



U.S. Department
of Transportation
**Maritime
Administration**

DEPARTMENT OF
TRANSPORTATION
MARITIME OPERATIONS

APR 20 10 3:20

Southeast Federal Center
1200 New Jersey Avenue, SE
Washington, DC 20590

April 20, 2012

Mr. Daron T. Threet
Partner
Holland & Knight
2199 Pennsylvania Avenue NW, Suite 100
Washington, DC 20006

Re: Liberty Natural Gas LLC Deepwater Port License Application (USCG-2010-0993)

Dear Mr. Threet:

In response to your letter of April 10, 2012, the Maritime Administration (MARAD) and the U.S. Coast Guard (USCG) acknowledge the withdrawal of the Liberty Natural Gas LLC (Liberty) Deepwater Port License Application.

As a result of this withdrawal, all processing and agency coordination activities required under the Deepwater Port Act of 1974 (33 U.S.C. 1501 et seq.) are hereby terminated, effective immediately. All agency records and documents related to the Liberty application will be preserved and retained on file with MARAD and USCG.

Should Liberty decide to reapply for a deepwater port license in the future, Liberty will be required to file a new application with MARAD and USCG, and pay a new application fee to initiate the application review process. This would also require the start of a National Environmental Policy Act (NEPA) environmental review process, including a new scoping period.

Should you have any questions or concerns regarding this matter, please feel free to contact us.

Sincerely,

David T. Matsuda
Maritime Administrator

Enclosure:

Letter dated April 10, 2012 from Daron Threet, Holland & Knight

cc: Yvette Fields
Director, Office of Deepwater Ports and Offshore Activities, Maritime Administration

H. Keith Lesnick
Associate Administrator for Intermodal System Development, Maritime Administration

Michael Pucci
Attorney-Advisor, Office of the Chief Counsel, Maritime Administration

Mark Prescott
Chief, Deepwater Ports Standards Division, U.S. Coast Guard

Matthew Maraglio
Coastal Resources Specialist, New York Department of State

Magdalena Padilla
Chief of Staff, New Jersey Department of Environmental Protection

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Deputy Attorney General, New Jersey Office of the Attorney General

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April 10, 2012

VIA ELECTRONIC MAIL AND OVERNIGHT DELIVERY

Ms. Yvette Fields
Director, Office of Deepwater Ports and
Offshore Activities
Maritime Administration
1200 New Jersey Ave., SE
Washington, D.C. 20950

Mr. Mark Prescott
Chief, Deepwater Ports Standards Division
U.S. Coast Guard
2100 Second St., SW
Washington, D.C. 20592

Re: Liberty Natural Gas, LLC; Docket No. USCG-2010-0993

Dear Ms. Fields and Mr. Prescott:

On September 28, 2010, Liberty Natural Gas, LLC, (Liberty) submitted an application to the Maritime Administration (MARAD) and the Coast Guard for a license to own, construct, and operate a deepwater port in the New York Bight. On November 29, 2011, Liberty submitted an application amendment, which revised its initial project proposal by, among other things, proposing an offshore interconnection with an existing subsea pipeline, similar to the operating deepwater ports offshore Boston. By letter dated February 23, 2012, Liberty informed MARAD and the Coast Guard that it conducted survey work on an alternative site and would supplement its application filings with data and analyses on the new project site and configuration offshore New York.

During the process of preparing the supplemental materials, Liberty determined that additional survey work is necessary, and that a complete overhaul of the application materials will be needed given the fundamental changes to the project.

As indicated in its February 23, 2012 letter, Liberty completely redesigned its project, including by scaling down its size from four buoys to two, eliminating the onshore pipeline, changing the

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project location and configuration to site the project exclusively offshore, and redesigning its construction program and techniques to substantially reduce seabed impacts.

Given these fundamental changes to the project and in order to avoid confusion regarding the application and the substantially revised proposal going forward, Liberty hereby withdraws its current application. Liberty will submit a new filing once the new surveys and analyses are complete.

Please feel free to contact me if you have any questions.

Sincerely,

Holland & Knight LLP



Daron T. Threet

Counsel for Liberty Natural Gas, LLC

cc: Keith Lesnick, Maritime Administration
Raymond Martin, U.S. Coast Guard
Roger Whelan, Liberty Natural Gas, LLC
Dennis Toft, Wolff & Samson, PC
John Valeri, Wolff & Samson, PC