

**NEW YORK STATE PUBLIC SERVICE COMMISSION  
WATER QUALITY CERTIFICATION**

Pursuant to: Section 401 of the Federal Clean Water Act, 33 U.S.C. Section 1341(a)(1); Article VII of the New York State Public Service Law; 16 NYCRR Subpart 85-2; and 6 NYCRR Section 608.9

Certification Issued to:

Attn:

Tom Ricci, NYSEG  
PO Box # 5224  
18 Link Drive  
Binghamton, NY, 13902 - 5224

Location of Project

New York State Electric and Gas Corporation (NYSEG or The Applicant) proposes to construct an approximate 4.9 mile, 8-inch diameter steel natural gas pipeline and associated above ground facilities. The project is located in the Towns of Big Flats and Horseheads and the Village of Horseheads, Chemung County. Project details are contained in the administrative record in Case 11-T-0654 that includes a Certificate of Environmental Compatibility and Public Need issued by the New York Public Service Commission (PSC) pursuant to Article VII of the Public Service Law (Article VII Certificate).

Project Description

NYSEG's proposed gas pipeline, as fully described in Appendix A to the Article VII Certificate, would be used to transport natural gas approximately 4.9 miles from Inergy Midstream, L.P.'s (Inergy) existing 16-inch diameter Seneca Lake Gas Storage Facility West Pipeline, located west of Yawger Road in the Town of Big Flats, to NYSEG's two existing 12-inch Elmira

distribution pipelines at Gardner Road, located in the Village of Horseheads. NYSEG proposes to construct an eight-inch diameter coated steel gas pipeline between these existing facilities, along with metering and regulator (M&R) stations at Yawger Road and Gardner Road. At the Gardner Road M&R station, NYSEG would install approximately 300 feet of 20-inch diameter steel pipeline to connect to two existing NYSEG 12-inch gas distribution lines. The proposed 20-inch pipeline would be located around the perimeters of the existing Dominion and proposed NYSEG Gardner Road M&R stations within or adjacent to existing pipeline rights-of-way.

The Applicant indicates the proposed pipeline will cross two perennial streams (Stream O & Y), 11 intermittent streams, seven drainages, and 22 wetlands. The Applicant also indicates that Sing Sing Creek (Stream O) and two tributaries of Sing Sing Creek (Streams N & Y) have a Class C Stream Classification. The Applicant indicates that Stream M is a tributary of Sing Sing Creek and has a Class C(t) Stream Classification. The New York State Department of Environmental Conservation (DEC) provided comments concerning the C(t) stream above and suggested that NYSEG use a Horizontal Directional Drill(HDD) if construction occurs between October 1 and May 15. DEC described five Best Management Practices to minimize potential impacts associated with using HDD drilling fluids and they are described in the Article VII Certificate. All of these streams are tributaries to the Susquehanna River a Traditional Navigable Waterway.

DEC notes that NYSEG needs to obtain the DEC State Pollution Discharge Elimination System General Permit for Stormwater Discharges from Construction Activities, since this

project will result in more than one acre of ground disturbance. If the Applicant uses an open-cut, dry-stream crossing method to install the pipe across the C(t) stream, in-stream work should only occur between May 15 and October 1. Water quality impacts will be minimized by scheduling construction during periods of low flows; use of sand bags or coffer dams to isolate the construction zone from stream flow; special bank protection and restoration methods; and use of portable or mat bridges to minimize stream bank disturbance.

The Applicant has adopted the New York State Department of Public Service's Revised Environmental Management and Construction Standards and Practices (EM&CS&P) effective December 7, 2006 as approved in Case 06-T-1383, to help meet or exceed water quality standards requested by DEC.

#### Certification

The New York Public Service Commission certifies pursuant to Section 401 of the Clean Water Act, 33 U.S.C. §1341(a)(1) and Article VII of the New York State Public Service Law, 16 NYCRR Subpart 85-2, and 6 NYCRR Section 608.9, that the project, as conditioned here, complies with applicable requirements of Sections 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act, as amended, and the applicable New York State water quality standards, limitations, criteria, and other requirements set forth in 6 NYCRR Subpart 608.9(a) and Parts 701 through 704, provided that all of the conditions listed here are met. This Water Quality Certification is issued in conjunction with the Article VII Certificate issued to NYSEG in Case 11-T-0654.

Conditions

1. Construction and operation of the project shall be in conformance with the Article VII Certificate issued to New York State Electric and Gas Corporation (NYSEG) in Case 11-T-0654.

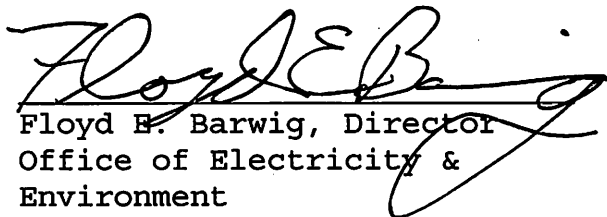
2. No in-water work shall commence until all pre-construction conditions relating to such work contained in the Article VII Certificate have been met to the satisfaction of the New York State Department of Public Service.

3. NYSEG shall provide a copy of this Water Quality Certification to the U.S. Army Corps of Engineers, along with copies of the Application, the Article VII Certificate and EM&CS&P document applicable to Case 11-T-0654 for a record of the conditions that apply hereto.

4. NYSEG shall provide all construction contractors with complete copies of the Article VII Certificate, the EM&CS&P and this Water Quality Certification prior to commencement of construction.

Certified by:

4-16-2013  
Date

  
Floyd E. Barwig, Director  
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Environment  
NYS Department of Public Service  
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