



CONSTITUTION PIPELINE

*New York State Department of Environmental Conservation and
U.S. Army Corps of Engineers
Joint Application – Supplemental Information
Constitution Pipeline
Broome, Chenango, Delaware, [Otsego](#), and Schoharie Counties*

ATTACHMENT F
AGENCY CORRESPONDENCE

Updated August 2014

New York State Department of Environmental Conservation

Division of Environmental Permits

625 Broadway, Albany, NY 12233-1750

Phone: (518) 402-9167 • Fax: (518) 402-9168

Website: www.dec.ny.gov



Joe Martens
Commissioner

MEMORANDUM

TO: Mr. Greg Hufnagel
Senior Project Manager
AECOM
4 Neshaminy Interplex, Suite 300
Trevose, PA 19053-6940

FROM: Stephen Tomasik
Project Manager
Major Projects Management Section
Division of Environmental Permits
NYS Department of Environmental Conservation
625 Broadway - 4th Floor
Albany, New York 12233-1750

RE: Application ID: 0-9999-00181/00009 – Water Quality Certification
Application ID: 0-9999-00181/00010 – Freshwater Wetlands
Application ID: 0-9999-00181/00012 – Excavation and Fill in Navigable Waters
Application ID: 0-9999-00181/00013 – Stream Disturbance

DATE: July 3, 2014

Below are recommendations developed by New York State Department of Environmental Conservation (DEC) staff for Constitution to prepare revised materials to support the above referenced Joint Application for Permit. Please let me know if you have any questions or comments and if you would like to discuss these items in more detail with DEC staff.

1.0 Organization

- 1.1 Provide a master table (e.g., Appendix J) as a key to reference all documents related to each specific crossing.
- 1.2 Identify each crossing shown on the master table with a specific code (milepost number to .01 is recommended). Label all documents in the application related to each specific crossing with the same code.

- 1.3 Identify parcels where survey access has not been granted by the landowner, preferably in a specific color or shading. For these parcels, describe the opportunities and limitations available to do minor re-routing after field surveys are conducted.
 - 1.4 At the end of the master table, provide totals for all of the following:
 - a. Temporary impacts to DEC streams.
 - b. Permanent impacts to DEC streams.
 - c. Temporary impacts to DEC wetlands.
 - d. Permanent impacts to DEC wetlands (including all conversion of forested wetland to non-forested wetland).
 - e. Temporary impacts to DEC wetland adjacent areas.
 - f. Permanent impacts to DEC wetland adjacent areas.
 - g. Temporary impacts to exclusively USACE-jurisdictional streams.
 - h. Permanent impacts to exclusively USACE-jurisdictional streams.
 - i. Temporary impacts to exclusively USACE-jurisdictional wetlands.
 - j. Permanent impacts to exclusively USACE-jurisdictional wetlands.
 - k. Combined DEC-USACE totals for all categories above.
 - l. Combined totals for parcels where survey access has been granted.
 - m. Combined totals for parcels where survey access has not been granted.
 - 1.5 Provide all details related to each specific crossing (see Item # 2, Content, below) as a batch and sorted in the order shown on the master table (see sample provided to Constitution Pipeline on 2/12/2014).
- 2.0 Content
- 2.1 Provide GIS shape files for the route and all temporary and permanent ancillary facilities.
 - 2.2 For each property where a regulated activity is proposed, provide the tax map number and the name of the property owner. This includes properties proposed to be crossed by the pipeline or proposed to be used by Constitution for any temporary or permanent ancillary facility.
 - 2.3 Provide a construction environmental monitoring plan that allows for an independent third-party monitor.
 - 2.4 Provide, at a minimum, the following details for each crossing:
 - 2.4.1 Map panel at a scale sufficient to assess project impacts and proposed control measures. Each map panel should include:

- a. Crossing code (milepost number).
 - b. Property boundary.
 - c. Property owner name and tax map number.
 - d. Right-of-Way (ROW) boundary.
 - e. Project limits of disturbance.
 - f. Contours (10 feet or less).
 - g. Regulated resource boundary (delineated wetland, DEC adjacent area, stream, 50-foot bank or other high-water limit) with the area of proposed disturbance shown.
 - h. For all DEC-jurisdictional resources, label showing DEC ID (DEC wetland number, Fisheries Index Number [FIN]).
 - i. Text box for each area of regulated disturbance to show DEC ID, area and/or length of temporary and permanent disturbance, area of temporary and permanent forest conversion.
 - j. Location and type of pipeline crossing method.
 - k. Location of temporary equipment crossings.
 - l. Location of proposed temporary stream structures (dam & pump, etc.).
 - m. Location of permanent stream control measures.
- 2.4.2 Color photos of each proposed regulated area.
- 2.4.3 Documentation of existing wetland vegetation.
- 2.4.4 Temporary equipment bridge details.
- 2.4.5 Pipeline installation crossing method and details, including:
 - a. Temporary stream water management (dam & pump, etc.).
 - b. Wetland topsoil segregation.
 - c. Blasting plan (if required).
- 2.5 Access road culvert details (conforming to DEC stream crossing guidance).
- 2.6 Ancillary project facilities (pipe yards, meter stations, cell towers, water withdrawal staging areas, etc.) site plans (where regulated resources are impacted).
- 2.7 Avoidance and minimization narrative for proposed regulated disturbances and all temporary and permanent facilities.
- 3.0 Site restoration and maintenance
 - 3.1 Provide a list of planting mixes for upland and wetland disturbances (both temporary and permanent), and a proposed restoration planting plan for each crossing location.

- 3.2 Provide an invasive species management plan with a goal of 0% net areal increase in invasive species.
- 3.3 Provide proposed methods to control invasive species (hand clearing, herbicides, etc.).
- 3.4 Provide a monitoring schedule to include a regular schedule for site inspection and reporting to the regulatory agencies.
- 4.0 Conceptual mitigation plans
 - 4.1 Provide total wetland and wetland adjacent area impacts (see notes on “master table,” above) to include all wetland impacts, all NYS DEC wetland impacts, and all NYS DEC wetland adjacent area impacts.
 - 4.2 Provide a calculation of proposed area for mitigation, and the type of mitigation proposed, based on wetland class, cover type, functions and values, at a ratio sufficient to account for the risk of a percentage of mitigation project failure, for both wetland and adjacent area impacts. Include proposed mitigation for both temporary and permanent impacts.
 - 4.3 Provide potential locations for wetland mitigation sites.
 - 4.4 Provide a mitigation plan for permanent impacts to streams.
 - 4.5 Provide a post-construction monitoring and reporting plan for wetland and stream mitigation sites. A minimum of 5 years post-construction monitoring needs to be included.

cc: K. Bowman, FERC
K. Bruce, USACE
DEC Review Team



Broome County Health Department

Debra A. Preston, County Executive . Claudia A. Edwards, MS, Public Health Director

MEMORANDUM

TO: Aaron Martin, Records Access Officer
FROM: Claudia A. Edwards, Public Health Director
DATE: May 20, 2014
SUBJECT: FOI Request, Gregory Hufnagel – AECOM (237 of 2014)

CSE
5/20/14
[Signature]

Broome County Environmental Health staff has reviewed the proposed location of the Constitution Pipeline Contractor Yard (Spread 2) within the Town of Sanford, Broome County, NY and offer the following comments:

- 1) The proposed contractor yard does not appear to affect any of Broome County Health Department's regulated facilities Public Water Supplies nor does the proposed yard come within 0.25 miles of any Public Water Supply within Broome County.
- 2) It is unknown how many private water supplies are within 0.25 miles of the proposed contractor yard since the Broome County Health Department does not keep such records; however, any residences near the proposed yard would have private water supplies associated with them.

cc: Chris Coddington

BROOME COUNTY LEGISLATURE

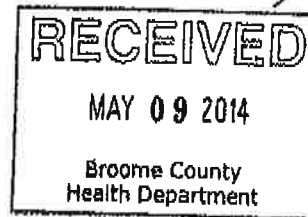
MAY 23 2014

RECEIVED



AECOM
4 Neshaminy Interplex, Suite 300
Trevose, PA 19053-6940

215.244.7100 tel
215.244.7179 fax



May 5, 2014

Broome County Health Department
Attn: Ms. Claudia Edwards - Director
Broome County Office Building
60 Hawley Street
Binghamton, NY 13902

**Subject: Additional Information Request
Proposed Contractor Yards
Constitution Pipeline
Broome County, New York**

Dear Ms. Edwards,

On behalf of Constitution Pipeline Company, LLC (Constitution), AECOM is requesting correspondence from the Broome County Health Department regarding the potential presence of public or private drinking water resources or protection areas on or within a 0.25-mile of a contractor yard under consideration for the Constitution Pipeline (Project). The contractor yard will be used to manage, store and assemble pipeline components for the Project and the yard is located in a previously disturbed area that will be restored to preconstruction contours following construction.

In May of 2012 and April of 2013, consultation was provided to the Broome County Health Department regarding the proposed Project; however, specific information pertaining to the location of potential resources in the vicinity of the proposed contractor yard was not requested at that time. The table below provides a summary of the contractor yard facility and its approximate location. The location of the contractor yard under consideration for use within your jurisdiction is depicted on the attached USGS location map which has been provided to assist in your review.

Table 1. Constitution Pipeline - Contractor Yards Broome County, New York

Contractor Yard ID	Previous Yard ID	Submitted to FERC	Latitude/ Longitude	Acreage	Town/ County	Status
Spread 2	N/A	11/11/2013	42.139439/ -75.456087	19.16	Sanford/ Broome	New

On behalf of Constitution, AECOM respectfully requests that the Broome County Health Department review its records relative to drinking water resources or protected areas directly crossed by or located within a 0.25-mile of the contractor yard under consideration in Broome County and provide updated correspondence pertaining to the identified resources.

Additional Information Request
Constitution Pipeline Company, LLC
Constitution Pipeline
May 5, 2014
Page 2 of 2

Should you have any questions regarding the Project, please do not hesitate to contact Chris Newhall at (508) 888-3900 x244 or e-mail christopher.newhall@aecom.com. Thank you for your continued consideration.

Sincerely,

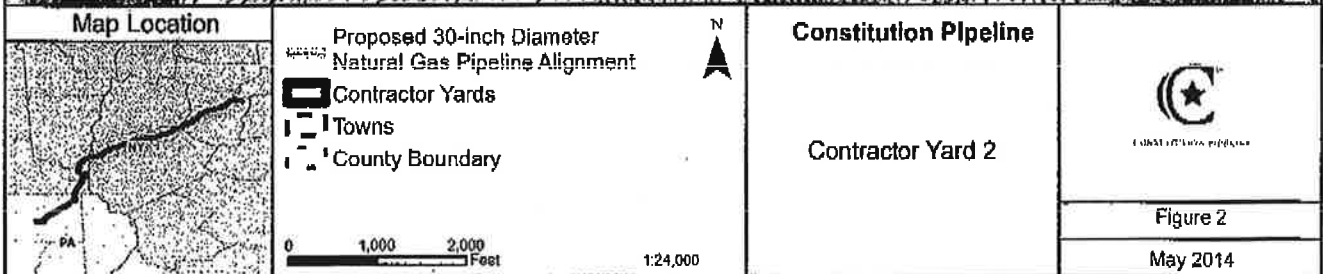
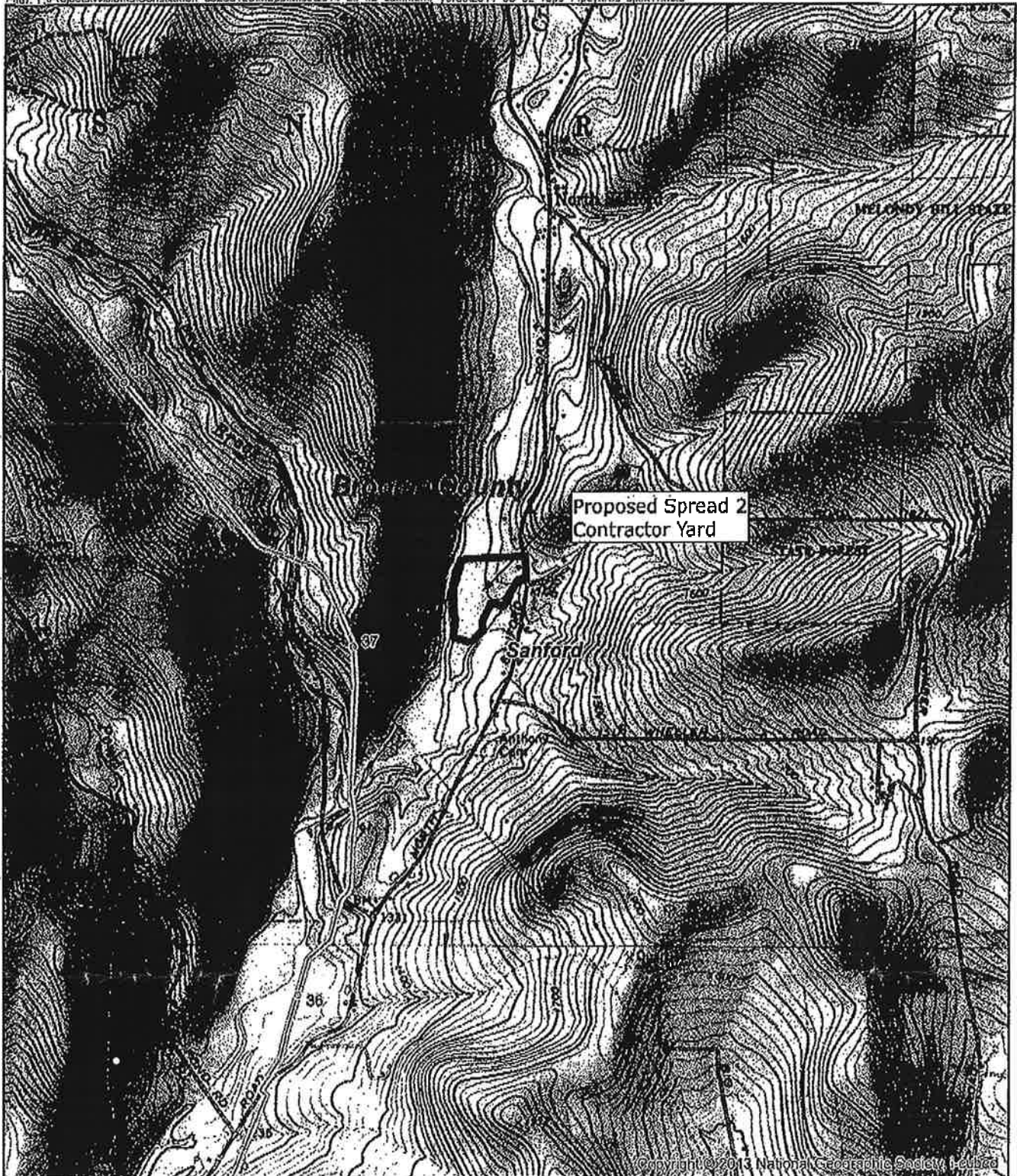


Gregory Hufnagel
Senior Project Manager

cc: Ms. Lynda Schubring, Constitution Pipeline Company, LLC
Mr. Chris Newhall, AECOM
Ms. Val Double, AECOM

Attachments: USGS Location Map

Path: Y:\Projects\Williams\Constitution 60256120\Misc\Misc\2014 05 02 contractor yards\2014 05 02 Topo Pipeyards 8x5x11.mxd





New York State Office of Parks, Recreation and Historic Preservation

Division for Historic Preservation
P.O. Box 189, Waterford, New York 12188-0189
518-237-8643

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

March 27, 2013

Ms. Zana Wolf
Senior Architectural Historian
URS Corporation
437 High Street
Burlington, NJ 08016

RE: FERC
Constitution Pipeline
Broome/Chenango/Delaware/Otsego/
Schoharie Counties
12PR02700

Dear Ms. Wolf:

Thank you for continuing to consult with the New York State Office of Parks, Recreation, and Historic Preservation regarding the proposed Constitution Pipeline project in Broome, Chenango, Delaware, Otsego, and Schoharie Counties. We have reviewed the materials we received on February 24 in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

We concur with the Updated Report of Aboveground Historic Resource Surveys for the Current Primary Route that the proposed project will not negatively effect the overall visual character of the historic sites in the Area of Potential Effect. Please continue to consult with our office on the archeology review however.

Please refer to the Project Review (PR) number in any future correspondence, and if you have any questions, I can be reached at 518-237-8643 x3252.

Sincerely,

Sloane Bullough
Historic Preservation Specialist

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • **Fax:** (518) 402-8925
Website: www.dec.ny.gov



Joe Martens
Commissioner

May 21, 2014

Gregory Hufnagel
AECOM
4 Neshaminy Interplex, Suite 300
Trevose, PA 19053

Re: Constitution Pipeline contractor yards -- updated locations
Town/City: Davenport, Milford, County: Broome, Delaware, Otsego, Schoharie.
Richmondville, Sanford, Sidney.

Dear Gregory Hufnagel :

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities, which our databases indicate occur in the vicinity of the Spread 3 and Spread 4A Contractor Yards. Our databases have no records at or near the Spread 2, Spread 4c, and Spread 5 Contractor Yards.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our databases. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Nicholas Conrad
Information Resources Coordinator
New York Natural Heritage Program



**The following state-listed animals have been documented
in its vicinity of the Spread 4A Contractor Yard.**

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed or are candidates for federal listing. The list may also include significant natural communities that can serve as habitat for Endangered or Threatened animals, and/or other rare animals and rare plants found at these habitats.

For information about potential impacts of your project on these populations, how to avoid, minimize, or mitigate any impacts, and any permit considerations, contact the Wildlife Manager or the Fisheries Manager at the NYSDEC Regional Office for the region where the project is located. A listing of Regional Offices is at <http://www.dec.ny.gov/about/558.html>.

The following species have been documented within 1 mi. Individual animals may travel 1.5 mi from documented locations.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
Reptiles			
Timber Rattlesnake	<i>Crotalus horridus</i>	Threatened	1272

This report only includes records from the NY Natural Heritage databases. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, and from NYSDEC at <http://www.dec.ny.gov/animals/7494.html>.

Information about many of the rare plants and animals, and natural community types, in New York are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, and from NatureServe Explorer at <http://www.natureserve.org/explorer>.



**The following rare animals have been documented
in the vicinity of the proposed Spread 4A Contractor Yard.**

We recommend that potential onsite and offsite impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following animals, while not listed by New York State as Endangered or Threatened, are of conservation concern to the state, and are considered rare by the New York Natural Heritage Program.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
Freshwater Mussels			
Yellow Lampmussel	<i>Lampsilis cariosa</i>	Unlisted	Vulnerable in NYS

Susquehanna River, Emmons to Colliersville, 2008-07: The mussels were observed in riffles and pools of a river with a bottom substrate composed of gravel, cobble, and silt.

3810

This report only includes records from the NY Natural Heritage databases. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, from NatureServe Explorer at <http://www.natureserve.org/explorer>, and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

Information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org. For descriptions of all community types, go to <http://www.dec.ny.gov/animals/29384.html> and click on Draft Ecological Communities of New York State.



**The following state-listed animals have been documented
in the Susquehanna River in the vicinity of the Spread 3 Contractor Yard.**

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed or are candidates for federal listing. The list may also include significant natural communities that can serve as habitat for Endangered or Threatened animals, and/or other rare animals and rare plants found at these habitats.

For information about potential impacts of your project on these populations, how to avoid, minimize, or mitigate any impacts, and any permit considerations, contact the Wildlife Manager or the Fisheries Manager at the NYSDEC Regional Office for the region where the project is located. A listing of Regional Offices is at <http://www.dec.ny.gov/about/558.html>.

The following species and habitats have been documented at or near the project site, generally within 0.5 mile. Potential onsite and offsite impacts from the project may need to be addressed.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	FEDERAL LISTING
Amphibians			
Hellbender	<i>Cryptobranchus alleganiensis</i>	Special Concern	10990
Freshwater Mussels			
Green Floater	<i>Lasmigona subviridis</i>	Threatened	3823

This report only includes records from the NY Natural Heritage databases. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, and from NYSDEC at <http://www.dec.ny.gov/animals/7494.html>.

Information about many of the rare plants and animals, and natural community types, in New York are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, and from NatureServe Explorer at <http://www.natureserve.org/explorer>.



The following rare animals have been documented in the vicinity of the Spread 3 Contractor Yard.

We recommend that potential onsite and offsite impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following animals, while not listed by New York State as Endangered or Threatened, are of conservation concern to the state, and are considered rare by the New York Natural Heritage Program.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
Freshwater Mussels			
Yellow Lampmussel	<i>Lampsilis cariosa</i>	Unlisted	Vulnerable in NYS

Susquehanna River, Sidney and Unadilla, 1996-08-20: The mussels were observed in pools, runs, and riffles of a river with bottom substrates composed of cobble, gravel, sand, and silt.

1278

This report only includes records from the NY Natural Heritage databases. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, from NatureServe Explorer at <http://www.natureserve.org/explorer>, and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

Information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org. For descriptions of all community types, go to <http://www.dec.ny.gov/animals/29384.html> and click on Draft Ecological Communities of New York State.

From: Hernick, John (OGS) [<mailto:John.Hernick@ogs.ny.gov>]
Sent: Monday, December 23, 2013 10:40 AM
To: Hufnagel, Gregory
Subject: Constitution Pipeline NY Joint Application

Dear Mr. Hufnagel,

The New York State Office of General Services has determined that that we will not be an involved agency in the Constitution Pipeline Project. No State-owned waterbodies are being affected.

We do not need to receive any future application materials.

Please call if you have any questions.

Thank You,
John Hernick

John M. Hernick L.S.
Corning Tower, 26th Floor
Empire State Plaza
Albany NY 12242
(518) 474-2195
(518) 474-0011
john.hernick@ogs.ny.gov

Newhall, Christopher

From: David Lemon [dklemon@gw.dec.state.ny.us]
Sent: Wednesday, November 27, 2013 9:40 AM
To: Newhall, Christopher
Cc: Hufnagel, Gregory; Stephen Tomasik; Keith Silliman (KSilliman@vhb.com); Lynda Schubring
Subject: RE: FW: Constitution Pipeline; DEC Stream Field Visits-Region 7 (Southern Section)

Chris,

There are no additional water bodies on the pipeline route in Region 7 that need to be assigned an upgraded water quality standard.

Thanks for asking.

Dave

David Lemon
Region 7 Fisheries Manager
NYS Department of Environmental Conservation
1285 Fisher Avenue
Cortland, NY 13045
(607) 753-3095
dklemon@gw.dec.state.ny.us

>>> "Newhall, Christopher" <christopher.newhall@aecom.com> 11/21/2013 5:37 PM >>>

Hi Dave,

You had previously provided us with some updated water quality classifications/standards back in June 2013 for certain waterbodies proposed for crossing by the pipeline. However, based on the more recent survey results you reference below, it sounds as if there may be other waterbodies crossed by the project that need to have their current DEC-assigned water quality classification and standard upgraded.

Can you provide a list of these waterbodies and their updated classifications/standards to Constitution so that may update our records? Or would it be easier if I provided an updated list of waterbodies crossed by the project and their water quality classifications/standards for you to revise?

Thank you,

Chris Newhall
D 508.888.3900 x244 M 508.735.0387
christopher.newhall@aecom.com

From: Schubring, Lynda [mailto:Lynda.Schubring@Williams.com]
Sent: Friday, November 08, 2013 12:44 AM
To: Newhall, Christopher; Hufnagel, Gregory
Subject: FW: FW: Constitution Pipeline; DEC Stream Field Visits-Region 7 (Southern Section)

FYI...

Lynda Schubring

O: 713-215-2491 | C: 832-814-9047

From: David Lemon [<mailto:dklemon@gw.dec.state.ny.us>]
Sent: Tuesday, November 05, 2013 3:02 PM
To: Schubring, Lynda
Cc: Stephen Tomasik; Keith Silliman
Subject: Re: FW: Constitution Pipeline; DEC Stream Field Visits-Region 7 (Southern Section)

Lynda,

We did conduct a survey on the small stream that runs parallel to Blincoe Road (134 Blinco Rd.) and, despite my staff's initial doubts when they first saw how small it was, they actually did capture several juvenile and adult wild brook trout in the section of stream that is within the proposed Constitution right-of-way. As such we would like this stream formally considered a trout stream for the purposes of the pipeline construction with the associated timing taken into consideration for activities in the stream. We also conducted surveys on several other streams along the proposed ROW that we suspected had trout and did verify their presence. In fact, one site in the Cornell Creek system had the highest density of wild brook trout that the biologist doing the survey has ever sampled.

Thanks - Dave Lemon

David Lemon
Region 7 Fisheries Manager
NYS Department of Environmental Conservation
1285 Fisher Avenue
Cortland, NY 13045
(607) 753-3095
dklemon@gw.dec.state.ny.us

>>> "Schubring, Lynda" <Lynda.Schubring@Williams.com> 10/30/2013 9:49 AM >>>

Good morning Mr. Lemon,

Per the email below, I wanted to follow up with you regarding the email you sent below in September concerning a landowner (no access parcel) that indicated he had wild trout in his stream. Have you had the opportunity yet to sample and verify at this stream location yet?

Lynda Schubring

O: 713-215-2491 | C: 832-814-9047

From: David Lemon [<mailto:dklemon@gw.dec.state.ny.us>]
Sent: Monday, September 09, 2013 10:54 AM
To: Gorczyca, Erika; rusty savage; David Lemon; Daniel Bishop; Josh Thiel; 'bjorn.lake@kleinschmidtUSA.com'; Brandon Kulik; 'jzimmer@trcsolutions.com'; 'Andrew.C.Dangler@usace.army.mil'; 'Brad.Sherwood@usace.army.mil';

'George.D.Casey@usace.army.mil'; 'Judy.A.Robinson@usace.army.mil'; 'Margaret.A.Crawford@usace.army.mil'; Brian X Carney; Craig Adams; Mark Wuollet; Matthew C Swift
Cc: Newhall, Christopher; Hufnagel, Gregory; hngiddens@doyleland.com; Emily Zollweg-Horan; Stephen Tomasik; 'Tyler Kreider'; 'kevin.j.bruce@usace.army.mil'; Erika Reeves; Tracy Kindlon; Devyn Richardson; Joel Henriquez; Lynda Schubring
Subject: RE: Constitution Pipeline; DEC Stream Field Visits-Region 7 (Southern Section)

Hello Everyone,

I'm writing to update everyone on a phone call I just received from a landowner in Broome County in the Town of Sanford. He called to inform us about his concerns for wild brook trout on the stream on his property where the pipeline is planned to cross. The stream is located approximately 2 miles north of McClure and it runs parallel to Blinco Road on the SW side. We did not go to this site during our tour of stream crossing sites this summer and he also indicated that he has not granted Constitution access to the area.

This stream is not listed as a protected wild trout stream but he indicates that wild brook trout have been in the stream as long as he can remember. I have permission from him to sample the site to verify the presence of wild trout and will do so in the near future. Given this new information, I suggest that Constitution should anticipate treating this stream as a trout stream for future planning. I will make the sampling of this stream a priority but based on my discussion with the landowner I have no doubt that we will find brook trout in this stream.

Dave

David Lemon
Region 7 Fisheries Manager
NYS Department of Environmental Conservation
1285 Fisher Avenue
Cortland, NY 13045
(607) 753-3095
dklemon@gw.dec.state.ny.us

>>> "Silliman, Keith" <KSilliman@VHB.com> 7/24/2013 10:44 AM >>>
Hello All,

We are working on the logistics for our remaining stream field visits. We intend to focus on the Region 7 (Southern Section) streams on Wednesday and Thursday of the first full week of August, the 7th and 8th.

We are in the process of obtaining/confirming landowner permission for access.

A more detailed agenda (including alignment sheets and resource matrix) will be circulated on or before August 5th, at which time we will confirm your participation.

(We are also preparing draft notes pertaining to the July 22nd and 23rd field visits for your review.)

Thanks.

Keith Silliman
Director of Energy and Environmental Services
Office: 518.452.0300 x3603
Cell: 518.788.8665

-----Original Appointment-----

From: Adams, Craig [<mailto:Craig.Adams@williams.com>]

Sent: Friday, July 19, 2013 4:11 PM

To: Adams, Craig; Silliman, Keith; Carney, Brian X; 'erika.gorczyca@aecom.com'; Wuollet, Mark; Brandon Kulik; 'bjorn.lake@kleinschmidtUSA.com'; Swift, Matthew C; 'Andrew.C.Dangler@usace.army.mil'; 'Brad.Sherwood@usace.army.mil'; 'George.D.Casey@usace.army.mil'; 'Margaret.A.Crawford@usace.army.mil'; 'Judy.A.Robinson@usace.army.mil'; 'jothiel@gw.dec.state.ny.us'; 'dlbishop@gw.dec.state.ny.us'; 'jzimmer@trcsolutions.com'; rusty savage; 'dklemon@gw.dec.state.ny.us'

Cc: 'Tyler Kreider'; Schubring, Lynda; Newhall, Christopher (christopher.newhall@aecom.com); Richardson, Devyn; hngiddens@doyleland.com; 'kevin.j.bruce@usace.army.mil'; 'smtomasi@gw.dec.state.ny.us'; Henriquez, Joel; 'Gregory.Hufnagel@aecom.com'

Subject: Constitution Pipeline; DEC Stream Field Visits-Region 7 (Southern Section)

When: Monday, July 22, 2013 12:00 AM to Wednesday, July 24, 2013 12:00 AM (UTC-05:00) Eastern Time (US & Canada).

Where: See Itinerary

When: Monday, July 22, 2013 12:00 AM to Wednesday, July 24, 2013 12:00 AM (UTC-05:00) Eastern Time (US & Canada).

Where: See Itinerary

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*

Constitution will conduct field investigations of New York State Department of Environmental Conservation (NYSDEC) protected streams crossed by the Constitution Pipeline Project (Project) in conjunction with the NYSDEC field personnel. The field team will review, assess, and document proposed crossing locations for approach, construction method, best management practices, stream characteristics, trout habitat near crossing location, and potential mitigation measures. The result of these field visits will be a comprehensive matrix that will then be an integral component of Constitution's permitting application package to NYSDEC.

We will begin in the Region 7 area (Southern Section) of the proposed Constitution Pipeline project. Please make any necessary arrangements to be in attendance. Feel free to forward this to anyone that was not included in this distribution.

Specific meeting place and stream information will be forwarded as soon as it becomes available.

[X]

UPDATE:

There are two meeting locations on Monday: 1. Constitution team will meet at the Schenectady office at 7:30am; 2. Everyone else will meet in Windsor, NY at 10:00am. See the itinerary for more details. If you have any questions or issues, you can contact me at 518-698-9083. Please find the following attachments regarding the Region 7 field visits July 22nd 23rd:

1. Itinerary Region 7 Stream Field Visits
2. Updated Constitution Waterbody Table
3. All streams that we plan to visit are highlighted. Of the 26 priority streams identified by DEC and ACOE, we will only be able to see 23; the other 3 are not accessible at this time or are no longer in the ROW/Workspace.
4. Associated alignment sheets
5. There are several alignment sheets associated with these stream crossings. I will have copies available Monday.

<< File: Itinerary Region 7 Stream Field Visits_July2223.docx >> << File: Constitution Pipeline Waterbody Table
- 07-05-2013_rev3_Region7.xlsx >>

This communication and any attachments to this are confidential and intended only for the recipient(s). Any other use, dissemination, copying, or disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify us and destroy it immediately. Vanasse Hangen Brustlin, Inc. is not responsible for any undetectable alteration, virus, transmission error, conversion, media degradation, software error, or interference with this transmission or attachments to this transmission.

Vanasse Hangen Brustlin, Inc. | info@vhb.com

Newhall, Christopher

From: David Lemon [dklemon@gw.dec.state.ny.us]
Sent: Wednesday, November 27, 2013 9:40 AM
To: Newhall, Christopher
Cc: Hufnagel, Gregory; Stephen Tomasik; Keith Silliman (KSilliman@vhb.com); Lynda Schubring
Subject: RE: FW: Constitution Pipeline; DEC Stream Field Visits-Region 7 (Southern Section)

Chris,

There are no additional water bodies on the pipeline route in Region 7 that need to be assigned an upgraded water quality standard.

Thanks for asking.

Dave

David Lemon
Region 7 Fisheries Manager
NYS Department of Environmental Conservation
1285 Fisher Avenue
Cortland, NY 13045
(607) 753-3095
dklemon@gw.dec.state.ny.us

>>> "Newhall, Christopher" <christopher.newhall@aecom.com> 11/21/2013 5:37 PM >>>

Hi Dave,

You had previously provided us with some updated water quality classifications/standards back in June 2013 for certain waterbodies proposed for crossing by the pipeline. However, based on the more recent survey results you reference below, it sounds as if there may be other waterbodies crossed by the project that need to have their current DEC-assigned water quality classification and standard upgraded.

Can you provide a list of these waterbodies and their updated classifications/standards to Constitution so that may update our records? Or would it be easier if I provided an updated list of waterbodies crossed by the project and their water quality classifications/standards for you to revise?

Thank you,

Chris Newhall
D 508.888.3900 x244 M 508.735.0387
christopher.newhall@aecom.com

From: Schubring, Lynda [mailto:Lynda.Schubring@Williams.com]
Sent: Friday, November 08, 2013 12:44 AM
To: Newhall, Christopher; Hufnagel, Gregory
Subject: FW: FW: Constitution Pipeline; DEC Stream Field Visits-Region 7 (Southern Section)

FYI...

Lynda Schubring

O: 713-215-2491 | C: 832-814-9047

From: David Lemon [<mailto:dklemon@gw.dec.state.ny.us>]
Sent: Tuesday, November 05, 2013 3:02 PM
To: Schubring, Lynda
Cc: Stephen Tomasik; Keith Silliman
Subject: Re: FW: Constitution Pipeline; DEC Stream Field Visits-Region 7 (Southern Section)

Lynda,

We did conduct a survey on the small stream that runs parallel to Blincoe Road (134 Blinco Rd.) and, despite my staff's initial doubts when they first saw how small it was, they actually did capture several juvenile and adult wild brook trout in the section of stream that is within the proposed Constitution right-of-way. As such we would like this stream formally considered a trout stream for the purposes of the pipeline construction with the associated timing taken into consideration for activities in the stream. We also conducted surveys on several other streams along the proposed ROW that we suspected had trout and did verify their presence. In fact, one site in the Cornell Creek system had the highest density of wild brook trout that the biologist doing the survey has ever sampled.

Thanks - Dave Lemon

David Lemon
Region 7 Fisheries Manager
NYS Department of Environmental Conservation
1285 Fisher Avenue
Cortland, NY 13045
(607) 753-3095
dklemon@gw.dec.state.ny.us

>>> "Schubring, Lynda" <Lynda.Schubring@Williams.com> 10/30/2013 9:49 AM >>>

Good morning Mr. Lemon,

Per the email below, I wanted to follow up with you regarding the email you sent below in September concerning a landowner (no access parcel) that indicated he had wild trout in his stream. Have you had the opportunity yet to sample and verify at this stream location yet?

Lynda Schubring

O: 713-215-2491 | C: 832-814-9047

From: David Lemon [<mailto:dklemon@gw.dec.state.ny.us>]
Sent: Monday, September 09, 2013 10:54 AM
To: Gorczyca, Erika; rusty savage; David Lemon; Daniel Bishop; Josh Thiel; 'bjorn.lake@kleinschmidtUSA.com'; Brandon Kulik; 'jzimmer@trcsolutions.com'; 'Andrew.C.Dangler@usace.army.mil'; 'Brad.Sherwood@usace.army.mil';

'George.D.Casey@usace.army.mil'; 'Judy.A.Robinson@usace.army.mil'; 'Margaret.A.Crawford@usace.army.mil'; Brian X Carney; Craig Adams; Mark Wuollet; Matthew C Swift
Cc: Newhall, Christopher; Hufnagel, Gregory; hngiddens@doyleland.com; Emily Zollweg-Horan; Stephen Tomasik; 'Tyler Kreider'; 'kevin.j.bruce@usace.army.mil'; Erika Reeves; Tracy Kindlon; Devyn Richardson; Joel Henriquez; Lynda Schubring
Subject: RE: Constitution Pipeline; DEC Stream Field Visits-Region 7 (Southern Section)

Hello Everyone,

I'm writing to update everyone on a phone call I just received from a landowner in Broome County in the Town of Sanford. He called to inform us about his concerns for wild brook trout on the stream on his property where the pipeline is planned to cross. The stream is located approximately 2 miles north of McClure and it runs parallel to Blinco Road on the SW side. We did not go to this site during our tour of stream crossing sites this summer and he also indicated that he has not granted Constitution access to the area.

This stream is not listed as a protected wild trout stream but he indicates that wild brook trout have been in the stream as long as he can remember. I have permission from him to sample the site to verify the presence of wild trout and will do so in the near future. Given this new information, I suggest that Constitution should anticipate treating this stream as a trout stream for future planning. I will make the sampling of this stream a priority but based on my discussion with the landowner I have no doubt that we will find brook trout in this stream.

Dave

David Lemon
Region 7 Fisheries Manager
NYS Department of Environmental Conservation
1285 Fisher Avenue
Cortland, NY 13045
(607) 753-3095
dklemon@gw.dec.state.ny.us

>>> "Silliman, Keith" <KSilliman@VHB.com> 7/24/2013 10:44 AM >>>
Hello All,

We are working on the logistics for our remaining stream field visits. We intend to focus on the Region 7 (Southern Section) streams on Wednesday and Thursday of the first full week of August, the 7th and 8th.

We are in the process of obtaining/confirming landowner permission for access.

A more detailed agenda (including alignment sheets and resource matrix) will be circulated on or before August 5th, at which time we will confirm your participation.

(We are also preparing draft notes pertaining to the July 22nd and 23rd field visits for your review.)

Thanks.

Keith Silliman
Director of Energy and Environmental Services
Office: 518.452.0300 x3603
Cell: 518.788.8665

-----Original Appointment-----

From: Adams, Craig [<mailto:Craig.Adams@williams.com>]

Sent: Friday, July 19, 2013 4:11 PM

To: Adams, Craig; Silliman, Keith; Carney, Brian X; 'erika.gorczyca@aecom.com'; Wuollet, Mark; Brandon Kulik; 'bjorn.lake@kleinschmidtUSA.com'; Swift, Matthew C; 'Andrew.C.Dangler@usace.army.mil'; 'Brad.Sherwood@usace.army.mil'; 'George.D.Casey@usace.army.mil'; 'Margaret.A.Crawford@usace.army.mil'; 'Judy.A.Robinson@usace.army.mil'; 'jothiel@gw.dec.state.ny.us'; 'dlbishop@gw.dec.state.ny.us'; 'jzimmer@trcsolutions.com'; rusty savage; 'dklemon@gw.dec.state.ny.us'

Cc: 'Tyler Kreider'; Schubring, Lynda; Newhall, Christopher (christopher.newhall@aecom.com); Richardson, Devyn; hngiddens@doyleland.com; 'kevin.j.bruce@usace.army.mil'; 'smtomasi@gw.dec.state.ny.us'; Henriquez, Joel; 'Gregory.Hufnagel@aecom.com'

Subject: Constitution Pipeline; DEC Stream Field Visits-Region 7 (Southern Section)

When: Monday, July 22, 2013 12:00 AM to Wednesday, July 24, 2013 12:00 AM (UTC-05:00) Eastern Time (US & Canada).

Where: See Itinerary

When: Monday, July 22, 2013 12:00 AM to Wednesday, July 24, 2013 12:00 AM (UTC-05:00) Eastern Time (US & Canada).

Where: See Itinerary

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*

Constitution will conduct field investigations of New York State Department of Environmental Conservation (NYSDEC) protected streams crossed by the Constitution Pipeline Project (Project) in conjunction with the NYSDEC field personnel. The field team will review, assess, and document proposed crossing locations for approach, construction method, best management practices, stream characteristics, trout habitat near crossing location, and potential mitigation measures. The result of these field visits will be a comprehensive matrix that will then be an integral component of Constitution's permitting application package to NYSDEC.

We will begin in the Region 7 area (Southern Section) of the proposed Constitution Pipeline project. Please make any necessary arrangements to be in attendance. Feel free to forward this to anyone that was not included in this distribution.

Specific meeting place and stream information will be forwarded as soon as it becomes available.

[X]

UPDATE:

There are two meeting locations on Monday: 1. Constitution team will meet at the Schenectady office at 7:30am; 2. Everyone else will meet in Windsor, NY at 10:00am. See the itinerary for more details. If you have any questions or issues, you can contact me at 518-698-9083. Please find the following attachments regarding the Region 7 field visits July 22nd 23rd:

1. Itinerary Region 7 Stream Field Visits
2. Updated Constitution Waterbody Table
3. All streams that we plan to visit are highlighted. Of the 26 priority streams identified by DEC and ACOE, we will only be able to see 23; the other 3 are not accessible at this time or are no longer in the ROW/Workspace.
4. Associated alignment sheets
5. There are several alignment sheets associated with these stream crossings. I will have copies available Monday.

<< File: Itinerary Region 7 Stream Field Visits_July2223.docx >> << File: Constitution Pipeline Waterbody Table
- 07-05-2013_rev3_Region7.xlsx >>

This communication and any attachments to this are confidential and intended only for the recipient(s). Any other use, dissemination, copying, or disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify us and destroy it immediately. Vanasse Hangen Brustlin, Inc. is not responsible for any undetectable alteration, virus, transmission error, conversion, media degradation, software error, or interference with this transmission or attachments to this transmission.

Vanasse Hangen Brustlin, Inc. | info@vhb.com

New York State Department of Environmental Conservation

Division of Environmental Permits

625 Broadway, Albany, NY 12233-1750

Phone: (518) 402-9167 • Fax: (518) 402-9168

Website: www.dec.ny.gov



Joe Martens
Commissioner

March 21, 2014

Ms. Lynda Schubring, PMP
Sr. Environmental Scientist
Williams
2800 Post Oak Blvd., Level 17
Houston, TX 77056

Dear Ms. Schubring:

This letter is being submitted in response to your letter dated March 7, 2014 with a request that the New York State Department of Environmental Conservation (NYSDEC) clarify the specific calendar dates for seasonal in-stream construction work windows applicable to streams and waterbodies with a NYSDEC water quality standard designation of (T) or (TS). Following review of this request by the Division of Fish, Wildlife and Marine Resources, Stream Protection Program, NYSDEC concurs that allowable in-stream construction window for activities associated with this project is June 1 through September 30.

If you have any questions, please contact me by phone at (518) 486-9955, or by email at smtomasi@gw.dec.state.ny.us.

Sincerely,

Stephen Tomasik
Project Manager
Major Projects Management Section

cc: G. Hufnagel, AECOM
C. Newhall, AECOM
K. Silliman, VHB
F. Bifera, Esq., Hiscock and Barclay, LLP
K. Bruce, USACE
K. Bowman, FERC
DEC Review Team

Newhall, Christopher

From: Nancy Heaslip <nxheasli@gw.dec.state.ny.us>
Sent: Wednesday, June 04, 2014 4:00 PM
To: Newhall, Christopher
Cc: Jerome Fraine
Subject: Re: FW: Constitution NY Natural Heritage Program Response - Spread 4A Contractor Yard

Chris,

As per our telephone conversation a few minutes ago, I review the proposed use of the site identified as Spread 4A Contractor Yard in the Town of Milford, Otsego County for potential impacts to timber rattlesnakes. There is a known timber rattlesnake den approximately 0.8 miles from the site, but no snakes have been observed there during surveys since about 1980. And while timber rattlesnakes may still occupy the den, the probability of individual snakes entering the project site would be minuscule, given their low numbers and the lack of attractive habitat features in the open gravel pit where the contractor yard would be located.

Sincerely,

Nancy Heaslip
Senior Wildlife Biologist

>>> "Newhall, Christopher" <christopher.newhall@aecom.com> 6/4/2014 3:32 PM >>>

Chris Newhall

D 508.888.3900 x244 M 508.735.0387
christopher.newhall@aecom.com

From: Newhall, Christopher
Sent: Tuesday, June 03, 2014 10:54 AM
To: Jerry Fraine (jfraine@gw.dec.state.ny.us)
Cc: Stephen Tomasik (smtomasi@gw.dec.state.ny.us); Hufnagel, Gregory; Lynda Schubring (Lynda.Schubring@Williams.com); Keith Silliman (KSilliman@vhb.com)
Subject: Constitution NY Natural Heritage Program Response - Spread 4A Contractor Yard

Hi Jerry,

Constitution received the attached response from the NY Natural Heritage Program (NYNHP) regarding a proposed contractor yard located in town of Milford, Otsego County. The areas proposed for use as contractor yards are existing disturbed sand and gravel mining operations that Constitution would lease during construction of the pipeline for the construction contractor to have their temporary construction site office trailers, equipment and materials storage, personnel vehicle parking and daily muster station, etc.

Per the NYNHP letter, we are following up with the regional wildlife staff to determine the potential for adverse impact to the identified species (timber rattlesnake in particular) as a result of the proposed use of the identified site for a contractor yard. I've attached the initial solicitation correspondence from AECOM on this for your reference. Please let us know with whom we should be following up with at Region 4 to further discuss this matter. Please feel free to contact me at any time on this subject. Thank you in advance.

Best Regards,
Chris

Chris Newhall, PWS, CPESC

Project Manager

Environment

D 508.888.3900 x244 M 508.735.0387

christopher.newhall@aecom.com

AECOM

95 State Road, Sagamore Beach, MA 02562-2415

T 508.888.3900 F 508.888.6689

www.aecom.com



New York State Office of Parks, Recreation and Historic Preservation

Albany, New York 12238
www.nysparks.com

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

RECEIVED

JUN 09 2014

May 22, 2014

Gregory Hufnagel
Senior Project Manager
AECOM
4 Neshaminy Interplex, Suite 300
Trevose, PA 19053-6940

Subject: Additional Information Request dated May 5, 2014
Proposed Contractor Yards
Constitution Pipeline
Delaware, Broome and Otsego Counties, New York

Dear Mr. Hufnagel,

Thank you for the opportunity to consult on the location of the proposed contractor yards identified in your May 5, 2014 correspondence to Christina Croll, OPRHP's GIS Manager.

After reviewing the information provided, I have determined that there are no State parks located within 0.25 miles of your proposed contractor yards.

I have also consulted with our Alternate State Liaison Officer (ASLO), Joe Grimaldi, regarding Land and Water Conservation Fund (LWCF) 6(f) protection of state and local park projects. He has likewise determined that there are no OPRHP or LWCF funded State or local park areas within 0.25 miles of the proposed contractor yards.

Should any of these contractor yard locations or footprints change, OPRHP will require a consultation to assess the potential impacts to State and/or LWCF funded projects in the area.

Thank you for your consideration.

Sincerely,

Diana Carter
Director of Resource and Facility Planning

CC: Christina Croll, Parks GIS Manager, NYSOITS
Joe Grimaldi, ASLO, OPRHP
Kathleen Martens, Associate Attorney, OPRHP
Nathan Krish, Mapping Technician, OPRHP
John Bonafide, Director for Technical Preservation Services, OPRHP



New York State Office of Parks, Recreation and Historic Preservation

Division for Historic Preservation
P.O. Box 189, Waterford, New York 12188-0189
518-237-8643

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

July 2, 2014

Ms. Zana Wolf
Senior Architectural Historian
URS Corporation
437 High Street
Burlington, NJ 08016

RE: FERC
Constitution Pipeline
Broome, Chenango, Delaware, and
Schoharie Counties
Proposed Above-ground Pipeline Facilities
12PR02700

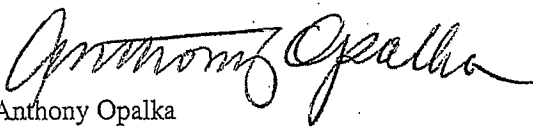
Dear Ms. Wolf:

We have reviewed the information regarding the above-ground facilities in New York State in your letter dated May 14, 2014: a meter station in Schoharie County, and nine communications towers along the pipeline route.

Based upon this review, the State Historic Preservation Office (SHPO) concurs with your determinations of eligibility for above-ground properties within the Area of Potential Effect for those facilities. We will issue a determination of effect for the entire project when all aspects of the project have been reviewed.

If you have any questions, please contact me at 518-237-8643 x3278 or by email at Anthony.opalka@parks.ny.gov.

Sincerely,


Anthony Opalka
Historic Preservation Program Analyst

Chris Newhall

D 508.888.3900 x244 M 508.735.0387

christopher.newhall@aecom.com

From: Schubring, Lynda [<mailto:Lynda.Schubring@Williams.com>]

Sent: Friday, November 08, 2013 12:44 AM

To: Newhall, Christopher; Hufnagel, Gregory

Subject: FW: FW: Constitution Pipeline; DEC Stream Field Visits-Region 7 (Southern Section)

FYI...

Lynda Schubring

O: 713-215-2491 | C: 832-814-9047

From: David Lemon [<mailto:dklemon@gw.dec.state.ny.us>]

Sent: Tuesday, November 05, 2013 3:02 PM

To: Schubring, Lynda

Cc: Stephen Tomasik; Keith Silliman

Subject: Re: FW: Constitution Pipeline; DEC Stream Field Visits-Region 7 (Southern Section)

Lynda,

We did conduct a survey on the small stream that runs parallel to Blincoe Road (134 Blinco Rd.) and, despite my staff's initial doubts when they first saw how small it was, they actually did capture several juvenile and adult wild brook trout in the section of stream that is within the proposed Constitution right-of-way. As such we would like this stream formally considered a trout stream for the purposes of the pipeline construction with the associated timing taken into consideration for activities in the stream. We also conducted surveys on several other streams along the proposed ROW that we suspected had trout and did verify their presence. In fact, one site in the Cornell Creek system had the highest density of wild brook trout that the biologist doing the survey has ever sampled.

Thanks - Dave Lemon

David Lemon

Region 7 Fisheries Manager

NYS Department of Environmental Conservation

1285 Fisher Avenue

Cortland, NY 13045

(607) 753-3095

dklemon@gw.dec.state.ny.us

>>> "Schubring, Lynda" <Lynda.Schubring@Williams.com> 10/30/2013 9:49 AM >>>

Good morning Mr. Lemon,

Per the email below, I wanted to follow up with you regarding the email you sent below in September concerning a landowner (no access parcel) that indicated he had wild trout in his stream. Have you had the opportunity yet to sample and verify at this stream location yet?

Lynda Schubring

O: 713-215-2491 | C: 832-814-9047

From: David Lemon [<mailto:dklemon@gw.dec.state.ny.us>]

Sent: Monday, September 09, 2013 10:54 AM

To: Gorczyca, Erika; rusty savage; David Lemon; Daniel Bishop; Josh Thiel; 'bjorn.lake@kleinschmidtUSA.com'; Brandon Kulik; 'jzimmer@trcsolutions.com'; 'Andrew.C.Dangler@usace.army.mil'; 'Brad.Sherwood@usace.army.mil'; 'George.D.Casey@usace.army.mil'; 'Judy.A.Robinson@usace.army.mil'; 'Margaret.A.Crawford@usace.army.mil'; Brian X Carney; Craig Adams; Mark Wuollet; Matthew C Swift

Cc: Newhall, Christopher; Hufnagel, Gregory; hngiddens@doyleland.com; Emily Zollweg-Horan; Stephen Tomasik; 'Tyler Kreider'; 'kevin.j.bruce@usace.army.mil'; Erika Reeves; Tracy Kindlon; Devyn Richardson; Joel Henriquez; Lynda Schubring

Subject: RE: Constitution Pipeline; DEC Stream Field Visits-Region 7 (Southern Section)

Hello Everyone,

I'm writing to update everyone on a phone call I just received from a landowner in Broome County in the Town of Sanford. He called to inform us about his concerns for wild brook trout on the stream on his property where the pipeline is planned to cross. The stream is located approximately 2 miles north of McClure and it runs parallel to Blinco Road on the SW side. We did not go to this site during our tour of stream crossing sites this summer and he also indicated that he has not granted Constitution access to the area.

This stream is not listed as a protected wild trout stream but he indicates that wild brook trout have been in the stream as long as he can remember. I have permission from him to sample the site to verify the presence of wild trout and will do so in the near future. Given this new information, I suggest that Constitution should anticipate treating this stream as a trout stream for future planning. I will make the sampling of this stream a priority but based on my discussion with the landowner I have no doubt that we will find brook trout in this stream.

Dave

David Lemon
Region 7 Fisheries Manager
NYS Department of Environmental Conservation
1285 Fisher Avenue
Cortland, NY 13045
(607) 753-3095
dklemon@gw.dec.state.ny.us

>>> "Silliman, Keith" <KSilliman@VHB.com> 7/24/2013 10:44 AM >>>
Hello All,

We are working on the logistics for our remaining stream field visits. We intend to focus on the Region