

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
Public Interest Review. 6 NYCRR 608.8

Dear Mr. Tomasik,

A general review of the FEIS for the Constitution Pipeline Project reveals that 10.7 miles of the route, totaling 9%, are regulated wetlands. This figure does not include the, at minimum, 12% of the parcels still not surveyed or the wetlands that are no longer (or never were) under DEC regulation.

Wetland integrity is critical to long-term water quality. Transitional areas between land and water bodies, wetlands provide protection in places where water periodically floods the land or saturates the soil, as happens often along the pipeline route.

According to the National Park Service, "The term wetlands includes wet environments such as marshes, swamps, and bogs. They may be covered in shallow water most of the year, or be wet only seasonally. Plants and animals found in wetlands are uniquely adapted to these wet conditions.

"Wetlands are known to serve a variety of important functions. They provide critical habitats for fish and wildlife, purify polluted waters, and check the destructive power of floods and storms. Wetlands also provide recreational opportunities such as fishing, hunting, photography, and wildlife observation. They are fast becoming recognized as productive and valuable public resources." (1)

The removal, alteration, or mitigation of wetlands as a result of this project will be a direct and continuing threat to water quality and use. As natural water purifiers that filter sediment and absorb pollutants in surface waters, any modification of the ecosystem, including and surrounding a wetland, will result in permanent change, ultimately affecting the quality of groundwater supplies as well. A recent study confirms that restored wetlands rarely equal condition of original wetlands:

"One review of wetland restoration projects in New York state, for example, found that 'after 55 years, barely 50 percent of the organic matter had accumulated on average in all these wetlands' compared to what was there before... To prevent this, preserve the wetland, don't degrade the wetland."(2)

- Wetlands along rivers and streams store excess water during rainstorms. This reduces downstream flood damage and lessens the risk of flash floods. The slow release of this stored water to rivers and streams helps keep them from drying up during periods of drought.
- Wetland vegetation holds the soil and slows the downstream movement of sediment.
- By absorbing storm water, wetland vegetation serves as a buffer against shoreline and riverbank erosion. (1)

The removal of wetlands, or their relocation to other areas, will increase the impact of future storm events. According to the DEC, a project must not cause unreasonable, uncontrolled or unnecessary damage to the natural resources of the state, including soil, forests, water, fish, shellfish, crustaceans, and aquatic and land-related environment.

The FEIS, lacking full survey information and a forest implementation plan, and containing inadequate survey information, fails to plot the trajectories of ecosystem change that will result from wetland disruption, among other major project shortcomings. Please deny the 401 water quality certificate, or hold adjudicatory hearings.

Sincerely,

Signature

Name

Address

(1) <http://nature.nps.gov/water/wetlands/aboutwetlands.cfm>

(2) <http://newscenter.berkeley.edu/2012/01/24/study-shows-restored-wetlands-rarely-equal-condition-of-original-wetlands/>
Published paper:
<http://journals.plos.org/plosbiology/article?id=10.1371/journal.pbio.1001247>