

APPENDIX F - V.

Other cited references and letters not readily available:

- **1991 letters by former Commissioner Jorling to HRSA utility executives**
- **Article by John Boreman**
- **Normandeau Associates letter/reports**
- **Simpson letter**
- **On CD; hard copy available on request:**
 - **List of Industrial Code 4911 Facilities in NYS**
 - **ASA 2002 (1999 year class report)**
 - **City of Poughkeepsie Hudson River Temperature Data (spreadsheet)**



STATE OF NEW YORK
DEPARTMENT OF
ENVIRONMENTAL CONSERVATION
ALBANY, NEW YORK 12233-1010

THOMAS C. JORLING
COMMISSIONER

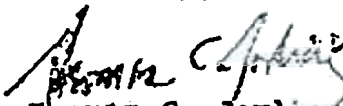
APR 29 1991

Dear Mr. Bayne:

Over the last several years some electric generating utilities have expressed the opinion that mortality imposed upon a fishery by utilities as a result of their electric generating operations is a legitimate harvesting of the resources. These opinions have been expressed in comments on the Atlantic States Marine Fisheries Commission Draft Revised Interstate Striped Bass Management Plan, comments on the state's proposed striped bass commercial and recreational fishing regulations, and in documents prepared by consultants for utilities on matters related to entrainment and impingement issues in the Hudson River. This erroneous view has led some to conclude that utilities should be allocated a fraction of annual mortality goals in fishery management plans.

It is the Department's position that the inadvertent mortality of fish by utilities is not a legitimate use of fishery resources. Therefore, the Department will not allocate a portion of fishing mortality to utilities and will seek elimination if possible, and otherwise minimization, of mortality caused by utilities. You may contact Kenneth Wich (518-457-5690) or Gordon Colvin (516-751-7775), Directors of the Divisions of Fish and Wildlife and Marine Resources, respectively, if you have questions on this position.

Sincerely,


Thomas C. Jorling

Mr. J. Phillip Bayne
President and Chief Operating Officer
New York Power Authority
123 Main Street
White Plains, NY 10601

C. H. J. W.

Post- HRSA



STATE OF NEW YORK
DEPARTMENT OF
ENVIRONMENTAL CONSERVATION
ALBANY, NEW YORK 12233-1010

THOMAS C. JORLING
COMMISSIONER

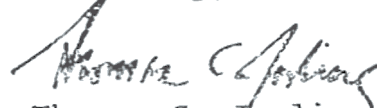
APR 29 1991

Dear Mr. Smith:

Over the last several years some electric generating utilities have expressed the opinion that mortality imposed upon a fishery by utilities as a result of their electric generating operations is a legitimate harvesting of the resources. These opinions have been expressed in comments on the Atlantic States Marine Fisheries Commission Draft Revised Interstate Striped Bass Management Plan, comments on the state's proposed striped bass commercial and recreational fishing regulations, and in documents prepared by consultants for utilities on matters related to entrainment and impingement issues in the Hudson River. This erroneous view has led some to conclude that utilities should be allocated a fraction of annual mortality goals in fishery management plans.

It is the Department's position that the inadvertant mortality of fish by utilities is not a legitimate use of fishery resources. Therefore, the Department will not allocate a portion of fishing mortality to utilities and will seek elimination if possible, and otherwise minimization, of mortality caused by utilities. You may contact Kenneth Wich (518-457-5690) or Gordon Colvin (516-751-7775), Directors of the Divisions of Fish and Wildlife and Marine Resources, respectively, if you have questions on this position.

Sincerely,


Thomas C. Jorling

Mr. James F. Smith
Chairman and Chief Executive Officer
Orange & Rockland Utilities
35 Jefferson Avenue
Pearl River, NY 10965

~~7/16/91 Mc Gowan letter (Coc 67)~~