

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:

According to the DEC website, “DEC is working to preserve” New York’s official State Fish, the brook trout.¹ The proposed Constitution Pipeline (CP) would interfere with these efforts, not only by tearing across 45 trout streams 84 different times (FEIS, Appendix N; Vol 2 – PDF pgs. 545-553); they would also threaten trout habitat by clear-cutting 1,000 acres of forested land surrounding these streams.

Brook trout require cool, clear water in order to survive. Deforestation—especially in hilly areas like those through which the pipeline would cut—causes increased runoff and erosion, which, in turn, increases turbidity, or muddiness, in streams. Even following “best management practices,” CP’s massive clear-cutting of trees would cause runoff, erosion and added inputs of sediment and other solids into all streams it would cross or run near. This would violate DEC Water Quality Standards for pH, dissolved oxygen, dissolved solids, color and turbidity. (Chapter X, Divisions of Water, Part §703.3).

According to a report on brook trout from the Maryland Department of Natural Resources, “too much dirt in the water can affect brook trout populations by decreasing the dissolved oxygen, smothering eggs...and reducing the production of food organisms. Since brook trout are sight feeders, they are affected by even a little bit of turbidity because it reduces their ability to see their food.”² CP would harm New York’s trout and streams. I ask 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 <http://www.dnr.state.md.us/education/are/TroutintheClassroom/BrookTrout.pdf>;
<http://www.fws.gov/northeast/multimedia/video/brooktrout.html>