



DELAWARE-OTSEGO AUDUBON SOCIETY, INC.

P.O. BOX 544, ONEONTA, NY 13820

October 1, 2012

Secretary Kimberly Bose
Federal Energy Regulatory Commission
888 First Street N.E.
Washington D.C. 20426

Re: Constitution Pipeline LLC, Docket No. PF12-9

The Delaware-Otsego Audubon Society's position on the process of high volume, slick water hydrofracking is to ban this dangerous polluting technology, which does not benefit the greater good, but promotes corporate profit. The proposed construction of the Constitution Pipeline through local regions of the Marcellus Shale will provide the infrastructure necessary to support this invasive technology in the New York counties it would cross.

DOAS further believes that the construction, maintenance and other activities associated with the Constitution pipeline on the preferred route and the alternative M route will have **an irreversible negative impact upon deciduous and mixed forests, wetlands such as bogs, marshes, swamps, moving and standing water including rivers, streams, and woodland ponds or vernal pools - considered the "coral reefs" of the Northeast Forests.**

These ecosystems are the breeding and feeding grounds for numerous species of birds, mammals, fish, amphibians, reptiles, invertebrates, and plants, a number of which are endangered, threatened, of special concern or in significant decline. A number of these habitats are considered too small for State and Federal Protection, and due to outdated maps, sensitive areas of concern would not be addressed. Therefore, the Delaware-Otsego Audubon Society is requesting that comprehensive studies take place and data be collected on the following ecosystem habitats and species they support.

1. **Streams, rivers (tributaries), ponds, and woodland vernal pools that occur from seasonal changes, classification of wetlands, including bogs, swamps, and marshes.** Particular attention should be placed on seasonal inventories of the woodland vernal pools, a vital part of the healthy ecosystem.
2. **Migratory and resident birds**, feeding, breeding, nesting and fledgling cycles. Particular attention paid to the declining species of warblers, wood thrushes and their habitats. Buteos, Falcons, Accipiters, Hawks, and Eagles should be included in this survey.
3. **Owls**: feeding, breeding, and nesting cycles.
4. **Indiana bat**: highly endangered due to white-nose syndrome, identification of the few remaining habitats, and breeding cycles.



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5. **Fish:** including indigenous, endangered and declining species with particular attention placed on both biotic and abiotic requirements for survival.
6. **Amphibians and Reptiles:** Spring and Fall Surveys of threatened high concern and declining species.
7. **Plants:** Indigenous species, such as ginseng, orchids, pitcher plants; endangered, threatened and special concern. Inventory conducted of the biodiversity of plants that support healthy food webs.
8. **Invertebrates:** in particular, diversity necessary for healthy food webs.
9. **Mammals:** identification of species and habitat. Breeding cycles included.

With all inventories, Keystone species should be identified. Biodiversity inventories that indicate healthy food webs should be conducted. Physical habitat requirements should be assessed and noted.

DOAS recommends utilizing the following resource agencies for inventory due to: 1. Lack of current, accurate State and Federal maps. 2. Information and regulations that fail to cover small rural areas such as ours. 3. Lack of adequate numbers of staff at the New York State Department of Environmental Conservation:

The Delaware-Otsego Audubon Society (local chapter, Audubon New York), Audubon New York, the Atlantic Chapter of the Sierra Club, Cornell Ornithology Lab, Hartwick College Biology Department, SUNY College of Oneonta Biology Department, Paul Smith College of Forestry, SUNY Cobleskill Biological Sciences Department, and the New York Flora Association. In addition to biological science departments, we need physical science departments of involved universities to assess those physical ecosystem needs – for example, water clarity, temperature, sediment content, seasonal optimal temperature requirements and chemical characteristics. Ecosystem soils, moisture content and other substrate requirements for healthy habitats should be assessed.

DOAS requests these recommended agencies do a threatened, endangered, declining species inventory of the proposed areas as well as ecosystem and habitat needs assessment for these species. This combination of organizations has the necessary expertise and adequate staffing to undertake such a task. In addition, these organizations, many of which are local, are committed to a sustainable Catskill environment.

On behalf of the entire DOAS Board of Directors
Thank you for your consideration,

Eileen Kline

Eleanor Moriarty