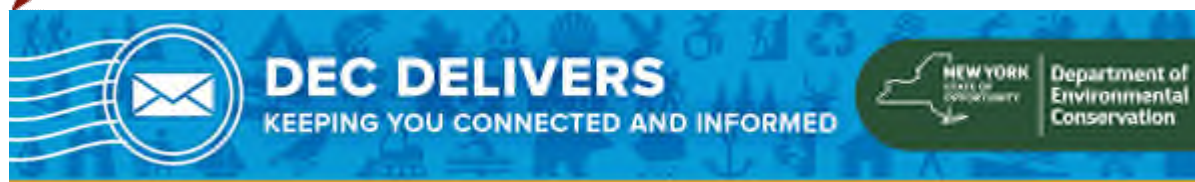


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## New York State Department of Environment Conservation Denies Water Quality Certificate Required for Constitution Pipeline

The New York State Department of Environmental Conservation sent this bulletin on 04/22/2016 04:54 PM EDT



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### New York State Department of Environment Conservation Denies Water Quality Certificate Required for Constitution Pipeline

Today, officials from the New York State Department of Environmental Conservation announced the denial of the Clean Water Act Section 401 Water Quality Certification for the proposed Constitution Pipeline. Although DEC has granted certificates for other projects, the application by Constitution for these certificates fails to meet New York State's water quality standards. The [full decision is outlined in a letter \(PDF, 819 KB\)](#) by John Ferguson, Chief Permit Administrator with DEC's Division of Environmental Permits and Pollution Prevention.

The Constitution proposal involved construction of approximately 124 miles of new interstate natural gas piping in northeastern Pennsylvania, proceeding into New York State through Broome, Chenango, Delaware, and Schoharie Counties, terminating at the existing Wright Compressor Station in Schoharie County.

In New York State, the project proposed to include new right-of-way construction of approximately 99 miles of new 30-inch diameter pipeline, rather than co-locating within existing rights-of-way. Although DEC requested significant mitigation measures to limit affecting the state's water bodies, this new right-of-way construction would impact approximately 250 streams across New York State. Many of those streams are unique and sensitive ecological

areas, including trout spawning streams, old-growth forest, and undisturbed springs, which provide vital habitat and are key to the local ecosystems.

DEC had repeatedly requested that Constitution provide a comprehensive and site-specific analysis of depth for pipeline burial to mitigate the project's environmental impact - but the company refused - providing only a limited analysis of burial depth for 21 of the 250 New York streams. Pipes can become exposed in stream beds if not buried deeply enough, and corrective action can further damage the stream and impact water quality.

Additionally DEC received reports that landowners, possibly with Constitution's knowledge, clear cut old-growth trees along the right-of-way for the pipeline, including trees near streams and water bodies, even after the Federal Energy Regulatory Commission ruled that Constitution could not cut trees in the right-of-way.

State officials conducted a rigorous review of Constitution's application, all supporting materials, and more than 15,000 public comments on the project before reaching this decision.

<http://www.dec.ny.gov/press/77537.html>

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