and seawater withdrawal modes of operation described in Section 3.3.2.2.	
163	Water Resources	II	3.3.2.2	Tetra Tech	Referencing Section 3.3.2.2, provide the (i.e., CORMIX) thermal plume modeling of the vertical cooling water discharge for the LNGRV into the surrounding water and the corresponding plume dimensions relative to thermal compliance with water quality standards or requirements.	
164	Water Resources	II	3.3.2.2	Tetra Tech	Provide the mixing zone and vertical and horizontal thermal compliance points relative to applicable water quality standards or requirements as discussed in Section 3.3.2.2.	
165	Water Resources	II	3.3.2.2	Tetra Tech	Provide an assessment of any thermal discharge relative to its influence (i.e., temperature gradient and depth of plume influence) on thermal stratification during the summer and winter months relating to discussion in Section 3.3.2.2.	
166	Water Resources	II	3.3.2.2	Tetra Tech	Assess the impact of current speed on thermal plume horizontal elongation and dissipation discussed in Section 3.3.2.2.	
167	Water Resources	II	3.3.2.2	Tetra Tech	A detailed description of the overall water use at the port by an LNGRV during LNG delivery and the length of time particular volumes of water will be used is needed (e.g., on day one, over 8 hours, X MGD of water will be used, during initiation of regasification process X MGD of water will be used for X hrs for X days). In general, we need to understand the overall water use as well as the amount of heated water discharged during port operations and throughout the life of the port. Please provide water tables that include all sources of discharge as well.	
168	Water Resources	II	4.3.1.3	Tetra Tech	More detail will be needed to understand suspended solids and dispersion from the disturbed area from jet plowing discussed in Section 4.3. Sediment dispersion models should be conducted to determine dispersion and settlement, as well as vertical dispersion of the plume into the water column.	Tetra Tech has reviewed Section 4.3 and on page 4-61 the text refers to jetting and plowing, not jet plowing. Liberty should perform a low level analysis on sediment plumes to address the issue.
~~169~~	~~Water Resources~~	~~II~~	~~3.3.2.4~~	~~USCG~~	~~Section 3.3.2.4 – Impact of annual ROV inspection of entire pipeline.~~	Duplicate to comment numbers 56 and 135.
170	Water Resources	II	3.3.2.4	USCG	Section 3.3.2.4 – Include “Unplanned and Emergency Maintenance” section with impacts.	
171	Water Resources	II	4.1.5	USCG	Section 4.1.5 – Briefly discuss EPA’s Vessel General Permit.	
172	Water Resources	I	Appendix C, 1.3	USEPA, Region 2	The discharge water treatment plan/process found in the project overview should be included in detail in the application for a National Pollutant Discharge Elimination System (NPDES) Permit.	

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173	Water Resources	I	Appendix C, 1.3	USEPA, Region 2	As stormwater from the Liquid Natural Gas Regasification Vessel is being collected, a stormwater permit will be required for the discharge.	
174	Water Resources	I	Appendix C, 1.3	USEPA, Region 2	What will be the discharge rate of cooling water discharge?	
175	Water Resources	II	3.3.2.3	USEPA, Region 2	In previous projects, the temperature of the natural gas riser is 120° to 130°F and maintains that temperature from the top of the riser to its insertion point in the subsea pipeline. This should be discussed and modeled to determine any thermal impacts to water quality around the riser.	
176	Water Resources	II	4.2.5 Appendix D	NMFS	We recommend that the applicant include data that are more representative of the project site. Although the application includes an ichthyoplankton entrainment assessment, the data used to develop this model were not representative of the conditions of the project site. As discussed above, the habitat conditions at the nearshore ichthyoplankton sampling locations do not correlate to the conditions found at the proposed DWP site, and, therefore, cannot be used to evaluate the potential impacts of the proposed project as a result of operation of the DWP. We recommend the applicant include an analysis of site-specific impacts on ichthyoplankton resulting from the operation of the deepwater port. A clear and detailed discussion of the project components is necessary to better assess project impacts. Here, the application lacks a clear description of the water intakes and discharges that will be required for the construction and operation of the DWP. Several sections of the document appear to contain pieces of the information needed to assess the water withdrawal and discharge needs of the LNGRVs, but the information is scattered in various locations in the document. We recommend that all of the project‟s water intake and discharge needs be clearly identified and discussed in one section of the document. This section should also provide a more detailed discussion of the operation of the buoy system and the LNGRVs. From the information found in the application, it appears that the Port Ambrose LNG project proposes to use up to 1.93 million gallons of seawater per day, per LNGRV for ballast water as the natural gas is off-loaded from the vessel into the pipeline. The intake of seawater has the potential to entrain and impinge fishery resources during operation of the deepwater port. In addition, approximately 3.5 million gallons of seawater will be needed to flood and test the trunk line and offshore lateral transmission line and approximately 8.2 million gallons of water will be utilized for DWP commissioning. We recommend the applicant use site-specific ichthyoplankton data in order to evaluate impacts resulting from these aspects of the proposed project.	
177	Water Resources	II	3.3.2	NMFS	We recommend that the applicant include a discussion of the construction and operational discharges into federal waters. Based on experiences with other LNG projects in the Northeast, the discharge water may be as high as 10 degrees Celsius above ambient. It is unclear from the document what other discharges may occur from this project. We recommend that a clear discussion of all of the discharges associated with the operation of the proposed DWP be provided. Further, an analysis of impacts on fishery resources and habitats should be included within the environmental evaluation.	
Public Scoping Comments						
178	General	II	8.3.1	Clean Ocean Action	Application is deficient because it does not include a request for coastal zone consistency from State of New Jersey.	
179	Water Resources; Noise	II	3.3.2.1	Amy T. Fuentes	Discharge 3.5 million gallons of chemically treated seawater, generate underwater noise pollution, and dredge 20 miles of seafloor.	
180	Noise	II	4.3.1.5, 9.9.1.2, 9.9.4.2, 9.9.5.2, 9.9.6.2	Deborah Dobski	Pipeline would create underwater noise pollution, disrupting species.	
181	Air Quality	II	9.4, 9.5, 9.8.1, 9.8.2	Donna Knipp	Air contamination and greenhouse gas emissions.	

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182	Reliability & Safety	II	Topic Report 10	Brian Zimmerman	Concerned about impact of hurricanes on port.	
183	Reliability & Safety	II	7.2.5.1	Stephen Hopkins	Potential for earthquake. Largest earthquake reported for the entire area occurred in 1885, magnitude 5, within about 20 miles to the northwest of where the facility will be located.	
184	Ocean/Land Use; Reliability & Safety	II	6.3.1.2, 10.4.3	William Schultz - Raritan Riverkeeper	What is there to restrict a vessel from damaging the facility with an anchor dragging across the bottom? Would impact all shipping by expansive security zone around LNG ships when they are in transit.	
185	Reliability & Safety	II	Topic Report 10	Theresa Martineck	How would the port be effected by another super-storm?	
186	Water Resources; Air Quality	II	Topic Report 3, 9, and 10	Vreni Roduner	Will cause water and air contamination, and health and environmental problems.	
187	Project Description	II	1.3	Karen Orlando	What is purpose of 2 buoys when 1 is described as being ample to provide the maximum amount of supplies that can be transported through the new 26 inch pipe that will need to be constructed? Does this anticipate further expansion, is it a redundancy?	
188	Water Resources; Biological Resources; Socioeconomics; Air Quality	II	4.3.1.7, 6.3.1.1, 9.8.1, 9.8.2	Ling Tsou	Sea water will be used for pipeline testing and ballast, leading to biological and water quality issues, will destroy algae, fish eggs and larvae, and threaten commercial fishing. Use of LNG causes upwards of 40% more CO2 emissions in comparison to domestic natural gas along with other greenhouse gases, including methane, volatile organic compounds and nitrogen oxides.	
189	Air Quality; Reliability & Noise	II	9.8.1, 9.8.2	Ling Tsou	Greenhouse gas emissions are not taken into consideration as well effects on climate change. Location is in pathway of hurricanes which have been increasing in intensity.	
190	General	II	3.5.1	Karen Orlando	Resubmitting comments (see IND205). Liberty should not be allowed to present maps and information about the project without them addressing the fact that they require Transco's proposed Rockaway lateral pipeline expansion currently under consideration by FERC (Docket CP13-36).	
191	Water Resources	II	3.3.2.1, 4.3.4.3	Anonymous (Louise Horgan)	Detrimental effects construction and maintenance will have on marine environment - dredging, discharge of chemically treated seawater, seawater intake for ballast, open and close loop thermal pollution, and potential for wastewater, stormwater, and accidental or incidental discharges.	
192	Reliability & Safety	II	Topic Report 10	James Lovgren	What are the impacts of a pipeline rupture? Can the facility withstand direct hit by a cat 4 hurricane? See IND76-2.	
193	Water Resources	II	Topic Report 3	Adrienne Esposito - Citizens Campaign for the Environment	EIS should evaluate the potential impact of the project's bottomlands and evaluate its compliance with the policies and regulations of NY State to protect lands underwater.	
194	Water Resources	II	NA	Adrienne Esposito - Citizens Campaign for the Environment	EIS should evaluate how this project fits into the Ecosystem Based Management (NY State Ocean and Great Lakes Conservation Act). EIS should be in compliance with Ocean Action Agenda being developed by NY State Department of Environmental Conservation.	

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195	Water Resources	II	4.2.11	Adrienne Esposito - Citizens Campaign for the Environment	EIS should evaluate the potential for increasing invasive species into the NY/NJ region of the Atlantic Ocean and nearby bays and estuaries.	
196	Alternatives	II	2.4.2	Adrienne Esposito - Citizens Campaign for the Environment	EIS should fully consider alternatives including alternative sites, designs, and technologies that would also provide energy, while protecting ocean resources.	
197	General	II	5.1, 8.3, 6.3.2.2	Clean Ocean Action	Liberty fails to include sufficient information on the proposed shoreside support facilities (to analyze the environment's effect on those facilities or the facilities' effect on the environment), or the foreseeable environmental effect on the port. Draft EIS is not complete.	
198	Alternatives	II	2.9	Clean Ocean Action	Significant deficiency in the application that is overlooked by the USCG and MARAD in their scoping/environmental review plan. Neither the agencies nor the applicant have included environmental review of at least one other site in materials presented to the public to date, as required by NEPA and other regulations.	
199	General	II	NA	Clean Ocean Action	There is no full accounting of the port's adherence to or fulfillment of these statutes and orders (approx. 60 listed).	
200	Socioeconomics	II	6.3.2.1	Clean Ocean Action	Liberty claims that estimated 685 workers will be required for construction but does not disclose data as to how it arrived at this estimate. Specific examples of job type and job duration are needed, especially to compare to jobs in no action alternative.	
201	General	II	8.3.1	Clean Ocean Action	Processing this application without the required New Jersey coastal zone consistency review is illegal. Draft EIS should not be released until this deficiency is remedied.	
202	Alternatives	II	2.4.1, 2.9.2.8, 4.5	Clean Ocean Action	COA sites specific data gaps related to alternatives, taken directly from Docket # USCG-2013-0363-0013, including items 15 and 84-88. Require more thorough review of alternatives and impact on wind power project.	
203	Cultural	II	5.1, 8.3, 6.3.2.2	Clean Ocean Action	COA sites specific data gaps related to shoreside facilities and cultural impacts, taken directly from Docket # USCG-2013-0363-0013, including items 112, 103, 126, and 79. Require a full and complete discussion of landside impacts, especially for cultural resources survey reports.	
204	Socioeconomics	II	6.3.2	Clean Ocean Action	COA sites specific data gaps related to socioeconomics, taken directly from Docket # USCG-2013-0363-0013, including items 121 and 125. Need specifics on long term economic/jobs benefits and need for non local workers.	
205	Project Need	II	1.2.1	Clean Ocean Action	COA sites specific data gaps related to project need, taken directly from Docket # USCG-2013-0363-0013, including item 120. Needs assessment is outdated.	
206	Noise	II	4.3.4.5	Clean Ocean Action	COA sites specific data gaps related to noise, taken directly from Docket # USCG-2013-0363-0013, including items 106 and 107. Need supporting data to verify statements about noise impacts.	
207	T&E Species	II	4.3.4	Clean Ocean Action	COA sites specific data gaps related to endangered species, taken directly from Docket # USCG-2013-0363-0013, including items 46 and 134. Concern about American eel, whales, Atlantic sturgeon, and sea turtles.	

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208	Biological Resources; Recreation; Socioeconomics	II	Topic Report Appendix D and 4.2.5, 4.3.2.4, 4.3.4.1, 6.3.1	Clean Ocean Action	COA sites specific data gaps related to fisheries, taken directly from Docket # USCG-2013-0363-0013, including items 128, 32, 46, 66, and 176. Need information on fisheries, including economic and recreational impacts from construction, exclusion zone, and no anchor zone.	
209	Water Resources	II	4.3, 4.3.1.3	Clean Ocean Action	COA sites specific data gaps related to water, taken directly from Docket # USCG-2013-0363-0013, including items 71 and 168. Concern about alteration of physical marine environment and alteration of benthic community and dispersion of suspended solids.	
210	Reliability & Safety	II	3.3.2.3, 4.3.2.12	Clean Ocean Action	COA sites specific data gaps related to reliability and safety, taken directly from Docket # USCG-2013-0363-0013, including items 142 and 35. No evidence on why accidental releases of petroleum products are not significant environmental issues.	
211	Air Quality	II	9.4, 9.5, 9.8	Clean Ocean Action	Fugitive emissions of methane are claimed to be minimal yet are not actually quantified (USCG-2013-0363-0013, item 10).	
212	Ocean/Land Use; Noise	II	4.3.2.5, 4.3.4.5	Clean Ocean Action	Baseless assumptions about relative impact on local noise and vessel traffic from vessels, impacts should be quantified (USCG-2013-0363-0013, items 33 and 56).	
213	Reliability & Safety	II	7.2.5.1	Clean Ocean Action	Application review does not quantify risks to the port or pipeline from the fault line (USCG-2013-0363-0013, item 100).	
214	Alternatives	II	2.9.2, Topic Report 2	Clean Ocean Action	COA sites specific data gaps related to alternatives, taken directly from Docket # USCG-2013-0363-0013, including items 17, 21, and 22. Request what regulatory concerns stand in the way of having Study Area B included as an alternative site.	
215	Project Description	II	6.3.2.2, 8.3	Clean Ocean Action	See CO48-1. Draft EIS needs to include information on location of support facilities in order for an adequate assessment of onshore environmental impacts (pre-construction, construction, post construction, operation) to be made. Impacts to onshore habitat should be included. COA lists data gaps from USCG-2013-0363-0013 including 112, 103, 127, 97, 112, 103, and 126.	
216	Biological Resources	II	4.2.11,4.3.1.11, 4.3.4	Clean Ocean Action	Draft EIS needs both quantitative and qualitative studies regarding the anticipated fish and invertebrate species displaced as well as the number and types of invasive species anticipated. Any disruption the secondary level of the food chain will impact the fishing industry. Specific migratory patters need to be mapped.	
217	Noise	II	9.9.3.2, 9.9.4.2	Clean Ocean Action	A quantitative impact study needs to be reviewed to determine the construction and operation noise impacts on biological functions, such as intra- and inter-species communication.	
218	T&E Species; Socioeconomics	II	6.2.1.3, 6.2.2.4, 6.3	Clean Ocean Action	Draft EIS should specifically state the economic value of having endangered and threatened species in the NY Bight, and how possible impacts on those species could decrease the value of the NY Bight's tourism, fisheries, and species-based economies.	
219	Cultural	II	5.7.2, 5.9, 6.2.1.3	Clean Ocean Action	Draft EIS must provide survey strategy performed on the proposed Port rectangular area in order to determine its effects on cultural sites and recreation. Liberty must develop a program for formal evaluation of potentially significant cultural resources found in field survey reports and develop an unanticipated discoveries plan, and provide more information on ocean users and impacts of their potential recreational displacement.	
220	Water Resources	II	3.3.2.1, 4.2.11, 4.3	Clean Ocean Action	Draft EIS must include qualitative data to support the finding of minor impact on water quality on the NY Bight associated with construction activities. Draft EIS must include details on ballast water and commissioning process, information on thermal pollution and open loop cooling, construction water use impacts, resuspension of sediments and contaminations, maintenance impacts on water, entrainment and impingement, biocides and other chemicals, invasive and non-native species, and anchoring impacts.	

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221	Air Quality	II	9.4, 9.5, 9.8	Clean Ocean Action	Not all emission data have been provided in the application. Comprehensive emissions calculations and analyses are also needed from port construction to decommissioning and these should be publicly available for review. Emissions at shoreside support facilities have not been identified.	
222	Reliability & Safety	II	7.2.5.1	Clean Ocean Action	Proposed pipeline crosses the NY Bight Fault Zone and more investigation of the safety of the pipeline in this area is needed. Draft EIS must include updated a correct scientific data, and a more thorough risk analysis.	
223	Reliability & Safety	II	3.2.1	Clean Ocean Action	Risk analysis of physical oceanographic conditions (currents, tides, and waves) is lacking and is needed to evaluate risks to port, especially in the event of unexpected weather or sea state changes. Need information on time needed for the LNGRV to disconnect and transit to safe location (which has not been identified).	
224	Reliability & Safety; Cumulative Impacts	II	2.11.1.4, 6.2.1.5, 8.2.5	Clean Ocean Action	Sand borrow pit areas have not all been identified. USACE projects in the NY and NJ area should be identified given that availability of clean sand for beach replenishment is a significant new cumulative action that affects this port after Sandy. Draft EIS must include updated and verified data that takes into account extensive beach replenishment currently underway in NY and NJ.	
225	Reliability & Safety	II	Topic Report 10	Clean Ocean Action	Weather and climate risks are not covered in Liberty's application. Extreme weather and storm effects on LNG operations and facilities need to be addressed, including Nor'easters and impacts from moderate to extreme storms in terms of wave and surge heights, wind speed, and current speed.	
226	Noise	II	4.3.1.5, 4.3.4	Clean Ocean Action	Although Liberty's application sates that there will be no long-term effects on biological resources of the NY Bight from noise, closer examination proves otherwise. Need to address data deficiencies related to noise impacts to sea turtles, Atlantic sturgeon, marine mammals, and other invertebrates. Survival of species could be impacts by behavior and/or physiological changes in listed species caused by noise levels above ambient for any period of time. Need to provide ambient noise level data within the project area to support claim that noise will remain at existing level from recreational and commercial vessel traffic in NY Bight. See CO48-49. Need to review impacts to fish, turtles, shellfish, and birds, not just marine mammals.	
227	General	II	NA	Clean Ocean Action	COA is issuing an official request for more information on the following topics: NJ Coastal Zone consistency documentation; Hurricane and superstorms; review of lifecycle air pollution potential for LNG; study on potential impediment to commerce that would arise from a breach on an LNG vessel at Port Ambrose;; visual impact assessment of construction crews; documentation from DOE that this application has applied for authorization to import or export LNG; documentation from Transco or FERC as to whether the offshore Transco pipeline will be able to receive a new distribution; relative energy potential of using 3000-meter exclusion swatch of ocean for offshore wind versus LNG port; and analysis of local first responder capacity to respond to emergencies, including discussion of how coastal response and security capacity has been affected by Sandy and federal government budget cuts.	
228	Cumulative Impacts	II	NA	Clean Air Council	Cumulative impacts analysis should not be limited to the effects of the project in question, needs to include those projects without any causal link to the project being evaluated.	
229	Water Resources	II	4.3.4.1	Mary Anne Sullivan	The avoidance, minimization, and mitigation measures to ensure that impacts on the aquatic environment have been avoided or minimized to the extent practicable. This includes a detailed fisheries monitoring plan.	
230	Water Resources	II	3.2.2.1	Jim Donofrio - Recreational Fishing Alliance	Request information on the outlined discharge procedure that indicates that biocide will be neutralized with hydrogen peroxide prior to discharge.	
231	Water Resources; Biological Resources	II	3.3.3	Jim Donofrio - Recreational Fishing Alliance	Request estimates for possible sediment transport and accretion in terms of volume of material and distance from construction area in order to determine impact on Cholera Bank and cultural resources in the area.	

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232	Socioeconomics	II	6.3.1	Jim Donofrio - Recreational Fishing Alliance	Economic output and participation estimates should be provided for NJ's commercial and recreational fisheries in Topic Report 6.	
233	Reliability & Safety	II	10.2.2.2, 10.3.3, 10.4, 10.4.3	Jack Schnirman - City of Long Beach	What fail-safe measures are being put in place for quick containment and mitigation to preserve and protect our shoreline and pipeline that runs through the city from potential impact? Are there sufficient funds set aside for clean up and mitigation?	
234	Reliability & Safety	II	NA	Rhetta Barron	Size and needs of huge vessels needs to be considered.	
235	Water Resources	II	3.2.1.4	Louise Usechak, League of Women Voters of New	Waves in the area can be lethal. EIS should evaluate the impact of future storms of this magnitude.	
236	Biological Resources; Noise	II	4.3.4.5	Heather Saffert	Government reviewers say that no supporting data was noted to verify Liberty's conclusion that noise impacts will be negligible (for whales) given background noise levels.	
237	Air Quality	II	9.4, 9.5, 9.8, 9.3.12.1	Heather Saffert	Liberty says that air pollution will have negligible impacts within the port region but does not acknowledge that they are going to exceed the standard for nitrogen emissions. Government reviewers say that not all emission data and modeling have been included yet.	
238	Reliability & Safety	II	7.2.5.1	Lindsay McNamara, member of Clean Ocean Action	Location is on a fault line. NY Bight has seen earthquakes of 4.5 on the Richter Scale. Just because there hasn't been an earthquake recently doesn't mean there will not be one in the future.	
239	Water Resources; Biological Resources; Recreation; Socioeconomics	II	3.3.2	Krissy Halkes, volunteer, South Jersey Chapter of Surf Rider Foundation	Endangers the ocean with chemically treated seawater and dredging the sea floor. Damaging to health of creatures whose lives depend on it, including people who make their living from the ocean and the beach.	
240	Socioeconomics	II	6.3.2.1	Krissy Halkes, volunteer, South Jersey Chapter of Surf Rider	Will those employees be locals, for how long? And how would that go up against the jobs that will be lost if the ocean was damaged?	
241	Reliability & Safety	II	10.2.2.2, 10.3.3, 10.4, 10.4.3	Gail Stackman	What kind of interval shut offs would there be in the pipeline so that there couldn't be the extreme that happened with BP in the Gulf? What kind of inspection would there be?	
Agency Scoping Comments						
242	Reliability & Safety	II	10.6.2	Port Authority of New York and New Jersey	Buoy 2 does not provide a 2 nautical mile separation to the outbound Ambrose to Nantucket Traffic Lane, can be considered to present a Medium navigational safety risk based on the ACPARS system. Responsibility to maneuver to avoid possible collisions will be on all other power-driven and sailing vessels because LNGRV will be severely restricted in ability to maneuver while engaged in gas transfer.	
243	Reliability & Safety	II	10.6.2	Port Authority of New York and New Jersey	Positioning of STL Buoy 2 within 1.3 nautical miles of a major traffic lane presents a potential risk to marine navigation. Recommended that STL Buoy 2 be repositioned south to 40° 18' 54'' N Latitude and 73° 23' 51.92'' W Longitude.	
244	Reliability & Safety	II	10.8	Bureau of Ocean Energy Management	Navigational safety issues resulting from large LNG vessels operating in close proximity to offshore wind turbines. Requests that issues are thoroughly considered in EIS. Unclear if Liberty has reached out to New York Port Authority, have not reached out to BOEM to discuss compatibility of two projects.	
245	Reliability & Safety	II	10.8	Bureau of Ocean Energy Management	Request that a more thorough analysis is conducted by Liberty, beyond stating that only 1% of New York Port Authority's proposed area is in conflict with LNG project footprint. Potential conflict and collisions.	
246	Reliability & Safety	II	10.8	Bureau of Ocean Energy Management	EIS should consider the accessibility of proposed Port in emergency situations, if a wind facility is constructed.	

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247	Cumulative Impacts	II	3.5.1	Bureau of Ocean Energy Management	In cumulative effects analysis, USCG should consider the effects of renewable energy activities offshore New Jersey and adjacent states, including physical and biological surveys.	
248	T&E Species	II	4.2.2.3	National Oceanic and Atmospheric Administration	Five distinct population segments of Atlantic sturgeon have been listed under the ESA - NY Bight, Chesapeake Bay, South Atlantic, and Carolina DPSs are listed as endangered while the Gulf of Maine DPS is listed as threatened.	
249	General; Water Resources; Biological Resources	II	Topic Report 3	National Oceanic and Atmospheric Administration	Need to acknowledge that climate change has risen to heightened importance in the wake of significant storms in the NY/NJ area. The EIS should consider how changes in sea level, habitat use, and local species assemblages are likely to unfold during the life of the project and what the consequences may be.	
250	Water Resources; Essential Fish Habitat	II	Topic Report Appendix B and 4.2.2.1, 4.3.1.4, 4.3.17, 4.3.4.1, 4.3.4.2	National Oceanic and Atmospheric Administration	Concerned with potential effects to fish species and habitats due to construction, operation, maintenance, repair, and decommission. Concerns include, but are not limited to: benthic habitat disturbance, loss of fishery resources and prey through entrainment or from thermal impacts, and a variety of other direct, indirect, and cumulative impacts. Need to complete assessment of any Essential Fish Habitat that may be impacted.	
251	Water Resources; Biological Resources; Essential Fish Habitat	II	4.2	National Oceanic and Atmospheric Administration	Need to use an ecological guild model that uses locally important species to evaluate project impacts to organisms or populations associated with the various trophic levels and life history strategies of species known to occupy the project site.	
252	T&E Species; Noise	II	4.2.2.3, 4.2.6.2, 4.2.7.4, 4.3.1.4	National Oceanic and Atmospheric Administration	The following species listed under Endangered Species Act under NOAA NMSF jurisdiction are likely to be found in NY Bight - North Atlantic right whale, Humpback whale, Fin whale, Northwest Atlantic Ocean Distinct Population Segment of loggerhead sea turtle, Kemp's ridley sea turtle, Green sea turtle, Leatherback sea turtle, Atlantic sturgeon. Concerned about whale ship strike/vessel collision, listed species interactions with project equipment, alteration of physical environment and essential habitat, phytoplankton/zooplankton entrainment via seawater withdrawal, and acoustic disturbance.	
253	Alternatives	II	Topic Report 2	National Oceanic and Atmospheric Administration	Alternatives to be considered should be fully supported. Relative advantages and disadvantageous for each alternative are presented to explain how each option fulfills the overarching goals of avoiding, minimizing, and mitigating the long and short term impacts as fully as practicable. This section also should describe why the proposed site is being considered over other regional alternatives. Project proponents should justify why this location is the most suitable and least environmentally damaging alternative available and why other potential sites in the NY Bight were rejected. Given that initial ichthyoplankton, benthic invertebrate, and other natural resource inventories do not adequately characterize local populations., an advanced stance on project siting is premature.	
254	General	II	NA	National Oceanic and Atmospheric Administration	The DEIS should include appropriate descriptive narrative for all project elements, including temporarily disturbed parcels on land that are necessary for staging or fabrication. The discussion should assess all direct, indirect and cumulative impacts associated with the project from the initial construction, to those that would accrue while the facilities are in operation, are being repaired or maintained, and ultimately are decommissioned.	
255	Water Resources; Biological Resources	II	3.3.2.1, 4.3.1.4	National Oceanic and Atmospheric Administration	Information regarding the amount of water that would be used to hydrostatically test the pipe and details concerning the manner and conditions under which it would be drawn should be stated as clearly and thoroughly as possible. EIS should include details on any and all methods or measures that would be observed to prevent entrainment and associated mortality. Closed cycle systems would greatly reduce the amount of water that would have to be drawn in for cooling and supplying the regasification vessel's "domestic" water supply.	

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256	Water Resources; Biological Resources; T&E Species	II	3.3.2.1, 3.3.2.2	National Oceanic and Atmospheric Administration	A complete explanation of what substance would be permitted for use, information on how the water would be rendered safe for discharge in to the water way or otherwise disposed, and any other related information should be provided in the Water Intakes and Discharges sections. Concerned about thermal plumes associated with the regasification process and impacts on NYSDEC reef sites or natural areas that provide similar functions. Hydrologic modeling is necessary.	
257	Biological Resources	II	4.2	National Oceanic and Atmospheric Administration	More robust studies are necessary to understand the species assemblage that is present at the proposed site alternatives in order to facilitate evaluation of project impacts on those biota. Any survey conducted for this project must include appropriately designed and site investigations that provide both qualitative and quantitative information regarding species present, relative abundance, and other relevant information.	
258	Biological Resources; Recreation; Socioeconomics	II	6.3.1	National Oceanic and Atmospheric Administration	Applicant should provide additional fisheries information, including information on the economic impact of a potential fisheries exclusion zone. Economic and ecological impacts and effects to fishery resources and commercial and recreational fishing activity in the area.	
259	Cumulative Impacts	II	10.8	National Oceanic and Atmospheric Administration	Applicant should describe the relationship between the project and other projects in the area, including lease application by the New York Power Authority to develop an offshore wind facility in close proximity to the proposed location.	
260	NA	I	NA	USCG	Provide documentation that the Transco pipeline has the capacity to receive the additional gas that would be delivered by the Port Ambrose Project. Also provide documentation of an agreement between Liberty Natural Gas and Transco regarding the interconnect.	
Additional Agency Comments						
261	Air Quality	II	Topic Report 9	United States Environmental Protection Agency, Region 2	Earlier protocol stated that the sensitivity analysis would include a default 400 meter level mixing height in OCD. The highest mixing height evaluated in this protocol is 300 meters. The 400 meter height should be used. It should be made clear that all the AERMOD derived mixing heights will be used in the hourly OCD calculations and not a single default mixing height. It would be helpful to include a discussion regarding the sensitivity, if any, of the AERMOD derived mechanical verse convective mixing heights.	
262	Air Quality; Threatened and Endangered Species	II	Topic Report 9	United States Environmental Protection Agency, Region 2	Draft letter for the USFWS is acceptable and should be sent for USFWS concurrence. Include a request to USFWS to address the ESA under this permit action. Regardless of the AQVR or ESA decision by the Federal Land Mangers, the Class 1 increment must be addressed according to the EPA regulations. The FLM may also have preference regarding in transit impacts. The approach may then be used for other in transit impacts to minimize the number of different models used.	
263	Air Quality	II	Topic Report 9	United States Environmental Protection Agency, Region 2	The PM2.5 SMC threshold was vacated in a January 22, 2013 court decision. Prudence should be taken with respect to other pollutants as well at this time. Preconstruction ambient monitoring data needs to be submitted for al PSD affected pollutants, other than GHG. Existing measured data is acceptable provided it is representative of the background conditions and meet EPA approved QA/QC requirements for the proposed site. Follow EPA Guidance "Ambient Monitoring Guidelines for Prevention of Significant Deterioration".	
264	Air Quality	II	Topic Report 9	United States Environmental Protection Agency, Region 2	Request to use existing PM10 data from a Jersey City monitor is acceptable provided that the monitor met approved QA/CQ requirements including at least 65% data capture, and is representative of the impacts expected at the port locations.	

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265	Air Quality	II	Topic Report 9	United States Environmental Protection Agency, Region 2	EPA recommends that applicants examine existing background concentrations for any PSD affected pollutant in order to conclude that even a de minimis impact could not result in a violation of the NAAQS or PSD increment. EPA issued draft guidance in March 2013 to assist applications - see draft Guidance for PM2.5 Permit Modeling.	
266	Air Quality	II	Topic Report 9	United States Environmental Protection Agency, Region 2	Application will require compliance with NYSDEC's PM2.5 minor source policy or rule. NYSDEC may re-designate their PM2.5 nonattainment areas to attainment. If this occurs prior to a final permit decision, then the permit may also be PSD affected for PM2.5.	
267	Air Quality	II	Topic Report 9	United States Environmental Protection Agency, Region 2	The county of New York City is currently designated nonattainment for PM10. A source located in a PM10 attainment area may not have a significant impact to the nonattainment area. Ensure that this is addressed in the PSD application.	
268	Air Quality	II	Topic Report 9	United States Environmental Protection Agency, Region 2	There are some operating scenarios where the air impacts of that scenario are not proposed to be modeled. Keep in mind permit restrictions may be placed on these types of scenarios. If operational flexibility is desired, these operating scenarios must also be modeled. For example, it is proposed that since emissions from the incinerator, uncontrolled engines or those due startup and shutdown will only occur off port, they will not be modeled as port of the PSD permit application. The use of 99% boil off gas and 1% marine diesel under peak and average send out will be a permit restriction since this is the only fuel scenario proposed to be modeled. another permit restriction will be on the operation of 2 LNGRV unloading simultaneously at peak send out since this too is not proposed for a modeled assessment.	
269	Air Quality	II	Topic Report 9	United States Environmental Protection Agency, Region 2	Please clarify why the GCU is not modeled on a short term basis while at port?	
270	Air Quality	II	Topic Report 9	United States Environmental Protection Agency, Region 2	Not acceptable to use AERMOD version 12060 for runs that have already been made (page 4-2). The final PSD/NSR application and NEPA analysis must contain the latest version of AERMOD and its preprocessors in order for the application to be approved. Model runs to this date must have been for your internal decision making only.	
271	Air Quality	II	Topic Report 9	United States Environmental Protection Agency, Region 2	Page 4-14 states that OCD will not be used since AERMOD dominates. OCD must also be used in order to account for overwater (other than downwash) and land/sea meteorology on the coastline. Please clarify that this is the case.	
272	Air Quality	II	Topic Report 9	United States Environmental Protection Agency, Region 2	The 1 hour OCD modeling will be multiplied by 0.08 in order to obtain annual impacts. However, page 4-7 proposed a 0.1 persistence factor. This should be reconciled.	
273	Air Quality	II	Topic Report 9	United States Environmental Protection Agency, Region 2	Clarify the terminology used on page 4-4 and page 4-14 when referring to PSD impacts. The cumulative source NAAQS analyses are not limited to the NEPA analyses but are also part to the PSD application.	
274	Air Quality	II	Topic Report 9	United States Environmental Protection Agency, Region 2	The protocol needs to address the proposed methods for assessing visibility, soils and vegetation, and growth due to the source.	

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275	Air Quality	II	Topic Report 9	United States Environmental Protection Agency, Region 2	Table 3-1 states that several pollutant standards are based on a 12 month rolling basis. This is incorrect. Federal Air Quality Standards are based on block averages except for lead which is a 3 month rolling average.	
276	Air Quality	II	Topic Report 9	United States Environmental Protection Agency, Region 2	Table A-1 of Appendix A contains some incorrect values when converted from ppm to ug/m3 (e.g., 0.026 ppm of SO2 converts to 68.1ug/m3 rather than 55 ug/m3.) Please review remaining Table for inconsistencies.	
277	Air Quality; Socioeconomics	II	Topic Report 9; Topic Report 6	United States Environmental Protection Agency, Region 2	The application must address possible disproportionate and adverse impacts on Environmental Justice communities.	