

New York State Department of Environmental Conservation

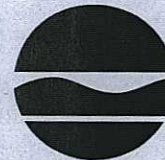
Division of Environmental Permits

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Joe Martens
Commissioner

February 3, 2012

Honorable Jaclyn A. Brillling
Secretary
State of New York
Public Service Commission
Three Empire State Plaza
Albany, NY 12233-1350

RE: Case 11-T-0654 - Application of New York State Electric and Gas Corporation for a Certificate of Environmental Compatibility and Public Need

Dear Secretary Brillling:

The New York State Department of Environmental Conservation (DEC) respectfully submits the following additional comments on the application of New York State Electric & Gas Corporation for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII Section 121-a of the Public Service Law for Approval to Construct a 4.9 Mile Natural Gas Transmission Pipeline and Associated Facilities in the Towns of Big Flats and Horseheads and the Village of Horseheads, Chemung County. DEC sent initial comments regarding this case on December 28, 2011.

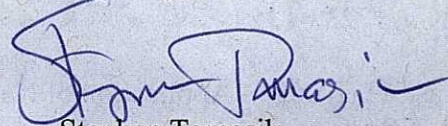
In the initial letter, DEC identified two protected stream segments along the proposed pipeline route, both tributaries to the Sing-Sing Creek, located along the pipeline route between Chambers Road and Sing-Sing Creek. This letter clarifies the location of protected streams along the route. Please refer to the attached map, "Protected Stream Segments." The approximate pipeline route is shown in aqua. Protected stream segments are shown in red. Unprotected streams are shown in dark blue. The C(t) stream at the left is correctly labeled as protected. The C(ts) segment shown in the center of the map does appear to exist in some fashion; just not where the GIS map has it located or as long as it is depicted. It appears to be east of the GIS indicated location and west of Sing Sing Creek. It also does not extend as far north as the pipeline route, therefore no crossing of a protected stream will occur at this location. The dark blue stream segments at the right are both Class C (unprotected). However, there are classified trout waters immediately downstream of these two blue sections; so any sedimentation and turbidity impacts on site will likely impact trout unless flow is very low and/or proper erosion Best Management Practices (BMP's) are utilized. Please refer to DEC's previous letter for

recommendations for crossing protected streams or using Horizontal Directional Drilling (HDD) as an alternative. DEC has placed seasonal construction limitations on in-stream work affecting these protected streams, due to resident populations of wild brown trout. Construction involving disturbance of the bed or banks is restricted from October 1 through May 15 of any calendar year. This restriction does not apply if HDD is used for the crossing.

Review of DEC GIS maps show that there are no state-jurisdictional Freshwater Wetlands or Adjacent Areas along the proposed route (see attached map, "State-Jurisdictional Wetlands").

DEC Staff is available to discuss any matter raised in this letter. Please contact me if you need any additional information.

Sincerely,

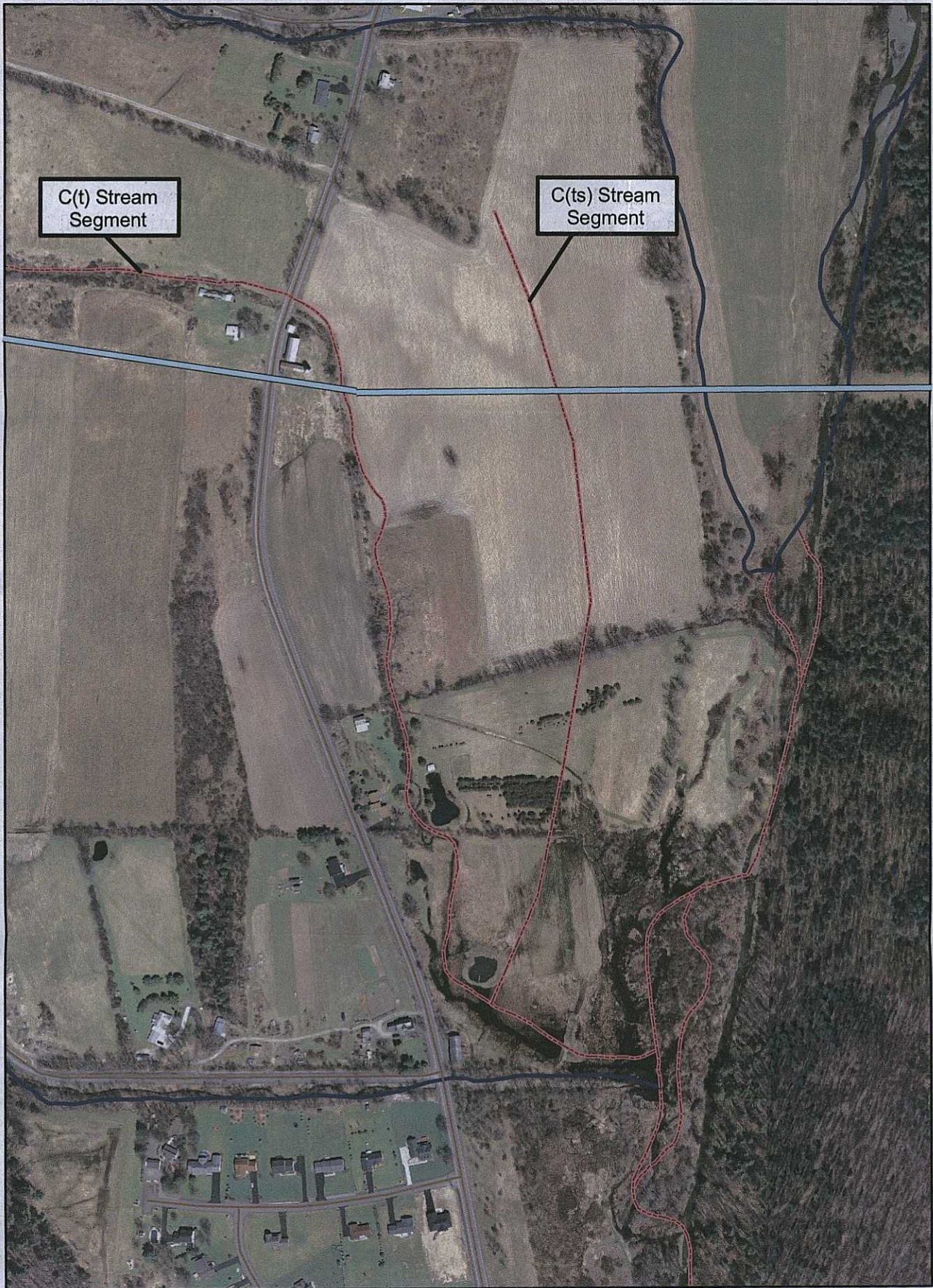


Stephen Tomasik
Project Manager
Major Projects Management Section
Division of Environmental Permits

att: Protected Stream Segments map
State-Jurisdictional Wetlands map

cc: William G. Little
Scott Sheeley

PROTECTED STREAM SEGMENTS
Case 11-T-0654



Source: DEC GIS, December 28, 2011

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STATE-JURISDICTIONAL WETLANDS
Case 11-T-0654

