



January 15, 2016

**Via Electronic Filing**

Kimberly D. Bose, Secretary  
 Federal Energy Regulatory Commission  
 888 First Street, NE, Room 1A  
 Washington, DC 20426

**Re: Response to Constitution Pipeline Company, LLC's Supplemental Information in Support of Request for Partial Notice to Proceed, Docket CP13-499.**

Dear Secretary Bose:

On behalf of Catskill Mountainkeeper; Clean Air Council; Delaware-Otsego Audubon Society; Delaware Riverkeeper Network; Riverkeeper, Inc.; and Sierra Club (collectively "Intervenors"), we write to reiterate Intervenors' objections to Constitution's Request for Partial Notice to Proceed and respond to the Supplemental Information Constitution Pipeline Company, LLC ("Constitution") filed with the Federal Energy Regulatory Commission ("FERC" or the "Commission") on January 14, 2016 in support of its Request. Constitution's Supplemental Information does little to respond to the objections raised by Intervenors in their Answer filed on January 11, 2016 and entirely fails to respond to the objections raised in the New York Attorney General Office's opposition filed on January 14, 2016. In particular, Constitution fails to explain how the grant of its Request to Proceed with tree felling would not:

- (1) violate the plain terms of FERC's Order authorizing Constitution's project;
- (2) affect the water quality of nearby waterways by increasing pathways for runoff;
- (3) subvert the New York Department of Environmental Quality's ongoing review of the potential water quality impacts of Constitution's pipeline under the 401 Water Quality Certification provision of the Clean Water Act;
- (4) undermine the rehearing request process provided for by the Natural Gas Act by allowing construction to proceed while the requests for rehearing by Intervenors and others are pending before the Commission; and
- (5) violate the National Environmental Policy Act ("NEPA") by allowing an activity—felling trees but not removing them—that was not considered by the Commission in its NEPA review.

Intervenors therefore again urge the Commission to deny Constitution's Request for Partial Notice to Proceed with tree felling.

/s/ Moneen Nasmith

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