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Trevose, PA 19053

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FEB 27 2013
Ag. Protection & Development
NYS Dept. of Agriculture & Markets

Letter of Transmittal

Attention:	Mr. Matthew Brower Agricultural Resource Specialist 10B Airline Drive Albany, NY 12235-0001	Date:	February 26, 2013
Project reference:	Constitution Pipeline	Project number:	PF12-9-000

We are sending you the following:

Number of originals:	Number of copies:	Description:
	1	Constitution Pipeline FERC Draft Environmental Report

Mr. Brower:

Please find the enclosed Draft Environmental Report (ER) for Constitution Pipeline Company's (Constitution), Constitution Pipeline (the "Project"), filed with the Federal Energy Regulatory Commission (FERC) on February 22, 2013 as part of the pre-filing process for Constitution's application for a Certificate of Public Convenience and Necessity. The Draft ER is being sent to your attention per your request indicating you would like to participate in the FERC pre-filing for the Project.

Please do not hesitate to contact me should you have any questions or comments regarding the enclosed permit application. You can reach me be phone at (215) 244-7126 or by email at gregory.hufnagel@aecom.com.

Sincerely,
AECOM

Gregory A. Hufnagel
Senior Project Manager

CONSTITUTION PIPELINE

2800 Post Oak Blvd, Houston, Texas 77056

Letter of Transmittal

Attention:	Matthew Bower 10B Airline Drive Albanay, NY 12235	Date:	February 27, 2013
Project reference:	Constitution Pipeline	Project number:	PF12-9-000

We are sending you the following:

Number of originals:	Number of copies:	Description:
	1	Alignment Sheets

Mr. Matthew Bower:

Please find the enclosed Alignment Sheets prepared for the draft filing of the Constitution Pipeline (the "Project"), filed with the Federal Energy Regulatory Commission (FERC) on February 22, 2013 as part of the pre-filing process for Constitution's application for a Certificate of Public Convenience and Necessity.

Please do not hesitate to contact me should you have any questions or comments regarding the enclosed. You can reach me be phone at **713-215-2491** or by email at **Lynda.schubring@williams.com**.

Sincerely,

Lynda Schubring, PMP
Sr. Environmental Scientist

AECOM

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MAR 01 2013
Ag. Protection & Development
NYS Dept. of Agriculture & Markets

Letter of Transmittal

Attention:	Mr. Matthew Brower Agricultural Resource Specialist 10B Airline Drive Albany, NY 12235-0001	Date:	February 28, 2013
Project reference:	Constitution Pipeline	Project number:	PF12-9-000

We are sending you the following:

Number of originals:	Number of copies:	Description:
	1	Constitution Pipeline FERC Draft Environmental Report Version 2 Updated

Mr. Brower:

Please find the enclosed Draft Environmental Report Version 2 Updated (ER) for Constitution Pipeline Company's (Constitution), Constitution Pipeline (the "Project"), filed with the Federal Energy Regulatory Commission (FERC) on February 22, 2013 as part of the pre-filing process for Constitution's application for a Certificate of Public Convenience and Necessity. The Draft ER is being sent to your attention per your request indicating you would like to participate in the FERC pre-filing for the Project.

Please do not hesitate to contact me should you have any questions or comments regarding the enclosed permit application. You can reach me be phone at (215) 244-7126 or by email at gregory.hufnagel@aecom.com.

Sincerely,
AECOM

Gregory A. Hufnagel
Senior Project Manager

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NYS Dept. of Agriculture & Marke

Letter of Transmittal

Attention:	Mr. Matthew Brower Agricultural Resource Specialist 10B Airline Drive Albany, NY 12235-0001	Date:	March 19, 2013
Project reference:	Constitution Pipeline	Project number:	PF12-9-000

We are sending you the following:

Number of originals:	Number of copies:	Description:
	1	Constitution Pipeline FERC Draft Environmental Report-Supplemental Filing (eFiled March 15, 2013)

Mr. Brower:

Please find the enclosed Supplemental Filing (Public) to the Draft Environmental Report (ER) for Constitution Pipeline Company's (Constitution), Constitution Pipeline (the Project), filed with the Federal Energy Regulatory Commission (FERC) on March 15, 2013. This filing is a supplement to the Draft ER filed on February 22, 2013, which was filed as part of the pre-filing process for Constitution's application for a Certificate of Public Convenience and Necessity. The Supplement to the Draft ER is being sent to your attention per your request indicating you would like to participate in the FERC pre-filing for the Project. This Supplement includes:

- Table 1.2-1 of Resource Report 1, which has been revised to correct the previously submitted table;
- Table 8.1-2 of Resource Report 8, which has been revised to correct the previously submitted table;
- The Environmental Construction Plan for Pennsylvania (Appendix I), submitted as a supplement to the draft Resource Reports, Volume II; and
- The Environmental Construction Plan for New York (Appendix J), submitted as a supplement to the draft Resource Reports, Volume II.

Please do not hesitate to contact me should you have any questions or comments regarding the enclosed information. You can reach me be phone at (215) 244-7126 or by email at gregory.hufnagel@aecom.com.

Sincerely,
AECOM

Gregory A. Hufnagel
Senior Project Manager

Brower, Matthew (AGR)

From:	Brower, Matthew (AGR)
Sent:	Tuesday, March 19, 2013 9:42 AM
To:	'Zwier, Roberta'
Cc:	Charles Brown; 'Kevin Bowman'
Subject:	Fertilizer, Lime and Seeding
Attachments:	Fertilizer, Lime and Seeding Recommendations.pdf

Roberta,

Attached is an updated version of the Department's Fertilizer, Lime and Seeding document for NY. I noticed that the copy included in Constitution's submittals to FERC was an older version. No significant changes, it was just cleaned up a bit.

Matt

Matthew J. Brower
Associate Environmental Analyst
NYS Department of Agriculture and Markets
10B Airline Drive Albany, NY 12235
Phone (518) 457-2851
Fax (518) 457-2716
matthew.brower@agriculture.ny.gov

FERTILIZING, LIME, AND SEEDING RECOMMENDATIONS

FOR RESTORATION OF CONSTRUCTION PROJECTS

ON FARMLAND IN NEW YORK STATE

Rev. 9-25-2012
NYS Dept. of Agriculture and Markets
Division of Land and Water Resources
10-B Airline Drive
Albany NY 12235-0001

FERTILIZER, LIME AND SEEDING RECOMMENDATIONS FOR RESTORATION OF CONSTRUCTION PROJECTS ON FARMLAND IN NEW YORK

This paper supplements the Department of Agriculture and Markets' various guidance documents for construction projects that impact farmland. The fertilizer, lime and seeding information in this paper can be used for construction projects such as wind energy, natural gas transmission pipelines and electric transmission lines.

A. Fertilizer for Reseeding of Disturbed Areas

The fertilizer rates listed below are approximations. Prior to construction, before the topsoil is stripped, representative soil samples should be obtained from the areas to be disturbed. The soil sampling should be consistent with Cornell University soil testing guidelines and samples should be submitted to a laboratory for testing of pH, % organic material, cation exchange capacity, Phosphorus/Phosphate (P), and Potassium/Potash (K). The results are used to determine the lime and fertilizer rate to apply for the respective soils and farms.

1. Establishment of legumes or legume and grass seed mixes - if soil test results are not available, apply 300 lbs. per acre of 10-20-20 (10 lbs. of nitrogen, 20 lbs. of phosphorus, and 20 lbs. of potassium per 100 lbs. of fertilizer) or 600 lbs. per acre of 5-10-10.

2. Establishment of grass hayland and grass pasture - if soil test results are not available, apply 400 lbs. per acre of 10-10-10.

B. Fertilizer for Temporary Seeding of Exposed Subsoil Construction Work Surface

Fertilizer is not recommended for temporary seed cover on the topsoil stockpile, but is strongly advised on the exposed subsoil surface. The surface of the exposed subsoil should be fertilized with 200 lbs. per acre of 10-20-20 prior to temporary seeding.

C. Agricultural Lime

Apply a minimum rate of 3 tons agricultural lime per acre for most permanent seedings in naturally low-lime soils (Southern Tier/northern Allegheny Plateau). A heavier amount will be applied if so indicated from pH test results. Use lower lime rate on naturally high-lime soils based on site specific soil pH test and farm record of recent lime application (Central Plains/northern half of Finger Lakes Region).

Application rates for pelletized and agriculture lime are the same in tons per acre; however, pelletized lime is easier to handle and reacts to the soil quicker (do not use "liquid lime" on agricultural land).

D. Temporary Cover

1. Large construction projects that will likely result in one year of construction and one year of restoration.

    a. Topsoil stockpile – topsoil that is stripped and stockpiled in late spring to mid-summer should be seeded with either Oats (96 lbs. per acre) or Aroostook Winter Rye (100 lbs. per acre). A light to moderate application (1500 - 2000 lbs. per acre) of weed-free straw or hay mulch may be necessary to retain soil moisture. For large stockpiles, it may be necessary to grade the surface of the stockpile using small, light-weight equipment, to achieve a uniform seed application. Grading of the topsoil stockpile should be done on a limited basis and should be minimized to prevent compaction.

    b. Exposed construction surface (subsoil) – if seeding before the end of October, apply Aroostook Winter Rye at the rate of 150 lbs. per acre if a broadcast seeder is used or 100 lbs. per acre if a drill seeder is used. The surface of the exposed subsoil should be scarified, generally parallel to the slope's contours if possible, and fertilized prior to temporary seeding. Apply weed-free straw or hay mulch at a rate of approximately 1000 lbs. per acre after seeding.

    c. Winterization – when construction activity is being suspended and the area is being stabilized for the winter with temporary seeding being applied between the middle of September and late October, any topsoil stockpiles and exposed work surfaces (subsoil) should be seeded with Aroostook Winter Rye at the rate of 150 lbs. per acre if using a broadcast seeder or 100 lbs. per acre if using a drill seeder.

E. Permanent Seeding Mixtures[1]

The following seeding rates are slightly higher than the standard seeding rates to compensate for less than favorable conditions such as lower nutrient availability in the soil, due to disturbance of the topsoil and subsoil, and unfavorable timing of seed application. A favorable seedbed must be prepared to improve soil to seed contact. The seedbed should be firm but not compacted and should not be too wet (soil should not stick to seeder or tractor tires). Fresh inoculants must be mixed with all legumes (alfalfa, birdsfoot trefoil, and clover) at the time of planting.

[1] All seeding rates are based on the use of a drill seeder, which is the preferred method. If a broadcast seeder is used, all seeding rates must be doubled.

1. Common hayland plantings

    a. Alfalfa – 20 lbs. per acre. If timothy, orchardgrass or bromegrass are being added to the alfalfa, they should be added at the rate of 8 lbs. per acre.

    b. Pardee birdsfoot trefoil – 16 lbs. per acre and either: timothy, orchardgrass, or bromegrass at the rate of 6 lbs. per acre.

    c. Red clover - 15 lbs. per acre and either: timothy, orchardgrass, or bromegrass should be added at the rate of 6 lbs. per acre.

2. Common pasture plantings

    a. Ladino white clover – 3 lbs. per acre and either: timothy (6 lbs. per acre), orchardgrass (8 lbs. per acre), or bromegrass (10 lbs. per acre).

Reed canarygrass can be seeded in wetter areas used for hay and pasture (with landowner approval) at a rate of 18 lbs. per acre. Do not seed reed canarygrass in wetlands.

Annual ryegrass can be added to seed mixtures above to provide quick erosion control while the other plants are becoming adequately established. Annual ryegrass should be seeded at the rate of 6-7 lbs. per acre if a drill seeder is used and 12-14 lbs. per acre if a broadcast seeder is used.

F. Monitoring and Follow-up

Restored construction areas must be monitored for no less than two full growing seasons after initial permanent seeding is completed. Surface soil moisture conditions may not be favorable at the time of seeding and during the early growth stage. As a result, seedings may be unsatisfactory due to low plant population, poor plant vigor, and overpopulation of weeds. Seedings are satisfactory if the plant density and plant vigor are equal to or better than adjacent undisturbed areas and weed population is less than the adjacent undisturbed areas. If an overpopulation of weeds exists, control measures should be implemented to minimize weed competition.

If it is necessary to topdress hayland and pasture with fertilizer to improve the plant stand, it is best to have the soil tested to determine the appropriate fertilizer application rate. If soil test information is not available, apply a minimum of 50 lbs. of nitrogen, 10-30 lbs. of phosphorus, and 50 lbs. of potassium per acre.

For More Information Contact:

Matthew J. Brower
Agricultural Resource Specialist
10B Airline Drive
Albany, NY 12235
(518) 457-2851
Email matthew.brower@agriclture.ny.gov

Michael Saviola
Agricultural Resource Specialist
1530 Jefferson Road
Rochester, NY 14623
(585) 427-0200
Email michael.saviola@agriculture.ny.gov

Brower, Matthew (AGR)

From: Brower, Matthew (AGR)
Sent: Wednesday, April 24, 2013 10:08 AM
To: 'Hufnagel, Gregory'; Newhall, Christopher
Subject: RE: Site Visits
Attachments: Constitution Draft Report Comments.pdf

Greg,

I just got off the phone with Joel and we are all set (3:00 on April 30th). I did submit comments on the draft Report (see attached) but haven't submitted comments on the ECP yet.

Matt

From: Hufnagel, Gregory [mailto:Gregory.Hufnagel@aecom.com]
Sent: Wednesday, April 24, 2013 10:01 AM
To: Brower, Matthew (AGR); Newhall, Christopher
Subject: RE: Site Visits

Hi Matt,

Joel Henriques is going to calling you. He is a Williams representative that is coordinating route adjustments. He will coordinate the site visit on April 30th and assist in fostering your requested route changes.

Quick question. Did you send in an official comment letter to the FERC with your review of the draft Environmental Report or the Environmental Constriction Plan submitted in February?

Thanks,

Greg Hufnagel
O: 215-244-7126
C: 215-964-7641

From: Brower, Matthew (AGR) [mailto:Matthew.Brower@agriculture.ny.gov]
Sent: Wednesday, April 24, 2013 8:34 AM
To: Hufnagel, Gregory; Newhall, Christopher
Subject: RE: Site Visits

Greg,

The property I want to look at belongs to Dewey Decker and it is east of School House Rd. in the Town of Sanford (approximately MP27.75-28).

Matt

From: Hufnagel, Gregory [mailto:Gregory.Hufnagel@aecom.com]
Sent: Monday, April 22, 2013 4:19 PM
To: Brower, Matthew (AGR); Newhall, Christopher
Subject: RE: Site Visits

Hi Matt,

Thanks for meeting with us last week. We have alerted Constitution of your concerns and are looking into them. There was already a proposed route change on Mr. Stanton's property that is very similar to the one we were discussing. I will forward to you once it's complete.

It looks like the April 30th will work best. I'll put you in contact with the correct people to coordinate a visit. If you could send more detailed information about the land owner and his property that would be helpful. We would like to determine what past conversations we have had with the owner prior to our meeting.

Thanks,

Greg Hufnagel
O: 215-244-7126
C: 215-964-7641

From: Brower, Matthew (AGR) [mailto:Matthew.Brower@agriculture.ny.gov]
Sent: Monday, April 22, 2013 8:15 AM
To: Hufnagel, Gregory; Newhall, Christopher
Subject: Site Visits

When we met last week I mentioned that there was another site I wanted to look at for a possible reroute. This site is off of NY route 41 in Broome Co. You mentioned that Constitution's construction people might be interested in looking at it with me. I would like to take a look at that site on either this Wednesday (the 24th) or possibly on the afternoon of the 30th. I'm not sure what Constitution's policy is, but I can get permission for me to walk the fields and probably Constitution's staff as well. The farmer would probably be interested in joining us.

Let me know what you think.

Matt

Matthew J. Brower
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STATE OF NEW YORK
DEPARTMENT OF AGRICULTURE AND MARKETS
Division of Land and Water Resources
10B Airline Drive, Albany, New York 12235
Tel: 518-457-3738 Fax: 518-457-3412
www.agriculture.ny.gov

March 15, 2013

Mr. Charles Brown, Environmental Project Manager
Federal Energy Regulatory Commission, Gas Branch 3
888 First St., N.E., Room 1A
Washington, DC 20426

Re: OEP/DG2E/Gas3 – Constitution Pipeline Project Docket No. PF12-9-000; Draft Environmental Resource Reports

Dear Mr. Brown:

I have completed a review of the Draft Environmental Resource Reports prepared for the proposed Constitution Pipeline. Below are my comments concerning the draft reports.

Resource Report 2 discusses Water Use and Quality, including drinking water supplies. On page 2-12 the report states that pre- and post-construction water quality well testing will be offered to landowners with wells "within 150 feet of the Project workspace or within 150 feet of blasting activities." It also states "[i]n the case of shallow dug wells or springs, sufficient analysis on quantity will be performed to determine if pipeline construction has created an impact." Rural landowners along the proposed and alternate pipeline routes rely on shallow wells and springs for their water supplies. Documenting not only the quality, but the quantity of the water supply, prior to construction is important to determine if the pipeline construction has impacted the water supply. As a result, the report should explain how the water quantity analysis will be conducted and should state that Constitution will offer to analyze both the water quality and quantity of all wells within 150 feet of the Project workspace or blasting activities, prior to construction.

Table 10.3-16 on page 10-40 indicates that the Primary Route would cross less agricultural land compared to Alternate R1 (2.52 miles and 4.45 miles respectively). However, the table indicates that the Primary Route would impact more agricultural land (67.86 acres during construction and 27.04 acres during operation) than Alternate Route R1(39.39 acres during construction and 14.93 acres during operation). It would seem that if the Primary Route crosses less agricultural land, it would also impact less agricultural land during construction and operation.

There are several locations where the proposed pipeline route crosses agricultural fields at an oblique angle or divides large fields into smaller fields. The routing of the pipeline through the center of the fields, as opposed to along the field edge, will make these fields difficult, if not impossible, to farm during the growing seasons when construction and restoration are taking

place. As I pointed out during the phone conversation on March 7, 2013, while the farmers would be compensated for crop loss on and off the right-of-way, it creates other difficulties for the farmer, particularly if it results in insufficient feed supply for their livestock. As a result, the Department recommends following the field edges when possible. Specific locations where such a shift in the pipeline location could be beneficial to farmers are:

- Broome County between mile 27.8 and 28.1;
- Chenango County between mile 43.8 and 44.3;
- Delaware County between mile 67.7 and 67.9;
- Schoharie County between mile 101.9 and 102.3; and
- Schoharie County between mile 112.2 and 113.2.

There are also a number of locations where the proposed pipeline route is near, but not adjacent to, an existing right-of-way. This would leave a small area between the two right-of-ways that would be of little value to the landowner. The property south of NYS Route 208 in the Town of Bainbridge (sheet 44 line list NY-CH-026.000) and the east of Pine Hill Road in the Town of Sidney (sheet 49 line list NY-DE-013.000) are two agricultural areas where this is a concern. It appears the separation between the two right-of-ways may be for constructability reasons; however, the Department recommends Constitution take a closer look at these areas to see if changes could be made to eliminate this separation.

Finally, there are a number of corrections that should be made on the alignment sheets, including:

1. Sheet 32 (line list ALT-B-NY-BR-046.0000) – The right-of-way is labeled as "Typical 110' Construction Corridor." However, a 125' construction corridor is shown.

2. Sheet 75 – The road on this sheet is labeled as State Highway 10. This should be changed to County Route 10.

3. Sheet 93 – The road on this sheet is labeled as County Road 10. This should be changed to State Highway 10.

4. Sheet 102 (line list ALT-R-NY-SC-021.000 and 022.000) – These areas are identified as open land. Based on my field review, these areas should be labeled as agriculture.

Thank you for the opportunity to provide comments concerning the draft reports.

Sincerely,

Matthew J. Brower

Matthew J. Brower
Agricultural Resource Specialist

AECOM

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NYS Dept. of Agriculture & Mar

April 25, 2013

NY State Department of Agriculture and Markets
Attn: Mr. John Brennan – Farmland Protection Specialist
10B Airline Drive
Albany, NY 12235

Subject: Additional Information Request
Constitution Pipeline
Broome, Chenango, Delaware, Schoharie Counties, New York

Dear Mr. Brennan:

On behalf of Constitution Pipeline Company, LLC (Constitution), AECOM is requesting updated correspondence regarding the potential presence of Farmland Protection Program enrolled properties directly crossed by the proposed Constitution Pipeline (Project) in New York. The overall Project consists of a new 30-inch diameter, approximately 122-mile long interstate natural gas pipeline that will be designed to transport 650,000 dekatherms per day of natural gas from Susquehanna County, Pennsylvania, north and east to an interconnection with the existing Iroquois Gas Transmission System located in Schoharie County, New York. Within New York State, the Project includes the construction of approximately 99 miles of pipeline, as well as appurtenant aboveground facilities such as a meter station and main line valves, temporary and permanent access roads, pipeyards, and cathodic protection areas.

Previous correspondence regarding the Project was sent to your attention on September 17 and 18, 2012. The correspondence requested that the New York State Department of Agriculture and Markets (NYSDAM) review the proposed Project to identify whether the Project will directly cross any properties enrolled in the Farmland Protection Program. Mr. David H. Behm responded by electronic mail on September 18, 2012 and December 19, 2012 providing the requested information.

Subsequent to the above referenced correspondence, Constitution has modified the original proposed Primary Route. These modifications were developed through ongoing agency consultations and environmental and cultural resource field surveys in an effort to avoid and minimize impacts. Additional route alignment considerations included construction feasibility assessments, as well as regulatory agency consultation and comments received during public scoping meetings. Alternative Routes B, Q, and R and portions of Alternative Routes L and O have since been incorporated into the currently proposed Primary Route that was submitted to the Federal Energy Regulatory Commission (FERC) within the draft Environmental Report (ER) in February 2013. The tables below provide a summary of the Project facilities and their approximate location.

In addition to the Primary Route modifications described above, Constitution has identified 56 proposed access roads for use during construction of the Project in New York. The locations of the access roads have been depicted on the attached USGS location maps and Project shapefiles illustrating the locations of the access roads have also been provided to assist in your review.

Proposed Pipeline Facilities – New York

Milepost		Length (miles)	Township	County	State
Begin	End				
23.10	40.08	16.98	Sanford	Broome	NY
40.08	45.30	5.22	Afton	Chenango	NY
45.30	48.28	2.98	Bainbridge	Chenango	NY
48.28	50.02	1.74	Masonville	Delaware	NY
50.02	61.93	11.91	Sidney	Delaware	NY
61.93	71.38	9.45	Franklin	Delaware	NY
71.38	86.72	15.34	Davenport	Delaware	NY
86.72	91.23	4.51	Harpersfield	Delaware	NY
91.23	91.56	0.33	Summit	Schoharie	NY
91.56	91.81	0.25	Jefferson	Schoharie	NY
91.81	93.59	1.78	Summit	Schoharie	NY
93.59	94.15	0.56	Jefferson	Schoharie	NY
94.15	94.63	0.48	Summit	Schoharie	NY
94.63	96.56	1.93	Jefferson	Schoharie	NY
96.56	102.63	6.07	Summit	Schoharie	NY
102.63	107.58	4.95	Richmondville	Schoharie	NY
107.58	109.72	2.14	Cobleskill	Schoharie	NY
109.72	113.21	3.49	Middleburgh	Schoharie	NY
113.21	121.54	8.33	Schoharie	Schoharie	NY
121.54	122.02	0.48	Wright	Schoharie	NY
New York Total		98.92	-	-	-

✓ = Ag protection Plans - Town + Co. Plans + Ag District

Proposed Aboveground Facilities – New York

Facility ID [a]	Milepost	Township/Town	County	State
Westfall Road M&R Station [b]	122.02	Wright	Schoharie	NY

a: All proposed aboveground facilities are new.

b: M&R Stations include Pig Launcher/Receiver and associated pig trap valves.

On behalf of Constitution, AECOM respectfully requests that the NYSDAM review its records relative to the presence of Farmland Protection Program enrolled properties and provide updated correspondence pertaining to the identified resources. We have enclosed for your review a series of USGS location maps and Project shapefiles depicting the proposed route and access roads. 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. Roberta Zwier, Constitution Pipeline Company, LLC
Ms. Lynda Schubring, Constitution Pipeline Company, LLC
Mr. Chris Newhall, AECOM

Attachments: USGS Location Maps
Project Shapefiles (4-10-2013)

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Ag. Protection & Development
NYS Dept. of Agriculture & Markets

April 25, 2013

New York State Department of Agriculture and Markets
Attn: Mr. Matthew Brower – Agricultural Resources Specialist
10B Airline Drive
Albany, NY 12235

Subject: Additional Information Request
Constitution Pipeline
Broome, Chenango, Delaware, and Schoharie Counties, New York

Dear Mr. Brower:

On behalf of Constitution Pipeline Company, LLC (Constitution), AECOM is requesting updated correspondence regarding the potential presence of agricultural resources known within 0.25-mile of the proposed Constitution Pipeline (Project) in New York. The overall Project consists of a new 30-inch diameter, approximately 122-mile long interstate natural gas pipeline designed to transport 650,000 dekatherms per day of natural gas from Susquehanna County, Pennsylvania, north and east to an interconnection with the existing Iroquois Gas Transmission System located in Schoharie County, New York. Within New York State, the Project includes the construction of approximately 99-miles of pipeline, as well as appurtenant aboveground facilities such as a meter station and main line valves, temporary and permanent access roads, pipeyards, and cathodic protection areas.

Previous correspondence regarding the Project was sent to your attention on May 3, 2012 and September 25, 2012. The letters requested that the New York State Department of Agriculture and Markets (NYSDAM) review the proposed Project to identify whether the Project will directly cross or be located within 0.25-mile of any agricultural resources. You responded by letter dated June 28, 2012, providing the requested information.

Subsequent to the above referenced correspondence, Constitution has modified the original proposed Primary Route. These modifications were developed through ongoing agency consultations and environmental and cultural resource field surveys in an effort to avoid and minimize impacts. Additional route alignment considerations included construction feasibility assessments, as well as regulatory agency consultation and comments received during public scoping meetings. Alternative Routes B, Q, and R and portions of Alternative Routes L and O have since been incorporated into the currently proposed Primary Route that was submitted to the Federal Energy Regulatory Commission (FERC) within the draft Environmental Report (ER) in February 2013. The tables below provide a summary of the Project facilities and their approximate location.

In addition to the Primary Route modifications described above, Constitution has identified 56 proposed access roads for use during construction of the Project in New York. The locations of the access roads have been depicted on the attached USGS location maps and Project shapefiles illustrating the locations of the access roads have also been provided to assist in your review.

Proposed Pipeline Facilities – New York

Milepost		Length (miles)	Township	County	State
Begin	End				
23.10	40.08	16.98	Sanford	Broome	NY
40.08	45.30	5.22	Afton	Chenango	NY
45.30	48.28	2.98	Bainbridge	Chenango	NY
48.28	50.02	1.74	Masonville	Delaware	NY
50.02	61.93	11.91	Sidney	Delaware	NY
61.93	71.38	9.45	Franklin	Delaware	NY
71.38	86.72	15.34	Davenport	Delaware	NY
86.72	91.23	4.51	Harpersfield	Delaware	NY
91.23	91.56	0.33	Summit	Schoharie	NY
91.56	91.81	0.25	Jefferson	Schoharie	NY
91.81	93.59	1.78	Summit	Schoharie	NY
93.59	94.15	0.56	Jefferson	Schoharie	NY
94.15	94.63	0.48	Summit	Schoharie	NY
94.63	96.56	1.93	Jefferson	Schoharie	NY
96.56	102.63	6.07	Summit	Schoharie	NY
102.63	107.58	4.95	Richmondville	Schoharie	NY
107.58	109.72	2.14	Cobleskill	Schoharie	NY
109.72	113.21	3.49	Middleburgh	Schoharie	NY
113.21	121.54	8.33	Schoharie	Schoharie	NY
121.54	122.02	0.48	Wright	Schoharie	NY
New York Total		98.92	-	-	-

Proposed Aboveground Facilities – New York

Facility ID [a]	Milepost	Township/Town	County	State
Westfall Road M&R Station [b]	122.02	Wright	Schoharie	NY

a: All proposed aboveground facilities are new.

b: M&R Stations include Pig Launcher/Receiver and associated pig trap valves.

On behalf of Constitution, AECOM respectfully requests that NYSDAM review its records relative the presence of agricultural resources directly crossed by or located within 0.25-mile of the Project and provide updated correspondence pertaining to the identified resources. We have enclosed for your review a series of USGS location maps and Project shapefiles depicting the proposed route and access roads. 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. Roberta Zwier, Constitution Pipeline Company, LLC
Ms. Lynda Schubring, Constitution Pipeline Company, LLC
Mr. Chris Newhall, AECOM

Attachments: USGS Location Maps
Project Shapefiles (4-10-2013)

Brower, Matthew (AGR)

From: Brower, Matthew (AGR)
Sent: Thursday, May 02, 2013 8:32 AM
To: 'Hufnagel, Gregory'
Subject: RE: Constitution Pipeline - Organic Hay Field Location
Attachments: Afton Reroute.pdf

Greg,

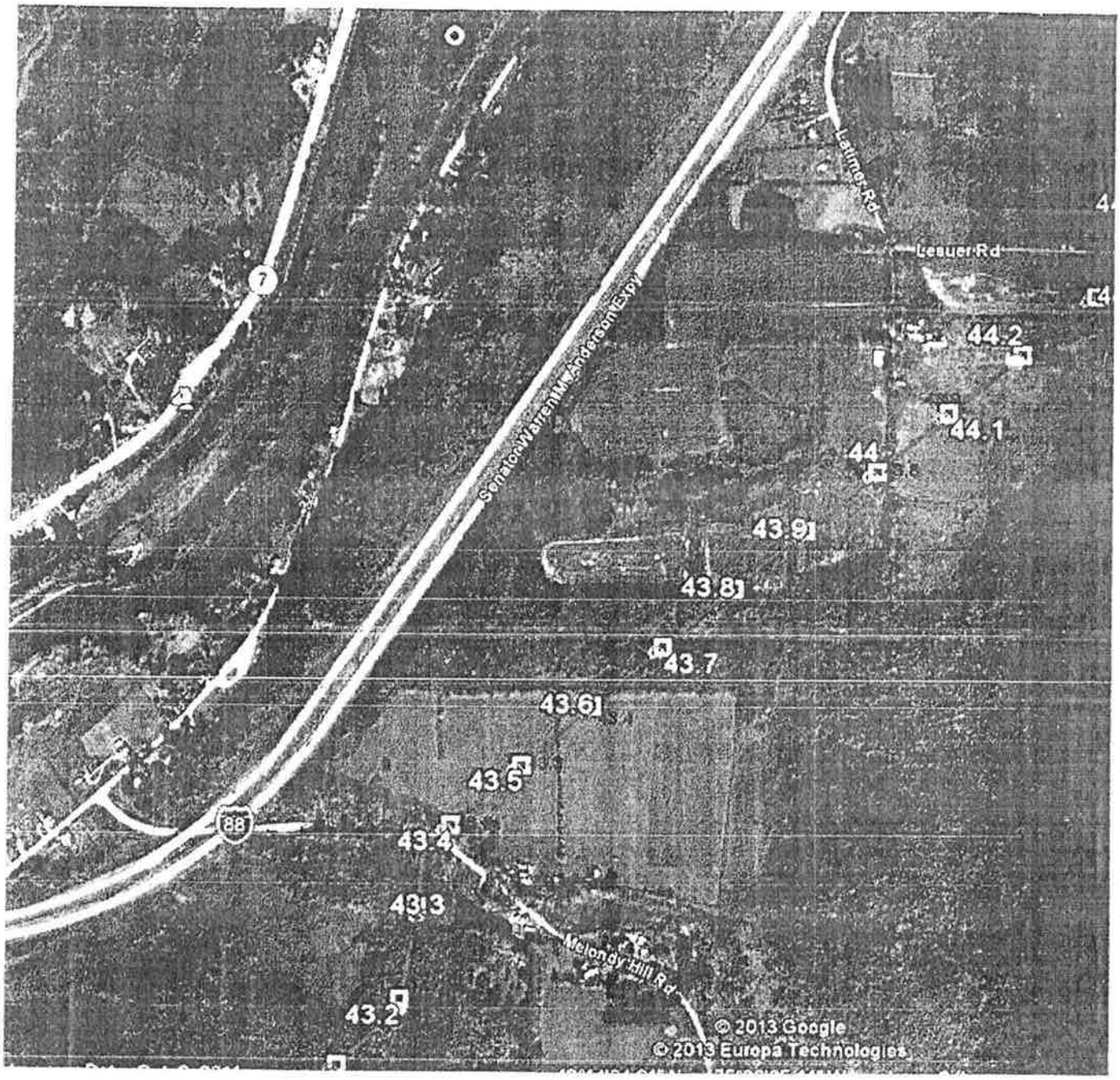
Attached is a copy of the reroute with the hay field outlined in yellow (page 2). This is what a prepare to submit to FERC along with the other suggested reroutes. I hope to submit this to them and Constitution on Friday. I will send a copy to you and Chris as well.

Matt

From: Hufnagel, Gregory [mailto:Gregory.Hufnagel@aecom.com]
Sent: Wednesday, May 01, 2013 8:12 PM
To: Brower, Matthew (AGR)
Subject: Constitution Pipeline - Organic Hay Field Location

Hi Matt,

If possible could you outline the boundary of the organic hay field and the route you are proposing in this area? Thanks.

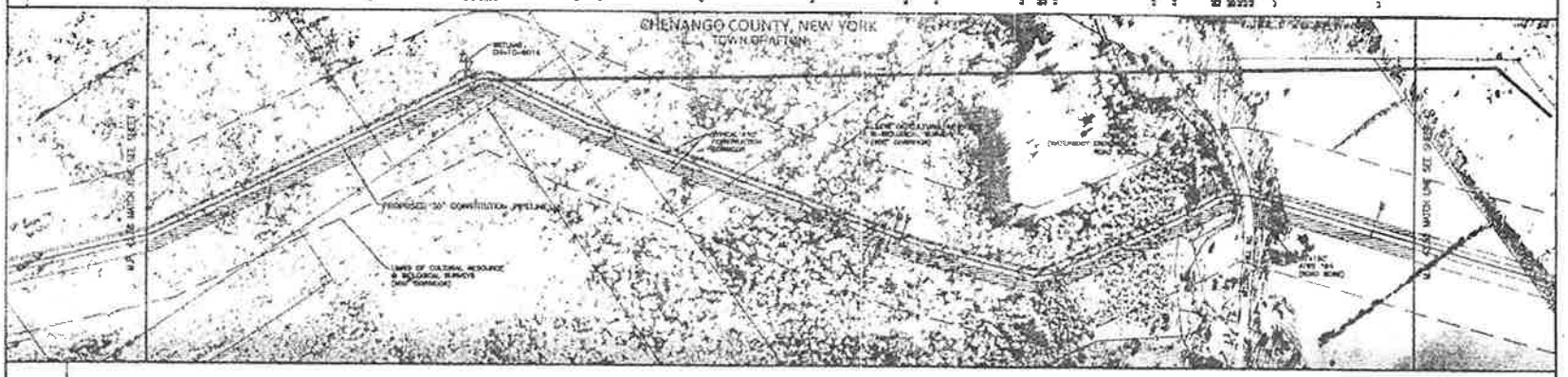


Gregory A. Hufnagel
Senior Project Manager
Environment
D 215.244.7126 C 215.964.7641
gregory.hufnagel@aecom.com

AECOM
Four Neshaminy Interplex, Suite 300
Trevose, PA 19053
T 215.244.7100 F 215.244.7179
www.aecom.com

LINE LIST

PIPELINE STATIONING



MATERIAL

DESIGN FACTOR

CLASS LOCATION

LAND USE

PROFILE

CHOICE IN 30" WATER POLO IN REF

ENVIRONMENTAL

NOX TYPE

PROFILE SCHEMATIC

MATERIAL SUMMARY

ITEM NO.	DESCRIPTION	QTY
1	[illegible]	
2	[illegible]	
3	[illegible]	

REFERENCE

LEGEND

SCALE IN FEET

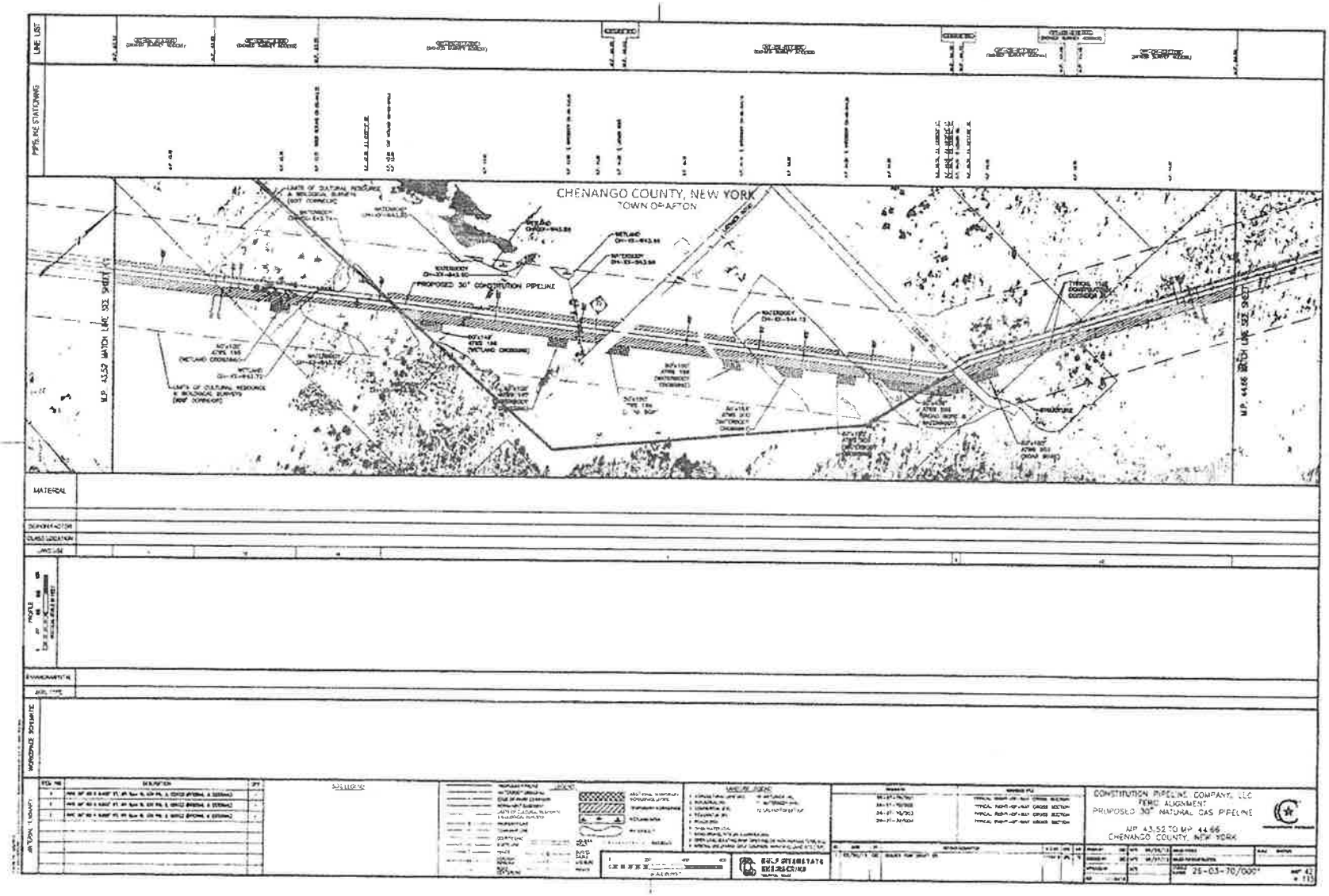
GULF INTERSTATE ENGINEERING

CONSTITUTION PIPELINE COMPANY, LLC
FERC ALIGNMENT
PROPOSED 30" NATURAL GAS PIPELINE

MP 42.38 TO MP 43.52
CHENANGO COUNTY, NEW YORK

DRAWING 25-03-70/0001

SHEET 41 OF 115


LINE LIST
PIPELINE STATIONING
CHENANGO COUNTY, NEW YORK
TOWN OF AFTON
PROPOSED 30" CONSTITUTION PIPELINE
M.P. 43.59 MATCH LINE SEE SHEET 13
M.P. 44.66 MATCH LINE SEE SHEET 15
MATERIAL
DESIGN FACTOR
CLASS LOCATION
WAYNE
PROFILE
ENVIRONMENTAL
ABOVEGROUND
NATURAL GAS
CONSTITUTION PIPELINE COMPANY, LLC
FERC ALIGNMENT
PROPOSED 30" NATURAL GAS PIPELINE
M.P. 43.52 TO M.P. 44.66
CHENANGO COUNTY, NEW YORK
GULF INTERSTATE ENGINEERING
25-03-70/000

Brower, Matthew (AGR)

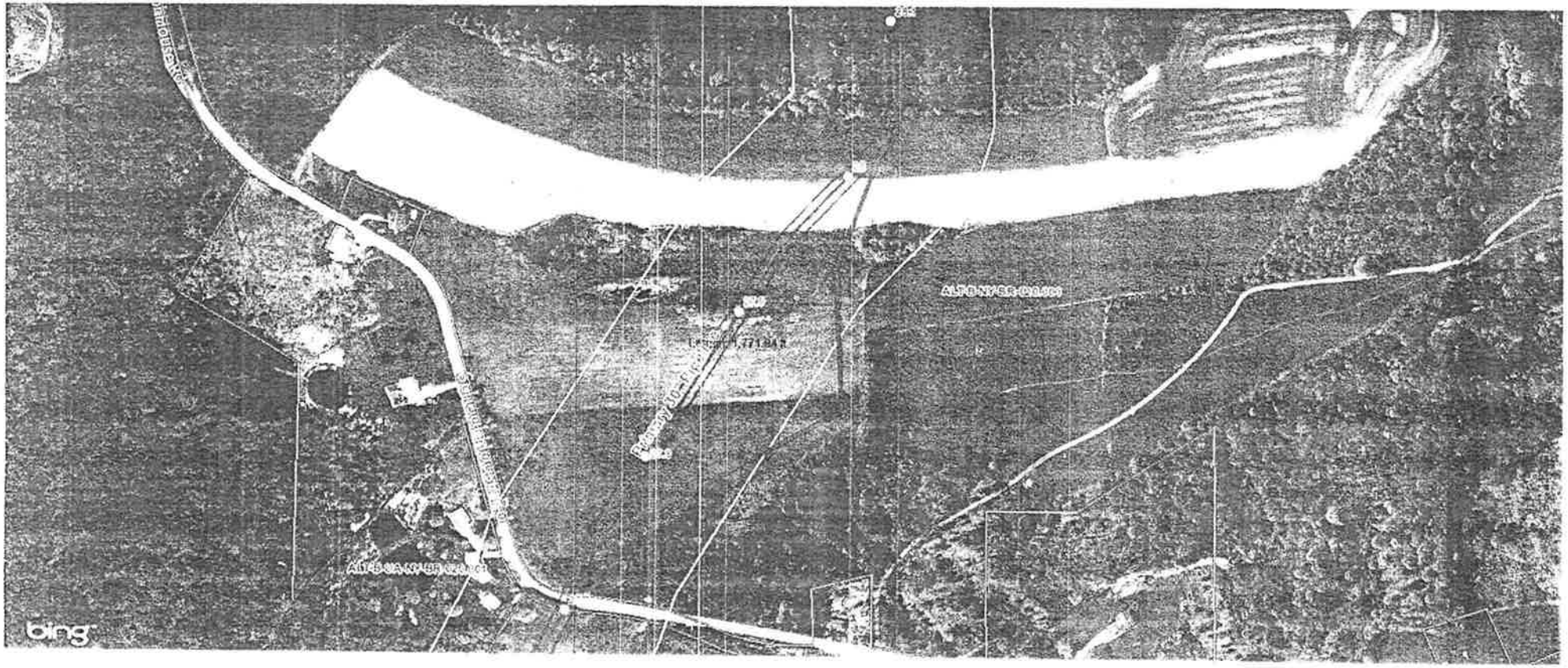
From: Henriquez, Joel [Joel.Henriquez@Williams.com]
Sent: Thursday, May 02, 2013 11:30 AM
To: Brower, Matthew (AGR)
Subject: Dew Decker Re-route
Attachments: dewdec.jpeg

Matt,

Here is the re-route developed by our field engineer Rusty. Please let me know if this is what you were thinking.

Thanks,

Joel Henriquez
518-982-1653 (Office)
281-221-2603 (Cell)


bing

Brower, Matthew (AGR)

From: Zwier, Roberta [Roberta.Zwier@Williams.com]
Sent: Thursday, May 02, 2013 1:21 PM
To: Brower, Matthew (AGR)
Cc: Charles Brown
Subject: RE: Constitution Survey Crews

Matt,

I will alert our land and survey departments to this issue immediately.
Thank you for bringing this to our attention.

Roberta

Please Note New Contact Information:
Roberta J. Zwier, PMP
Supervisor, EH&S - Environmental Permitting, Atlantic-Gulf Operating Area
Williams | 2800 Post Oak Boulevard, Level 17 | Houston, TX 77056
O: 713.215.2676|M: 609.613.1351

From: Brower, Matthew (AGR) [mailto:Matthew.Brower@agriculture.ny.gov]
Sent: Thursday, May 02, 2013 12:20 PM
To: Zwier, Roberta
Cc: Charles Brown
Subject: Constitution Survey Crews

Roberta,

I have heard from two farmers that the survey crews are putting large metal spikes (6-8 inches long) at the base of wooden stakes in agricultural fields. This practice should be discontinued and the spikes that have been put out there should be removed as soon as possible. One farmer showed me the spikes and they can cause serious damage to farm equipment at a time when they cannot afford to have equipment out of operation.

Thanks for attending to this matter.

Matt

Matthew J. Brower
Associate Environmental Analyst
NYS Department of Agriculture and Markets
10B Airline Drive Albany, NY 12235
Phone (518) 457-2851
Fax (518) 457-2716
matthew.brower@agriculture.ny.gov

Brower, Matthew (AGR)

From:	Brower, Matthew (AGR)
Sent:	Friday, May 03, 2013 8:17 AM
To:	Charles Brown
Cc:	'Zwier, Roberta'; 'Henriquez, Joel'; 'Hufnagel, Gregory'; Newhall, Christopher
Subject:	Constitution Reroutes
Attachments:	Constitution Reroutes.pdf; Decker Reroute.pdf; Afton Reroute.pdf; Stanton Reroute.pdf; Stanton Letter.pdf

Charles,

Attached is a letter discussing specific locations where rerouting the constitution pipeline would significantly reduce agricultural impacts. I have also included copies of the alignment sheets showing these proposed reroutes. I have visited these sites with Constitution representatives.

If you have any questions or would like to discuss these sites, please contact me.

Matt

Matthew J. Brower
Associate Environmental Analyst
NYS Department of Agriculture and Markets
10B Airline Drive Albany, NY 12235
Phone (518) 457-2851
Fax (518) 457-2716
matthew.brower@agriculture.ny.gov

STATE OF NEW YORK
DEPARTMENT OF AGRICULTURE AND MARKETS
Division of Land and Water Resources
10B Airline Drive, Albany, New York 12235
Tel: 518-457-3738 Fax: 518-457-3412
www.agriculture.ny.gov

May 3, 2013

Mr. Charles Brown, Environmental Project Manager
Federal Energy Regulatory Commission, Gas Branch 3
888 First St., N.E., Room 1A
Washington, DC 20426

Re: OEP/DG2E/Gas3 – Constitution Pipeline Project Docket No. PF12-9-000; Draft Environmental Resource Reports

Dear Mr. Brown:

After reviewing the alignment sheets in Appendix H of Volume II of the Draft Environmental Resource Reports for the proposed Constitution Pipeline, I have concerns with the impact to agricultural production that will result from the proposed location of the pipeline on several properties. I have discussed the proposed routing with the property owners and farm operators and they have similar concerns. As a result, I am providing a summary of these issues and possible modifications to the proposed route to address these concerns and minimize the impacts to agriculture.

The owner of the property identified on the line list as ALT-B-NY-BR-020.000 (approximate M.P. 27.75-28) is concerned about the proposed location of the pipeline through his cropfields. The proposed route would bisect several of his fields, creating smaller fields during construction and restoration. These fields would be inefficient to farm and would result in them being taken out of production for two or more years. The landowner has proposed shifting the route for the proposed pipeline to the edge of his fields. The blue line on the enclosed copy of the alignment sheet (Decker Reroute) shows the proposed alternate location. This relocation of the pipeline would significantly reduce crop loss and other agricultural impacts to this farm operation.

The owner of the properties identified on the line list as NY-CH-015.000 and NY-CH-016.000 (approximate M.P. 43.5) is concerned about the location of the proposed route on his properties because the angle at which the pipeline would bisect his fields would make it difficult for him to harvest his hay crop during construction and restoration. The proposed pipeline route would also bisect a portion of his woodland at an oblique angle severely limiting the value of this property for future timber production. This landowner proposed an alternate route along the northwest edge of his property, adjacent to the NYS DOT Interstate 88 right-of-way. The blue line on the enclosed copy of the alignment sheet (page 1 of the Afton Reroute) is the location of this proposed alternate. I looked at this area with the landowner and it is important to note that his proposed reroute would follow an existing logging trail which would likely result in less tree

clearing. This reroute could also result in a more favorable location for crossing Melondy Hill Road and a small stream on the south side of the road.

The landowners adjacent to the above mentioned property (NY-CH-017.000) are also concerned about the location of the proposed pipeline route. The proposed route would bisect three crop fields at oblique angles and would make it impossible to farm these fields during construction and restoration. One of these fields is used for organic hay production (the approximate boundaries of this field are outlined in yellow on the attached alignment sheets). The proposed route also crosses a large wetland on the west side of the property at an oblique angle. These landowners propose that the centerline of the pipeline be relocated on their property as shown on the attached copy of the alignment sheets (page two of the Afton Reroute). I looked at this area with the landowners and I observed that there is a strip of brush approximately 20-25 feet wide along the south edge of the fields where they are proposing for the pipeline relocation. I also noted that it appears that the north boundary of the wetland designated as CH-XX-W43.76 does not extend as far north as shown on the alignment sheets. Relocating the centerline as proposed by the landowners would result in the following advantages:

- significant reduction in the agricultural impacts and crop loss during construction and restoration;
- reduction in the area requiring agricultural protection measures during construction and restoration;
- elimination of the need for equipment washing and other mitigation that would be required if the organic hay field is crossed; and
- potential reduction in wetland impacts.

I also met with the farm operator who owns and rents agricultural land on the west side of State Highway 145 in the Town of Middleburgh (ALT-O-NY-SC-016.000, 016.001 and 017.000) and also rents the agricultural land on the south and north sides of Schoharie Hill Road in the Town of Schoharie (NY-SC-156.000 and 160.000). The farmer stated that, because the fields on the west side of State Highway 145 and the south side of Schoharie Hill Road are relatively small, bisecting the fields with the proposed pipeline would make it impossible to use these fields for crop production during pipeline construction and restoration. He also stated that, while he would still be able to use the field on the north side of Schoharie Hill Road for crop production, the efficiency of his farm equipment operations would be greatly reduced during construction and restoration.

During my meeting with this farmer, he pointed out that his farm is a Concentrated Animal Feeding Operation (CAFO) and he is required to comply with the New York State Department of Environmental Conservation (NYSDEC) State Pollutant Discharge Elimination System (SPDES) General Permit for Concentrated Animal Feeding Operations. He also pointed out that the construction of the pipeline in his crop fields could impact his compliance with the SPDES General Permit.

In order to comply with the SPDES General Permit, CAFOs are required to follow a Comprehensive Nutrient Management Plan (CNMP) that is prepared by a Certified Nutrient Management Planner and includes, but is not limited to, details relative to erosion control, crop rotation, and balancing crop nutrient applications (including animal waste). These CNMPs are complex documents that are costly to produce and update.

The Certified Nutrient Management Planner for this farm, Lisa Kuehnle, provided me with a letter (copy attached) explaining the impact the proposed pipeline location would have on this farmers ability to follow his CNMP and remain in compliance with the NYSDEC requirements. As a Certified Planner, I agree with Ms. Kuehnle's concerns. If this farm operation is not able to use the fields crossed by the proposed pipeline route for animal waste application and crop production during construction and restoration, they would not be in compliance with their CNMP and would be in violation of the SPDES General Permit requirements. In order to maintain compliance, they would need to find additional cropland to use for animal waste application and crop production and would need to have a CNMP developed for this cropland. The farm operator has requested that all information relative to his CNMP and compliance with the SPDES General Permit be kept confidential.

After discussing the proposed pipeline route with this farmer and the owner of the property on Schoharie Hill Road, it was obvious that locating the pipeline along the edge of the fields would significantly reduce the agricultural impacts and prevent noncompliance with the SPDES General Permit. The proposed reroutes for these locations is shown with a blue line on the enclosed copy of the alignment sheets (Stanton Reroute). It is important to note that it appears that these reroutes would not result in any increase in the length of the pipeline and may even be shorter than the proposed route.

Thank you for your consideration of these concerns raised by the landowners and farm operators.

Sincerely,

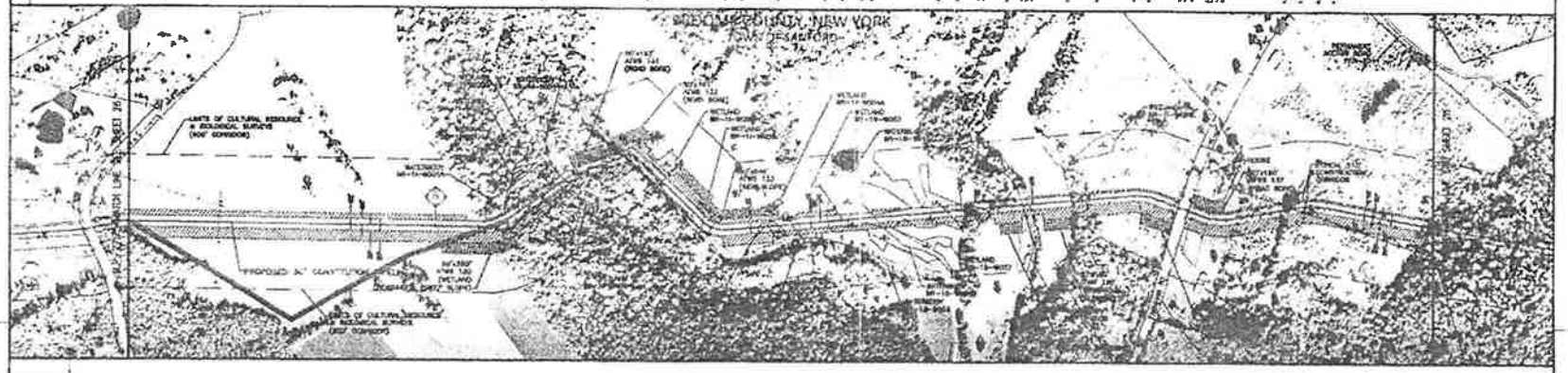
Matthew J. Brower

Matthew J. Brower
Agricultural Resource Specialist

cc: Roberta Zwier, Constitution Pipeline Company, LLC
Joel Henriquez, Constitution Pipeline Company, LLC
Gregory Hufnagel, AECOM
Chris Newhall, AECOM

LINE LIST

PIPELINE STATIONING



MATERIAL

DESIGN FACTOR

CLASS LOCATION

LAYING

PROFILE

IMPROVEMENTS

SOIL TYPE

SPECIAL CROSSINGS

MATERIAL SUMMARY

ITEM NO.	DESCRIPTION	QTY.
1	[illegible]	
2	[illegible]	
3	[illegible]	

NOTES

LEGEND

LAYING RATE

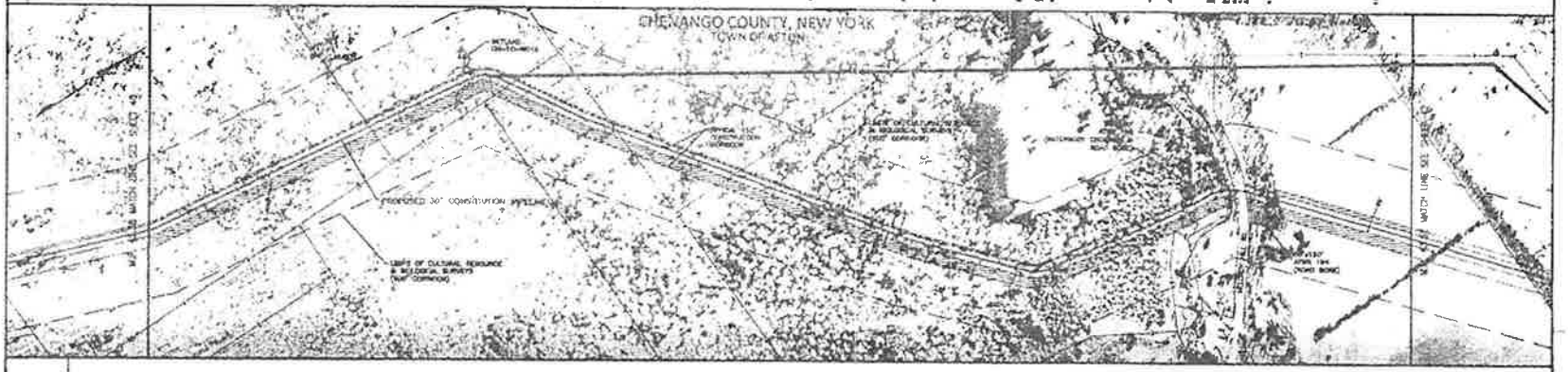
REVISIONS

CONSTITUTION PIPELINE COMPANY, LLC
FERC ALIGNMENT
PROPOSED 30" NATURAL GAS PIPELINE
MP 27.75 TO MP 28.88
BROOME COUNTY, NEW YORK

24-03-72/0001

LINE LIST

PIPELINE STATIONING



MATERIAL

DESIGN FACTOR

CLASS LOCATION

LAND USE

PROFILE

ENVIRONMENTAL

SOIL TYPE

PROCEDURE SCHEDULE

MATERIAL SUMMARY

ITEM NO.	DESCRIPTION	QTY
1	[illegible]	[illegible]
2	[illegible]	[illegible]
3	[illegible]	[illegible]

NOTE/NAME

LEGEND

AFFECTED LANDOWNERS

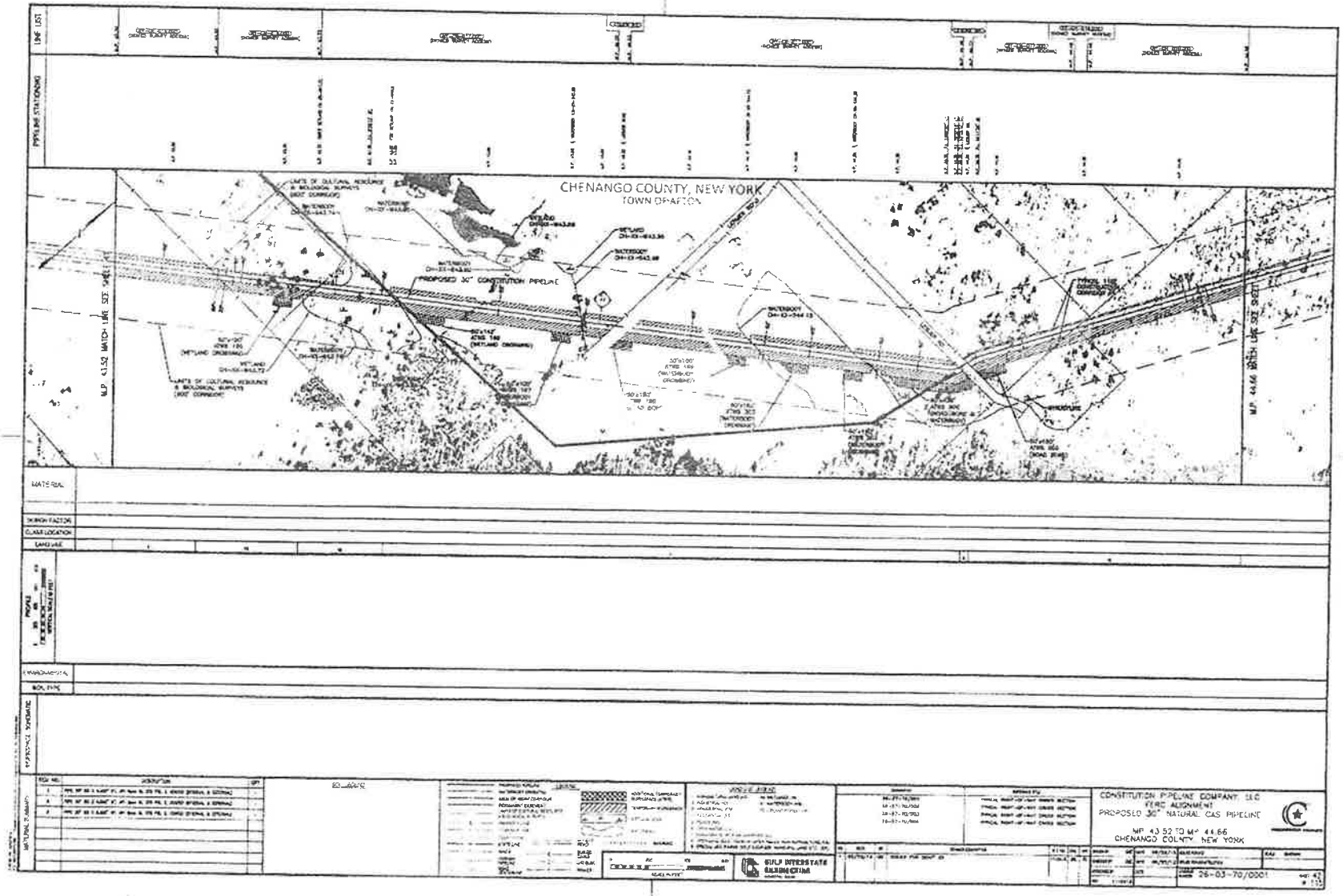
DATE	REVISION DESCRIPTION
[illegible]	[illegible]

GULF INTERSTATE ENGINEERING

CONSTITUTION PIPELINE COMPANY, LLC
FERC ALIGNMENT
PROPOSED 30" NATURAL GAS PIPELINE

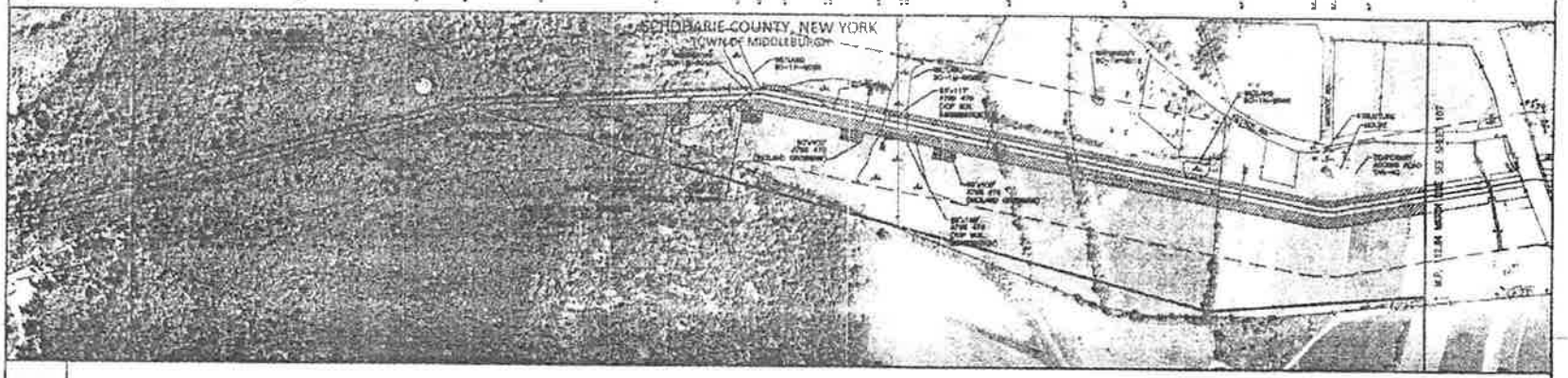
MP 42.38 TO MP 43.52
CHENANGO COUNTY, NEW YORK

DRAWN BY [illegible] DATE 05/29/14
CHECKED BY [illegible] DATE 05/29/14
APPROVED BY [illegible] DATE [illegible]
SCALE [illegible]
DRAWING NO. 24-03-70/0001
SHEET 41 OF 115


LINE LIST
PIPELINE STATIONING
CHENANGO COUNTY, NEW YORK
TOWN OF AFTON
PROPOSED 30" CONSTITUTION PIPELINE
MP 43.52 MATCH LINE SEE SHEET
MP 44.66 MATCH LINE SEE SHEET
MATERIAL
SEARCH FACTOR
CLASS LOCATION
LAND USE
ENVIRONMENTAL
BOLTING
EXPOSED TOPSOIL
NATURAL SUMMARY
REVISIONS
CONSTITUTION PIPELINE COMPANY, LLC
FERC ALIGNMENT
PROPOSED 30" NATURAL GAS PIPELINE
MP 43.52 TO MP 44.66
CHENANGO COUNTY, NEW YORK
GULF INTERSTATE ENGINEERING
26-03-70/0001

LINE LIST

PIPELINE STATIONING



MATERIAL

GRAPHICAL SCHEMATIC

MATERIAL SUMMARY

REV. NO.	DESCRIPTION	DATE
1	[illegible]	[illegible]
2	[illegible]	[illegible]
3	[illegible]	[illegible]

REVISIONS

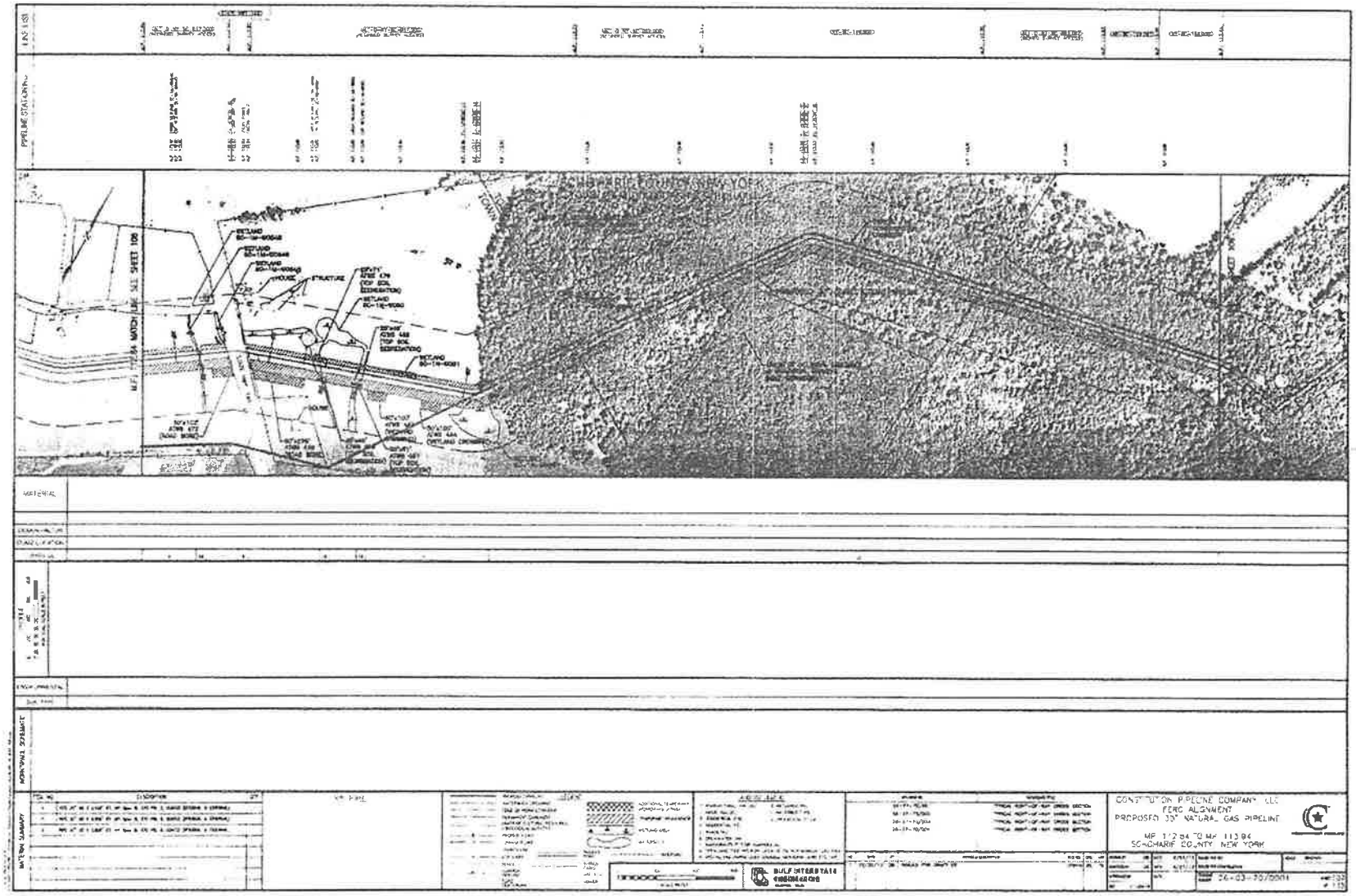
DESIGN WORK

GULF INTERSTATE ENGINEERING

CONSTITUTION PIPELINE COMPANY, LLC
FERC ALIGNMENT
PROPOSED 30" NATURAL GAS PIPELINE

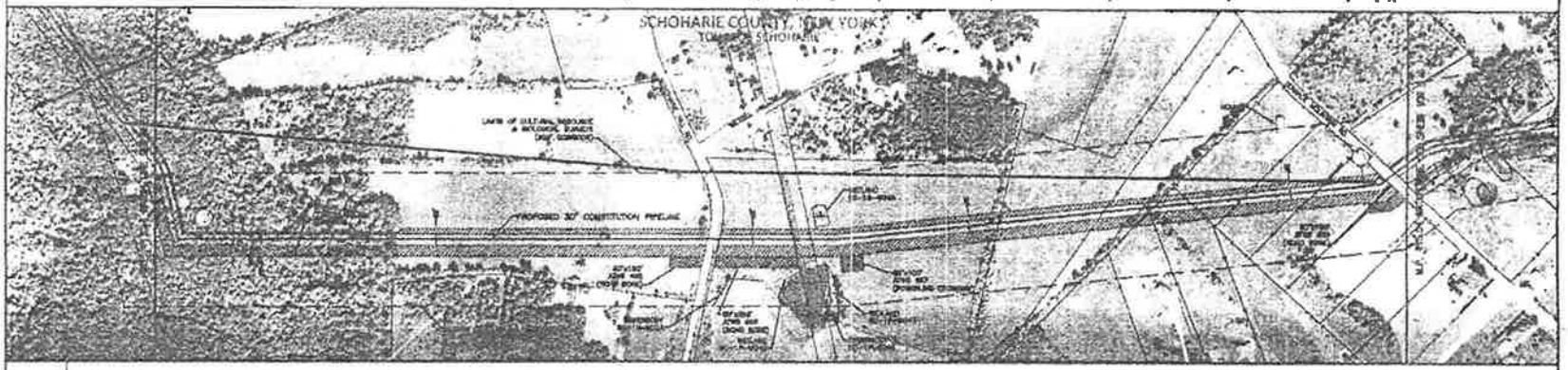
MP 111.75 TO MP 112.84
SCHOHARIE COUNTY, NEW YORK

DRAWING NO. 74-03-10/3001


PIPELINE STATIONING
MATERIAL
CONSTITUTION PIPELINE COMPANY, LLC
FERC ALIGNMENT
PROPOSED 30" NATURAL GAS PIPELINE
MP 112.84 TO MP 113.94
SCHOHARIE COUNTY, NEW YORK
BULF INTERSTATE
ENGINEERING

LINE LIST

PIPELINE STATIONING



MATERIAL

DESIGN FACTOR

CLASS LOCATION

WALL THK

PROFILE

HORIZONTAL SCHEMATIC

MATERIAL SUMMARY

ITEM NO.	DESCRIPTION	QTY
1	[illegible]	[illegible]
2	[illegible]	[illegible]
3	[illegible]	[illegible]

NOTE LEGEND

LEGEND

SCALE IN FEET

SULLIVAN INTERNATIONAL CONSULTANTS

REVISIONS	
[illegible]	[illegible]

CONSTITUTION PIPELINE COMPANY, LLC
FERC ALIGNMENT
PROPOSED 30" NATURAL GAS PIPELINE

MP 113.04 TO MP 113.04
SCHOHARIE COUNTY, NEW YORK

26-03-70/0001

STATE OF NEW YORK
DEPARTMENT OF AGRICULTURE AND MARKETS
Division of Land and Water Resources
10B Airline Drive, Albany, New York 12235
Tel: 518-457-3738 Fax: 518-457-3412
www.agriculture.ny.gov

May 7, 2013

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

Re: Constitution Pipeline Additional Information Request

Dear Mr. Zimmer,

I am writing in response to your letters to John Brennan and me dated April 25, 2013, requesting additional information concerning agricultural resources and properties enrolled in the Department's Farmland Protection Program and directly crossed by the proposed Constitution Pipeline facilities. It appears that the proposed facilities would be located in the following county adopted, State certified agricultural districts: Broome No. 03; Chenango No. 05; Delaware Nos. 01, 12, 14 and 17; and Schoharie Nos. 01, 02, and 03.

All of the counties crossed by the proposed project have Agriculture and Farmland Protection Plans. The Towns of Cobleskill and Wright, Schoharie County, also have Agriculture and Farmland Protection Plans. The Department has not funded any farmland protection easements through the Farmland Protection Implementation Grants on properties crossed by the proposed Constitution Pipeline. For information concerning other agricultural resources along the proposed pipeline route, see the enclosed copy of my letter to John Zimmer dated June 28, 2012.

In a letter to John Zimmer dated June 20, 2012, Larry Day, Soil and Groundwater Specialist with the Delaware County Soil and Water Conservation District, pointed out that the upland soils in Delaware County typically have a dense fragipan subsoil layer one to two feet below the soil surface. This is true for the upland soils in the other counties as well. Not only is this a concern relative to soil compaction, as Mr. Day discussed, but it is also a concern because pipeline construction through these types of soils often alters the subsoil drainage patterns and results in seeps and water boils along the pipeline. Installation of tile drains will be needed to correct such drainage problems.

I hope this information is helpful. If you have any questions, feel free to contact me.

Sincerely,

Matthew J. Brower

Matthew J. Brower
Agricultural Resource Specialist

Enclosure
cc: Roberta Zwier, Constitution Pipeline Co.
Lynda Schubring, Constitution Pipeline Co.
Chris Newhall, AECOM

Brower, Matthew (AGR)

From: Brower, Matthew (AGR)
Sent: Friday, May 10, 2013 8:59 AM
To: 'joel.henriquez@williams.com'
Subject: Sidney Reroute
Attachments: Sidney Reroute.pdf

Joel,

Attached is a copy of the alignment sheet showing a possible realignment (blue line) on the Ron Wagner property in Sidney. He and I only discussed this in general terms and this is just one possibility I saw looking at the maps. There may be other better options. The goal is to minimize the number of fields crossed at an oblique angle. As I mentioned, Mr. Wagner also mentioned the concern about his managed woodland and the possibility of following his logging roads to minimize clearing. We would have to look at this in the field to see if it is feasible, since I do not know where the logging roads are.

I will plan on meeting your group at the landowner's house on Thursday the 16th. To be sure I have enough travel time, can we make it 10:00am?

Matt

Matthew J. Brower
Associate Environmental Analyst
NYS Department of Agriculture and Markets
10B Airline Drive Albany, NY 12235
Phone (518) 457-2851
Fax (518) 457-2716
matthew.brower@agriculture.ny.gov

DELAWARE COUNTY, NEW YORK

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

215.244.7100 tel
215.244.7179 fax

RECEIVED
Ag. Protection & Development
NYS Dept. of Agriculture & Markets

May 31, 2013

New York State Department of Agriculture and Markets
Attn: Mr. Matthew Brower – Agricultural Resources Specialist
10B Airline Drive
Albany, NY 12235

Subject: Additional Information Request
Constitution Pipeline
Otsego and Schoharie Counties, New York

Dear Mr. Brower:

On behalf of Constitution Pipeline Company, LLC (Constitution), AECOM is requesting updated correspondence regarding the potential presence of agricultural resources known within 0.25-mile of contractor and pipeyards under consideration for the Constitution Pipeline (Project) in New York.

The overall Project consists of a new 30-inch diameter, approximately 122-mile long interstate natural gas pipeline designed to transport 650,000 dekatherms per day of natural gas from Susquehanna County, Pennsylvania, north and east to an interconnection with the existing Iroquois Gas Transmission System located in Schoharie County, New York. Within New York State, the Project includes the construction of approximately 99-miles of pipeline, as well as appurtenant aboveground facilities such as a meter station and main line valves, temporary and permanent access roads, pipeyards, and cathodic protection areas.

The table below provides a summary of the contractor and pipeyard facilities and their approximate locations. The locations of the contractor and pipeyards under consideration for use within your jurisdiction are depicted on the attached USGS location maps and Project shapefiles illustrating the locations of these facilities have also been provided to assist in your review.

Constitution Pipeline - Contractor Yards and Pipeyards

Contractor Yard ID	Latitude	Longitude	Acreage	County	Town
Spread 1	41.80891297910	-75.81768134030	41.28	Susquehanna	Bridgewater, PA
Travis Yard	42.55205646420	-74.81055491770	12.19	Otsego	Maryland, NY
Spread 3	42.64393366790	-74.53251722720	14.47	Schoharie	Richmondville, NY

On behalf of Constitution, AECOM respectfully requests that New York State Department of Agriculture and Markets (NYSDAM) review its records relative the presence of agricultural resources directly crossed by or located within 0.25-mile of the pipeyards under consideration and provide updated correspondence pertaining to the identified resources.

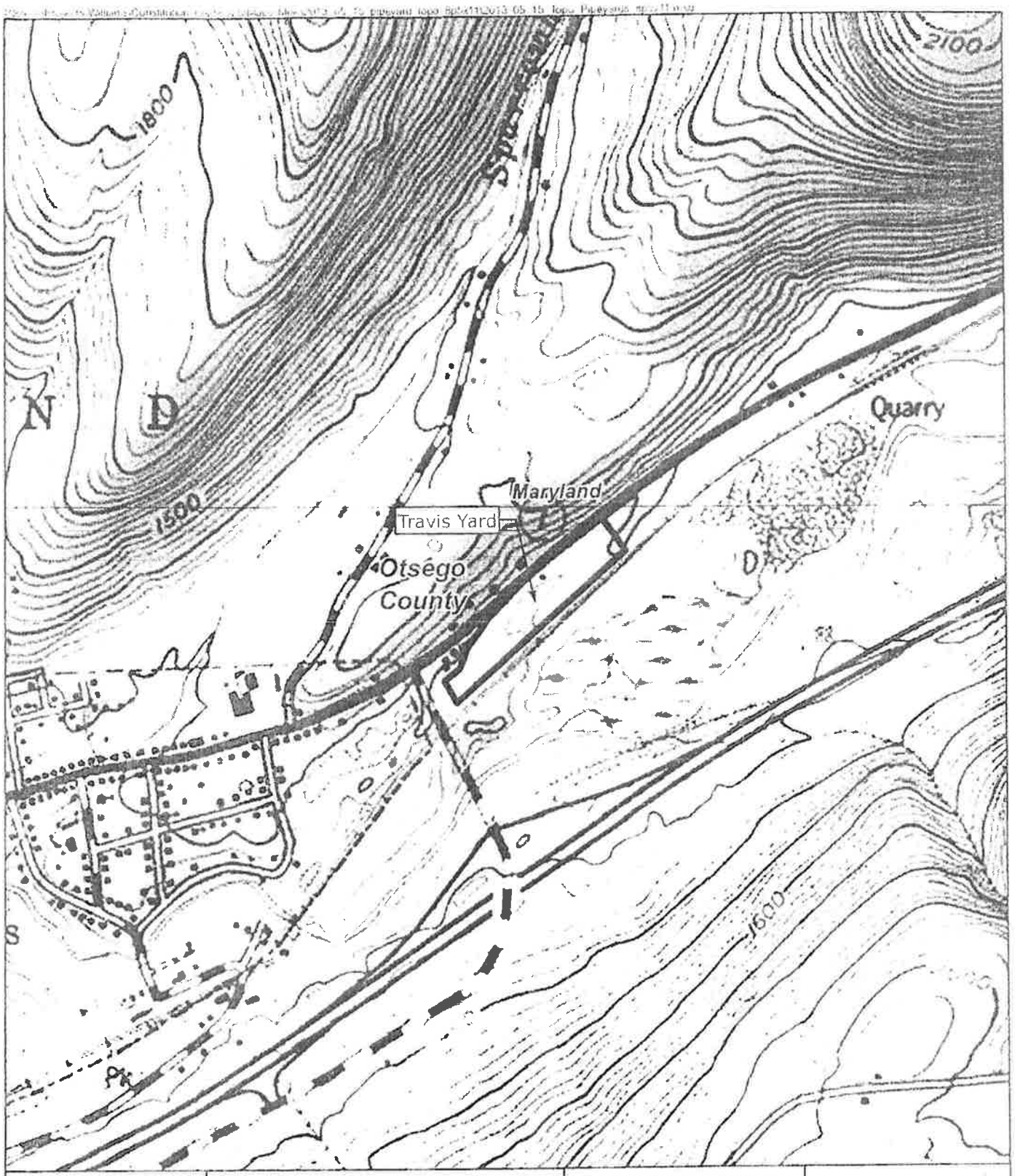
Should you have any questions regarding the Project, please do not hesitate to contact Chris Newhall at (508) 888-3900 x244 or e-mail christopher.newhall@aecom.com. Thank you for your continued consideration.

Sincerely,

Gregory Hufnagel
Senior Project Manager

cc: Ms. Roberta Zwier, Constitution Pipeline Company, LLC
Ms. Lynda Schubring, Constitution Pipeline Company, LLC
Mr. Chris Newhall, AECOM

Attachments: ~~USGS Location Maps~~
Project Shapefiles (05-15-2013)



Map Location

Proposed 30-inch Diameter Natural Gas Pipeline Alignment

Pipeyards

Towns

County Boundary

N

0 500 1,000 Feet

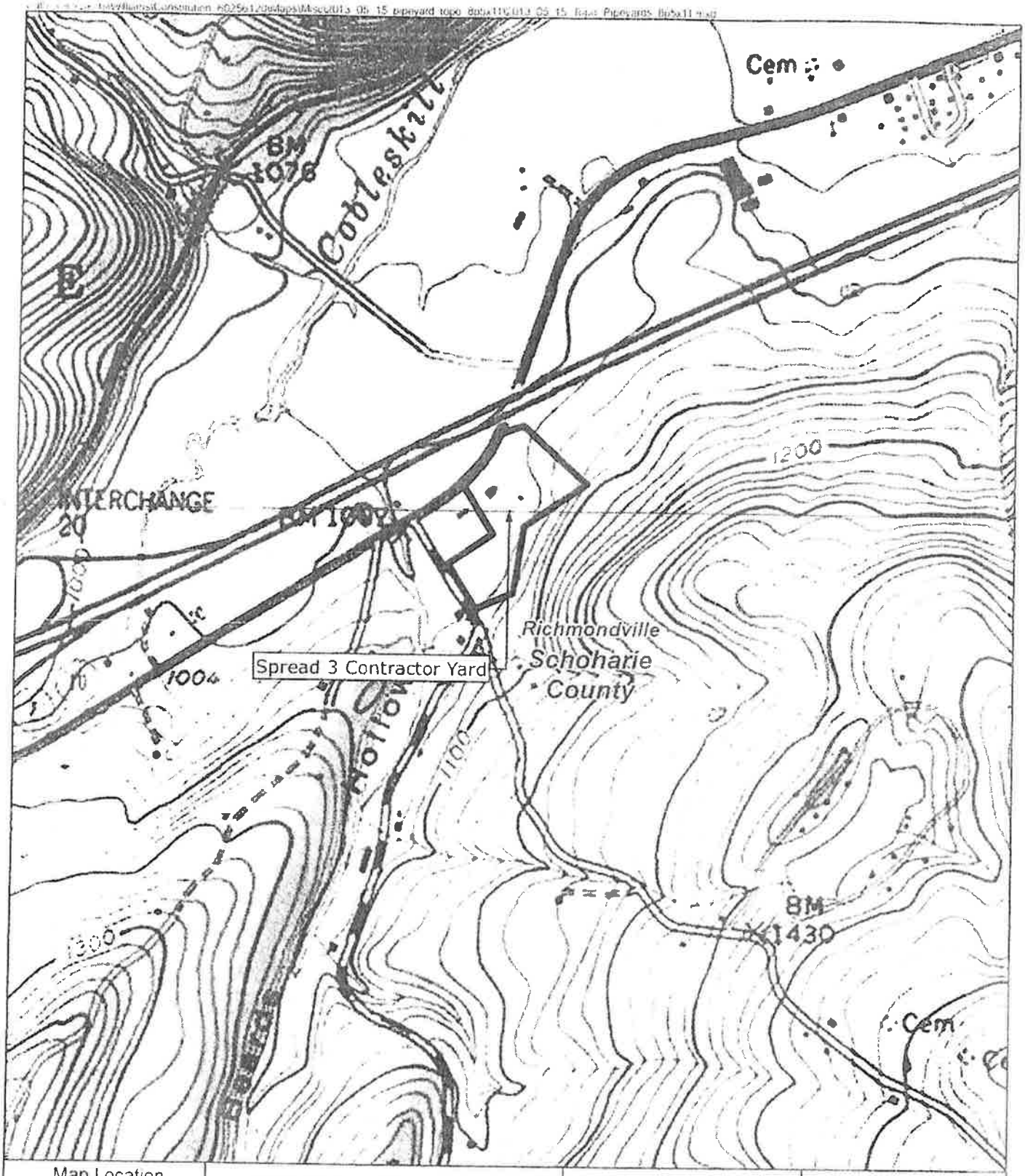
1:12,000

Constitution Pipeline

Pipeyards

Figure 1

May 2013



Map Location

Proposed 30-inch Diameter Natural Gas Pipeline Alignment

Pipeyards

Towns

County Boundary

N

0 500 1,000 Feet

1:12,000

Constitution Pipeline

Pipeyards

Figure 1

May 2013

STATE OF NEW YORK
DEPARTMENT OF AGRICULTURE AND MARKETS
Division of Land and Water Resources
10B Airline Drive, Albany, New York 12235
Tel: 518-457-3738 Fax: 518-457-3412
www.agriculture.ny.gov

June 7, 2013

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

Re: Constitution Pipeline Additional Information Request

Dear Mr. Hufnagel,

I am writing in response to your letter dated May 31, 2013, requesting additional information concerning agricultural resources directly crossed by or located within 0.25-mile of the Constitution Pipeline's proposed pipeyards in Otsego and Schoharie Counties.

Based on the Department's records, the proposed pipeyards are not located within an agricultural district. It does appear there is land that is used in agricultural production within 0.25-mile of the proposed pipeyards in both Otsego and Schoharie Counties; however, it does not appear that the use of the proposed locations for pipeyards would impact the agricultural land in the vicinity.

I hope this information is helpful. If you have any questions, feel free to contact me.

Sincerely,

Matthew J. Brower

Matthew J. Brower
Agricultural Resource Specialist

cc: Roberta Zwier, Constitution Pipeline Co.
Lynda Schubring, Constitution Pipeline Co.
Chris Newhall, AECOM

Brower, Matthew (AGR)

From: Brower, Matthew (AGR)
Sent: Monday, July 22, 2013 3:48 PM
To: 'Schubring, Lynda'
Cc: Henriquez, Joel
Subject: RE: Constitution - Wagner and Larson properties

Lynda,

I will contact the landowners on Tuesday and see if 11:30 is ok with them.

Matt

From: Schubring, Lynda [mailto:Lynda.Schubring@Williams.com]
Sent: Thursday, July 18, 2013 9:52 PM
To: Brower, Matthew (AGR)
Cc: Henriquez, Joel
Subject: RE: Constitution - Wagner and Larson properties

Matt,
We can make 10:30 work; however if the landowner is available an hour or so later that would be even better. Joel Henriquez, John Zimmer, and Brian Carney will be attending this meeting as Constitution representatives and we have a meeting that morning that ends around 10:30 in Schenectady.

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

From: Brower, Matthew (AGR) [mailto:Matthew.Brower@agriculture.ny.gov]
Sent: Thursday, July 18, 2013 8:10 AM
To: Schubring, Lynda
Cc: Henriquez, Joel; Richardson, Devyn
Subject: RE: Constitution - Wagner and Larson properties

Lynda,

That sounds good to me. Would 10:30 be a good time to meet?

Matt

From: Schubring, Lynda [mailto:Lynda.Schubring@Williams.com]
Sent: Wednesday, July 17, 2013 4:57 PM
To: Brower, Matthew (AGR)
Cc: Henriquez, Joel; Richardson, Devyn
Subject: RE: Constitution - Wagner and Larson properties

The 24th works for our team. We are doing field visits this week and next week with the DEC and USACE and have availability on the 24th (late morning preferred). Folks are out of town or headed home that afternoon.

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

From: Brower, Matthew (AGR) [mailto:Matthew.Brower@agriculture.ny.gov]
Sent: Wednesday, July 17, 2013 2:54 PM
To: Schubring, Lynda
Cc: Henriquez, Joel; Richardson, Devyn
Subject: RE: Constitution - Wagner and Larson properties

Lynda,

I spoke with Ron Wagner today and he said he is agreeable to Williams staff visiting the property with me to look at his proposed route adjustment. As soon as you know the availability of Williams staff for either July 24 or 25, please let me know. If neither of these dates will work, let me know what other dates might work.

Matt

From: Schubring, Lynda [mailto:Lynda.Schubring@Williams.com]
Sent: Monday, July 15, 2013 2:59 PM
To: Brower, Matthew (AGR)
Cc: Henriquez, Joel; Richardson, Devyn
Subject: Constitution - Wagner and Larson properties

Matt,
After further discussion with our Land lead, it does not appear that we need to have any special arrangement or paperwork to allow us to attend the site visit if the landowner gives us a verbal approval. We can meet at a nearby location (Constitution, Landowner(s), and Ag&Markets) and then proceed to their property as a group.

Lynda Schubring, PMP | Sr. Environmental Scientist
O: 713-215-2491 | C: 832-814-9047 | F: 713-215-4551
Atlantic-Gulf | Engineering and Construction | Environmental Permitting
Williams | 2800 Post Oak Blvd., Level 17 | Houston, TX 77056

Before printing, think about your responsibility and commitment to the environment!

Brower, Matthew (AGR)

From: Schubring, Lynda [Lynda.Schubring@Williams.com]
Sent: Tuesday, July 30, 2013 4:12 PM
To: Brower, Matthew (AGR)
Cc: Henriquez, Joel
Subject: Wagner and Larson Properties
Attachments: R.Savage_TRK#360.0_NYDA&M_Wagner&Larson_Protect_fields_MP61.6_07.24.13.jpeg

Matt,
Please see the attached route deviation for the Wagner & Larson properties that was identified during the field visit on July 17th. Based on a the preliminary site assessment and available desktop tools, this appears to be a feasible deviation from the route that has been filed for approval with the FERC. Contingent upon survey results for wetlands, waterbodies, threatened and endangered species, and cultural resources, this route will be approved and incorporated into our preferred route. We cannot adjust the route that has been filed with the FERC until all surveys have been completed and the feasibility of the route has been fully evaluated. Please relay this to the landowners for confirmation on the route alignment. With their approval, we will ask Right of Way Agent, Steve Ferranti, to reach out to both property owners for permission to access the property and complete our field assessment. Lastly, Patrick McClusky is the right-of-way lead contact for Williams (replacing Jim Wallace) and he can be reached at Patrick.j.mcclusky@williams.com or at 908-930-6627.
Sincerely,

Lynda Schubring, PMP | Sr. Environmental Scientist
O: 713-215-2491 | C: 832-814-9047 | F: 713 215-4551
Atlantic-Gulf | Engineering and Construction | Environmental Permitting
Williams | 2800 Post Oak Blvd., Level 17 | Houston, TX 77056

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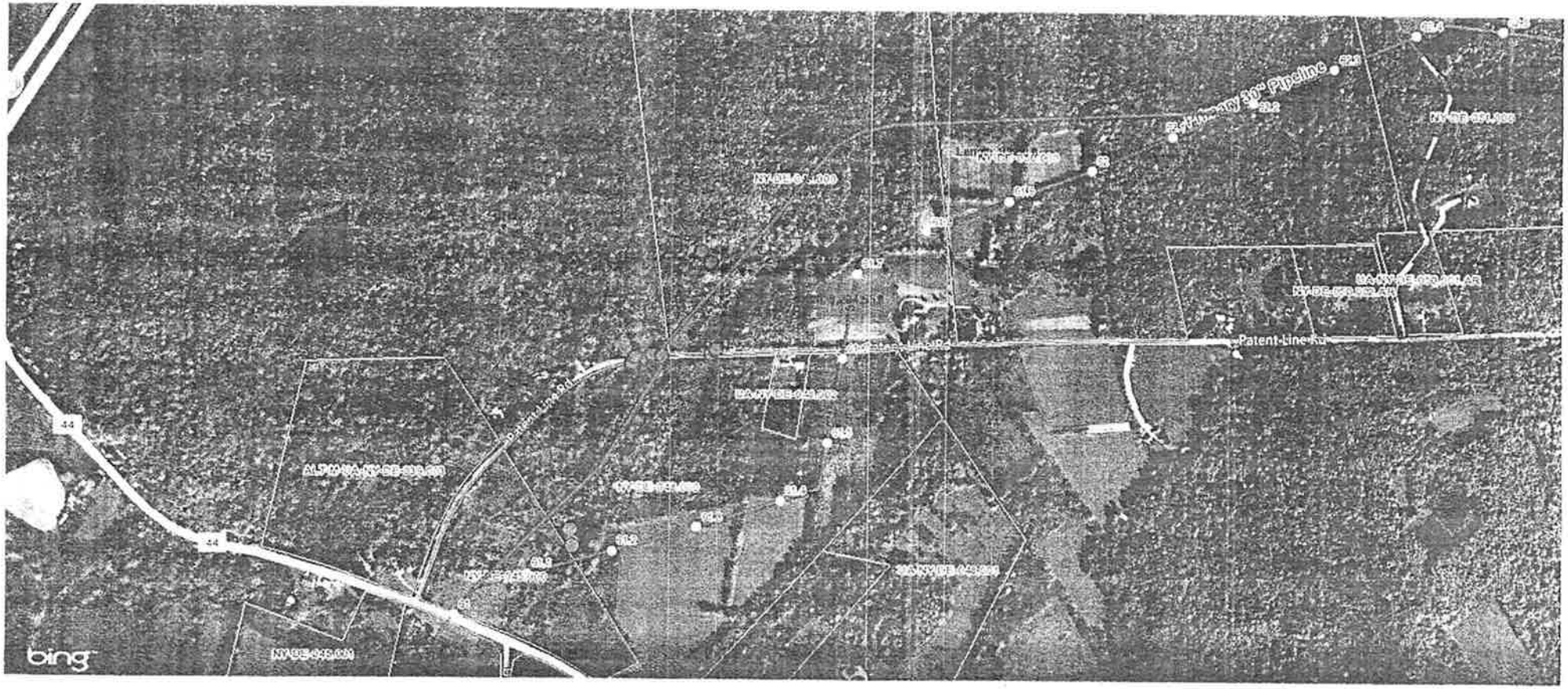
Patent Line Rd
Patent Line Rd
44
44
bing

Brower, Matthew (AGR)

From: Schubring, Lynda [Lynda.Schubring@Williams.com]
Sent: Thursday, August 01, 2013 11:01 AM
To: Brower, Matthew (AGR)
Cc: Henriquez, Joel
Subject: Re: Wagner and Larson Properties

We can do both, but definitely a good idea to send to FERC too since they are preparing a Data Request.

Lynda Schubring
832-814-9047 cell

Sent from my iPhone

On Aug 1, 2013, at 8:34 AM, "Brower, Matthew (AGR)" <Matthew.Brower@agriculture.ny.gov> wrote:

> Lynda,
>
> Thanks for the update. By the way, I have a few minor comments concerning the agricultural protection and mitigation language in the application and in the appendices. Wasn't sure if you wanted to discuss them for revision or if I should just provide comments to FERC.
>
> Matt
>
> **From:** Schubring, Lynda [mailto:Lynda.Schubring@Williams.com]
> **Sent:** Tuesday, July 30, 2013 4:12 PM
> **To:** Brower, Matthew (AGR)
> **Cc:** Henriquez, Joel
> **Subject:** Wagner and Larson Properties
>
> Matt,
> Please see the attached route deviation for the Wagner & Larson properties that was identified during the field visit on July 17th. Based on a the preliminary site assessment and available desktop tools, this appears to be a feasible deviation from the route that has been filed for approval with the FERC. Contingent upon survey results for wetlands, waterbodies, threatened and endangered species, and cultural resources, this route will be approved and incorporated into our preferred route. We cannot adjust the route that has been filed with the FERC until all surveys have been completed and the feasibility of the route has been fully evaluated. Please relay this to the landowners for confirmation on the route alignment. With their approval, we will ask Right of Way Agent, Steve Ferranti, to reach out to both property owners for permission to access the property and complete our field assessment. Lastly, Patrick McClusky is the right-of-way lead contact for Williams (replacing Jim Wallace) and he can be reached at Patrick.j.mcclusky@williams.com or at 908-930-6627.
> Sincerely,
>
> **Lynda Schubring,** PMP | Sr. Environmental Scientist
> O: 713-215-2491 | C: 832-814-9047 | F: 713-215-4551
> **Atlantic-Gulf | Engineering and Construction | Environmental Permitting**
> Williams | 2800 Post Oak Blvd., Level 17 | Houston, TX 77056
>
> Before printing, think about your responsibility and commitment to the environment!

Brower, Matthew (AGR)

From: Brower, Matthew (AGR)
Sent: Friday, August 02, 2013 3:23 PM
To: 'Schubring, Lynda'
Cc: Henriquez, Joel
Subject: Constitution

Lynda,

I was contacted by a landowner on Route 23 in the Town of Davenport, Delaware County. He is concerned about the proposed location for a permanent access road on his property. The road crosses a couple agricultural fields. He asked if I would contact Constitution to set up an on-site meeting to review this. He is proposing August 13 as a time to meet.

Can you or someone from Constitution let me know if this date will work?

Matt

Matthew J. Brower
Associate Environmental Analyst
NYS Department of Agriculture and Markets
10B Airline Drive Albany, NY 12235
Phone (518) 457-2851
Fax (518) 457-2716
matthew.brower@agriculture.ny.gov

Brower, Matthew (AGR)

From: Brower, Matthew (AGR)
Sent: Monday, August 05, 2013 7:57 AM
To: 'Schubring, Lynda'
Subject: RE: Wagner and Larson Properties

Yes it was the 24th. Thanks.

Matt

From: Schubring, Lynda [mailto:Lynda.Schubring@Williams.com]
Sent: Friday, August 02, 2013 4:27 PM
To: Brower, Matthew (AGR)
Subject: Re: Wagner and Larson Properties

Sure, was it the 24th?

Lynda Schubring
832-814-9047 cell

Sent from my iPhone

On Aug 2, 2013, at 12:37 PM, "Brower, Matthew (AGR)" <Matthew.Brower@agriculture.ny.gov> wrote:

> Lynda,
>
> Please see Mr. Wagner's note below. Could you send an email with the corrected date?
>
> Thanks,
>
> Matt
>
> **From:** Bette Wagner [mailto:brwagner2010@gmail.com]
> **Sent:** Friday, August 02, 2013 11:20 AM
> **To:** Brower, Matthew (AGR)
> **Cc:** maplehollownursery@yahoo.com
> **Subject:** Re: FW: Wagner and Larson Properties
>
> **Matt, Note: Field Visit when I was present was not on July 17, 2013. Please have appropriate person send correct info. Ronald Wagner**
>
> On Fri, Aug 2, 2013 at 9:40 AM, Brower, Matthew (AGR) <Matthew.Brower@agriculture.ny.gov> wrote:
>
> Ron and Ken,
>
> Here is the information I received from Constitution. Let me know if you want to proceed.

Matt

(518) 457-2851

From: Schubring, Lynda [mailto:Lynda.Schubring@Williams.com]
Sent: Tuesday, July 30, 2013 4:12 PM
To: Brower, Matthew (AGR)
Cc: Henriquez, Joel
Subject: Wagner and Larson Properties

Matt,

Please see the attached route deviation for the Wagner & Larson properties that was identified during the field visit on July 17th. Based on a the preliminary site assessment and available desktop tools, this appears to be a feasible deviation from the route that has been filed for approval with the FERC. Contingent upon survey results for wetlands, waterbodies, threatened and endangered species, and cultural resources, this route will be approved and incorporated into our preferred route. We cannot adjust the route that has been filed with the FERC until all surveys have been completed and the feasibility of the route has been fully evaluated. Please relay this to the landowners for confirmation on the route alignment. With their approval, we will ask Right of Way Agent, Steve Ferranti, to reach out to both property owners for permission to access the property and complete our field assessment. Lastly, Patrick McClusky is the right-of-way lead contact for Williams (replacing Jim Wallace) and he can be reached at Patrick.j.mcclusky@williams.com or at 908-930-6627.

Sincerely,

Lynda Schubring, PMP | Sr. Environmental Scientist
O: 713-215-2491 | C: 832-814-9047 | F: 713-215-4551
Atlantic-Gulf | Engineering and Construction | Environmental Permitting
Williams | 2800 Post Oak Blvd., Level 17 | Houston, TX 77056

Before printing, think about your responsibility and commitment to the environment!

Brower, Matthew (AGR)

From: Brower, Matthew (AGR)
Sent: Monday, August 05, 2013 11:17 AM
To: 'Henriquez, Joel'; Schubring, Lynda
Subject: RE: Constitution

Joel,

The landowner's name is George Novellano and the property is on the west side of Middlebrook Creek.

Matt

From: Henriquez, Joel [mailto:Joel.Henriquez@Williams.com]
Sent: Monday, August 05, 2013 11:13 AM
To: Brower, Matthew (AGR); Schubring, Lynda
Subject: RE: Constitution

Hi Matt,

We are looking into this. What is the landowner's name?

Joel

From: Brower, Matthew (AGR) [mailto:Matthew.Brower@agriculture.ny.gov]
Sent: Friday, August 02, 2013 3:23 PM
To: Schubring, Lynda
Cc: Henriquez, Joel
Subject: Constitution

Lynda,

I was contacted by a landowner on Route 23 in the Town of Davenport, Delaware County. He is concerned about the proposed location for a permanent access road on his property. The road crosses a couple agricultural fields. He asked if I would contact Constitution to set up an on-site meeting to review this. He is proposing August 13 as a time to meet.

Can you or someone from Constitution let me know if this date will work?

Matt

Matthew J. Brower
Associate Environmental Analyst
NYS Department of Agriculture and Markets
10B Airline Drive Albany, NY 12235
Phone (518) 457-2851
Fax (518) 457-2716
matthew.brower@agriculture.ny.gov

Brower, Matthew (AGR)

From: Schubring, Lynda [Lynda.Schubring@Williams.com]
Sent: Monday, August 05, 2013 1:42 PM
To: Brower, Matthew (AGR)
Cc: Henriquez, Joel
Subject: Wagner and Larson Properties

Matt,

Please see the attached route deviation for the Wagner & Larson properties that was identified during the field visit on July 24th. Based on a the preliminary site assessment and available desktop tools, this appears to be a feasible deviation from the route that has been filed for approval with the FERC. Contingent upon survey results for wetlands, waterbodies, threatened and endangered species, and cultural resources, this route will be approved and incorporated into our preferred route. We cannot adjust the route that has been filed with the FERC until all surveys have been completed and the feasibility of the route has been fully evaluated. Please relay this to the landowners for confirmation on the route alignment. With their approval, we will ask Right of Way Agent, Steve Ferranti, to reach out to both property owners for permission to access the property and complete our field assessment. Lastly, Patrick McClusky is the right-of-way lead contact for Williams (replacing Jim Wallace) and he can be reached at Patrick.j.mcclusky@williams.com or at 908-930-6627.

Sincerely,

Lynda Schubring, PMP | Sr. Environmental Scientist
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Atlantic-Gulf | Engineering and Construction | Environmental Permitting
Williams | 2800 Post Oak Blvd., Level 17 | Houston, TX 77056

Before printing, think about your responsibility and commitment to the environment!

Brower, Matthew (AGR)

From: Schubring, Lynda [Lynda.Schubring@Williams.com]
Sent: Thursday, August 08, 2013 5:04 PM
To: Bette Wagner; Brower, Matthew (AGR)
Cc: McClusky, Patrick J
Subject: RE: Wagner and Larson Properties
Attachments: 2013-08-06 Brower Proceed to Survey.doc.doc

Mr. and Ms. Wagner and Mr. Brower,
Please see my responses to your questions below in red. Thank you for your participation in our process and we look forward to working with you.

1. I've been communicating from the beginning by My Right of Way Agent, Aaron Blair of Doyle Land Services, Inc. Tel 607-235-3286 or Cell 315-525-7152. Is he being replaced by Steve Ferranti? I've never met nor spoken to Mr. Ferranti. If he is replacing Mr. Blair, then I must communicate with Mr. Ferranti prior to granting survey permission. Who will it be Blair or Ferranti? Steven Ferranti will be the Right of Way Agent assisting on these properties. You can expect a phone call from him shortly or you may contact him directly at 607-321-5307 or at Churnal@verizon.net. Please contact Steven for further questions or assistance.

2. There are red circles on Ms. Schubring's July 24, 2013 email map. What do they represent? Red circles represent where man made features such as culverts or road crossings are located. This assists our field router in determining proper alignment. Blue circles represent the start of a spring.

3. I have a document named **"Limited License for Pipeline Right of Way Survey (Constitutional Pipeline)"** provided my Upstate Landowners Group (ULG). It was approved by James Wallace, now replaced by Patrick McClusky. Therefore I expect Mr. McClusky to also approve of it.
How do we arrange for Mr.McClusky's signature on this document? Jim Wallace is Supervisor for Land and his signature is still valid. However; Mr. Patrick McClusky will sign next to his signature if it would make the Upstate Landowners Group more comfortable.

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

From: Bette Wagner [mailto:brwagner2010@gmail.com]
Sent: Tuesday, August 06, 2013 7:51 PM
To: Brower, Matthew (AGR)
Cc: Schubring, Lynda
Subject: Wagner and Larson Properties

Hello Matt,

This is my response to your Friday, August 2, 2013 email:

I want to proceed with formal survey as described in Lynda Schubring's email to you dated Tuesday, July 30, 2013 but with some clarifications needed first; **see three items as attachment.**

Thank you for your cooperation.

I look forward to your reply.

Ron Wagner

Hello Matt,

This is my response to your Friday, August 2, 2013 email:

I want to proceed with formal survey as described in Lynda Schubring's email to you dated Tuesday, July 30, 2013 but with some clarifications needed first; see three items to follow:

1. I've been communicating from the beginning by My Right of Way Agent, Aaron Blair of Doyle Land Services, Inc. Tel 607-235-3286 or Cell 315-525-7152. Is he being replaced by Steve Ferranti? I've never met nor spoken to Mr. Ferranti. If he is replacing Mr. Blair, then I must communicate with Mr. Ferranti prior to granting survey permission. Who will it be Blair or Ferranti?

2. There are red circles on Ms. Schubring's July 24, 2013 email map. What do they represent?

3. I have a document named **"Limited License for Pipeline Right of Way Survey (Constitutional Pipeline)"** provided my Upstate Landowners Group (ULG). It was approved by James Wallace, now replaced by Patrick McClusky. Therefore I expect Mr. McClusky to also approve of it. How do we arrange for Mr.McClusky's signature on this document?

Ronald A. Wagner
Tel. 607-369-7507
Email: brwagner2010@gmail.com
August 6, 2013

Brower, Matthew (AGR)

From: Brower, Matthew (AGR)
Sent: Monday, August 19, 2013 8:09 AM
To: 'Henriquez, Joel'
Cc: Schubring, Lynda; Richardson, Devyn
Subject: RE: Constitution--George Novellano--MP 87.4--PAR55

Joel,

As I indicated at Mr. Novellano's, given the loss of agricultural land that would result from avoiding the wetland, I am going to pursue this issue with FERC and ACE. I understand the concern about other resources, but I think the agricultural resources deserve equal consideration.

Matt

From: Henriquez, Joel [mailto:Joel.Henriquez@Williams.com]
Sent: Friday, August 16, 2013 4:51 PM
To: Brower, Matthew (AGR)
Cc: Schubring, Lynda; Richardson, Devyn
Subject: Constitution--George Novellano--MP 87.4--PAR55

Matt,

As mentioned during our August 13, 2013 field meeting, I have verified that the access road going through Mr. George Novellano's property is a proposed permanent access road for the proposed Constitution Pipeline ROW. I have also consulted with AECOM regarding your questions.

We have confirmed that Middle Brook is a NYSDEC-designated protected stream and any land disturbance within a minimum of 50ft to the mean high water mark of that stream would require a permit from NYSDEC. The DEC's primary concern is the protection of the stream and its water quality. The closer the road construction is to the stream, the higher the risk for destabilization of the existing stream bank, potentially causing additional erosion or other failure of the stream bank. The NYSDEC will request that any access road be located beyond 50ft in order to protect the stream – locating the road outside of the 50ft buffer should avoid the need for obtaining a permit to construct the road. If it's not possible to accommodate a 50ft buffer, then Constitution will need to get a permit from DEC, as such AECOM recommends that any access road be located as far from the stream as possible.

Also, building new access roads through wetlands is basically a non-starter. This is directly from Section VI.B.1.d. of the FERC's *Wetland and Waterbody Construction and Mitigation Procedures* (Procedures – see attached). This question has been asked several times in reference to access roads, and it's something that FERC will deny unless there is a very good reason why the road cannot be located such that it would avoid the wetland. The Army Corps and DEC have a similar position on impacts to wetlands. Unless it can be proved why the road cannot be reasonably sited at a different location that would not have wetland impacts, the agencies will likely deny use of the proposed road when issuing Constitution's permits for the project.

We are currently in the process of investigating and analyzing the best location for a permanent access road.
Please let me know if you have any questions,

Regards,

Joel Henriquez
518 982-1653 (Office)

281-221-2603 (Cell)

STATE OF NEW YORK
DEPARTMENT OF AGRICULTURE AND MARKETS
10B Airline Drive, Albany, New York 12235
1-800-554-4501
www.agriculture.ny.gov

Office of the Counsel
(518) 457-1059

October 2, 2013

Via Email Only

To: John Dalo
Pace Environmental Litigation Clinic
jdalo@law.pace.edu

Dear Mr. Dalo:

The Department of Agriculture and Markets acknowledges receipt of your recent Freedom of Information request for records relating to all correspondence and communications from February 15, 2013 to September 26, 2013 relating to the proposed Constitution Pipeline between the Department and (1) Cabot Oil & Gas Corporation; (2) Constitution Pipeline Company, LLC; (3) Dawson Associates; (4) John Charlson; (5) John Faso; (6) Manatt, Phelps & Phillips, LLP; (7) Marsh, Wasserman & McHugh, LLC; (8) Piedmont Natural Gas Company; (9) Southwest Energy L.P.; (10) The Elk Street Group, LLC; (11) Tonio Burgos; (12) Tonio Burgos and Associates, Inc.; and (13) Williams Partners, L.P.

The Department is in the process of searching for and obtaining these records. Once the records are reviewed, a determination as to the extent to which these records may be released will be made as soon as possible, at which time you will receive copies of the requested records after payment for copying costs, if any, is received. If one or more records will be withheld or withheld in part, a statement explaining the reason(s) for denial of the release will be provided.

Due to this review process outlined above, you may expect a response from the Department on or before October 31, 2013.

If I can be of further assistance, please feel free to contact me at 518-457-2449.

Sincerely,

Rick Arnold, Esq.
Records Access Officer

FOIL #13-347