

Stephen M. Tomasik
DEC - Division of Environmental Permits
625 Broadway, 4th Floor
Albany, NY 12233-1750

January ,2015

6 NYCRR 608.8

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

Dear Mr. Tomasik,

The construction and operation of the Constitution Pipeline will pose dangers to many bird species. Careful consideration should be taken before granting a 401 certificate for the project.

Wetlands are particularly sensitive ecosystems and they support a wide variety of bird species. Bald Eagle, Osprey, Red-shouldered Hawk, American Bittern, Pied-billed Grebe, and Northern Harrier are located along the pipeline route – and all are listed as at-risk species by the NY State Department of Environmental Conservation.

The primary planned method of water crossings is dry trenching. This will cause water turbidity, making foraging for food more difficult for wading birds such as Great-blue and Green Herons, as well as waterfowl such as Mallards, Wood Ducks, Common and Hooded Mergansers.

Pipeline activities during breeding season pose a particular threat to birds. Direct loss of nests will occur, as well as nest abandonment due to disturbance by noise and activity. Fledgling birds, which already have a low survival rate, will suffer greater losses. Impacts may well remain after construction, as open rights-of-way will remain indefinitely, permanently maintained by mechanical and chemical controls. These will continue to be detrimental to bird populations year after year, as they will provide corridors for predators and nest parasites to access breeding areas.

The DEC must protect bird and other wild life habitats along the entire length of the pipeline. Protect New York State’s water quality by denying the 401 certificate or hold adjudicatory hearings for this project.

Sincerely,

Signature _____

Name _____

Address _____