



DELAWARE-OTSEGO AUDUBON SOCIETY, INC.

P.O. BOX 544, ONEONTA, NY 13820

October 1, 2012

Secretary Kimberly Bose
Federal Energy Regulatory Commission
888 First Street N.E.
Washington D.C. 20426

Re: Constitution Pipeline LLC, Docket No. PF12-9

The following are formal comments by The Delaware-Otsego Audubon Society on the proposed Constitution pipeline and associated pipeline facilities to be constructed and operated in the New York State Counties of Broome, Chenango, Delaware, Otsego and Schoharie. Our Society is a Chapter of the National Audubon Society covering parts of Chenango and Schoharie and all of Delaware and Otsego Counties.

We understand the FERC policy is “the markets determine the need for these projects” and under the National Environmental Policy Act, FERC will be the lead federal agency responsible for conducting the environmental review of the proposed Constitutional pipeline.

Our comments will address our concern about both the need for this project and its potential environmental impact:

1. Need

Numerous reporting agencies and investor notifications state the historically low current price of natural gas, indicating surplus supplies. The proposed pipeline would deliver gas to the Tennessee Gas Pipeline and the Iroquois Gas Transmission Pipeline, which would feed into New York and Boston marketplaces. Existing pipelines from Pennsylvania are capable of meeting the future gas market needs of New York and Boston.

In February of 2012, Williams Partners, one of the companies proposing the pipeline, informed investors of acquiring 100% ownership of a natural gas pipeline known as the “Laser Gathering System”. This includes 10 miles of gathering lines in southern New York (gathering lines exist for the purpose of transporting the gas from well to pipeline). In May of 2012, Williams Partners gave a presentation report to financial analysts stating: “There are prime assets in premier growth markets, along with opportunities to serve LNG exports.” According to reliable assessments of this presentation, Williams does not put forth two important facts to bring to fruition the export of LNG: There are 8 pending applications to build LNG facilities and the fact that the gas from the Iroquois and Tennessee pipelines can be rerouted to mingle with gas in their Transco pipeline and be **therefore exported.**



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The Delaware-Otsego Audubon Society, DOAS, local chapter of The National Audubon Society, believes that the construction of the Constitution pipeline will provide the infrastructure necessary to facilitate the dangerous activity of high volume, slick water horizontal hydrofracking in the New York State counties of Broome, Chenango, Delaware, Otsego, and Schoharie. Delaware-Otsego Audubon Society's position paper on horizontal hydrofracking and associated activities is to prohibit this unsafe technology.

We further believe that the preferred routes and proposed alternatives were planned as a political decision-based on the necessity of keeping the environmental integrity of the New York City Watershed, by avoiding pristine wetlands, rivers, tributaries, streams and reservoirs that supply the drinking water for the population of New York City.

The proposed Constitution Pipeline route, as well as its proposed alternatives, contains large tracts of wetlands, bogs, ponds, rivers, and streams, mirroring the same environment of the protected New York City Watershed. The proposed Constitution routes located in the rural communities of upstate New York deserve the same protection as The New York City Watershed.

2. Environmental Impact

Habitat loss, forest degradation and fragmentation affect nearly all identified birds of continental concern, and high regional priority concern. These are the birds of deciduous and mixed forest and though the specific threats may vary, the common denominator is habitat loss. The combination of forest fragmentation, with wetland disturbance culminating in their drainage and contamination, resulting in destruction to plant life, will cause significant food chain disruption. The cumulative impact of such disturbances is a situation resulting in even further reductions in populations of numerous food webs, including resident and migratory birds. The amount of land needed to construct the 120.6 miles of the Constitutional Pipeline, along with its associated facilities, represents significant tracts of land that will be blasted, disturbed and redefined. These impacts on species already in decline to benefit a speculative, unneeded project are unacceptable.

There is also evidence that pipeline construction and operation could significantly impact habitat for the highly endangered Indiana Bat. Bat populations in our region have plummeted as a result of White Nose Syndrome and the pipeline will pass near and through some of the few remaining areas where this endangered species exists.

Elsewhere we have seen pipeline rights-of-way impacted and eroded by all-terrain vehicle (ATV) use. Illegal trespass by ATV users is epidemic in our region. Our organization's wildlife sanctuary has suffered from these high impact machines. The pipeline corridor will invite more illegal ATV use in our area by providing easy access to private land. The impacts from this activity must be considered.

Another major area of concern would be the safety of the pipeline. Rural areas are not protected under any federal protections for oversight on the pipeline. This pipeline will be 30-inch-diameter,



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under high pressure and could set off an explosion with devastating consequences to all forms of life in the impacted area - a minimum two-mile radius. In Pennsylvania, The Philadelphia Inquirer, December 2011 in a four part investigative series on pipelines, uncovered the fact, “hundreds of miles of high pressure pipelines have already been installed with no government safety checks, no construction standards, no inspections and no monitoring”.

Socioeconomic impact: In statements regarding real estate values, lending institutions have agreed that property will devalue. Nationwide Insurance, headquarters in Ohio, has made it known that homeowners with pipeline and gas leases will not be eligible for insurance. Local jobs associated with the pipeline construction would be few, as this is a time-limited project and money would not be spent on training a local labor force. The associated facilities would bring noise and significant air pollution that would result in a loss of income from cultural and recreational events.

New York State derives a substantial income from tourism and associated recreational activities such as birding, wildlife viewing, hiking, canoeing and kayaking. The local farms, existing throughout the targeted counties, supply local and metropolitan markets. A potential pipeline, particularly on flood plains where soil is most fertile, could compromise the agricultural operation. Additionally, the large number of second homeowners contributing to the local economy could leave this area based on a loss of quality of life.

Profits that would be gained by gas export, would be reaped only for the companies and their investors who own the pipeline and gas rights. The local environment and economy can only be negatively impacted by this project.

DOAS strongly encourages the Federal Energy Regulatory Commission to recognize that the Constitution pipeline is not needed for present, short-term or long-term domestic gas supply. This proposal is a guise for exporting America’s resources for the benefit of private interests, at the expense of the common good. Permitting use of eminent domain for this project would be an abandonment of the Commission’s duties and responsibilities.

Respectfully submitted on behalf of DOAS,

Eleanor Moriarty
Member, Board of Directors

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