

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

_____, 2015

Application ID: 0-9999-00181/00009 - Water Quality Certification
Application ID: 0-9999-00181/00010 - Freshwater Wetlands
Application ID: 0-9999-00181/00011 - Water Withdrawal
Application ID: 0-9999-00181/00012 - Excavation and Fill in Navigable Waters
Application ID: 0-9999-00181/00013 - Stream Disturbance

Dear Mr. Tomasik:

The Catskills is famous for its trout fishing. The brook trout is our State Fish. The proposed Constitution Pipeline (CP) would threaten New York's trout population. **According to an article from the DEC magazine *Conservationist*: "Even the most adaptable trout cannot survive much human interference with its environment. All trout require cool, clean water and it is very easy for human activity to eliminate this condition. Activities such as clearing forests...can convert cool, fast-flowing gravelly streams into still, warm, silty waterways incapable of supporting trout."**¹

Constitution Pipeline would cut across 45 trout streams 84 different times. CP would clear-cut 1,000 acres of forested land surrounding those habitats.² This would include permanent removal of 168,000 feet of shade-providing vegetation and trees at those stream crossings. CP's stream crossings, deforestation and shade removal—which would cause erosion, siltation and warming of trout habitat—would be an extreme human interference and would violate DEC §703.2 Narrative Water Quality Standards as well as §703.3 Water Quality Standards for dissolved oxygen, dissolved solids, color and turbidity (Chapter X, Divisions of Water). A report on brook trout from another state agency warns: "Brook trout are the 'canaries in the coal mine;' they serve as indicators of the health of the watershed. A decline in brook trout populations may be a warning that the entire watershed is in trouble."³ With these facts in mind, I urge you to deny the 401 water quality certificate, or hold adjudicatory hearings.

Sincerely,

Signature

Printed Name

Address

¹ <http://www.dec.ny.gov/animals/7016.html>

² FEIS, Appendix N; Vol 2 – PDF pgs. 545-553

³ <http://www.dnr.state.md.us/education/are/TroutintheClassroom/BrookTrout.pdf>