

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 majority of the path of the proposed Constitution Pipeline (CP)—124 miles long and 100 feet wide or more—would tear through regions of New York that have experienced several 100-year floods in the past decade. DEC, NYSERDA and Governor Cuomo have all acknowledged that extreme rainfall events are expected to continue in the area with increasing frequency.¹ Construction of CP would initially harm and degrade New York State’s water quality by upsetting massive amounts of soil and vegetation in and around each of the 277 waterbodies the pipeline would cross. That degradation would increase exponentially with rain, inevitable during CP’s 9- to 12-month-long waterbody disruption process. Prolonged and/or heavy rain during this time would also be likely, and could cause catastrophic flooding. Flooding contaminates water.²

It is the DEC’s mandate to halt “alterations that will impair waters for their best usage.”³ CP’s alteration of New York’s waterways and surrounding trees and vegetation would encourage and exacerbate flooding, putting at risk the lives of everyone along the pipeline route and downstream. As such, I ask the DEC to deny the 401 Water Quality certificate, or to hold adjudicatory hearings.

Sincerely,

Signature

Printed Name

Address

¹ <http://www.co.chenango.ny.us/hazard-mitigation-plan/section/Section%205.4.3%20-%20Draft%20Flood%20Profile.pdf>

² <https://www.osha.gov/OshDoc/floodCleanup.html>

³ <http://www.dec.ny.gov/regs/4590.html> §703.2 Narrative water quality standards