



Office of Energy Projects

August 2026

**Constitution Pipeline Company, LLC
Iroquois Gas Transmission System, LP**

**Docket Nos. CP13-499-006
and CP13-502-003**

Constitution Pipeline and Wright Interconnect Projects

Environmental Assessment

Washington, DC 20426

NEPA Unique ID: EAXX-019-20-000-1780563178

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY PROJECTS

In Reply Refer To:

OEP/DG2E

Constitution Pipeline Company, LLC

Constitution Pipeline Project

Docket No. CP13-499-006

Iroquois Gas Transmission System, L.P.

Wright Interconnect Project

Docket No. CP13-502-003

TO THE INTERESTED PARTY:

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared an environmental assessment (EA) for the Constitution Pipeline and Wright Interconnect Projects (Projects), proposed by Constitution Pipeline Company, LLC (Constitution) and Iroquois Gas Transmission System, LP (Iroquois), respectively, in the above-referenced dockets.¹ Constitution requests authorization to construct and operate the Constitution Pipeline Project's (CPP) facilities in Susquehanna County, Pennsylvania and Broome, Chenango, Delaware, and Schoharie Counties, New York. Iroquois requests authorization to construct and operate the Wright Interconnect Project's (WIP) facilities in Schoharie County, New York.

Any person wishing to comment on the EA may do so. To ensure consideration of your comments on the proposal prior to making a decision on the Projects, it is important that the Commission receive your comments **on or before 5:00 pm Eastern Time on September 21, 2026**. Instructions for filing comments are provided on page 3.

FERC is the lead federal agency for authorizing interstate natural gas transmission facilities under the Natural Gas Act of 1938 (NGA) and the lead federal agency for preparation of the EA. The EA assesses the potential environmental effects of the CPP and WIP in accordance with the requirements of the National Environmental Policy Act (NEPA)² and the Commission's implementing regulations.³ The principal purposes of the EA are to: identify and assess the potential effects on the natural and human environment; describe and evaluate reasonable alternatives; identify and recommend mitigation measures; and facilitate public involvement in the environmental review process. The EA concludes that approval of the proposed Projects would not constitute a major federal action significantly affecting the quality of the human environment.

¹ For tracking purposes under the National Environmental Policy Act, the unique identification number for documents relating to this environmental review is EAXX-019-20-000-1780563178.

² National Environmental Policy Act of 1969, as amended (Public Law [Pub. L.] 91-190, 42 U.S. Code [U.S.C.] 4321-4347, as amended by Pub. L. 94-52, July 3, 1975; Pub. L. 94-83, August 9, 1975; Pub. L. 97-258, §4(b), September 13, 1982; Pub. L. 118-5, June 3, 2023; Pub. L. 119-21, July 4, 2025).

³ 18 Code of Federal Regulations (CFR) 380.

The EA addresses the potential environmental effects of the construction and operation of the following Project facilities:

- the CPP would entail about 125 miles of new 30-inch-diameter natural gas pipeline and appurtenant facilities that include two new meter stations, ten communication towers, eleven mainline valves, and one pig launcher and one pig receiver,⁴ access roads, contractor yards, and cathodic protection ground beds; and
- the WIP would involve expansion of the existing Wright Compressor Station with the addition of 22,000 horsepower of incremental compression (i.e., “Constitution Transfer Station”) and other miscellaneous modifications as well as modification and upgrade of the existing delivery meter to the Tennessee Gas Pipeline or construction of a new delivery meter.

The Commission mailed a copy of the *Notice of Availability* of the EA to federal, state, and local government representatives and agencies; elected officials; Native American Tribes; environmental and public interest groups; potentially affected landowners and other interested individuals and groups; and media outlets and libraries in the Projects area. The EA is only available in electronic format. It may be viewed and downloaded from the FERC’s website (www.ferc.gov), on the natural gas environmental documents page (<https://www.ferc.gov/industries-data/natural-gas/environment/environmental-documents>). In addition, the EA may be accessed by using the eLibrary link on the FERC’s website. Click on the eLibrary link (<https://elibrary.ferc.gov/eLibrary/search>), select “General Search” and enter the docket number in the “Docket Number” field, excluding the last three digits (i.e., CP13-499 and/or CP13-502). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FercOnlineSupport@ferc.gov or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659.

The EA is not a decision document. It presents Commission staff’s independent analysis of the environmental issues for the Commission to consider when addressing the merits of all issues in this proceeding. Under section 7(c) of the NGA, the Commission determines whether interstate natural gas transportation facilities are in the public convenience and necessity and, if so, grants a Certificate of Public Convenience and Necessity to construct and operate them. The Commission bases its decisions on both economic issues, including need, and environmental effects.

Your comments should focus on the EA’s disclosure and discussion of potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental effects. The more specific your comments, the more useful they will be. For your convenience, there are three methods you can use to file your comments to the Commission. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208-3676 or FercOnlineSupport@ferc.gov. Please carefully follow these instructions so that your comments are properly recorded.

⁴ A pig is an internal tool that can be used to clean and dry a pipeline and/or to inspect it for damage or corrosion.

- (1) You can file your comments electronically using the [eComment](#) feature on the Commission's website (www.ferc.gov) under the link to [FERC Online](#). This is an easy method for submitting brief, text-only comments on a project;
- (2) You can also file your comments electronically using the [eFiling](#) feature on the Commission's website (www.ferc.gov) under the link to [FERC Online](#). With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "[eRegister](#)." You must select the type of filing you are making. If you are filing a comment on a particular project, please select "Comment on a Filing"; or
- (3) You can file a paper copy of your comments by mailing them to the Commission. Be sure to reference the project docket number (CP13-499-006 and/or CP13-502-003) on your letter. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

Filing environmental comments will not give you intervenor status, but you do not need intervenor status to have your comments considered. Only intervenors have the right to seek rehearing or judicial review of the Commission's decision. At this point in this proceeding, the timeframe for filing timely intervention requests has expired. Any person seeking to become a party to the proceeding must file a motion to intervene out-of-time pursuant to Rule 214(b)(3) and (d) of the Commission's Rules of Practice and Procedures (18 Code of Federal Regulations § 385.214(b)(3) and (d)) and show good cause why the time limitation should be waived. Motions to intervene are more fully described at <https://www.ferc.gov/how-intervene>.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502-6595 or OPP@ferc.gov. Additional information about the Projects is available from the FERC website (www.ferc.gov) using the [eLibrary](#) link. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to <https://www.ferc.gov/ferc-online/overview> to register for eSubscription.

Commission Staff Page Limit and Deadline Certifications

I certify that Commission staff has considered the factors mandated by the National Environmental Policy Act (NEPA) and that this environmental document represents a good-faith effort to disclose the most important considerations required by NEPA within the statutory page limit (42 U.S.C. § 4336a(e)) and the statutory deadline (42 U.S.C. § 4336a(g)). This certification reflects staff's expert judgment that the analysis contained within this environmental document is an accurate representation of the potential environmental effects of the proposed action and the analysis is substantially complete. In staff's judgment, any considerations addressed briefly or left unaddressed would not meaningfully inform the assessment of environmental effects.

Gertrude Fernandez Johnson, Director
Division of Gas – Environment and
Engineering

CONSTITUTION PIPELINE AND WRIGHT INTERCONNECT PROJECTS ENVIRONMENTAL ASSESSMENT

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TECHNICAL ABBREVIATIONS AND ACRONYMS

2014 Order	Order originally authorizing the Projects on December 2, 2014
CAA	Clean Air Act
Certificate	Certificate of Public Convenience and Necessity
CFR	Code of Federal Regulations
CH ₄	methane
CO ₂	carbon dioxide
CO ₂ e	carbon dioxide equivalent
COE	U.S. Army Corps of Engineers
Commission	Federal Energy Regulatory Commission
Constitution	Constitution Pipeline Company, LLC
CPP	Constitution Pipeline Project
CWA	Clean Water Act
dB	decibels
dBA	decibels on the A-weighted scale
DOT	U.S. Department of Transportation
EA	environmental assessment
ECP	Environmental Construction Plan
EIR	Environmental Information Request
ESA	Endangered Species Act
FEIS	final environmental impact statement
FEMA	Federal Emergency Management Agency
FERC	Federal Energy Regulatory Commission
GHG	greenhouse gases
GWP	global warming potential
HCA	high consequence area
HDD	horizontal directional drill
IPaC	Information for Planning and Consultation
Iroquois	Iroquois Gas Transmission System, L.P.
L _{dn}	day-night sound level
M&R	metering and regulating
MP	milepost
N ₂ O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NGA	National Gas Act
NHPA	National Historic Preservation Act
NLEB	northern long-eared bat
NMFS	National Marine Fisheries Service
NOP	Notice of Petition
NOS	Notice of Public Scoping
NO _x	oxides of nitrogen

NPDES	National Pollutant Discharge Elimination System
NSA	Noise Sensitive Area
NYSDEC	New York State Department of Environmental Conservation
NYSNHP	New York State Natural Heritage Program
OEP	Office of Energy Projects
Order	Order Issuing Certificates
PADCNR	Pennsylvania Department of Conservation and Natural Resources
PADEP	Pennsylvania Department of Environmental Protection
PGC	Pennsylvania Game Commission
Plan	<i>Upland Erosion Control, Revegetation, and Maintenance Plan</i>
PM _{2.5}	particles with an aerodynamic diameter less than or equal to 2.5 microns
PM ₁₀	particles with an aerodynamic diameter less than or equal to 10 microns
Procedures	<i>Wetlands and Waterbody Construction and Mitigation Procedures</i>
SHPO	State Historic Preservation Officer
U.S.C.	U.S. Code
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGCRP	U.S. Global Change Research Program
WIP	Wright Interconnect Project

SECTION A – PROPOSED ACTION

1.0 Introduction

The staff of the Federal Energy Regulatory Commission (Commission or FERC) prepared this environmental assessment (EA) to assess the environmental effects of the proposed authorizations for the Constitution Pipeline Project (CPP) and Wright Interconnect Project (WIP) (collectively, the Projects). The CPP would be located in Susquehanna County, Pennsylvania, and Broome, Chenango, Delaware, and Schoharie Counties, New York. The WIP would be located in Schoharie County, New York.

On June 13, 2013, Constitution Pipeline Company, LLC¹ (Constitution) and Iroquois Gas Transmission System, L.P.² (Iroquois) (collectively, the Petitioners) filed applications with the FERC for the Projects in Docket Nos. CP13-499-000 and CP13-502-000. On October 24, 2014, FERC issued a final Environmental Impact Statement (FEIS) that analyzed the Projects.³ The Commission issued an Order Issuing Certificates authorizing the Projects on December 2, 2014 (2014 Order).⁴ The Projects were authorized to deliver up to 650,000 dekatherms per day of firm transportation service of natural gas to the interconnects with the Tennessee Gas Pipeline Company, LLC, and Iroquois systems at the existing Wright Compressor Station. The 2014 Order, as amended, required Constitution and Iroquois to complete construction of the CPP and WIP and place both Projects into service by December 2, 2020. Trees were cleared along the right-of-way in Pennsylvania, but other construction phases did not occur. No construction occurred in New York. On March 31, 2020, and November 24, 2020, Iroquois and Constitution, respectively, notified the Commission that they would not move forward with their projects.⁵ The Commission's authorizations to construct the Projects lapsed on December 3, 2020, due to the failure of Constitution and Iroquois to complete construction. On November 18, 2021, the U.S. Court of Appeals for the Second Circuit vacated the 2014 Order and the Second Waiver

¹ Jointly owned by Williams Partners Operating, LLC; Cabot Pipeline Holdings, LLC; Piedmont Constitution Pipeline Company, LLC; and Capital Energy Ventures Corporation.

² Jointly owned by TC Pipelines GP, Inc., and TransCanada Pipeline USA LTD. (both subsidiaries of TC Energy) and Eastern Energy Gas Holdings, LLC and Iroquois, Inc. (both subsidiaries of BHE GT&S, LLC, a Berkshire Hathaway Energy Company).

³ Final Environmental Impact Statement re Constitution Pipeline and Wright Interconnect Projects, Docket No. CP13-499-000, et al. (Oct. 24, 2014) ("Final EIS"). FERC Accession Number 20141024-4001.

⁴ For ease of reference, this EA considers the "Projects" to represent the currently proposed iterations of the Projects that were previously authorized by the Commission's 2014 Order (FERC Accession Number 20141202-4011) as well as further authorizations approved on September 18, 2015, October 20, 2015, January 28, 2016, January 29, 2016, October 13, 2016, January 11, 2017, April 18, 2017, and April 20, 2017 (including all variances approved within the Commission's Compliance Monitoring Program). The 2014 Order and associated authorizations were subsequently vacated.

⁵ Iroquois March 31, 2020 Notice Regarding Wright Interconnection Project (Docket No. CP13-502-000). FERC Accession Number 20200331-5025; Constitution November 24, 2020 Status Update and Final Monitoring Report (Docket No. CP13-499-000). FERC Accession Number 20201124-5181.

Order⁶ and remanded to the Commission “with instructions to dismiss the agency proceedings.”⁷ The Commission issued an Order on January 23, 2026, dismissing the proceedings.⁸

On December 19, 2025, Constitution filed a petition (Constitution’s petition) pursuant to Section 7(c) of the Natural Gas Act (NGA) and Part 157 of the Commission’s regulations, for reissuance of a certificate of public convenience and necessity.⁹ On February 13, 2026 Iroquois filed a petition (Iroquois’ petition) pursuant to Section 7(c) of the NGA and Part 157 of the Commission’s regulations, for reissuance of a certificate of public convenience and necessity and approval to abandon by lease to Constitution the incremental capacity associated with the WIP.¹⁰ Constitution and Iroquois seek to construct and operate the facilities previously certificated by the Commission in the 2014 Order, along with subsequent post-Order modifications that were then-approved via supplemental filings, the Implementation Plan, and variance requests.

The proposed action includes the following facilities:

- Constitution proposes to construct and operate the CPP consisting of about 125 miles of new 30-inch-diameter natural gas pipeline and appurtenant facilities that include two new meter stations, ten communication towers, eleven mainline valves, and one pig launcher and one pig receiver,¹¹ access roads, contractor yards, and cathodic protection ground beds; and
- Iroquois proposes an expansion of the existing Wright Compressor Station with the addition of 22,000 horsepower of incremental compression (i.e., Constitution Transfer Station) and other miscellaneous modifications as well as modification and upgrade of the existing delivery meter to the Tennessee Gas Pipeline or construction of a new delivery meter.

We¹² prepared this EA in compliance with the requirements of the National Environmental Policy Act (NEPA)¹³ and the Commission’s implementing regulations under title

⁶ Order on Rehearing at pages 3-4. The Commission denied Constitution’s petition for a declaratory order that NYSDEC had waived its authority under Section 401 of the Clean Water Act (CWA) on January 11, 2018 and subsequently denied rehearing. On August 28, 2019, the Commission issued an order reversing its prior finding and determining that NYSDEC had waived its authority under Section 401 of the CWA. FERC Accession Number 20191108-3023.

⁷ *N.Y. State Dep’t of Env’t Conservation v. FERC*, Nos. 19-4338, 20-158, and 20-208, and *Catskill Mountainkeeper, Inc. v. FERC*, Nos. 16-345 and 16-361 (2d Cir. Nov. 18, 2021). See Stop the Pipeline February 4, 2021 Motion to Dismiss for Lack of Subject-Matter Jurisdiction and for Vacatur of the Orders. FERC Order on Remand (January 23, 2026). FERC Accession Number 20260123-3074.

⁸ Constitution December 19, 2025 Petition for Reissuance of Certificate Authority and Reaffirmance of Waiver Determination. FERC Accession Number 20251219-5626. Constitution also requests reaffirmance of the Commission’s determination that New York waived its authority under Section 401 of the CWA. *Id.* The issue of waiver presents legal questions that will be addressed by the Commission in a later order.

⁹ Iroquois February 13, 2026 Petition for Expedited Reissuance of Certificate Authority and Approval of Capacity Lease Agreement. FERC Accession Number 20260213-5321.

¹⁰ A pig is an internal tool that can be used to clean and dry a pipeline and/or to inspect it for damage or corrosion.

¹¹ “We,” “us,” and “our” refer to the Commission’s environmental and engineering staff of the Office of Energy Projects.

¹² National Environmental Policy Act of 1969, as amended (Public Law [Pub. L.] 91-190. 42 U.S. Code §§ 4321–4347, as amended by Pub. L. 94-52, July 3, 1975, Pub. L. 94-83, August 9, 1975, Pub. L. 97-258, §4(b), September 13, 1982, Pub. L. 118-5, June 3, 2023, Pub. L. 119-21, July 4, 2025).

18 of the Code of Federal Regulations (CFR) part 380. In this EA, we address the environmental effects of the proposed action and incorporate by reference the FEIS. All avoidance, minimization, and mitigation measures identified in the FEIS would continue to apply, unless otherwise indicated in this EA, for the proposed Projects. Constitution and Iroquois reaffirmed compliance with the applicable conditions of the 2014 Order.¹⁴ We recommend that the Commission incorporate the conditions listed in the 2014 Order, where applicable, as mandatory environmental conditions of any Certificate it may issue to Constitution and Iroquois for the Projects. The environmental conditions of the 2014 Order, with certain minor modifications as discussed further in this EA, are listed in section D of this EA.

2.0 Purpose and Need

Constitution states “the purpose of the Project is, and remains, to “increase[e] supply diversity and improv[e] operational performance, system flexibility, and reliability in the New York and New England market areas.”¹⁵ Iroquois stated in its petition that the purpose of the WIP has not changed.¹⁶ As stated in section 1.1 of the FEIS, the purpose of the WIP is to provide 650,000 dekatherms per day of leased firm transportation capacity for natural gas from the terminus of the CPP in Wright, New York, to downstream customers in Iroquois’s existing system through the addition of system compression, interconnections (including with the Tennessee Gas Pipeline system), and other necessary infrastructure.

Under section 7(c) of the NGA, the Commission determines whether interstate natural gas transportation facilities are in the public convenience and necessity and, if so, grants a Certificate to construct and operate them. The Commission bases its decisions on both economic issues, including need, and environmental impacts.

We received several comments that natural gas from the Projects would be used for export. As noted above, Constitution stated that its Project was designed to provide additional natural gas supplies to New York and New England. Further, the potential for exportation of natural gas was addressed in section 1.3 of the FEIS. The potential Iroquois SoNo (i.e., South to North) Project discussed in the 2014 FEIS, which could have potentially delivered natural gas to interconnects in Canada, was not pursued by Iroquois. The CPP is designed to deliver natural gas to the WIP, not to a liquefied natural gas export terminal.

3.0 Scope of Environmental Assessment

Commission staff reviewed the petitions, supplemental filings, and comments received to establish the scope of this EA. As presented, in table A.3-1 below, we first considered whether a resource could have experienced substantial¹⁷ changes since the FEIS. If the resource has

¹⁴ Constitution May 22, 2026 Environmental Information Request (EIR) No. 2. FERC Accession Number 20260522-5210. Iroquois May 22, 2026 Data Request Response No. 1. FERC Accession Number 20260526-5245.

¹⁵ Constitution December 19, 2025 Petition for Reissuance of Certificate Authority and Reaffirmance of Waiver Determination, pages 20-21. FERC Accession Number 20251219-5626.

¹⁶ Iroquois February 13, 2026 Petition for Expedited Reissuance of Certificate Authority and Approval of Capacity Lease Agreement at page 5. FERC Accession Number 20260213-5321.

¹⁷ We define “substantial changes” as being large enough or modified in essence enough to possibly cause meaningful differences in the assessment of environmental effects.

changed, we evaluated whether further detailed analysis was warranted due to substantial changes in the affected environment or potential effects on the resource and if so, that resource is carried forward for discussion in the EA. If the resource has not substantially changed or effects on that resource from the proposed Projects would not be substantially different than previously discussed in the FEIS, that resource area is not carried forward and a rationale is provided.

The topics identified in table A.3-1 as carried forward for further discussion are addressed in section B of this EA. Section B summarizes changes in the affected environment since the FEIS; discusses new or different environmental consequences of the proposed Projects; identifies new or modified measures proposed by Constitution and Iroquois to avoid, minimize, or mitigate effects; and presents our additional recommended mitigation measures, where applicable. Additional recommended mitigation measures are summarized in section D, which includes the environmental conditions of the 2014 Order, where applicable. The EA also assesses alternatives to the proposed actions (see section C). We recommend the Commission incorporate the measures listed in section D as mandatory environmental conditions of any authorizations it may issue to Constitution and Iroquois for the Projects.

Table A.3-1 Summary of Resources and Effects Analyzed		
Resource Area	Substantial Changes in Resources or Effects Since the FEIS	Determination
Geology	☐ Yes ☒ No	☐ Carried Forward ☒ Not Carried Forward Rationale if not carried forward: We reviewed the Petitioners' filings, filed comments, and other available information in consideration of the analyses discussed in the FEIS and concluded that geologic features including setting, mineral resources, hazards, and paleontological resources and effects would essentially remain as described in section 4.1 of the FEIS. Constitution's contractor identified nine new potential landslide areas since issuance of the FEIS.¹⁸ Constitution has committed to evaluate these areas and file the results of the evaluations and any proposed mitigation measures prior to the start of construction. The identification of these sites has not changed the conclusion regarding landslides discussed in section 4.1.3.4 of the FEIS. In addition, condition no. 16 of the 2014 Order required a geotechnical expert to identify and develop mitigation measures for potential landslides during construction. While Constitution has reaffirmed its commitment to meeting the 2014 Order conditions, it is our recommendation that condition no. 16 of the 2014 Order apply to the CPP.
Soils	☐ Yes ☒ No	☐ Carried Forward ☒ Not Carried Forward Rationale if not carried forward: We reviewed the Petitioners' filings, filed comments, and other available information in consideration of the analyses discussed in the FEIS and concluded that soil types and the effects on soils would be essentially the same as described in section 4.2 of the FEIS. No substantial, new information or changes to the affected environment or effects were identified which would change the conclusions presented in the FEIS.

¹⁸

Constitution July 17, 2026 Attachment EIR 15f. FERC Accession Number 20260717-5214.

Table A.3-1 Summary of Resources and Effects Analyzed		
Resource Area	Substantial Changes in Resources or Effects Since the FEIS	Determination
Water Resources	☒ Yes ☐ No	☒ Carried Forward (CPP only) ☐ Not Carried Forward Rationale if not carried forward: As discussed in section 4.3.3 of the FEIS, no waterbodies are present within Iroquois' proposed facilities.
Wetlands	☒ Yes ☐ No	☒ Carried Forward (CPP only) ☐ Not Carried Forward Rationale if not carried forward: As discussed in section 4.4 of the FEIS, Iroquois' project would not affect any wetlands.
Vegetation	☐ Yes ☒ No	☐ Carried Forward ☒ Not Carried Forward Rationale if not carried forward: We reviewed the Petitioners' filings, filed comments, and other available information in consideration of the analyses discussed in the FEIS and concluded the vegetation land cover types and effects on these resources from the Projects would be substantially the same as described in section 4.5 of the FEIS. Tree felling occurred in Pennsylvania in the right-of-way during an early CPP construction phase, but not in New York. Depending on landowner activities and preferences, the cleared areas would have started to regenerate into shrub vegetation or small trees. Invasive plant species that may have colonized the previously cleared area would be addressed by Constitution's Pennsylvania-specific Invasive Species Management Plan as described in section 4.5.4 of the FEIS. Constitution committed to coordination with the Pennsylvania (PA) Department of Conservation and Natural Resources (PADCNR) and the New York (NY) State Department of Environmental Conservation (NYSDEC) to update (as necessary) both state-specific Invasive Species Management Plans based on new field surveys. ¹⁹ The limestone woodland community described in table 4.5.2-1 and section 4.5.2 of the FEIS now has an updated NY state rank of S2S3 (considered either very vulnerable or vulnerable to extirpation), but the location, extent, and nature of the community remains consistent with the FEIS and the measures used by Constitution would also be consistent with those described in the FEIS and ECPs. ²⁰ No new vegetation land cover types would be affected by the Projects and effects would remain similar. Therefore, the conclusions presented in the FEIS would not change.

¹⁹ Constitution July 10, 2026 Response to EIR No. 2. FERC Accession Numbers 20260710-5208.

²⁰ Constitution July 17, 2026 EIR Response No. 15m. FERC Accession Number 20270717-5214.

Table A.3-1 Summary of Resources and Effects Analyzed		
Resource Area	Substantial Changes in Resources or Effects Since the FEIS	Determination
Wildlife and Aquatic Resources	☐ Yes ☒ No	☐ Carried Forward ☒ Not Carried Forward Rationale if not carried forward: We reviewed the Petitioners' filings, filed comments, and other available information in consideration of the analyses discussed in the FEIS and concluded that the wildlife, fish, and aquatic resources and general effects on these resources from the Projects would be essentially the same as described in section 4.6 of the FEIS. No substantial, new information or changes to the affected environment or effects were identified which would change the conclusions presented in the FEIS. In addition, Constitution committed to continue coordination with the applicable federal and state agencies regarding sensitive fisheries and aquatic resources and incorporate agency feedback into permit applications.²¹
Migratory Birds (including bald and golden eagles)	☐ Yes ☒ No	☐ Carried Forward ☒ Not Carried Forward Rationale if not carried forward: We reviewed the Petitioners' filings, filed comments, and other available information in consideration of the analyses discussed in the FEIS and concluded that the migratory birds (including bald and golden eagles) and general effects on these resources from the Projects would be essentially the same as described in sections 4.5.3.1, 4.6.1.3, and 4.7.3 of the FEIS. In 2015, Constitution filed a Migratory Bird and Upland Forest Plan in coordination with the U.S. Fish and Wildlife Service (USFWS), NYSDEC, PADCNr, and the PA Game Commission (PGC) per condition no. 23 of the 2014 Order (section D). Constitution has committed to consulting with USFWS, NYSDEC, PADCNr, and PGC to update mitigation measures included in the Migratory Bird and Upland Forest Plan as necessary. Constitution filed²² bald eagle disturbance mitigation measures with the Commission in 2015 and has committed to consulting the federal and state agencies to update the measures as necessary. Further, Constitution has committed to conducting pre-construction surveys for bald eagle nests along the proposed CPP route and would implement measures to mitigate disturbance of occupied nests during the breeding season should any be present during construction. As stated in section 4.7.3 of the FEIS, given that golden eagles breed in Canada and that nesting pairs are not known in the area of the Projects, we conclude the Projects would not result in adverse impacts on golden eagles.
Special Status Species (including State-listed Species)	☒ Yes ☐ No	☒ Carried Forward ☐ Not Carried Forward Rationale if not carried forward:

²¹ Constitution July 10, 2026 Response to EIR No. 4. FERC Accession Numbers 20260710-5208.

²² Constitution March 25, 2015 bald eagle disturbance mitigation measures. FERC Accession Number 20150325-5194.

Table A.3-1 Summary of Resources and Effects Analyzed		
Resource Area	Substantial Changes in Resources or Effects Since the FEIS	Determination
Land Use	☒ Yes ☐ No	☒ Carried Forward (CPP only) ☐ Not Carried Forward Rationale if not carried forward: We reviewed Iroquois' filings, filed comments, and other available information in consideration of the analyses discussed in the FEIS and concluded that land use and effects would remain essentially as described in section 4.8.1.3 of the FEIS. No substantial, new information or changes to the affected environment were identified which would change the conclusions presented in the FEIS.
Recreation, Special Interest Areas, and Visual Resources	☐ Yes ☒ No	☐ Carried Forward ☒ Not Carried Forward Rationale if not carried forward: We reviewed the Petitioners' filings, filed comments, and other available information in consideration of the analyses discussed in the FEIS and concluded that recreational use and special interest areas and public lands, and visual resources and effects would remain essentially as described in section 4.8 of the FEIS. No substantial, new information or changes to the affected environment were identified which would change the conclusions presented in the FEIS.
Socio-economics	☐ Yes ☒ No	☐ Carried Forward ☒ Not Carried Forward Rationale if not carried forward: We reviewed the Petitioners' filings, filed comments, and other available information in consideration of the analyses discussed in the FEIS and concluded that socioeconomic resources and effects in the area of the Projects would remain essentially as described in section 4.9 of the FEIS. Constitution provided updated data for population, employment, housing, public services, and traffic. ²³ The updated information is not substantially different than the data provided in the FEIS and therefore the conclusions presented in the FEIS remain valid.
Cultural Resources	☒ Yes ☐ No	☒ Carried Forward ☐ Not Carried Forward Rationale if not carried forward:
Air Quality and Noise	☒ Yes ☐ No	☒ Carried Forward ☐ Not Carried Forward Rationale if not carried forward:
Reliability and Safety	☒ Yes ☐ No	☒ Carried Forward ☐ Not Carried Forward Rationale if not carried forward:

The Commission is a regulatory agency and conducts a complete independent review of project proposals, including an environmental review of the proposed facilities. As the lead federal agency for the Projects, FERC is required to comply with consultation requirements of

²³ Constitution July 10, 2026 EIR No. 15y. FERC Accession Number 20260710-5208.

Section 7 of the Endangered Species Act (ESA), as amended, and Section 106 of the National Historic Preservation Act (NHPA). The Petitioners must comply with all applicable federal authorizations, including Section 404 of the CWA and the Clean Air Act (CAA). These statutes and all applicable federal laws and regulations have been considered in the preparation of this EA. In addition to FERC, other federal, state, and local agencies may use this EA in approving or issuing any permits necessary for all or part of the proposed Projects. Permits, approvals, and regulatory consultations for the Projects are discussed in section A.6.

4.0 Public Participation and Comment

On January 8, 2026, the Commission issued a *Notice of Petition and Establishing Intervention Deadline* (NOP) for the CPP. On February 24, 2026, the Commission issued a NOP for the WIP. The NOPs established a 21-day protest and intervention period and allowed comments on the petitions as a whole or specific aspects of the petitions. The NOPs established a deadline for comments, protests, and motions to intervene of January 19, 2026, for the CPP and March 17, 2026, for the WIP. On April 3, 2026, the Commission issued a *Notice of Scoping Period Requesting Comments on Environmental Issues for the Proposed Constitution Pipeline and Wright Interconnect Projects* (NOS). The NOS established a deadline of May 4, 2026 for comments on specific concerns about the CPP and the WIP or issues that should be considered during the NEPA process.

In response to the two NOPs and the NOS, the Commission received approximately 688 filings from elected officials, state agencies, city governments, individuals, environmental non-profit groups, and companies for both Projects. We also received three form letters from individuals and organizations. In addition, two parties filed large compilations,²⁴ totaling 4,691 comments and/or signatories, some of which contained form letters. We also received 165 letters in support of the Projects.

Several commenters requested the scoping comment periods be extended. We have reviewed all comment letters submitted prior to issuance of this EA, regardless of whether comments were timely received. All substantive environmental comments that were received with sufficient time to review and include have been addressed in this EA or were adequately addressed in the FEIS with analyses that are still valid.

Several commenters requested the Commission prepare a Supplemental Environmental Impact Statement for the Projects. In section D below, we note that impacts from the proposed Projects would result in a finding of no significant impact. Therefore, assessment of the Projects in an EA is sufficient.

The pertinent²⁵ comments received in response to the NOPs and NOS are summarized in table A.4-1 below and are further addressed, as applicable, in the relevant sections of this EA. Other comments received that are outside the scope of our NEPA analysis are not addressed

²⁴ FERC Accession Numbers 20260129-5401 and 20260130-5246.

²⁵ As stated previously, the purposes for preparing this EA are to identify and assess the newly-identified and substantial (relative to the FEIS) potential effects on the natural and human environment; describe and evaluate reasonable alternatives; and identify and recommend mitigation measures, as necessary, to avoid or minimize project-related environmental impacts. Comments that inform this analysis are considered pertinent.

further in this EA because they are not specific to environmental resources that may be affected by the actions requested by the Petitioners. Such topics may be addressed, as appropriate, in the Commission Order for this proceeding.

Table A.4-1 Summary of Comments Received	
Topic	Response
Request that the Commission not issue a Certificate for the Projects due to Constitution's request that the Commission reaffirm its determination that NYSDEC waived its authority under Section 401 of the CWA to issue or deny a water quality certification for the CPP	This is a legal question outside the scope of this EA.
Use of herbicides	Staff's analysis and conclusions have not changed from what was presented in our responses to comments CO50-39 and IND291-9 in appendix S of the FEIS.
Organic farming	Staff's analysis and conclusions have not changed from what was presented in section 4.8.4.1 of the FEIS.
Harm to the natural landscape and effects on the local economy	Staff's analysis and conclusions have not changed from what was presented in section 4.9 of the FEIS.
The Projects would result in minimal long-term job creation	Staff's analysis and conclusions have not changed from what was presented in section 4.9.1 of the FEIS.
The Projects would increase pollution-driven health costs; affect food and water security; increase acid rain; be inconsistent with town Comprehensive Plans; Resource Conservation and Recovery Act; influence future development; data center development; and future natural gas expansions. The Petitioners should pay fees to relevant affected County/Town(s) for loss of future tax base; make an annual payment in lieu of taxes; and pay owners within the calculated hazard distance. Landowner concerns regarding workers carrying firearms on their property and workers possessing a valid picture ID.	These comments are too speculative and remote in time or geographic location and are otherwise outside the scope for this EA.
Effects on tourism	Staff's analysis and conclusions have not changed from what was presented in section 4.9.2 of the FEIS.
Market need/public interest	The Commission will ultimately determine in its Order whether Petitioners have demonstrated market need to satisfy the public convenience and necessity standard.
Previous NEPA analysis is flawed and cannot be relied upon	The Commission will ultimately determine in its Order whether the prior and current NEPA analyses are sufficient to fulfill its NEPA obligations.

Table A.4-1 Summary of Comments Received	
Topic	Response
Schedule of fines for non-compliance	Staff's analysis and conclusions have not changed from what was presented in our response to comment CO42-33 in appendix S of the FEIS.
Effects of Hurricane Irene	Staff's analysis and conclusions have not changed from what was presented in section 4.1.3.5 of the FEIS.
Hunting season	Staff's analysis and conclusions have not changed from what was presented in section 4.8.4 of the FEIS and in our response to comment IND610-5 in appendix S of the FEIS.
Chemical use on the right-of-way	Staff's analysis and conclusions have not changed from what was presented in our response to comment IND285-2 in appendix S of the FEIS.
Use of Road Use Agreements	Staff's analysis and conclusions have not changed from what was presented in our response to comment LA10-20 in appendix S of the FEIS.
Increased traffic	Staff's analysis and conclusions have not changed from what was presented in section 4.9 of the FEIS.
Localized effects of heat emitted from the pipeline	Staff's analysis and conclusions have not changed from what was presented in our response to comment IND163-1 in appendix S of the FEIS.
Updated construction standards in New York	These comments are outside the scope for this EA and would be the responsibility of the State of New York.
Fracking	Staff's analysis and conclusions have not changed from what was presented in section 4.13 of the FEIS.
Damage to sub-surface water flow	Staff's analysis and conclusions have not changed from what was presented in section 4.3.1 of the FEIS.
Damage to drinking water wells	Staff's analysis and conclusions have not changed from what was presented in our response to comment LA4-2 in appendix S of the FEIS.
Erosion and sedimentation from tree removal and crossing of intermittent streams	Staff's analysis and conclusions have not changed from what was presented in sections 2.3 and 4.3 of the FEIS.
Effects on amphibians	Staff's analysis and conclusions have not changed from what was presented in section 4.6 of the FEIS.
Stream restoration (including increased turbidity, effects on dissolved oxygen levels, increased water temperatures, and removal of riparian vegetation)	Staff's analysis and conclusions have not changed from what was presented in section 4.3.3.6 of the FEIS.

Table A.4-1 Summary of Comments Received	
Topic	Response
Effects on trout streams	Staff's analysis and conclusions have not changed from what was presented in sections 4.3.3.4 and 4.6.2.2 of the FEIS.
Responsibility for clean-up	Staff's analysis and conclusions have not changed from what was presented in our response to comment IND85-5 in appendix S of the FEIS.
Shifting stream paths could cause pipeline exposure	Staff's analysis and conclusions have not changed from what was presented in sections 4.1.3.5 and 4.3.3.6 of the FEIS.
Crop viability and drainage	Staff's analysis and conclusions have not changed from what was presented in section 4.8.4.2 of the FEIS.
Flooding	Staff's analysis and conclusions have not changed from what was presented in section 4.1.3.5 of the FEIS.
Effects on property values	Staff's analysis and conclusions have not changed from what was presented in section 4.9.5 of the FEIS.
Effects on homeowner's insurance	Staff's analysis and conclusions have not changed from what was presented in section 4.9.5 of the FEIS. Since the issuance of the FEIS, FERC staff have continued to review proposals for greenfield pipeline infrastructure and have not encountered situations where pipelines resulted in losses of insurance or increased premiums.
Forest fragmentation	Staff's analysis and conclusions have not changed from what was presented in section 4.5.3 of the FEIS.
Farming/agriculture (heavy farming equipment and compensation)	Staff's analysis and conclusions have not changed from what was presented in sections 2.3.2, 4.2, 4.8.4, appendix J, and our response to comment LA10-26 in appendix S of the FEIS.
Eminent domain	Staff's analysis and conclusions have not changed from what was presented in our response to comment FA8-3 in appendix S of the FEIS.
Methane exposure and effects on elderly and vulnerable populations	Staff's analysis and conclusions have not changed from what was presented in section 4.12 of the FEIS.
Venting, fugitive emissions, blowdowns, and public health effects of pollution exposure	Staff's analysis and conclusions have not changed from what was presented in sections 4.11.1, 4.11.1.3, and 4.11.2.3 of the FEIS.
Social cost of carbon	Staff's analysis and conclusions have not changed from what was presented in section 4.13.6.10 of the FEIS.

Table A.4-1 Summary of Comments Received	
Topic	Response
Radon	Staff's analysis and conclusions have not changed from what was presented in section 4.11.1.4 of the FEIS.
Continuous noise and sound proofing	Staff's analysis and conclusions have not changed from what was presented in section 4.11.2.3 of the FEIS.
Stakeholders, expressing concerns about the CPP such as reforestation, Natural Resources Conservation Service (NRCS) conservation programs, and horse sanctuaries, that would live near the proposed route but would not be crossed by work areas	Nearby parcels that would not be crossed by the CPP would not be subject to tree clearing or ground disturbance. Potential indirect effects on reforestation (section 4.5), conservation programs (section 4.8.4), and noise effects (section 4.11.2) are discussed in the FEIS.
The Petitioners' safety record	Staff's analysis and conclusions have not changed from what was presented in our response to comment CO47-1 in appendix S of the FEIS.
Earthquakes	Staff's analysis and conclusions have not changed from what was presented in section 4.1.3 of the FEIS.
Incomplete Integrity Management Plan	Staff's analysis and conclusions have not changed from what was presented in section 4.12 of the FEIS.
Minimum set-back distance from dwellings	See section B.8.1 (Reliability and Safety).
Emergency services (including need for resources and training)	Staff's analysis and conclusions have not changed from what was presented in section 4.12.1 of the FEIS.
Opposition to fossil fuels in favor of renewable energy	Staff's analysis and conclusions have not changed from what was presented in section 3.1 of the FEIS.
Alternative M (I-88)	Staff's analysis and conclusions have not changed from what was presented in section 3.4.1.2 of the FEIS.
Air quality, greenhouse gases, climate change (including fugitive emissions)	See section B.6 (Air Quality)
Aquatic resources (including sedimentation impacts)	See table A.3-1
Cultural resources (including adherence to Section 106 of the NHPA and tribal consultation)	See section B.4 (Cultural Resources)
Geology (including karst; blasting)	See table A.3-1
Noise	Section B.7 (Noise)
Safety	Section B.8
Soils (including sedimentation)	See table A.3-1
Surface water, groundwater, and wetlands (including water quality and sedimentation)	See section B.2 (Water Resources)

Table A.4-1 Summary of Comments Received	
Topic	Response
Vegetation and wildlife, wildlife sanctuary located near the CPP outside of the Project Area	See table A.3-1. Effects on wildlife sanctuaries outside the Project Area would be either avoided or be similar to general effects on wildlife, such as noise, as described in section 4.6.1.4 of the FEIS.
Threatened and endangered species	Section B.3 (Special Status and Protected Species)

5.0 Proposed Actions

Constitution and Iroquois propose to construct the Projects using the same construction methods, equipment, mitigation measures and plans as described in section 2 of the FEIS and the subsequently requested modifications that were reviewed and approved by FERC from 2014 to 2017,²⁶ with limited exceptions. The requested modifications were filed in the FERC docket and requested in Constitution's post-FEIS filings,²⁷ Implementation Plan,²⁸ supplemental information for requested modifications,²⁹ and notice to proceed requests,³⁰ which were approved after issuance of the original Certificate.³¹ Additional variance requests were approved as part of FERC's Environmental Compliance Monitoring Program and disclosed in the reports for that Program.³² Iroquois did not request any modifications to its proposed action after issuance of the

²⁶ Constitution December 19, 2025 Environmental Consistency Summary (Attachment I) at pages 1-1 and 1-2. FERC Accession Number 20251219-5626.

²⁷ Constitution October 31, 2014 supplemental information regarding minor route deviations. FERC Accession Number 20141031-5310.

²⁸ Constitution May 19, 2015 Implementation Plan. FERC Accession Number 20150519-5135.

²⁹ Constitution July 16, 2015 reroute based on public comments and to avoid sensitive wetlands. FERC Accession Number 20150716-5013. September 9, 2015 and September 17, 2015 supplemental information regarding the request to add Contractor Yard 5B. FERC Accession Numbers 20150909-5178 and 20150917-5091. Constitution October 14 and 16, 2015 supplemental information regarding the request to add a temporary 2-inch diameter water line. FERC Accession Numbers 20151014-5341 and 20151016-5492. Constitution September 30 and October 6, 2016 request to process and remove felled timber. FERC Accession Numbers 20160930-5314 and 20161006-5117. Constitution January 6, 2017 request to add temporary access road TAR-8A. FERC Accession Number 20170106-5056. Constitution March 21, 2017 request to add temporary access road TAR-16A. FERC Accession Number 20170321-5033. Constitution April 14 and 17, 2017 request to add temporary access road TAR-15D. FERC Accession Numbers 20170414-5108 and 20170417-5271.

³⁰ Constitution January 8, 2016 Notice to Proceed Request. FERC Accession Numbers 20160108-5125.

³¹ FERC approvals or partial approvals dated December 2, 2014 (2014 Order, FERC Accession Number 20141202-4011), September 18, 2015 (approval for contractor yard 5B, FERC Accession Number 20150918-3046), October 20, 2015 (approval for a temporary 2-inch water line, FERC Accession Number 20151020-3048), January 28, 2016 (approval for Kernan Trust reroute, FERC Accession Number 20160128-3064), January 29, 2016 (partial notice to proceed with construction in Pennsylvania, Accession Number 20160129-3019), October 13, 2016 (approval to process previously felled timber, FERC Accession Number 20161013-3015), January 11, 2017 (approval to use temporary access road – 8A, FERC Accession Number 20170111-3007), April 18, 2017 (approval to use temporary access road TAR-15D, FERC Accession Number 20170418-3017), and April 20, 2017 (approval to use temporary access road – 16A, FERC Accession Number 20170420-3000).

³² Variance requests approved via the Environmental Compliance Monitoring Program. See Accession Numbers 20160511-4005, 20161004-4007, 20161228-4001, 20170202-4001, and 20170719-4003.

FEIS. Here, we consider the proposed actions, including as described in the FEIS and the previously requested and approved modifications, relative to current Projects and again find them acceptable.

In addition, Constitution indicated that the Sutton Road and White Road Tie-ins, which were analyzed in the FEIS, were removed from the CPP and would not be constructed.³³ The FEIS also included consideration of Constitution's request for clearing in wetlands between trenchless crossing entry and exit points, however the FEIS concluded this action was not acceptable, and Constitution is no longer proposing this activity (see section B.2.5).

Constitution proposes to construct the CPP using the same footprint, as described in section 2 of the FEIS and the subsequently requested modifications that were previously reviewed and approved by FERC as noted above, except for removal of the Sutton Road and White Road Tie-ins. The footprint of the CPP would encumber 1,970.5 acres for construction and 855.3 acres for operation.³⁴ The FEIS indicated that 1,859.0 acres would be utilized for construction and 757.0 acres for operation.³⁵ The location and area that would be encumbered by proposed cathodic protection systems were presented in table 2.1.2-2 of the FEIS but table 1.3-1 of Constitution's Environmental Consistency Summary indicated that the area affected by those systems had not yet been determined.³⁶ The increase of the updated acreages for construction and operation of the CPP represent the post-FEIS requested modifications that were previously approved by FERC staff. There would be no other changes (i.e., no proposed changes associated with the 2025 Petition) to the CPP footprint. The proposed footprint for the WIP would not be different than analyzed in the FEIS.³⁷

Constitution provided updated information regarding proposed collocation of the CPP with existing rights-of-way.³⁸ Collocation is described in the FEIS in table 2.2.1-1 and section 2.2.1.2, however new utilities have been constructed along the rights-of-way in both Pennsylvania and New York resulting in additional collocation. The updates would result in an increase of total collocated length of the CPP from 56,058 feet (10.6 miles) at the time of the FEIS to 75,005 feet (14.2 miles) currently. Newly identified collocated segments are listed in table A.5-1.

Constitution stated that no changes in its proposed route or construction techniques would be anticipated as a result of the new utilities and increased collocation.³⁹ Further, Constitution committed to coordination with collocated (or intersecting) utility operators listed in table A.5-1 to confirm suitable construction techniques and facilitate crossing or collocation authorizations.⁴⁰

³³ Constitution December 19, 2025 Environmental Consistency Summary (Attachment I) at page 1-2. FERC Accession Number 20251219-5626.

³⁴ Constitution December 19, 2025 Environmental Consistency Summary (Attachment I) at table 1.3-1. FERC Accession Number 20251219-5626.

³⁵ Final EIS at table 2.2-1. FERC Accession Number 20141024-4001.

³⁶ Constitution December 19, 2025 Environmental Consistency Summary at table 1.3-1. FERC Accession Number 20251219-5626.

³⁷ Iroquois February 13, 2026 Petition for Expedited Reissuance of Certificate Authority and Approval of Capacity Lease Agreement at page 6. FERC Accession Number 20260213-5321.

³⁸ Constitution July 17, 2026 EIR Response No. 15d. FERC Accession Number 20270717-5214.

³⁹ Constitution July 17, 2026 EIR Response No. 15e. FERC Accession Number 20270717-5214.

⁴⁰ Constitution July 17, 2026 EIR Response No. 32. FERC Accession Number 20270717-5214.

If route adjustments or other CPP modifications are required as a result of the coordination, Constitution committed to seeking FERC approval through submittal of variance requests. The FERC's variance process is described in section 2.5.4 of the FEIS which includes provisions for documentation of landowner approval.

Table A.5-1 Newly Identified Collocated Segments for the CPP				
County, State	Adjacent Facility	Start Milepost	End Milepost	Paralleled Length (feet)
Susquehanna, Pennsylvania	Williams Quarry Pipeline	1.7	1.8	700
Susquehanna, Pennsylvania	Williams Alford Pipeline	2.0	2.7	3,780
Susquehanna, Pennsylvania	Williams Alford Pipeline	3.0	3.3	1,507
Susquehanna, Pennsylvania	DT Midstream Pipeline	8.3	8.8	2,780
Susquehanna, Pennsylvania	Bluestone Pipeline	12.6	12.8	1,012
Susquehanna, Pennsylvania	Bluestone Pipeline	13.0	13.1	610
Susquehanna, Pennsylvania	Bluestone Pipeline	15.0	15.2	1,060
Susquehanna, Pennsylvania	Bluestone Pipeline	22.7	23.2	2,800
Susquehanna, Pennsylvania	DT Midstream Pipeline	24.7	25.1	1,880
Broome, New York	Powerline	26.8	26.9	550
Broome, New York	Powerline	29.5	29.6	545
Broome, New York	Powerline	35.9	36.0	580
Broome, New York	Powerline	41.7	41.8	453
Delaware, New York	Powerline	75.9	76.0	780
Source: Constitution July 17, 2026 EIR No. 15d. FERC Accession Number 20260717-5214.				

Construction of the CPP is estimated to begin in the fourth quarter of 2026 (if all necessary approvals and clearances have been obtained) starting with initial clearing activities.⁴¹ Constitution and Iroquois requested expedited action regarding the petitions, to meet a proposed in-service date of May 2028.⁴²

As discussed in section 2.3 of the FEIS, to reduce construction impacts, Constitution would implement its state-specific Environmental Construction Plans (ECPs).⁴³ The ECPs include Constitution's *Upland Erosion Control, Revegetation and Maintenance Plan* (Constitution's Plan) which is based on our *Upland Erosion Control, Revegetation and Maintenance Plan* (FERC Plan).⁴⁴ The ECPs also include Constitution's *Wetland and Waterbody Construction and Mitigation Procedures* (Constitution's Procedures), which,

⁴¹ Constitution December 19, 2025 Environmental Consistency Summary (Attachment I) at page 1-2. FERC Accession Number 20251219-5626.

⁴² Constitution May 22, 2026 Response to EIR No. 11 at page 6. FERC Accession Number 20260522-5210. Iroquois February 13, 2026 Petition for Expedited Reissuance of Certificate Authority and Approval of Capacity Lease Agreement at page 6. FERC Accession Number 20260213-5321.

⁴³ Constitution May 19, 2015 Pennsylvania ECP (Attachment 6a1) and New York ECP (Attachment 6a2). FERC Accession Number 20150519-5135.

⁴⁴ The FERC Plan and Procedures are a set of baseline construction and mitigation measures developed to minimize the potential environmental impacts of construction on upland areas, wetlands, and waterbodies. They can be viewed on the FERC Internet website at <http://www.ferc.gov/industries/gas/enviro/plan.pdf> and <http://www.ferc.gov/industries/gas/enviro/procedures.pdf>.

similarly, is based upon and contains many of the measures found in our *Wetland and Waterbody Construction and Mitigation Procedures* (FERC Procedures). Iroquois proposes to adopt our Plan and Procedures and did not propose any modifications from the FERC's Plan and Procedures.

Constitution's Plan requested modifications to certain requirements of the FERC Plan as discussed in section 2.3 of the FEIS. Constitution has not changed the previously requested modifications to the FERC Plan; therefore, we continue to find them acceptable. Constitution's proposed modifications to the FERC Procedures are discussed in section B.2.4.

Constitution committed to conducting invasive plant species field surveys during the appropriate growing season to identify changes in distribution and/or species within the Project Area. Constitution would coordinate with PADCNr and NYSDEC (as applicable) to determine if revisions to its Invasive Species Management Plans are necessary. Any required revisions to these plans would be filed with the Commission.⁴⁵

The Projects' facilities would be designed, constructed, tested, operated, and maintained in accordance with applicable requirements defined by U.S. Department of Transportation (DOT) regulations in 49 CFR Part 192, *Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards*; by FERC's Siting and Maintenance Requirements in 18 CFR Section 380.15; and by other applicable federal and state safety regulations. In addition, the Petitioners would follow their plans as discussed above.

6.0 Permit Approvals and Regulatory Consultations

Table A.6-1 provides a list of major federal and state environmental permits, approvals, and consultations for the Projects. Constitution and Iroquois would be responsible for obtaining all permits and approvals required to construct and operate the Projects, regardless of whether or not they appear in this table.

Table A.6-1 Anticipated Permits and Approvals			
Agency	Permit/Approval/Consultation ^a	(Anticipated) Submittal/ Initiation Date	(Anticipated) Permit Receipt/ Completion Date
Federal			
Federal Energy Regulatory Commission	Natural Gas Act, Section 7; Certificate for construction and operation of interstate natural gas pipeline and modified compressor station	December 2025 (CPP) and February 2026 (WIP)	(Pending)
U.S. Army Corps of Engineers (COE)	CWA Section 404 Permit for impacts on waters of the U.S., including wetlands. Section 10 Permit Rivers and Harbors Act.	May 2025 (CPP) and NA (WIP)	4th Quarter (4Q) 2027 (CPP) and NA (WIP)

⁴⁵

Constitution July 10, 2026 EIR No. 2. FERC Accession Number 20260710-5208.

Table A.6-1 Anticipated Permits and Approvals			
Agency	Permit/Approval/Consultation ^a	(Anticipated) Submittal/ Initiation Date	(Anticipated) Permit Receipt/ Completion Date
USFWS	Consultation under Section 7 of the Endangered Species Act for potential impacts on federally protected species. Consultation regarding impacts regarding the Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act.	July 2025 and January 2026 (CPP) and May 2026 (WIP)	4Q 2027 (CPP) and Complete (WIP)
Interstate Commission (not applicable to Iroquois)			
Susquehanna River Basin Commission	Surface water withdrawal	2nd Quarter (2Q) 2027 (CPP) and NA (WIP)	4Q 2027 (CPP) and NA (Iroquois)
Pennsylvania (not applicable to Iroquois)			
PA Department of Environmental Protection (PADEP)	CWA Act Section 401 Water Quality Certificate ⁴⁶	May 29, 2025	September 5, 2014; June 2, 2025
PADEP	PA Code Chapter 105 Water Obstruction and Encroachment Permit	2Q 2027	4Q 2027
PADEP	PA Code Chapter 102 Erosion and Sediment Control Permit	2Q 2027	4Q 2027
PADEP	CWA Section 402 National Pollutant Discharge Elimination System (NPDES) – Hydrostatic Test Water Discharge General Permit 10 (PAG 10)	2Q 2027	4Q 2027
PA Fish and Boat Commission	Permit for Use of Explosives	2Q 2027	4Q 2027
PA Historic and Museum Commission	Section 106 of the NHPA	July 2025	4Q 2027
PGC and PADCNr	PA State threatened and endangered species	PADCNr – June 27, 2025; PGC 3rd Quarter (3Q) 2027	PADCNr – July 1, 2025; PGC – 4Q 2027

⁴⁶

Constitution December 19, 2025 Environmental Consistency Summary (Attachment I) at page 1-13. The PADEP issued a CWA Section 401 Water Quality Certificate on September 5, 2014. Constitution requested confirmation from PADEP that the 2014 Water Quality Certificate remained valid on May 29, 2025. PADEP acknowledged on June 2, 2025 that Constitution intends to rely on the September 5, 2014 Water Quality Certificate. FERC Accession Number 20251219-5626.

Table A.6-1 Anticipated Permits and Approvals			
Agency	Permit/Approval/Consultation ^a	(Anticipated) Submittal/Initiation Date	(Anticipated) Permit Receipt/Completion Date
New York⁴⁷			
NYSDEC	CWA Section 401 Water Quality Certificate	May 9, 2014 (CPP); NA (WIP)	Contested legal claim of waiver (CPP) ⁴⁸ ; NA (WIP)
NYSDEC	State NPDES General Permit	NA (CPP); Pending (WIP)	NA – exempt under CWA 402(1)(2) (CPP) 1st Quarter (1Q) 2027 (WIP)
NYSDEC	Air State Facility Permit, CAA, Major Title V Greenhouse Gas Operating Permit	NA (CPP) and Pending (WIP)	NA (CPP) and 1Q 2027 (WIP)
NY Office of Parks and Recreation Historic Preservation	Section 106 of the NHPA	July 2025 (CPP) and Pending (WIP)	4Q 2027 (CPP); Pending (WIP)
NY State Natural Heritage Program (NYSNHP)	NY State threatened and endangered species	June 2025 (CPP) and May 2026 (WIP)	Pending (Both)
NYSDEC Bureau of Forest Lands Management - NY State Forest properties (Melondy Hill and Clapper Hollow State Forests)	Easements	2Q 2027 (CPP); NA (WIP)	4Q 2027 (CPP); NA (WIP)
NY State Department of Transportation	Highway occupancy permits for road crossings and driveway entrances	2Q 2027 (CPP); NA (WIP)	4Q 2027 (CPP); NA (WIP)
NY State Department of Agriculture and Markets	Agricultural land consultation	2Q 2027 (CPP); NA (WIP)	4Q 2027 (CPP); NA (WIP)
^a Consultations will occur continuously throughout the development of the Projects. Sources: Constitution July 10, 2026 EIR No. 1 at page 1. FERC Accession Number 20260710-5208 and Iroquois July 10, 2026 EIR No. 1. FERC Accession Number 20260710-5195. NA = Not Applicable			

⁴⁷ Constitution July 10, 2026 at pages 6-7. FERC Accession Number 20260710-5208. Constitution also previously applied for NYSDEC permits for Article 15 (hydrostatic testing) and Article 24 (freshwater wetlands), both on August 28, 2013, and again on May 30, 2025. Constitution also applied for a Title 33 permit (water withdrawal). The applications for Article 15 and Article 24 permits were withdrawn initially on April 13, 2020 and withdrawn again on November 7, 2025. The request for a Title 33 permit was also withdrawn.

⁴⁸ Constitution requests reaffirmance of the Commission's determination that New York waived its authority under Section 401 of the CWA. The issue of waiver presents legal questions that will be addressed by the Commission in a later order.

7.0 Non-Jurisdictional Facilities

Sections 1.4 and 4.13.3 of the FEIS provide a description of non-jurisdictional facilities. Constitution confirmed no new non-jurisdictional facilities are proposed.⁴⁹ In addition, the Central Compressor Station, Miller Compressor Station, Reynolds Discharge Pipeline, White Road metering and regulating (M&R) Station, Sutton Road M&R Station, and the Southwestern Lateral are no longer proposed.

⁴⁹ Constitution December 19, 2025 Environmental Consistency Summary (Attachment I) at page 1-17. FERC Accession Number 20251219-5626.

SECTION B – ENVIRONMENTAL ANALYSIS

We incorporate by reference the environmental analyses contained in the FEIS in Docket Nos. CP13-499-000, CP13-502-000, and PF12-9-000.⁵⁰ The Projects would continue to be designed, operated, and maintained in accordance with the DOT pipeline safety regulations (49 CFR 192) and all applicable permits, as identified in the FEIS.

1.0 Environmental Trends and Planned Activities

To characterize the environmental baseline and contextualize the Projects' effects, we describe the existing environment in the Project Area and vicinity, how the environment has changed over time, and other reasonably foreseeable projects in the area.

The Project Area consisting of Susquehanna County, Pennsylvania and Broome, Chenango, Delaware, and Schoharie Counties, New York, have a humid, continental climate typical of the northeastern U.S.⁵¹ Seasonal weather patterns include year-round precipitation, warm summers and cold, snowy winters with influence of lake-effect snow from the Great Lakes. The Project Area is within the Appalachian Plateau Physiographic Province of Pennsylvania and New York with physiographic sections including Glaciated Low Plateau, Southern New York, and Catskill.⁵² Geologic formations include Wisconsin till underlain by sandstone, siltstone, and shale in Pennsylvania and till underlain by sandstone and shale in New York, along with limestone in Schoharie County.

Various tribes of Native Americans settled the eventual location of Susquehanna County, Pennsylvania, thousands of years before contact with Europeans. Prominent among the Native American Tribes in the area was the Susquehannock Nation with a precontact population of approximately 3,500 people.⁵³ Susquehanna County was formed in February 1810 with industries including maple sugar production, lumber, and woodworking followed later by farming, mining, and manufacturing.⁵⁴ Broome, Chenango, Delaware and Schoharie Counties, New York, were formed from 1795 to 1806. The Oneida, Tuscarora, Lenape/Delaware, and Schoharie Tribes, among others, were significant among the original inhabitants, followed by European settlements in the 1700s.⁵⁵ Within the counties in New York, agriculture, in a mostly

⁵⁰ Information regarding the affected environment and the four levels of potential effects can be found in section 4.0 of the FEIS.

⁵¹ US Climate Data.com. 2026. Available at: <https://usclimatedata.com/climate/albany/new-york/united-states/usny0011> and <https://usclimatedata.com/climate/binghamton/new-york/united-states/usny0124>. Access July 2026.

⁵² Constitution June 13, 2013 Application at Resource Report 6. FERC Accession Number 20130613-5078.

⁵³ Gardner Library.com. 2026. A Brief History of the Susquehannock Nation and Other American Indians in the Susquehanna Valley. Available at: <https://gardnerlibrary.org/encyclopedia/brief-history-susquehannock-nation-and-other-american-indians-susquehanna-valley>. Accessed July 2026.

⁵⁴ PMHC. 2026. Susquehanna County. Available at: <https://www.phmc.state.pa.us/bah/dam/rg/di/IncorporationDatesForMunicipalities/pdfs/susquehanna.pdf?catid=58>. Accessed July 2026.

⁵⁵ NY GenWeb. 2026. Broome County Local History Page. Available at: <https://broome.nygenweb.net/brhis.htm>. Accessed July 2026; Chenango County Historical Society. 2026. Towns of Chenango County. Available at: <https://chenangohistorical.org/research/>. Accessed July 2026; The National Directory of County Histories. 2026. Delaware County, NY History and Lookup. Available

rural setting, were the early human activities following settlement by Europeans, especially dairy production, along with mining.

This history reflects early agricultural settlement, later infrastructure development, and modern industrial, suburban, and rural residential growth. The population of Susquehanna County, Pennsylvania, is 38,237 (46.4 persons per square mile).⁵⁶ The populations of the four counties in New York include 195,736 (277.4 persons per square mile, reflecting the urban area of the City of Binghamton) in Broome County, 45,715 (51.2 persons per square mile) in Chenango County, 44,305 (30.7 persons per square mile) in Delaware County, and 30,176 (48.5 persons per square mile) in Schoharie County. Population growth accelerated in the 19th and 20th centuries due to increasing agriculture, expansion of transportation routes and manufacturing, and tourism including the National Baseball Hall of Fame and Museum in neighboring Otsego County, New York. However, more recent trends in rural New York counties, such as Chenango and Delaware Counties, indicate a declining and aging population.⁵⁷

Long-term demographic increases in the Project Area intensified land conversion from forest to farms, then to mixed residential and industrial / commercial use in some areas. The five counties are known for farming, industry, healthcare, and retail/service economies. Susquehanna County also employs a substantial portion of workers in the mining and oil and gas sectors.⁵⁸ Overall, the region remains predominantly rural with the exception of the City of Binghamton, with a mixed landscape of forests, farms, streams, rural communities, and some urban development.

The five counties in the Project Area are part of watersheds that experience nitrogen inputs and sedimentation from agricultural and urban sources, which can affect water quality. Regarding air quality, none of the counties in the Project Area are classified as being in nonattainment or maintenance for criteria pollutants under the CAA. However, transboundary pollution events, such as Canadian wildfires, can temporarily degrade air quality and present seasonal concerns.⁵⁹ As described in section 4.8.1 of the FEIS, land use in the Project Area consists of mostly upland forest, agricultural land, and open land representative of the largely rural setting. A broad land use trend in this area is farmland being converted to other uses such as urban highly developed and low density residential,⁶⁰ solar facility development, or abandonment of farming leading to re-forestation.⁶¹ Planned activities in the vicinity of the

at: <https://uscountyhistorybooksdirectoryandlookup.com/states/ny/delaware-county-history/>. Accessed July 2026; and Schoharie County NYGenWeb Site. 1845. History of Schoharie County, and Border Wars of New York. Available at: <https://schoharie.nygenweb.net/simms.html>. Accessed July 2026.

⁵⁶ Census.gov. 2026. QuickFacts. Available at: <https://www.census.gov/quickfacts>. Accessed July 2026.

⁵⁷ New York State Controller. 2023. Rural New York: Challenges and Opportunities. Available at: <https://www.osc.ny.gov/files/reports/pdf/challenges-faced-by-rural-new-york.pdf>. Accessed July 2026.

⁵⁸ LotsCap. 2024. Economy Profile Susquehanna County. Available at: <https://lotscap.com/economy/42115/>. Accessed July 2026.

⁵⁹ Census.gov. 2025. Forecasted Maximum Hourly PM_{2.5} AQI, 2025-06-06 to 2025-06-08. Available at: <https://www.census.gov/content/dam/Census/topics/preparedness/events/wildfires/2025-air-quality.jpg>. Accessed July 2026.

⁶⁰ American Farmland Trust. Farms Under Threat. 2026. Available at: <https://csp-fut.appspot.com/>. Accessed July 2026.

⁶¹ Lancaster Farming. 2026. New York Farmland is Shrinking: 14% of Farms Lost in a Decade. Available at: https://www.lancasterfarming.com/farming-news/news/new-york-farmland-is-shrinking-14-of-farms-lost-in-a-decade/article_3c830d18-bc86-11ef-aedc-2fd66841f2f7.html. Accessed July 2026.

Projects that could affect the environmental baseline are broadly similar to the types of other projects described in section 4.13.6 of the FEIS and include oil and gas development and transmission in Susquehanna County, Pennsylvania, and electric generation and transmission, renewable energy, transportation, and commercial and residential development in all five of the counties encompassing the Project Area. The CPP-related, non-jurisdictional Central Compressor Station, Miller Compressor Station, Reynolds Discharge Pipeline, White Road M&R Station, Sutton Road M&R Station, and the Southwestern Lateral have been removed from the Project and are no longer applicable.

Several reasonably foreseeable planned activities were identified in the watersheds and/or counties in the Project Area that may influence the environmental baseline in which the Projects would be constructed. These activities include 5 natural gas well development operations in Susquehanna County; 5 natural gas gathering systems in Susquehanna and Broome Counties; 14 renewable energy development projects and 11 commercial/residential development projects spread across all five counties in the Project Area; 4 energy or communications projects in Chenango, Delaware, and Schoharie Counties; 20 transportation projects in Susquehanna, Broome, Delaware, and Schoharie Counties; and 4 industrial developments located in Delaware and Schoharie Counties, and 11 other projects.⁶² Two new developments, identified after issuance of the FEIS, were identified as overlapping or immediately adjacent to the CPP, including a quarry near milepost (MP) 6.2 and an industrial facility near MP 120.⁶³ In addition, the Capital Career and Technical School, in Schoharie, New York, expanded its outside campus following issuance of the FEIS, to include a 4,500 square foot Heavy Equipment Repair and Operation building and drone training.⁶⁴

During construction, these projects would affect resources within the same subwatersheds and/or counties as the Projects, including groundwater resources through excavations and potential groundwater withdrawals, biological resources through vegetation clearing and habitat disturbance, and surface water and wetland disturbances through crossings, import of fill, or erosion events. We expect these effects would be temporary and localized. Construction start dates for these developments range from 2024 to 2030; therefore, these projects may be either substantially complete and restored before the Projects begin construction (Constitution proposes to begin by the fourth quarter of 2026⁶⁵) or construction of these projects could overlap with or occur after the CPP and WIP construction. If the construction schedules of the other projects overlap with the Projects, area residents may notice the temporary increase of construction equipment and ground disturbance in the area.

The specific environmental resources and land uses affected by the Projects' activities are discussed in table A.3-1 and below, as applicable.

⁶² Constitution December 19, 2025 Environmental Consistency Summary (Attachment I) at Attachment D. FERC Accession Number 20251219-5626 and Constitution July 17, 2026 EIR No. 31 and Revised Attachment D. FERC Accession Number 20260717-5214.

⁶³ Constitution January 30, 2026 section 1.3.3 at page 1-73. FERC Accession Number 20260130-5465.

⁶⁴ Capital Region Board of Cooperative Education Services May 4, 2026. FERC Accession Number 20260504-5271.

⁶⁵ Constitution December 19, 2025 Environmental Consistency Summary (Attachment I). FERC Accession Number 20251219-5626.

2.0 Water Resources

2.1 Groundwater

The aquifers that underlie the Projects and the sole source aquifers that would be crossed are the same as described in the FEIS (sections 4.3.1.1, 4.3.1.2, 4.3.1.3, and 4.3.1.4).

One newly identified surficial aquifer would be crossed between MPs 40.1 and 40.5 in Chenango County, New York. This surficial aquifer is considered a New York principal aquifer with surficial deposits and a depth less than 10 feet.⁶⁶

Private water supply wells and springs are discussed in the FEIS (section 4.3.1.5) and general effects and mitigation measures relating to vegetation clearing, grading, excavation dewatering, and spill prevention and response measures would also remain as described in the FEIS at section 4.3.1.5. Commenters stated that drinking water wells and surface water used for drinking water may be affected by the Projects.⁶⁷ Constitution identified four additional private water wells used for drinking water within 150 feet of the CPP (table B.2-1).⁶⁸ No additional springs were identified.⁶⁹

Table B.2-1 Additional Public and Private Water Supply Wells and Springs within 150 feet of the CPP since March 2016						
Approx. MPs	Tract Number	Type	State	Distance from Centerline (feet)	Distance from Construction Workspaces (feet)	Distance from Access Road (feet)
4.1	ALT-A-PASU-013.000	Well	PA	N/A	N/A	45 south
89.7	NY-DE-211.000	Well	NY	N/A	N/A	40 west
94.1	NY-SC-004.002	Well	NY	120 south	45 south	N/A
99.6	UA-NY-SC-035.005	Well	NY	182 east	57 east	N/A
Source: Constitution January 30, 2026 table 1.3-1 at page 1-5. FERC Accession Number 20260130-5465. N/A = Not Applicable The wells identified above are privately owned and used for drinking water.						

As outlined in the FEIS (section 4.3.2.1), Constitution would test all water wells within 150 feet of the proposed construction workspace for water quality and quantity parameters prior to and after construction, and provide an alternative water source or a mutually agreeable solution in the event of construction-related impacts.⁷⁰

Based on the above discussion, as well as shallow, temporary, and localized excavation, implementation of the measures in Constitution's ECPs (which include their Procedures) and Spill Plan for Oil and Hazardous Materials and Iroquois' Procedures, and Spill Prevention,

⁶⁶ Constitution July 17, 2026 EIR No. 151. FERC Accession Number 20260717-5214.

⁶⁷ See FERC Accession Numbers 20260120-5034 and 20260129-5013.

⁶⁸ Constitution January 30, 2026 table 1.3-1 at page 1-5. FERC Accession Number 20260130-5465.

⁶⁹ Constitution July 17, 2026 EIR No. 33. FERC Accession Number 20260717-5214.

⁷⁰ Note the Commission does not adjudicate disputes regarding compensation for damages.

Containment, and Countermeasure Plan, we do not anticipate long-term or significant effects on groundwater resources as a result of construction or operation of the Projects.

2.2 Surface Water Resources

The CPP would include 330 waterbody crossings.⁷¹ All waterbodies would be crossed via dry crossing methods (dry open-cut, flume, dam-and-pump, or cofferdam), conventional bore methods, horizontal directional drill (HDD), or Direct Pipe as discussed in sections 2.3.2.2 and 4.3.3.5 of the FEIS. According to Constitution, waterbody crossing methods “will be further investigated, and the necessary information will be submitted following [any such] reinstatement of the Certificate Order”.⁷² However, Constitution would be required to obtain Commission staff review and approval to change a waterbody crossing method, as what is currently proposed matches what was previously approved in the 2014 Certificate Order (see section 2.5.4 of the FEIS) and in other filings as detailed in section A.5.

Effects on sensitive waterbodies were re-evaluated for the Projects. Pennsylvania Title 25 Chapter 93 Water Quality Standards have been revised since issuance of the FEIS (section 4.3.3.3 of the FEIS). The Chapter 93 classifications for most of the waterbodies that would be crossed by Constitution remain unchanged except “Migratory Fishes” has been added to the previous “High Quality Cold Water Fishery” or “Cold Water Fishery” classifications. Roaring Run is now classified by the Pennsylvania Fish and Boat Commission (PFBC) as a Wild Trout Waters (Natural Reproduction) (associated wetlands are designated as Exceptional Value). Constitution would consult with the PADEP and PFBC regarding the proposed waterbody crossing methods. Starrucca Creek was upgraded from Cold Water Fishery/Exceptional Value Waters/Migratory Fishes to Special Protection, thereby also upgrading the classifications of associated tributaries and wetlands.⁷³ As stated above, any changes to waterbody crossing methods would require review and approval.

Most of the stream classifications in New York that would be crossed by the Constitution pipeline have changed since issuance of the FEIS (see section 4.3.3.3 of the FEIS). Most stream changes were Class D streams which were upgraded to Class C (fisheries, non-contact activities) and Class B (swimming and other recreation, not suitable for drinking) streams. Some Class C (TS) [trout stocked] streams were changed to Class C (T) [trout] streams. No stream crossings were updated to Class A or Class AA streams. None of the stream classification changes have resulted in a proposed crossing method change.

Constitution previously obtained permits from the Susquehanna River Basin Commission to withdraw water from Starrucca Creek, Ouleout Creek, and Charlotte Creek for hydrostatic testing.⁷⁴ In 2015, Constitution proposed to withdraw water from Schoharie Creek and was working to obtain a permit from NYSDEC. Constitution’s proposed water withdrawal locations and volumes are in table B.2-2.

⁷¹ Constitution July 10, 2026 EIR No. 8. FERC Accession Number 20260710-5208.

⁷² Constitution May 22, 2026 EIR No. 9. FERC Accession Number 20260522-5210.

⁷³ Constitution December 19, 2025 Environmental Consistency Summary at page 1-19. FERC Accession Number 20251219-5626.

⁷⁴ Constitution July 7, 2015. Attachment B. FERC Accession Number 20150707-5039.

Table B.2-2 Constitution Proposed Water Withdrawal Locations and Volumes			
Source Waterbody	Location (Lat/Long)	Maximum Total Withdrawal (Gallons)	Maximum Instantaneous Withdrawal Rate (gpm)
Starrucca Creek	41.962191 N, 75.527862 W	8,959,000	1,425 (April)
Ouleout Creek	42.342427 N, 75.254691 W	9,468,000	1,215 (April)
Charlotte Creek	42.458999 N, 74.898699 W	4,020,000	1,500 (March/April)
Schoharie Creek	42.702025 N, 74.317607 W	~5,900,000	6,000 (design maximum)
Source: Constitution May 22, 2026 EIR No. 19a, table 1. FERC Accession Number 20260522-5210. gpm = gallons per minute.			

Constitution's proposed water discharge locations are provided in table B.2-3.

Table B.2-3 Constitution Proposed Water Discharge Locations				
Test Section	Pipeline MP Start – End	Proposed Water Source	Discharge Location (Lat/Long or Description)	Anticipated Discharge Volume (Gallons)
1	0 – 9.14	Starrucca Creek	MP 21.60 (41.960814, -75.528853) or MP 0.00 (41.797976, -75.822027)	1,679,983
2	9.14 to 21.60	Starrucca Creek	MP 21.60 (41.960814, -75.528853)	2,283,382
3	21.60 – 32.91	Starrucca Creek or Ouleout Creek	MP 21.60 (41.960814, -75.528853)	2,074,238
4	32.91 – 47.62	Ouleout Creek	MP 47.62 (42.257626, -75.466221)	2,690,103
5	47.62 – 61.12	Ouleout Creek	MP 61.12 (42.343785, -75.252764)	2,469,570
6	61.12 – 72.02	Ouleout Creek	MP 61.12 (42.343785, -75.252764)	1,999,942
7	72.02 – 82.02	Ouleout Creek or Charlotte Creek	MP 82.02 (42.4351, -74.9022)	1,835,820
8	82.02-93.09	Ouleout Creek or Charlotte Creek	MP 82.02 (42.4351, -74.9022)	2,030,949
9	93.09-107.27	Schoharie Creek	MP 107.2(42.622223, -74.520881)	2,591,851
10	107.27 – 119.94	Schoharie Creek	(42.702096, -74.318307)	2,298,300
11	119.94-124.76	Schoharie Creek	(42.702096, -74.318307)	887,638
Source: Constitution May 22, 2026 EIR No. 19c, table 2. FERC Accession Number 20260522-5210. Anticipated discharge rate (gallons per minute) would be up to 3,000 (max) per test section. Each test section would be discharged to vegetated uplands via a dewatering structure.				

Constitution stated that the previously proposed water withdrawal locations, volumes, and discharge locations are still suitable. However, Constitution would re-evaluate sources, volumes, and discharge locations in consultation with the applicable agencies and obtain all necessary updated permit authorizations. Any changes would require Commission staff review and approval and would follow the process discussed in section 2.5.4 of the FEIS.

We received comments requesting updated waterbody surveys. In its Petition, Constitution committed to conduct waterbody boundary verifications in 2026. In addition, in accordance with our Procedures section V.A.1 (which is included in Constitution's ECP), Constitution would be required to apply to the COE (or its delegated agency) for an appropriate waterbody crossing permit. The permit application to the COE would require updated waterbody

survey data. Constitution would file its COE permit application and COE authorization with the Commission prior to construction. As noted in table A.6-1, Constitution submitted an application to the COE in May 2025. In a January 9, 2026 letter, Constitution notified the COE that updated wetland and waterbody surveys would be submitted to the COE at a later date.

No new scenic rivers or Nationwide Rivers Inventory streams would be affected by the Projects.

Section 4.3.3.3 of the FEIS included a discussion of Federal Emergency Management Areas (FEMA) flood hazard zones that would be crossed by the CPP. Constitution compared the CPP with current FEMA flood hazard mapping and identified three additional flood hazard zone crossings that were not discussed in the FEIS (table B.2-4). Constitution would implement the same mitigation measures within floodplains to minimize potential impacts from flood events as discussed in section 4.3.3.6 of the FEIS.

Table B.2-4 Additional FEMA Flood Hazard Zones Crossed by the CPP			
State/Waterbody ID	Waterbody Name	Milepost	FEMA Flood Zone
Pennsylvania			
SU-1C-S397	Meylert Creek	7.9	Zone A SFHA
SU-1C-S392	Drinker Creek	16.9	Zone A SFHA
New York			
DE-1E-S393	Carrs Creek	57.1	Zone A SFHA
Source: Constitution July 17, 2026 EIR No. 15r. FERC Accession Number 20260717-5214. SFHA = Special Flood Hazard Area.			

2.3 Wetlands

Wetlands are areas that are saturated with water either permanently or seasonally, and support aquatic and/or wetland-dependent plants and animals. Wetlands must exhibit the three wetland criteria established by the COE including hydrology, soils, and vegetation.⁷⁵ A description of wetland resources, construction procedures, impacts, mitigation, and alternative measures as of October 2014 are discussed in section 4.4 of the FEIS.

The wetland crossing methods previously certificated (conventional crossing, push pull, conventional bore, and trenchless crossing) as described in section 2.4 of the FEIS would be utilized.

We received several comments requesting updated wetland delineations for the Projects. In accordance with section VI.A.1 of our Procedures (which is included in Constitution's ECP), Constitution would be required to conduct wetland delineations using the current federal methodology and file a wetland delineation report with the Secretary before construction. Field verified data and information on each wetland that would be affected by the Project is required to be submitted to the Commission prior to the start of construction. In addition, Constitution has

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1987 Corps of Engineers Wetlands Delineation Manual.

committed to providing a schedule for surveys and survey verification results. Constitution also committed to coordinate with the COE regarding wetland crossings.

Where impacts on wetlands cannot be avoided, the COE requires mitigation to replace the loss of wetland functions and values. Compensatory mitigation is discussed in section 4.4.5 of the FEIS.

Constitution and Iroquois would comply with the avoidance, minimization, and mitigation measures that are fully described in section 4.0 of the FEIS. Additionally, Constitution would follow its ECPs (which include their Procedures) and Spill Plan for Oil and Hazardous Materials. We conclude that the Projects would not result in significant effect on surface water or wetland resources.

2.4 Alternative Measures to the Commission's Procedures

As discussed in section 2.3 of the FEIS, Constitution previously requested two modifications to the FERC Procedures. The first modification (sections II.A and VI.B.1.a) requested a construction right-of-way width greater than 75 feet in wetlands and extra workspaces within 50 feet of waterbodies and wetlands at specific locations. These modifications were deemed acceptable in the FEIS and previously authorized in the 2014 Order. Constitution has not made any changes to this request and therefore, we continue to find this acceptable. The second modification (section VI.D.1 of the Procedures) requested vegetation clearing of a 10-foot-wide corridor within wetlands between HDD entry and exit points to facilitate water withdrawal. The FEIS found this request not acceptable and therefore, Constitution is no longer requesting this modification to the FERC Procedures.

3.0 Special Status and Protected Species

Special status species are those species for which state or federal agencies afford an additional level of protection by law, regulation, or policy. Protected and special status species include federally listed threatened and endangered species that are protected under the ESA; species proposed or are candidates for listing by the USFWS or National Marine Fisheries Service (NMFS); species that are state-listed as threatened or endangered. Migratory birds, including bald and golden eagles, are discussed in table A.3-1. We received multiple comments stating that special status species may be affected due to the Projects. These potential effects are addressed below.

3.1 Federally Listed Species

3.1.1 CPP

ESA consultation was previously completed for the CPP with the release of the USFWS' December 31, 2015 Biological Opinion.⁷⁶ However, given the amount of time that has passed, Constitution, acting as FERC's non-federal representative for the proposed CPP (18 CFR 380.13), informally coordinated with the USFWS regarding federally listed species and

⁷⁶

USFWS Biological Opinion. FERC Accession Number 20160105-4002.

designated critical habitat in the area of the Projects.⁷⁷ Constitution also communicated with the PGC, PADCNr, PFBC, and NYSNHP. Based on these communications, a review of the USFWS's Information for Planning and Consultation (IPaC) database first obtained on May 7, 2026 and completed again on July 29, 2026, and other publicly available information, one federally listed species [endangered northern long-eared bat (NLEB, *Myotis septentrionalis*), referred to as northern myotis in the FEIS] was identified as occurring or possibly occurring in the CPP area.⁷⁸ A description of the NLEB (which was proposed as endangered during preparation of the FEIS and subsequently listed as threatened in 2015), its habitat, and potential effects and proposed mitigation can be found in section 4.7 of the FEIS (and in table B.3-1). The Indiana bat (*Myotis sodalis*), northern monkshood (*Acontum noveboracense*), and dwarf wedgemussel (*Alasmidonta heterodon*), which were previously discussed in section 4.7 of the FEIS, are no longer included in the IPaC database as being potentially present in the area of the Project and are not evaluated further. The federally threatened bog turtle (*Clemmys muhlenbergii*) was discussed in section 4.7.2 of the FEIS with a finding of no effect. The bog turtle was included in the FEIS due to its presence in Otsego County, New York, where only Constitution's proposed contractor yard 4a would be located. Since no riverine habitat for the bog turtle would be affected by contractor yard 4a, we again conclude there would be no effect on this species.

⁷⁷ Section 7(a)(2) of the ESA requires the Commission to ensure that any action it authorizes, funds, or carries out would not jeopardize the continued existence of federally listed or proposed listed species, or result in the adverse modification or destruction of critical habitat for federally listed and proposed species. As the lead federal agency, the FERC is responsible for determining whether any federally listed endangered or threatened species or any of their designated critical habitats are affected by the proposed action and determining the effects of the proposed action on those species or critical habitats. None of the waters that would be crossed by the Projects are managed by the NMFS. Consequently, consultation with the NMFS is not required.

⁷⁸ Constitution May 7, 2026 Attachment EIR No. 20. FERC Accession Number 20260522-5210.

Table B.3-1 Federally and State Listed Species Potentially Occurring within the CPP Area					
Common Name <i>Scientific Name</i>	Federal Status	State Status	Habitat Description	Project Impact Assessment	Determination of Effects
Mammals					
Northern long-eared bat <i>Myotis septentrionalis</i>	E	E (NY)	Summer roosting habitat includes large trees and snags with shingled bark, crevices, or cavities for roosting, typically in areas with at least 50 percent or greater canopy cover. Additionally, bats may roost in human structures, such as sheds or barns. Winter hibernation habitat includes caves and abandoned mines.	FERC staff concluded that the CPP would result in a likely to adversely affect determination in our letter to the USFWS dated August 18, 2015. ⁷⁹ Constitution would adhere to the several mitigation measures which were discussed in the USFWS's December 31, 2015 Biological Opinion (including): utilize a migratory bird and upland forest plan which reduces construction workspaces and provides funding for forest conservation; avoiding nighttime construction (except at HDD and Direct Pipe installations) between April 1 and September 30; removing the majority of trees between October 1 and March 31 when bats are not active; conduct operational maintenance between April 15 and August 1 to avoid disturbing bats during breeding season; and utilize a third-party contractor if more than 81 acres of trees would be removed when bats are active. The USFWS' December 31, 2015 Biological Opinion concluded "After reviewing the current status of this species, the environmental baseline for the action area, the effects of the proposed action, and the cumulative effects, it is our biological opinion that the action, as proposed, is not likely to jeopardize the continued existence of the NLEB. No critical habitat has been	<i>Likely to adversely affect, consistent with our letter to the USFWS dated August 18, 2015</i>

⁷⁹

FERC letter to USFWS regarding Section 7 consultation (August 18, 2015). FERC Accession Number 20150818-3044.

Table B.3-1 Federally and State Listed Species Potentially Occurring within the CPP Area					
Common Name Scientific Name	Federal Status	State Status	Habitat Description	Project Impact Assessment	Determination of Effects
				designated for this species; therefore, none will be affected." ⁸⁰	
Tricolored bat <i>Perimyotis subflavus</i>	PE	N/A	Primarily roost among live and dead leaf clusters of live or recently dead deciduous hardwood trees. Often forage in patches adjacent to roosting habitat including forest, fields, and over water. Hibernates in caves and mines.	Constitution's proposed mitigation measures as discussed above for the NLEB would be protective of tricolored bats. In addition, tree clearing within the CPP area represents only a small percentage of the available forest habitat in the Project area.	<i>Not likely to jeopardize the continued existence</i>
Mussels					
Green floater <i>Lasmigona subviridis</i>	PT	N/A	Occurs in sand and gravel substrates of clean, calm portions of streams and rivers.	The green floater was not observed during Constitution's field surveys conducted at the time of the FEIS, and the NYSDEC noted no known occurrences in the vicinity of the proposed pipeline route at the time of the FEIS. The species is known to occur in the vicinity of the previously proposed spread 3 contractor yard (NYSDEC, 2014), but this yard is no longer proposed for use by Constitution.	<i>Not likely to jeopardize the continued existence</i>
Insects					
Monarch butterfly <i>Danaus plexippus</i>	PT	N/A	Adults require a diversity of blooming nectar resources for feeding during breeding (spring through fall) and migration. Require milkweed embedded within this diverse nectar-producing habitat to use for both oviposition and larval feeding.	Suitable habitat may be present in the Project area. Disturbed areas would be stabilized and seeded in accordance with Constitution's ECPs (which include the FERC Plan and Procedures) and allowed to revert to pre-existing conditions following the completion of Project activities. BMPs would be implemented	<i>Not likely to jeopardize the continued existence</i>

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USFWS Biological Opinion. FERC Accession Number 20160105-4002.

Table B.3-1 Federally and State Listed Species Potentially Occurring within the CPP Area					
Common Name Scientific Name	Federal Status	State Status	Habitat Description	Project Impact Assessment	Determination of Effects
				during construction and restoration activities to stabilize the construction work areas until vegetation is re-established within the Project workspaces. In addition, the area would be monitored for invasive plant species.	
Spatterdock darner <i>Rhionaeschna mutata</i>	N/A	S3	A species of dragonfly which prefers “vegetated ponds and pools, open marshes and bogs, often with spatterdock [water lilies] (NYSNHP, 2026). Adult spatterdock darners are generally 2.8 inches in length with clear wings and bright blue eyes. Spatterdock darners feed on flying insects and are most active from May through August (NYSNHP, 2026).	Constitution stated that the CPP would avoid suitable habitat and effects were unlikely. According to Constitution, the NYSNHP reported the most recent observation was from 2016 and located about 1,500 feet from the CPP. ⁸¹ Constitution committed to performing updated habitat assessments if required based on ongoing agency coordination.	N/A
Source: Constitution December 19, 2025 Environmental Consistency Summary (Attachment I) table 1.10-1, 1.10-2, 1.10-3. FERC Accession Number 20251219-5626. E = Endangered, N/A = Not applicable, PT = Proposed Threatened, PE = Proposed Endangered, S3 = vulnerable					

⁸¹ Constitution May 22, 2026 EIR No. 22. FERC Accession Number 20260522-5210.

Constitution's updated coordination with the USFWS also indicated that three species proposed for listing, tricolored bat (*Perimyotis subflavus*; proposed endangered), green floater mussel (*Lasmigona subviridis*; proposed threatened), and Monarch butterfly (*Danaus plexippus*; proposed threatened), could be present in the Project Area (table B.3-1).

Based on and consistent with our August 18, 2015 letter to the USFWS, we have determined that the CPP *is likely to adversely affect* the NLEB. Further, we have determined that the CPP *is not likely to jeopardize the continued existence* of the proposed endangered tricolored bat, proposed threatened green floater, and the proposed threatened Monarch butterfly.

In January 2026, Constitution requested the USFWS confirm that the 2015 Biological Opinion conclusions and proposed mitigation continue to be valid. A response from the USFWS has not been received as of the publishing of this EA. Constitution will continue to consult with the USFWS to determine if updated NLEB surveys are required. If surveys are required, Constitution has committed to conduct the required surveys during the appropriate survey timing window. Constitution indicated that coordination with the USFWS and NYSNHP was ongoing regarding the location of 10 hibernacula, potentially suitable for NLEB. The exact location of the hibernacula, located within 4 miles of the proposed route as identified by the NYSNHP, are currently unknown. Constitution committed to continued coordination with the USFWS and NYSNHP to identify the hibernacula locations including distance and direction from the proposed route, along with development of impact avoidance, minimization, and mitigation measures as required.⁸²

3.1.2 WIP

Section 4.7.1 of the FEIS stated, "Additionally, Iroquois' proposed compressor transfer station would be constructed at the end of the pipeline; no threatened or endangered species under National Oceanic and Atmospheric Administration Fisheries', FWS', or NYSDEC's purview are expected within the compressor transfer station and no further consultation for the Iroquois project is required." At the request of Commission staff, Iroquois provided updated IPaC results for the WIP.⁸³ IPaC identified one listed species, the NLEB, as potentially occurring in the WIP area. Iroquois also obtained information from NYSDEC about sensitive species habitats and no known hibernacula were identified within 1 mile of the WIP.⁸⁴ Based on Iroquois commitment to clear trees from November 1 through March 31, the USFWS Northern Long-eared Bat and Tricolored Bat Range-wide Determination Key resulted in a "may affect, not likely to adversely affect" determination. In its letter dated May 20, 2026, the USFWS stated that "Unless the Service advises you within 15 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that consultation on the Action is complete for northern long-eared bat and/or tricolored bat and no further action is necessary unless either of the following occurs:

- new information reveals effects of the action that may affect the northern long-eared bat or tricolored bat in a manner or to an extent not previously considered; or,

⁸² Constitution July 10, 2026 EIR No. 5. FERC Accession Number 20260710-5208.

⁸³ Iroquois May 26, 2026 EIR No. 3 Attachment A. FERC Accession Number 20260526-5245.

⁸⁴ Iroquois May 26, 2026 EIR No. 4. FERC Accession Number 20260526-5245.

- the identified action is subsequently modified in a manner that causes an effect to the northern long-eared bat or tricolored bat that was not considered when completing the determination key.”

Given this finding by the USFWS, and because neither circumstance identified above has occurred to date, we conclude that ESA consultation is currently complete for the WIP.

Two species, proposed endangered tricolored bat and proposed threatened Monarch butterfly, were identified as potentially present in the WIP area. As noted above, species proposed for listing are not subject to ESA consultation and requirements. However, based on the Determination Key information presented above for the NLEB, which would also apply to the tricolored bat, we conclude that construction and operation of the WIP would be not likely to jeopardize the continued existence of the tricolored bat. The USFWS indicated in their May 20, 2026 letter that the WIP would not affect critical habitat for the Monarch butterfly, and given that the WIP would be constructed and operated at an existing compressor station with limited or no suitable habitat, we conclude that the WIP would be not likely to jeopardize the continued existence of the Monarch butterfly.

The 2014 Order included condition no. 32 (see section D) requiring Constitution to not begin construction until the results of all outstanding biological surveys are filed, FERC staff completes ESA consultation with the USFWS, and Constitution receives written notification from the Director of the Office of Energy Projects (OEP) or designee that construction and/or use of mitigation may begin. While Constitution has reaffirmed its commitment to meeting the 2014 Order conditions, it is our recommendation that condition no. 32 of the 2014 Order apply to the CPP. As noted above, we conclude that ESA consultation for the WIP is complete.

3.2 State-Listed and Special Concern Species

Effects on state-listed sensitive species for the CPP were discussed in section 4.7.3 of the FEIS. No state-protected species not previously discussed in the FEIS and not already discussed above for the federally listed species, has been identified within the area of the Projects. One species with a New York State Conservation Status Rank of S3 (vulnerable), the spatterdock darter (*Rhionaeschna mutata*), was identified as potentially present in the CPP area by NYSNHP during 2025 consultations (table B.3-1).

Constitution provided updated information for the yellow lampmussel (*Lampsilis cariosa*), Hooker’s orchid (*Platanthera hookeri*), and northern wild comfrey (*Acontum noveboracense*) which were discussed in section 4.7.3 of the FEIS. Constitution committed to performing new relocations for the yellow lampmussel and other mussels at Schoharie Creek, and updated habitat surveys for Hooker’s orchid and northern wild comfrey, if required based on ongoing consultations with the agencies.⁸⁵

On June 26, 2025, Constitution requested the PADCNr review the CPP for potential impacts on state-rare, threatened, and endangered species. The request included Pennsylvania Natural Diversity Inventory (PNDI-840097). PADCNr responded on July 1, 2025, that based

⁸⁵ Constitution May 22, 2026 EIR No. 22. FERC Accession Number 20260522-5210.

on the 2013 survey results, which did not find any species of special concern, no impacts from the CPP were likely and further coordination with PADCNr was not necessary.

Constitution restarted consultation with the PGC on May 5, 2025, and continues coordination with the agency. On June 2, 2025, Constitution requested the PFBC review the CPP for potential impacts on threatened and endangered species. PFBC responded on July 25, 2025, that given the proximity of the CPP to known critical timber rattlesnake habitat, an updated timber rattlesnake habitat assessment should be conducted. Constitution committed to conducting updated timber rattlesnake habitat assessments and providing the results including any proposed mitigation measures, if necessary. Constitution restarted consultation with the NYSNHP on June 27, 2025. A response has not been received. Iroquois indicated that consultation with NYSNHP was initiated in May 2026.⁸⁶

Based on the Petitioners' commitment to implementing mitigation measures in its Plan and Procedures and avoidance of sensitive habitat, mitigation and survey commitments, as well as their continued coordination with PGC, PFBC, and NYSNHP, we conclude that the proposed Projects would not result in significant effects on state-listed special status species.

4.0 Cultural Resources

In addition to accounting for effects on cultural resources under NEPA, Section 106 of the National Historic Preservation Act, as amended, requires FERC to consider the effects of its undertakings on historic properties listed, or eligible for listing on the National Register of Historic Places (NRHP),⁸⁷ and to afford the Advisory Council on Historic Preservation an opportunity to comment. Constitution and Iroquois, as non-federal parties, are assisting FERC in meeting our obligations under Section 106 and its implementing regulations at 36 CFR 800.

4.1 Cultural Resources Investigations

Constitution and Iroquois' previous cultural resources investigations for the Projects are documented in section 4.10 of the FEIS. Archaeological surveys in the Project areas are largely complete. However, Constitution states that approximately 12.6 acres have not been surveyed and could contain archeological resources. Further, there may be historic architectural resources that have aged in since the last cultural resources investigations were conducted.

On July 29, 2025, Constitution sent letters to the New York and Pennsylvania State Historic Preservation Officers (SHPOs) to reinitiate consultation on the CPP to determine if the Programmatic Agreement and established recovery plans could be reinstated.

The New York SHPO's August 15, 2025, response letter provided comments and recommendations on the December 21, 2015 treatment plans of four archaeological sites including the implementation of the approved avoidance plan of site NYSc67; new mapping using LiDAR at NYSc79, NYSC235 Site 1, and NYSc235 Site 2; and possible excavation at

⁸⁶ Iroquois July 10, 2026 EIR No. 2. FERC Accession Number 202607105195-5210.

⁸⁷ In accordance with 36 CFR 800.16(l)(1), a historic property is any prehistoric or historic district, site, building, structure, object, or property of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization, included in, or eligible for inclusion in, the NRHP. This term includes artifacts, records, and remains that are related to and located within such properties.

NYS79. Further, the New York SHPO stated that based on their review of the February 18, 2014 letter report, that the Project would have no adverse effect on historic architectural resources, and that an updated Programmatic Agreement be submitted for their review.

The Pennsylvania SHPO's August 27, 2025 response letter indicated that they agreed to an extension of the Programmatic Agreement for ongoing consultation regarding the Project's potential impacts on cultural resources, but also requested the following information: an updated evaluation for the James Newtown Farm; new mapping to illustrate the Area of Potential Effects (APE) and previously identified archaeological resources; reinitiating coordination with federally recognized tribes; and clarifying avoidance plans for several archaeological sites within the APE, including a site which requires either a Phase II evaluation or avoidance strategy due to insufficient NRHP eligibility information.

As indicated in the New York and Pennsylvania SHPOs' response letters, FERC, in coordination with the SHPOs, executed a Programmatic Agreement on November 6, 2015 for the identification and treatment of historic properties that would be affected by the CPP and to meet FERC's compliance requirements for Section 106 of the NHPA.⁸⁸ That Programmatic Agreement expired on November 10, 2020. FERC will endeavor to execute a new Programmatic Agreement prior to commencing any construction.

To date, Constitution has committed to conducting archaeological surveys in previously unsurveyed areas and to conducting surveys to identify any additional historic architectural resources over 45 years of age that may now qualify for listing in the NRHP.⁸⁹ In addition, Constitution states that eight stone pile resources would be directly impacted by the CPP and 17 additional stone pile resources would be avoided and protected in accordance with the *2016 Treatment Plan for Stone Features Associated with the Constitution Pipeline Project*.⁹⁰ Constitution has committed to providing any proposed modifications to the existing stone pile treatment plan identified through tribal consultations and address the requested modifications in an updated stone treatment plan.⁹¹

FERC received comments about the Ouleout Valley Cemetery and a historic cemetery near the CPP route in Schoharie County, New York. The Ouleout Valley Cemetery is approximately 1.6 miles southeast of the proposed CPP route and no effects are anticipated. Constitution identified one cemetery in Schoharie County, New York and indicated that it would be avoided.⁹²

A comment was filed on the Project docket regarding previous archaeological studies conducted at Charlotte Creek that identified a Late Archaic campsite. The proposed CPP route would not cross Charlotte Creek and therefore would not affect the archaeological site.

⁸⁸ FERC determined that the Wright Interconnect Project would not affect historic properties and the SHPO concurred. See section 4.10 of the FEIS.

⁸⁹ Constitution July 10, 2026 EIR No. 10. FERC Accession Number 20260710-5208.

⁹⁰ Constitution July 10, 2026 EIR No. 9. FERC Accession Number 20260710-5208.

⁹¹ Constitution May 22, 2026 EIR No. 24. FERC Accession Number 20260522-5210.

⁹² Constitution June 13, 2013. Resource Report No. 4 – Cultural Resources. FERC Accession Number 20130613-5078.

4.1.1 Tribal Outreach and Consultation

FERC received several comments that we should consult with Tribes regarding the proposed Projects. FERC consulted with 17 Tribes on the Projects including the Absentee Shawnee Tribe, Cayuga Nation, Delaware Nation, Delaware Tribe of Indians, Eastern Shawnee Tribe, Mashantucket Pequot Tribal Nation, Mohegan Tribe, Oneida Indian Nation, Oneida Nation of Wisconsin, Onondaga Nation, Seneca-Cayuga Nation, Seneca Nation of Indians, St. Regis Mohawk Tribe, Shawnee Tribe, Stockbridge Munsee Community, Tonawanda Band of Seneca, and Tuscarora Nation. FERC sent the Project NOS to the Tribes on April 3, 2026. FERC also contacted the Tribes by letter on May 22, 2026 requesting whether they would like to participate in the review of the Projects and asking for their assistance in identifying any properties of traditional, religious, or cultural importance that may be affected by the proposed Projects. To date, no comments have been received from the Tribes.

FERC received comments filed on the docket regarding potential effects on tribal lands by the proposed Projects. The Projects do not cross lands owned or managed by any Tribes. However, as stated above, FERC has contacted Tribes with interests in the Project areas and cultural resources investigations have been conducted and would continue to be conducted to identify cultural resources important to Tribes and to assess the Project effects on those resources.

4.2 Unanticipated Discoveries Plan

Constitution and Iroquois developed state-specific plans as part of the Projects for the unanticipated discovery of cultural resources and/or human remains. The plans outline the procedures to follow, in accordance with state and federal laws, if unanticipated cultural resources or human remains are discovered during construction of the Projects. We find the plans to be acceptable.

4.3 Compliance with the National Historic Preservation Act

FERC and the New York and Pennsylvania SHPOs are developing a Programmatic Agreement to be executed for the identification, evaluation, and treatment of historic properties, to address Section 106 of the NHPA.

5.0 Land Use and Special Interest Areas

Land use and special interest areas are discussed in section 4.8 of the FEIS. Four areas were identified where land use has changed or landowner structures have been placed on the proposed right-of-way (table B.5-1).⁹³ Constitution stated that evaluations and outreach were ongoing for the four areas to determine potential resolutions. If route adjustments or other CPP modifications are negotiated as a result of the coordination, Constitution committed to seeking FERC approval through submittal of variance requests.

⁹³ Constitution December 19, 2025 Environmental Consistency Summary (Attachment I) table 1.12-1. FERC Accession Number 20251219-5626.

Table B.5-1 Land Use Conflicts for the CPP			
Location	Item Requiring Resolution	Within Proposed Easement (Yes/No)	Resolution Status
PAR-1	A new, aboveground valve facility is located within the path of proposed permanent access road PAR-1.	Yes	Pending, evaluation and stakeholder coordination ongoing
MP 71.8	A small garage/shed (approximately 10 feet by 25 feet) within the path of the proposed centerline.	Yes	Pending, evaluation and stakeholder coordination ongoing
MP 78.4	A small shed/structure (approximately 35 feet by 25 feet) within the path of the proposed centerline.	Yes	Pending, evaluation and stakeholder coordination ongoing
MP 90.6	Mobile home/trailer over proposed centerline.	No	Resolved; (Avoided). Constitution's petition and Environmental Consistency Summary (ECS) erroneously included this mobile home/trailer at MP 90.6. Constitution's ECS originally neglected to account for a variance approved by the Commission in 2016 ^a for TRK 925.10 on January 28, 2016. This variance was developed to avoid the Kernan Trust Property and to "address comments received on its Joint Application to the U.S. Army Corps of Engineers and NYSDEC" ^b but also resulted in the avoidance of the location of the mobile home. Constitution clarified ^c that it still intended to utilize this Commission-approved variance and filed affirmative mapping to this point. We confirm the mobile home is not affected and is approximately 800 feet away from the route authorized by the Commission and proposed by Constitution.
MP 97.9	New structures (sheds/garage approximately 65 feet by 35 feet, 35 feet by 9 feet, and 90 feet by 30 feet) within proposed workspace and in the path of the proposed centerline.	Yes	Pending, evaluation and stakeholder coordination ongoing
Sources: Constitution December 19, 2025 Environmental Consistency Summary (Attachment I) table 1.12-1. FERC Accession Number 20251219-5626. Constitution January 30, 2026 table 1.3-6 at page 1-72. FERC Accession Number 20260130-5465. PAR = permanent access road ^a FERC Order Denying Rehearing and Approving Variance. FERC Accession Number 20160128-3064. ^b FERC Order Denying Rehearing and Approving Variance. FERC Accession Number 20160128-3064. ^c Constitution April 10, 2026, Request to Clarify the Constitution Pipeline Approved Route. FERC Accession Number 20260410-5198.			

Based on our review of these locations, minor shifts of the pipeline within the workspace are feasible to avoid these structures, and we expect Constitution would identify the specific alignment shifts in consultation with the landowners. We did not receive any comments regarding land use conflicts with these structures. Constitution identified the structures in its petition on December 19, 2025, and stated that "Constitution will continue coordinating with affected landowners, agencies, and other stakeholders to assess these areas and determine

whether any variances are necessary, or if other resolution with the landowner is a viable alternative.”⁹⁴ Staff requested updated information from Constitution on May 5, 2026, on the status of these resolutions.⁹⁵ However, these issues remain unresolved. Accordingly, we provide our independent assessment and discuss potential resolutions for each of these instances as follows.

PAR-1: Permanent access road PAR-1 would run directly through an existing above ground utility valve site. The proposed access road would be approximately 12 feet wide, and after a review of this site, there exists a clear conflict between the two facilities. There appears to be no viable physical (i.e., layout or configuration) alternative to rearrange the access road within the proposed limits of disturbance to avoid the valve site without a new realignment of the road. Constitution has not proposed any realignment of PAR-1. Accordingly, **we recommend that any Commission Order approving the CPP include a mandatory condition denying Constitution’s temporary and permanent use of PAR-1** (see Section D, recommended condition no. 44).

MP 71.8 garage/shed: The approximate 10 feet by 25 feet structure at MP 71.8 is within the path of the CPP and construction and operation would result in the removal of this structure. It can be avoided by realignment of the pipeline within the temporary and permanent easements (i.e., shifting the pipeline to the north or south and “necking down” the construction right-of-way).

MP 78.4 shed: The approximate 35 feet by 25 feet structure at MP 78.4 is within the path of the CPP and construction and operation would result in the removal of this structure. It can be avoided by realignment of the pipeline within the temporary and permanent easements (i.e., shifting the pipeline centerline to the south and “necking down” the construction right-of-way).

MP 97.9 sheds/barn/garage: Our review of these structures indicate that construction and operation would result in the removal of structures measuring approximately 65 feet by 35 feet, 35 feet by 9 feet, and 90 feet by 30 feet. The structures can be avoided by realignment of the pipeline within the temporary and permanent easements (i.e., shifting the pipeline centerline to the southeast and “necking down” the construction right-of-way).

As Constitution has not yet addressed how it would avoid these structures, **we recommend that any Commission Order approving the CPP include a mandatory condition requiring Constitution to file site-specific construction plans that demonstrate how Constitution has shifted the pipeline centerline to avoid the structures and that maintain a 10-foot buffer between the structures listed in table B.5-1 and Project workspaces. If a 10-foot buffer cannot be maintained, we recommend that Constitution submit evidence of landowner concurrence with the plans** (see section D, recommended condition no. 45).

⁹⁴ Constitution December 19, 2025 Environmental Consistency Summary, p 1-35. FERC Accession Number 20251219-5626.

⁹⁵ FERC EIR 1, No. 30. FERC Accession Number 20260505-3055.

Constitution identified two new planned developments which would overlap with or be adjacent to the CPP (table B.5-2). Constitution stated that coordination was ongoing with the two developers.⁹⁶

Table B.5-2 New Planned Developments for the CPP		
Location (MP)	Description	Resolution
6.2	Landowner pursuing quarrying activity on their property.	Pending
120	Industrial "build to suit" site for distribution, logistics, or light manufacturing. May include a warehouse/manufacturing building, employee and truck parking, fueling station, and stormwater management facilities.	Pending
Sources: Constitution January 30, 2026 section 1.3.3 at page 1-73. FERC Accession Number 20260130-5465.		

We did not receive any comments regarding land use conflicts with these developments from the developers.

Constitution's proposed routing could result in construction and operational conflicts with these two planned developments. While Constitution did not provide further details regarding the site, we conducted research and identified the apparent quarry located approximately 500 feet northwest of MP 6.2 using aerial imagery. Based on recent imagery available from Susquehanna County,⁹⁷ it appears that the quarry is already being constructed or is in operation and is approximately 3.2 acres. It appears that the proposed route would not cross the quarry, although if future quarrying operations expanded to the southeast the quarry could intersect with the CPP. Further, it appears that the proposed route would cross a quarry access road that connects to Alexander Road/T603 to the south. The CPP would parallel an existing powerline⁹⁸ and trees in the proposed route in this vicinity were cleared by Constitution in 2016. Construction could conflict and result in limited development of geologic or other resources the developer is pursuing. Given the presence of the existing power line adjacent to Constitution's route, any future constraint on quarrying activity is expected to be limited. As stated in section 4.8.1.2 of the FEIS, Constitution would minimize impacts on commercial land uses by coordinating driveway crossings with business owners to provide access across the construction right-of-way.

We conducted additional research regarding the development at MP 120, which appears to be an approximately 200,000 square foot Amazon distribution facility. According to the available information, the site is currently under construction and would intersect with Constitution's planned route. The site contains amongst other things, a building, retention ponds, and employee and truck parking (Town of Schoharie, 2025). A comparison of Constitution's alignment sheets⁹⁹ and the engineered site plans dated October 2025 for the Amazon distribution facility¹⁰⁰ indicates that about 2,000 linear feet of pipeline would cross the parking lot north of the building and the stormwater retention pond. It appears that construction

⁹⁶ Constitution July 17, 2026 EIR Response No. 38. FERC Accession Number 20260717-5214.

⁹⁷ Susquehanna County Public Parcel Viewer. 2026. Available at: <https://experience.arcgis.com/experience/255643c7ef90404cb9edc97eca6d7f20>. Accessed August 11, 2026.

⁹⁸ FEIS at table 2.2.1-1 at page 2-9.

⁹⁹ Constitution May 22, 2026 EIR Response No. 8. FERC Accession Number 20260522-5210.

¹⁰⁰ Town of Schoharie, 2025.

within the proposed right-of-way may be feasible but would require extensive coordination with the owner/operator of the facility. While construction of the pipeline could be expected to disrupt normal operations and movements of trucks and vehicle pathing within the facility, operation of the CPP would not be expected to result in long-term effects on the facility.

Because the potential for construction disruptions on the facility is present, the parcel for the site at MP 120, ALT-Q-NY-SC-022.000, is included in our recommendation for Constitution to provide the result of ongoing consultation with the owner/operator(s) in section D (see condition 50).

Constitution identified six new road crossings, all in New York, that were not presented in appendix F-1 of the FEIS.¹⁰¹ These roads are listed in table B.5-3.

Table B.5-3 Newly Identified Road Crossings		
County (New York)	Milepost	Road Name
Delaware	65.5	Van Tassell Road (shifted from Bissel Road)
Delaware	92.5	Titus Lake Road
Schoharie	100.0	Zellner Road
Schoharie	110.9	Head Road (shifted from Tower Road)
Schoharie	115.4	Keyser Road
Schoharie	115.4	Michele Drive

Constitution is still evaluating the type of crossing (i.e., open cut, bore, etc.) to use at these roads in coordination with the roadway authorities.

In the case of agricultural and open lands, following construction, work areas would be allowed to revert to their current land use. Constitution provided updated information for designated prime farmland and farmland of statewide importance,¹⁰² which were described in table 4.2.2-1 and section 4.2.2.7 of the FEIS. Based on updated NRCS soil mapping and accounting for the post-FEIS, then-approved modifications to CPP, the total amount of combined designated prime farmland and farmland of statewide importance increased from 636.1 acres to 1,026.4 acres. The updated data for designated prime farmland and farmland of statewide importance is provided in table B.5-4. Constitution confirmed that avoidance, minimization, and mitigation measures for designated prime farmland and farmland of statewide importance would remain consistent with those described in the FEIS and Constitution's ECPs.

Table B.5-4 Prime Farmland and Farmland of Statewide Importance for the CPP			
County, State	Total Prime Farmland (acres)	Prime Farmland Only (acres)	Farmland of Statewide Importance Only (acres)
Susquehanna, Pennsylvania	161.7	26.1	135.6
Pennsylvania Subtotal	161.7	26.1	135.6
Broome, New York	127.5	17.34	110.16

¹⁰¹ Constitution July 17, 2026 EIR Response No. 9. FERC Accession Number 20260717-5214.

¹⁰² Constitution July 17, 2026 EIR Response No. 15k. FERC Accession Number 20260717-5214.

Table B.5-4 Prime Farmland and Farmland of Statewide Importance for the CPP			
County, State	Total Prime Farmland (acres)	Prime Farmland Only (acres)	Farmland of Statewide Importance Only (acres)
Chenango, New York	87.2	27.58	59.62
Delaware, New York	446.0	60.53	385.47
Schoharie, New York	210.04	82.72	127.32
New York Subtotal	870.74	188.17	682.57
CPP Total	1,026.4	208.2	818.2

No new agricultural districts were identified by Constitution. However, due to updated mapping, the CPP's crossing of NYSDAM-designated agricultural districts would increase from 33.4 miles as reported in table 4.8.4-3 and section 4.8.4.2 of the FEIS to 35.2 miles currently.¹⁰³ Further, Constitution stated that some NYSDAM-designated agricultural districts identified in the FEIS had updated identification codes. The updated information is presented in table B.5-5. Constitution confirmed that avoidance, minimization, and mitigation measures for designated agricultural districts would remain consistent with those described in the FEIS and Constitution's ECPs.

Table B.5-5 NYSDAM Agricultural Districts Crossed by the CPP					
County, NY	Town	Agricultural District	Enter Milepost	Exit Milepost	Total Miles Crossed
Broome	Sanford	5	29.90	30.03	0.13
Broome	Sanford	5	30.04	31.03	0.99
Broome	Sanford	5	31.04	31.70	0.66
Broome	Sanford	5	32.20	32.27	0.07
Broome	Sanford	5	32.90	33.11	0.21
Broome	Sanford	5	33.65	34.61	0.96
Broome	Sanford	5	34.72	34.74	0.02
Broome	Sanford	5	34.75	35.87	1.12
Broome	Sanford	5	35.89	36.42	0.53
Broome	Sanford	5	36.49	37.41	0.92
Broome	Sanford	5	38.34	38.98	0.64
Broome	Sanford	5	38.99	39.21	0.22
Broome	Sanford	5	39.51	39.55	0.04
Chenango	Afton	1	43.04	43.38	0.34
Chenango	Afton	1	43.39	44.13	0.74
Chenango	Afton	1	44.97	45.20	0.23
Chenango	Afton	1	45.59	45.78	0.19
Chenango	Afton	1	45.97	46.63	0.66
Chenango	Afton	1	46.64	47.29	0.65
Chenango	Afton	1	47.53	47.60	0.07

¹⁰³

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Table B.5-5 NYSDAM Agricultural Districts Crossed by the CPP					
County, NY	Town	Agricultural District	Enter Milepost	Exit Milepost	Total Miles Crossed
Chenango	Afton	1	47.61	47.81	0.20
Chenango	Bainbridge	1	47.81	48.27	0.46
Chenango	Bainbridge	1	48.30	49.62	1.32
Chenango	Bainbridge	1	50.11	50.36	0.25
Delaware	Masonville	12	51.92	52.13	0.21
Delaware	Sidney	12	55.81	55.95	0.14
Delaware	Sidney	12	56.38	56.66	0.28
Delaware	Sidney	12	56.81	58.19	1.38
Delaware	Sidney	12	58.20	58.54	0.34
Delaware	Sidney	12	60.09	60.47	0.38
Delaware	Franklin	14	65.87	66.36	0.49
Delaware	Franklin	14	66.37	67.02	0.65
Delaware	Franklin	14	67.86	68.51	0.65
Delaware	Franklin	14	68.67	68.95	0.28
Delaware	Franklin	14	69.24	71.28	2.04
Delaware	Franklin	14	71.29	71.64	0.35
Delaware	Franklin	14	71.75	71.82	0.07
Delaware	Davenport	17	77.68	77.94	0.26
Delaware	Davenport	17	77.95	78.17	0.22
Delaware	Davenport	17	78.48	79.48	1.00
Delaware	Davenport	17	82.38	82.75	0.37
Delaware	Davenport	17	85.15	85.37	0.22
Delaware	Davenport	17	87.06	88.16	1.10
Delaware	Davenport	17	88.53	88.78	0.25
Delaware	Davenport	17	88.79	88.97	0.18
Delaware	Davenport	17	89.19	89.37	0.18
Delaware	Harpersfield	1	89.37	89.46	0.09
Delaware	Harpersfield	1	89.55	90.03	0.48
Delaware	Harpersfield	1	90.90	91.43	0.53
Delaware	Harpersfield	1	92.83	93.89	1.06
Schoharie	Summit	3	104.46	105.10	0.64
Schoharie	Summit	3	105.22	105.38	0.16
Schoharie	Richmondville	3	105.38	106.06	0.68
Schoharie	Richmondville	3	107.85	108.08	0.23
Schoharie	Richmondville	3	108.20	109.63	1.43
Schoharie	Richmondville	3	109.64	110.28	0.64
Schoharie	Cobleskill	3	110.28	110.40	0.12
Schoharie	Cobleskill	3	110.41	110.90	0.49
Schoharie	Middleburgh	1	114.42	115.86	1.44

Table B.5-5 NYSDAM Agricultural Districts Crossed by the CPP					
County, NY	Town	Agricultural District	Enter Milepost	Exit Milepost	Total Miles Crossed
Schoharie	Schoharie	1	115.86	117.28	1.42
Schoharie	Schoharie	1	117.40	117.50	0.10
Schoharie	Schoharie	1	118.58	119.35	0.77
Schoharie	Schoharie	1	120.05	120.29	0.24
Schoharie	Schoharie	2	122.30	123.79	1.49
Schoharie	Schoharie	2	123.8	124.29	0.49
Schoharie	Wright	2	124.51	124.56	0.05
Schoharie	Wright	2	124.58	124.78	0.2
Total Miles Crossed					35.21
Sources: Constitution July 17, 2026 EIR Response No. 15x. FERC Accession Number 20260717-5214: New York State Department of Agriculture and Markets (NYSDAM). 2024. Agriculture Districts, New York State, 2024. Cornell University Geospatial Information Repository. Available at: https://agriculture.ny.gov/land-and-water/agricultural-districts . Accessed July 2026. New York State Department of Agriculture and Markets (NYSDAM). 2024. Agriculture Districts, Schoharie County NY, 2024. Cornell University Geospatial Information Repository. Available at: https://cugir.library.cornell.edu/catalog/cugir-007986 . Accessed July 2026.					

Constitution identified one new conservation easement along the CPP route¹⁰⁴ at MP 76.8 to 77.0 as held by the Otsego Land Trust. Constitution stated that it would comply with the measures identified in the FEIS including coordination with the managing entity to satisfy the terms of the easement and to adequately avoid, minimize, or mitigate potential effects during construction and operation.

Constitution provided updated information for 42 structures that would be located within 50 feet of work areas (table B.5-6).¹⁰⁵ Eight structures including one aboveground storage tank, one undefined structure (not a residence), two mobile recreational vehicles/trailers (not a residence), and three garage/sheds would intersect with the proposed CPP workspace. Constitution stated that evaluations and outreach were ongoing to determine potential land use conflicts and resolutions.¹⁰⁶ If route adjustments or other CPP modifications are necessary as a result of the coordination, Constitution committed to seeking FERC approval through submittal of variance requests. Variance requests subject to recommended environmental condition no. 5 require documentation of landowner approval. **We recommend that any Commission Order approving the CPP include a mandatory condition requiring Constitution to file evidence of landowner approval for CPP workspaces within 10 feet of structures for those listed in table B.5-6 or maintain a 10-foot buffer between the structure and CPP workspaces (see section D, recommended condition no. 46).**

¹⁰⁴ Constitution July 17, 2026 EIR Response No. 15v. FERC Accession Number 20260717-5214.

¹⁰⁵ Constitution January 30, 2026 section 1.3.3 at page 1-72. FERC Accession Number 20260130-5465.

¹⁰⁶ Constitution July 17, 2026 EIR Response No. 37. FERC Accession Number 20260717-5214.

Table B.5-6 Structures That Would be Located Within 50 Feet of the CPP				
County/State	MP	Description	Approximate Distance and Direction from the CPP Workspace (feet)	Approximate Distance and Direction from the CPP Centerline (feet)
Susquehanna, PA	3.0	Shed	11 North	46 North
Susquehanna, PA	3.0	Garage	24 North	59 North
Susquehanna, PA	4.5	Aboveground storage tank	0	23 East
Susquehanna, PA	8.4	House	53 North	178 North
Susquehanna, PA	8.4	Shed	2 North	128 North
Susquehanna, PA	10.8	House	20 South	95 South
Susquehanna, PA	10.9	Barn	1 South	76 South
Susquehanna, PA	21.6	House	44 East	94 South
Susquehanna, PA	21.8	Shed	26 North	63 North
Susquehanna, PA	23.7	Structure; not a residence	0	15 West
Broome, NY	35.3	Structure; not a residence	30 West	80 West
Broome, NY	40.3	Structure; not a residence	25 East	97 East
Broome, NY	42.3	Garage	37 West	72 West
Broome, NY	42.3	Residential outbuilding; not a residence	24 West	55 West
Broome, NY	47.6	Barn/shed	31 South	200 West
Delaware, NY	59.5	Shed	25 Southeast	140 Southeast
Delaware, NY	59.5	Shed	40 Southeast	117 Southeast
Delaware, NY	59.5	Mobile RV/trailer; not a residence	0	62 Southeast
Delaware, NY	61	Barn/shed	31 East	156 East
Delaware, NY	61	Barn/shed	33 East	160 East
Delaware, NY	71.8	Garage/shed	0	0
Delaware, NY	78.4	Small shed/structure	0	0
Delaware, NY	90.6	Mobile home/trailer ^a	0	0
Schoharie, NY	95.3	Barn or Garage	50 South	125 South
Schoharie, NY	97	House	26 East	101 East
Schoharie, NY	97.9	Shed	0	0
Schoharie, NY	97.9	Garage	0	53 West
Schoharie, NY	98.7	Structure/trailer	9 West	50 West
Schoharie, NY	98.7	Structure/trailer	13 West	50 West
Schoharie, NY	99.6	Shed/structure	33 East	160 East
Schoharie, NY	100.3	Shed/structure	15 East	85 East
Schoharie, NY	100.3	Shed/structure	8 East	90 East

Table B.5-6 Structures That Would be Located Within 50 Feet of the CPP				
County/State	MP	Description	Approximate Distance and Direction from the CPP Workspace (feet)	Approximate Distance and Direction from the CPP Centerline (feet)
Schoharie, NY	100.9	Shed/structure	28 Southeast	102 Southeast
Schoharie, NY	101.1	Garage	20 South	97 South
Schoharie, NY	110.4	Domestic propane tank	30 South	106 South
Schoharie, NY	110.4	Shed/garage	32 South	107 South
Schoharie, NY	115.4	Shed	45 East	126 East
Schoharie, NY	117.5	Shed/Structure	1 East	81 East
Schoharie, NY	120	House	16 Southeast	141 Southeast
Schoharie, NY	120	Shed/Garage	17 Southeast	140 Southeast
Schoharie, NY	121.7	Garage	5 Southwest	30 Southwest
Schoharie, NY	121.7	House	39 Southwest	64 South
Source: Constitution January 30, 2026 table 1.3-6 at page 1-72. FERC Accession Number 20260130-5465. ^a See table B.5-1, this structure would be avoided by construction altogether given the adoption of the variance for TRK 925.10. See also, Constitution April 10, 2026, Request to Clarify the Constitution Pipeline Approved Route. FERC Accession Number 20260410-5198.				

The CPP would be located within 25 feet of one additional (not listed in table B.5-6) residence that was not evaluated in the FEIS.¹⁰⁷ No other new residences were identified within 25 feet and no other residences within 25 feet have experienced a change in ownership since the original approvals of the CPP. The new residence is located west of the CPP at MP 102.8. Neither the homeowner nor FERC staff has been afforded an opportunity to comment on an associated site-specific residential construction plan. Constitution stated that coordination with the owner has been initiated and committed to developing the site-specific residential construction plan with the owner's input and to include applicable impact avoidance, minimization, and mitigation measures.

In order to ensure that both FERC staff and the owner are afforded an opportunity to comment, **we recommend that any Commission Order approving the CPP include a mandatory condition requiring Constitution to develop a site-specific residential construction plan for the residence at MP 102.8. The site-specific residential construction plan should be developed in coordination with the landowner and filed for our review and approval, prior to construction** (see section D, recommended condition no. 47).

Mitigation measures for residences are unchanged from those discussed in the FEIS (section 4.8.3). Constitution has committed to coordinating with landowners and conduct surveys (as applicable) to identify new septic systems, agricultural drainage tiles/irrigation systems, specialty crop areas, and/or conservation easements which would be affected by the CPP. The FEIS addressed these items in sections 4.3.2.1 (septic systems), 4.8.1.2 (agricultural

¹⁰⁷

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drainage tiles/irrigation systems), 4.8.4.2 (specialty crop areas), and 4.8.4.3 (conservation easements).

5.1 Public Lands and Recreational Use Areas

Constitution proposed to cross two state-owned lands in New York: the Clapper Hollow State Forest in Schoharie County, and the Melondy Hill State Forest in Chenango County as discussed in section 4.8.4.1 of the FEIS. The proposed route has not changed. Constitution has committed to submit easement applications for these properties.

Based on implementation of Constitution's ECPs (which include their Procedures), Spill Plan for Oil and Hazardous Materials, and our recommendation, we conclude that potential effects on land use and special interest areas would be minor and not significant.

6.0 Air Quality

Federal and state air quality standards are designed to protect human health and public welfare. The U.S. Environmental Protection Agency (USEPA) has developed National Ambient Air Quality Standards (NAAQS)¹⁰⁸ for criteria air pollutants carbon monoxide, lead, oxides of nitrogen (NO_x), ozone, particulate matter less than 10 micrometers (PM₁₀), particulate matter less than 2.5 micrometers (PM_{2.5}), and sulfur dioxide. Ozone is not directly emitted into the atmosphere from an emissions source; rather, ozone develops as a result of a chemical reaction between NO_x and volatile organic compounds in the presence of sunlight. Hazardous air pollutants are also emitted during fossil fuel combustion and are chemicals known to cause cancer and other serious health impacts. The USEPA also defines air pollution to include the mix of the following six long-lived greenhouse gases (GHG), carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. GHGs produced by fossil-fuel combustion are CO₂, CH₄, and N₂O, and are generally non-toxic and non-hazardous at normal ambient concentrations. Emissions of GHGs are quantified and regulated in units of carbon dioxide equivalent (CO₂e). The CO₂e unit of measure factors in the global warming potential (GWP) of each GHG over a specified timeframe.¹⁰⁹ There are no NAAQS or established significance thresholds for GHG.

The EPA designates areas for each pollutant based on whether or not the area meets the NAAQS for criteria pollutants. Areas with measured ambient air pollutant concentrations below the NAAQS are designated attainment. Conversely, areas with monitored ambient backgrounds above any NAAQS may be designated as nonattainment. Areas previously designated as nonattainment that have since reached attainment are considered maintenance areas.

We received general comments from the public that the Projects would affect air quality and lead to climate change. Responses to these comments are included in this section and section B.6.2.

¹⁰⁸ The current NAAQS are listed on the USEPA's website at <https://www.epa.gov/criteria-air-pollutants/naaqs-table>.

¹⁰⁹ CO₂ has a GWP of 1, CH₄ has a GWP of 28, and N₂O has a GWP of 265 on a 100-year timescale.

Section 4.11.1 of the FEIS includes a discussion of the existing environment and existing air quality and climate in the region. Since issuance of the FEIS, the EPA has lowered the NAAQS for three pollutants: In 2015 the 8-hour Ozone primary standard was lowered to 0.70 ppm; in 2024 the annual PM_{2.5} primary standard was lowered to 9 ug/m³; and in 2024 the 3-hour sulfur dioxide secondary standard was lowered to 0.01 ppm. The Projects would be located in Susquehanna County, Pennsylvania and Broome, Chenango, Delaware, and Schoharie Counties, New York. The areas where the Projects would be located are in attainment with the current NAAQS for all criteria pollutants. However, Schoharie County, New York was previously designated nonattainment for the 1997 8-hour ozone standard, as presented in the FEIS. Although this standard was revoked in 2015, the nonattainment area designation still exists, and general conformity requirements still apply to federal actions that would be taken within designated nonattainment areas.¹¹⁰ The emissions from the Projects within Schoharie County, New York were previously analyzed for General Conformity applicability under the 1997 8-hour ozone standard (see section 4.11.1.2 of the FEIS). Because this designation persists, and General Conformity Determinations can expire after 5 years, we reevaluate the Projects emissions within Schoharie County for General Conformity applicability below.

6.1 Federal and State Air Quality Requirements

As the design of the Projects has not changed, required federal and state air quality permitting requirements would remain as section 4.11.1.2 of the FEIS describes.

6.2 Construction Emissions

During construction, a temporary reduction in ambient air quality may result from criteria pollutant emissions and fugitive dust generated by construction equipment. The quantity of fugitive dust emissions would depend on the moisture content and texture of the soils that would be disturbed. Fugitive dust and other emissions due to construction activities generally do not pose a significant increase in regional pollutant levels; however, local pollutant levels could increase. Dust suppression techniques, such as watering the right-of-way would be used as necessary in construction zones near residential and commercial areas to minimize the impacts of fugitive dust on sensitive areas. As discussed in section 2.3.1 of the FEIS, pipeline construction would generally proceed in an assembly line fashion with crews moving down the right-of-way as work progresses (in contrast with the proposed meter stations, and the WIP, which would be stationary). Mitigation measures to reduce construction emissions are described in section 4.11.1.3 of the FEIS.

Construction for the CPP is estimated to begin in the fourth quarter of 2026 (if all necessary approvals and clearances have been obtained) with initial clearing activities. Pipeline construction activities would expand in early 2027 and continue to a target in-service date of May 2028. Iroquois anticipates construction starting as soon as feasible after an Order is issued to also meet a proposed in-service date of May 2028.

¹¹⁰ See *South Coast Air Quality Management Dist. v. EPA*, 882 F.3d 1138 (D.C. Cir. 2018) (South Coast II) (finding that the USEPA could revoke a NAAQS but could not revoke a designation, so anti-backsliding measures, including general conformity, still apply in nonattainment and maintenance areas).

Constitution recalculated criteria pollutant emissions associated with construction of the CPP within Schoharie County using the current GWP and a 2027 vehicle fleet mix and updated on-road mobile source emission factors from USEPA's MOVES5 model¹¹¹ to support re-evaluation of General Conformity applicability.¹¹² Iroquois also recalculated emissions for the WIP using the MOVES5 model.¹¹³ The revised emission estimates from both projects would be lower than the estimates present in the FEIS due to updated emission factors. The updated emission factors result in reduced emissions because current construction equipment fleets include a greater ratio of newer equipment that meet more stringent emission standards and are more efficient than construction equipment fleets from 10 to 15 years ago. The estimated construction emissions for the CPP and WIP Projects within Schoharie County continue to be below *de minimis* thresholds, and a general conformity determination is not required.

Table B.6-1 Schoharie County Construction Emissions and General Conformity Thresholds for the Projects		
	NO_x (tons)	VOC (tons)
2027 Emissions - CPP	60.27	7.98
2027 Emissions - WIP	5.44	0.27
2027 Emissions Total	65.71	8.25
2028 Emissions	2.42	0.26
General Conformity Threshold	100	50
Below Conformity Threshold	Yes	Yes
Source: Constitution July 17, 2026 EIR No. 39. FERC Accession Number 20260717-5214 and Iroquois July 24, 2026 EIR No. 5. FERC Accession Number 20260724-5309.		

The Projects would result in construction emissions in the Project Areas. However, those emissions would only occur during construction activities and for the CPP would be dispersed over the 125 miles of the pipeline route. Construction emissions for NO_x and VOC in Schoharie County were recalculated as discussed above, and would be less than the estimate included in the FEIS. Although Constitution did not recalculate all construction emissions for each county crossed by the CPP Project, it is anticipated that updated emission factors based on a 2027 vehicle fleet mix would similarly result in less emissions across all project areas compared to the emissions presented in in table 4.11.1-4 of the FEIS.

We conclude that there would be minor temporary impacts on localized air quality due to increases in criteria pollutants, and VOC, however, construction emissions for the Projects would be lower than those previously analyzed and would not have a significant effect on air quality.

6.3 Operational Emissions

Operational emissions for the Projects would result from maintenance and testing blowdowns and fugitive emissions from leaks from the CPP pipeline, valves and the meter stations, and the operation of additional compression at the WIP and associated fugitive emissions from leaks from the proposed facilities. According to Constitution, no changes to the proposed meter stations or mainline valves have occurred. Therefore, the analysis provided in

¹¹¹ Constitution July 17, 2026 EIR No. 3. FERC Accession Number 20260717-5214.

¹¹² Constitution July 17, 2026 EIR No. 39. FERC Accession Number 20260717-5214.

¹¹³ Iroquois July 24, 2026 EIR No. 5. FERC Accession Number 20260724-5309.

section 4.11.1.3 of the FEIS remains valid. Iroquois stated that it was still assessing potential changes needed to update its air permit application. However, Iroquois performed an updated air dispersion analysis to demonstrate compliance with the current NAAQS for criteria pollutants and the NYSDEC's guideline concentrations for air toxics.¹¹⁴ Iroquois states that the modeling follows the NYSDEC's "DAR-10: Guidelines for Dispersion Modeling Procedures for Air Quality Impact Analysis" (from September 2020) and the EPA's "Guideline on Air Quality Models" (last updated November 2024).

The EPA's AERMOD (Version 24142) was used in the analysis,¹¹⁵ with the regulatory default options and 5 years (2018 to 2022) of hourly meteorological surface data and upper air observations collected at Albany County Airport in Albany, New York.

Iroquois first modeled to demonstrate compliance with the NAAQS by comparing the maximum ambient air quality impacts from new source emissions from the compressor facility with the EPA's Significant Impact Levels (SILs) for SO₂, PM_{2.5}, PM₁₀, NO₂, and CO. As shown in table B.6-2, the maximum modeled impacts for the new equipment at the Wright Compressor station were below the SIL for all pollutants except for the 1-hour NO₂ and 24-hour PM_{2.5} NAAQS (which is the same result as presented in the FEIS). No further analysis is required for pollutants and/or averaging periods with levels below SILs.

Table B.6-2 Air Dispersion Modeling Results for the Wright Compressor Station Modification			
Pollutant	Averaging Period	Modeled Maximum Concentration (ug/m³)	Significant Impact Level (ug/m³)
NO ₂	1-hour	22.26	7.5
	Annual	0.97	1
CO	1-hour	447.91	2,000
	8-hour	74.96	500
PM ₁₀	24-hour	3.15	5
PM _{2.5}	24-hour	2.10	1.2
	Annual	0.12	0.13
SO ₂	1-hour	0.02	7.8
	3-hour	0.10	25
	24-hour	0.01	5
	Annual	0.001	1
Source: Iroquois July 24, 2026 EIR No. 6. FERC Accession Number 20260724-5309. ug/m ³ = micrograms per cubic meter			

For the modeled impact for any pollutant and/or averaging period that exceeded the applicable SILs for the pollutant, a cumulative analysis was conducted to demonstrate compliance with the NAAQS. Cumulative modeling requires the following to be considered:

¹¹⁴ Iroquois July 24, 2026 EIR No. 6. FERC Accession Number 20260724-5309.

¹¹⁵ On July 9, 2026, the EPA issued a memorandum releasing AERMOD version 26135 to replace version 24142. This release occurred after the modeling effort for this Project began, and was not an available option at the time of development of this EA.

(1) the proposed compressor turbines and ancillary equipment; (2) existing facility sources; (3) other nearby background sources identified by the NYSDEC; and (4) monitored background concentrations to represent non-modeled sources.

Iroquois consulted with NYSDEC and its database to identify off-site source information to include in their cumulative modeling. For the 24-hour PM_{2.5} analysis, no other emission sources beyond the existing sources at the compressor station were identified within the Significant Impact Area. For the 1-hour NO₂ analysis, two facilities (Schoharie Quarry and Middleburgh Quarry) were identified as potential off-site background sources. Iroquois applied the 20D screening methodology, and both of the off-site facilities were screened out and were not required to be included in the cumulative analysis. As shown in table B.6-3, the cumulative modeling analysis demonstrates that emissions would not cause or contribute to a violation of any NAAQS. Further, although modeled concentrations are higher than presented in the FEIS, background concentrations are now less than in the FEIS, and the resulting total impact is less for both pollutants than projected in the FEIS.

Table B.6-3						
Cumulative Air Dispersion Modeling Results for the Wright Compressor Station Modification						
Pollutant	Averaging Period	Modeled Concentration (ug/m³)	Background Concentration (ug/m³)	Total (ug/m³)	NAAQS	Percent of NAAQS
NO ₂	1-hour	35.15	56.4	91.6	188	48.7%
PM _{2.5}	24-hour	1.90	20	21.9	35	62.6%
Source: Iroquois July 24, 2026 EIR No. 6. FERC Accession Number 20260724-5309. Modeled concentrations represent the 98 th percentile (8 th -highest), averaged over 3 years, matching the specific statistical form of the NAAQS for each applicable pollutant and averaging time. ug/m ³ = micrograms per cubic meter						

Iroquois also updated its modeling of air toxics emissions for the compressor facility's proposed combustion turbines and emergency generator in accordance with the NYSDEC's DAR-1 procedures using short-term and annual guideline concentrations to assess impacts. The initial screening level approach for modeling air toxics used an emission rate of 0.5 grams per second for each proposed combustion turbine and 1.0 gram per second for the emergency generator in AERMOD for individual runs and combined the greatest impacts over the five years of meteorology data for all sources. This approach is extremely conservative as the highest impacts for each source do not occur at the same receptor or during same time period. All short-term and annual concentrations were below screening levels and further analysis is not required (table B.6.4).

Table B.6-4 Short-term and Annual Guideline Concentrations Analysis for Hazardous Air Pollutants				
Hazardous Air Pollutants	Modeled 1-hour Concentration ($\mu\text{g}/\text{m}^3$)	Short-term Guideline Concentrations ($\mu\text{g}/\text{m}^3$)	Modeled Annual Concentration ($\mu\text{g}/\text{m}^3$)	Annual Guideline Concentrations ($\mu\text{g}/\text{m}^3$)
1,1 Dichloroethane	0.006	N/A	0.00003	0.63
1,1,2 Trichloroethane	0.008	N/A	0.00004	1.4
1,1,2,2 Tetrachloroethane	0.013	N/A	0.00006	16
1,2 Dichloroethane	0.006	N/A	0.00003	0.038
1,2 Dichloropropane	0.007	N/A	0.00003	4
1,3 Dichloropropene	0.006	N/A	0.00003	0.25
1,3 butadiene	0.337	N/A	0.00160	0.033
Acetaldehyde	1.43	470	0.00675	0.45
Acrolein	1.34	2.5	0.00635	0.35
Benzene	0.806	27	0.00382	0.13
Butyr/isobutyraldehyde	0.025	30	0.00012	N/A
Carbon Tetrachloride	0.009	1,900	0.00004	0.17
Chlorobenzene	0.007	N/A	0.00003	60
Chloroform	0.007	150	0.00003	14.7
Ethylbenzene	0.022	N/A	0.00031	1,000
Ethylene Dibromide	0.011	N/A	0.00005	0.0017
Formaldehyde	10.6	30	0.04970	0.06
Methanol	1.56	33,000	0.00738	4,000
Methylene Chloride	0.021	14,000	0.00010	46
Napthalene	0.050	7,900	0.00024	3
Polycyclic Aromatic Hydrocarbons	0.072	N/A	0.00034	0.01
Propylene Oxide	0.014	3,100	0.00028	0.27
Styrene	0.006	17,000	0.00003	1,000
Toluene	0.322	37,000	0.00135	5,000
Vinyl Chloride	0.004	180,000	0.00002	0.11
Xylenes	0.118	22,000	0.00068	100
N/A = No Short-term and Annual Guideline Concentrations listed.				

We conclude that there would be minor, long-term impacts on localized air quality due to an increase in criteria pollutants, and VOCs. However, the operational emissions for the Projects would not have a significant effect on air quality as the facilities would not cause a violation of the NAAQS, and due to Iroquois implementing manufacturer's recommendations and performance testing to monitor permitted emission limits.

6.4 Climate Change

We received comments regarding the Projects' impact on climate change and effects on consistency with state climate goals. Specifically, the GHG emissions from the Projects, as well as exploration, production, transport, and downstream end use combustion emissions from natural gas. Our discussion here is limited to construction and operational emissions of the Projects. Upstream and downstream GHG emissions are outside the scope of the environmental review for these Projects.¹¹⁶

Section 4.13.6.10 of the FEIS includes a robust discussion of what climate change is, the pollutants involved, and an analysis of the Projects in the context of climate change. Climate change is driven by accumulation of GHGs in the atmosphere. Since issuance of the FEIS, in 2017 and 2018, the U.S. Global Change Research Program¹¹⁷ (USGCRP) issued its *Climate Science Special Report: Fourth National Climate Assessment* Volumes I and II.¹¹⁸ This report and the report by the Intergovernmental Panel on Climate Change, *Climate Change 2021: The Physical Science Basis*, states that climate change has resulted in a wide range of effects across every region of the country and the globe. Those effects extend beyond atmospheric climate change alone and include changes to water resources, agriculture, ecosystems, human health, and ocean systems.¹¹⁹

GHG emissions do not result in proportional local and immediate effects; it is the combined concentration in the atmosphere that affects the global climate. These are fundamentally global effects that feed back to local and regional climate change effects. Thus, the geographic scope for analysis of GHG emissions is global, rather than local or regional. For example, a project 1 mile away emitting 1 ton of GHGs would contribute to climate change in a similar manner as a project 2,000 miles distant also emitting 1 ton of GHGs.

Climate change is a global phenomenon; however, for this analysis we will focus on the existing and potential climate change impacts in the area of the Projects. The USGCRP's Fourth Assessment Report continues to note observations of environmental impacts attributed to climate change similar to those identified in the FEIS. Specifically, in the Northeast region of the United States (which includes the area of the Projects in Pennsylvania and New York) the impacts include increased annual average temperatures, increased precipitation falling in heavy events, earlier snowmelt-related runoff, and ocean and coastal ecosystem effects.¹²⁰

¹¹⁶ Seven Cnty. Infrastructure Coal. V. Eagle Cnty., Colo., 605 U.S. 168, 186-90 (2025).

¹¹⁷ The U.S. Global Change Research Program was comprised of representatives from 13 federal departments and agencies and issued reports every 4 years that described the state of the science relating to climate change and the effects of climate change on different regions of the U.S. and on various societal and environmental sectors, such as water resources, agriculture, energy use, and human health.

¹¹⁸ USGCRP, Climate Science Special Report, Fourth National Climate Assessment | Volume I (Donald J. Wuebbles et al., eds.) (2017) (USGCRP Report Volume I) available at <https://repository.library.noaa.gov/view/noaa/19486>; U.S. Global Change Research Program, Fourth National Climate Assessment, Volume II Impacts, Risks, And Adaptation In The United States (David Reidmiller et al., eds.), (2018) (USGCRP Report Volume II); available at <https://repository.library.noaa.gov/view/noaa/19487>.

¹¹⁹ IPCC Report at SPM-5 to SPM-10.

¹²⁰ USGCRP Report Volume I and II.

The USGCRP's Fourth Assessment Report notes the following projections of climate change impacts in the Northeast with high or very high level of confidence:¹²¹

- precipitation in the Northeast is projected to be about 1 inch greater for December through April by end of century (2070–2100) under the higher scenario;
- temperatures are projected to increase by 5.1 °F by the 2090s under the worst-case scenario (continually increasing emissions) and would increase by 4.0 °F if emissions were decreased;
- by the middle of the century, the freeze-free period across much of the Northeast is expected to lengthen by as much as 2 weeks under the lower scenario and by 2 to 3 weeks under the higher scenario. By the end of the century, the freeze-free period is expected to increase by at least 3 weeks over most of the region;
- higher than average sea level rise along the Northeastern coast will occur due to land subsidence; and
- much of the infrastructure in the Northeast, including drainage and sewer systems, flood and storm protection assets, transportation systems, and power supply, is nearing the end of its planned life expectancy; climate-related disruptions will only exacerbate existing issues with aging infrastructure.

It should be noted that while the impacts described above taken individually may be manageable for certain communities, the impacts of compound extreme events (such as simultaneous heat and drought, wildfires associated with hot and dry conditions, or flooding associated with high precipitation on top of saturated soils) can be greater than the sum of the parts.¹²²

Emissions of GHGs are typically expressed in terms of CO₂e.¹²³ Since the issuance of the FEIS, the USEPA has revised the 100-year global warming potentials of several pollutants, including methane and nitrous oxide. Constitution recalculated the CPP's estimated construction-related GHG emissions which would decrease from that previously reported. The updated emissions would be 50,908 tons of CO₂e¹²⁴ as compared to the estimated emissions of 60,857 tons of CO₂e in the 2014 FEIS. Iroquois also updated the estimated construction related emissions for the WIP to be a total of 2,262 tons of CO₂e¹²⁵ (1,567 tons of CO₂e in 2027 and 695 tons of CO₂e in 2028). The estimated, combined construction related emissions for the Projects would be 53,170 tons of CO₂e (48,235 metric tons).

Constitution stated that operational emissions would not change from those reported in the FEIS and remain at 4,997 tons of CO₂e for the CPP from venting and fugitive emissions from the pipeline.¹²⁶ Iroquois provided updated operational emissions estimates for the Wright

¹²¹ USGCRP Report Volume II.

¹²² USGCRP Report Volume II.

¹²³ GHGs are converted to CO₂e by means of the GWP; the measure of a particular GHG's ability to absorb solar radiation; and its residence time within the atmosphere, consistent with the USEPA's established method for reporting GHG emissions for air permitting requirements that allows a consistent comparison with federal regulatory requirements.

¹²⁴ Constitution July 17, 2026 EIR No. 3. FERC Accession Number 20260717-5214.

¹²⁵ Iroquois July 24, 2026 EIR No. 3. FERC Accession Number 20260724-5309.

¹²⁶ FEIS at section 4.11.1.3 page 4-182.

Compressor Station identifying that existing facilities result in 64,496 tons per year of CO₂e and the proposed facilities would add 87,634 tons per year of CO₂e, for total facility emissions of 152,131 tons per year of CO₂e. Operational CO₂e emission as a result of the Projects combined are estimated to be 92,631 tons per year (84,033 metric tons per year) of CO₂e.

Construction and operation of the Projects would increase the atmospheric concentration of GHGs in combination with past, current, and future emissions from all other sources globally and contribute incrementally to future climate change impacts. To assess impacts on climate change associated with the Projects, Commission staff considered whether it could identify discrete physical effects resulting from the Projects' GHG emissions or compare the Projects' GHG emission to established targets designed to combat climate change.

To date, Commission staff have not identified a methodology to attribute discrete, quantifiable, physical effects on the environment resulting from a project's incremental contribution to GHGs. Without the ability to determine discrete resource effects, Commission staff are unable to assess the Projects' contribution to climate change through any objective analysis of physical effect attributable to the Projects. Additionally, Commission staff have not been able to find an established threshold for determining a project's significance when compared to established GHG reduction targets at the state or federal level. Ultimately, this EA is not characterizing the Projects' GHG emissions as significant or insignificant.¹²⁷ However, as we have done in prior NEPA analyses, we disclose the Projects' GHG emissions in comparison to national and state GHG emission inventories.

In order to provide context of the Projects' GHG emissions on a national level, we compare the Projects' GHG emissions to the total GHG emissions of the United States as a whole. At a national level, 5,489 million metric tons of CO₂e were emitted in 2022 (inclusive of CO₂e sources and sinks).¹²⁸ An average year of construction emissions from the Projects could potentially increase CO₂e emissions based on the national 2022 levels by 0.0009 percent;¹²⁹ in subsequent years, Projects' operation could result in a potential increase CO₂e emissions by 0.0015 percent based on the national 2022 levels.

To provide context on a state level, we compare the Projects' estimated GHG emissions to the state emission inventories. The Projects' construction and operational emissions would occur in Pennsylvania and New York. At a state level, Pennsylvania energy related CO₂ emissions in 2024 were 201.6 million metric tons.¹³⁰ New York energy related CO₂ emissions in

¹²⁷ See, e.g., *Driftwood Pipeline LLC*, 183 FERC ¶ 61,049, at P 63 (2023) ("...there currently are no accepted tools or methods for the Commission to use to determine significance, therefore the Commission is not herein characterizing these emissions...")

¹²⁸ USEPA 2024. Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2022 at ES-5 (Table ES-2). Available at: https://www.epa.gov/system/files/documents/2024-04/us-ghg-inventory-2024-chapter-executive-summary_04-16-2024.pdf. Accessed: July 2026.

¹²⁹ We conservatively assume all construction emissions would occur in a single calendar year; however, we acknowledge the proposals are to begin pipeline construction in fourth quarter of 2026 with a target in-service of May 2028.

¹³⁰ U.S. Energy Information Administration. 2026. Total CO₂ emissions from energy consumption, per capita CO₂ emissions, and carbon intensities, ranked by state, 2024. Available at: https://www.eia.gov/state/seds/sep_sum/html/pdf/rank_co2_capita.pdf. Accessed July 2026.

2024 were 163.7 million metric tons.¹³¹ Project construction could potentially increase CO₂ emissions based on statewide 2024 levels by 0.005 percent in Pennsylvania and 0.02 percent in New York. In subsequent years, Projects' operations could potentially increase CO₂e emissions based on the state 2024 levels by 0.00045 percent in Pennsylvania and 0.05 percent in New York.

We also typically compare a project's operational emissions in the context of state GHG reduction goals.¹³² At the time of this assessment, Pennsylvania set a target to achieve a 26% reduction in GHG emissions below 2005 levels by 2025 and an 80% reduction below 2005 levels by 2050.¹³³ Pennsylvania's 2005 baseline was approximately 281.6 million metric tons of CO₂e.¹³⁴ New York set a target to achieve a 40% reduction in GHG emissions below 1990 levels by 2030, no less than an 85% reduction below 1990 levels by 2050, and net-zero GHG emissions by 2050.¹³⁵ New York's 1990 baseline was approximately 207.3 million metric tons of CO₂e.¹³⁶ The Projects' estimated annual operational emissions would represent about 0.002 percent of Pennsylvania's 2050 target emissions and about 0.07 percent of New York's 2030 target emissions and about 0.3 percent of New York's 2050 target emission.¹³⁷

7.0 Noise

Construction and operation of the Projects are expected to generate noise impacts. We require that construction activities that could occur during nighttime hours should be performed with the goal that the activity contribute noise at a level at or below a day-night average sound level (L_{dn}) of 55 decibels on the A weighted scale (dBA) and 48.6 dBA equivalent sound level. The USEPA has indicated that an L_{dn} of 55 dBA protects the public from indoor and outdoor activity interference. We have adopted this criterion and use it to evaluate potential Project-related noise impacts at noise sensitive areas (NSA). We also require that during Project operation, the noise attributable to any new compressor station, compressor engine, or meter

¹³¹ U.S. Energy Information Administration. 2026. Total CO₂ emissions from energy consumption, per capita CO₂ emissions, and carbon intensities, ranked by state, 2024. Available at: https://www.eia.gov/state/seds/data.php?incfile=/state/seds/sep_sum/html/rank_co2_capita.html&sid=US. Accessed July 2026.

¹³² We reviewed the U.S. State Greenhouse Emission Targets site for individual state requirements at: <https://www.c2es.org/document/greenhouse-gas-emissions-targets/>.

¹³³ Id.

¹³⁴ U.S. Energy Information Administration. 2026. Total CO₂ emissions from energy consumption, per capita CO₂ emissions, and carbon intensities, ranked by state, 2024. Available at: https://www.eia.gov/state/seds/data.php?incfile=/state/seds/sep_sum/html/rank_co2_capita.html&sid=US. Accessed July 2026.

¹³⁵ We reviewed the U.S. State Greenhouse Emission Targets site for individual state requirements at: <https://www.c2es.org/document/greenhouse-gas-emissions-targets/>. No contextual comparisons are provided for net-zero targets.

¹³⁶ U.S. Energy Information Administration. 2026. Total CO₂ emissions from energy consumption, per capita CO₂ emissions, and carbon intensities, ranked by state, 2024. Available at: https://www.eia.gov/state/seds/data.php?incfile=/state/seds/sep_sum/html/rank_co2_capita.html&sid=US. Accessed July 2026.

¹³⁷ Pennsylvania's CO₂e emissions in 2005 were 281.6 million metric tons; therefore, we consider the 2050 target to be 56.3 million metric tons assuming an 80 percent reduction from 2005 levels. New York's CO₂e emissions in 1990 were 207.3 million metric tons; therefore, we consider the 2030 target to be 124.3 million metric tons assuming a 40 percent reduction from 1990 levels. We consider the 2050 target to be 31.1 million metric tons assuming an 85 percent reduction from 1990 levels.

station during full-load operation not exceed an L_{dn} of 55 dBA at any NSA. In general, a person's threshold of perception for a perceivable change in loudness on the A-weighted sound level is about 3 dBA, whereas a 6 dBA change is clearly noticeable, and a 9 dBA change is perceived as either twice or half as loud.

As discussed in the FEIS (section 4.11.2.2), Pennsylvania and New York do not have state regulations that would limit noise from construction or operation of the Projects. However, Susquehanna County has a land development ordinance that includes a quantitative sound level requirement. The Susquehanna County ordinance contains a requirement that noise from commercial or industrial development not exceed 50 dBA measured at the exterior of an occupied structure on a neighboring landowner's property.

7.1 Construction Noise Effects

Refer to section 4.11.2.3 of the FEIS for a discussion of noise impacts and mitigation for general pipeline construction.

As discussed in section 4.11.2.1 of the FEIS, Iroquois identified six NSAs within 0.5-mile radius of the WIP. Iroquois confirmed no new NSAs were identified near the WIP.¹³⁸ Iroquois stated that it would construct the WIP in the same manner as described in the section 4.11.2.3 of the FEIS. We concluded in the FEIS that construction of the WIP would not result in significant impacts on residents, and we reaffirm that conclusion.

Constitution conducted updated acoustical evaluations for construction of the proposed meter stations.¹³⁹ No new NSAs appear to be located within 0.5-mile of either the Turnpike Meter Station or the Westfall Meter Station. As a conservative assumption, Constitution has assumed that construction of the meter stations would occur during daytime and nighttime hours.

Table B.7-1 Estimated Construction Noise Levels at the Nearby (within 0.5 mile) NSAs to the Proposed CPP Meter Stations			
Nearby NSAs	Approximate Distance and Direction to NSA	Ambient (L_{dn}, dBA)	Estimated Construction Sound Level (L_{dn}, dBA) (mitigated)
Turnpike Meter Station			
1	2,140 feet NE	37.5	48.3
2 ^a	810 feet SW	40.2	54.5
3	1,840 ft NW	43.5	36.8
Westfall Meter Station			
1	1,640 feet NE	37.5	52.1
2	1,740 feet NW	42.1	50.6
Source: Constitution. July 22, 2026. EIR No. 1, Response No. 28. FERC Accession Number 20260722-5214.			
^a = NSA 2 was identified in the FEIS as NSA 1.			

The results of Constitution's updated noise analysis indicate that estimated sound levels during construction of the Turnpike Meter Station would not exceed an L_{dn} of 55 dBA at any

¹³⁸ Iroquois. May 26, 2026. EIR No. 7. FERC Accession Number 20260526-5245.

¹³⁹ Constitution. July 22, 2026. EIR No. 1, Response No. 28. FERC Accession Number 20260722-5214.

NSA with adherence to the specific noise mitigation recommendations included in the acoustical analysis (table B.7-1). Constitution has committed to adhere to the noise mitigation recommendations included in its acoustical analyses, or equivalent measures. The proposed mitigation recommendations at the Turnpike Meter Station include construction of a 22-foot-high barrier with a sound transmission class (STC) rating of 20 between the proposed Turnpike Meter Station and NSA 2.

The results of Constitution's updated noise analysis indicate that estimated sound levels during construction of the Westfall Meter Station would not exceed an L_{dn} of 55 dBA at any NSA (table B.7-1).

Trenchless Crossings

In the DEIS, Constitution initially conducted a noise analysis for seven HDDs. Between the DEIS, FEIS, and post authorization, Constitution revised its trenchless construction methods in response to stakeholder concerns and FERC staff requests. Constitution identified two trenchless crossings (Bennettsville and Schoharie Creeks) with changed NSA information and provided an updated acoustical analysis for these two trenchless crossings (table B.7-2).¹⁴⁰ Constitution would cross Bennettsville Creek via HDD and Schoharie Creek via Direct Pipe.

Table B.7-2 Estimated Construction Noise Levels at the Nearby (within 0.5 mile) NSAs to the Proposed CPP Trenchless Crossings					
Nearby NSAs	Approximate Distance and Direction to NSA	Ambient (L_{dn}, dBA)	Estimated Sound Level: HDD/Direct Pipe (L_{dn}, dBA) (mitigated)	Estimated Sound Level: Ambient + HDD/Direct Pipe (L_{dn}, dBA) (mitigated)	Increase Above Existing (dB)
Bennettsville Creek HDD					
NSA 1 Entry	905 feet E	50.0	51.5	53.8	3.8
NSA 2 Exit	1,135 feet S	52.6	44.1	53.2	0.6
NSA 3 Exit	2,450 feet W	57.0	40.5	57.1	0.1
NSA 4 Entry	940 feet SE	50.0	50.8	53.4	3.4
Schoharie Creek Direct Pipe					
NSA 1 Entry	186 feet NW	48.9	57.9	58.4	9.5
NSA 2 Entry	140 feet SE	46.0	57.5	57.8	11.8
NSA 3 Exit	950 feet NW	47.6	47.3	50.5	2.9
Source: Constitution. July 22, 2026. EIR No. 1, Response No. 28. FERC Accession Number 20260722-5214.					

The results of Constitution's updated noise analysis indicate that estimated sound levels during the HDD of Bennettsville Creek would not exceed 55 dBA L_{dn} at any NSAs with proposed mitigation measures (such as exhaust silencers, acoustical enclosures, and a 10-foot high sound barrier). Although the change in noise levels may be noticeable at NSAs 1 and 4 on

¹⁴⁰ Constitution. July 22, 2026. EIR No. 1, Response No. 28. FERC Accession Number 20260722-5214.

the entry side, we expect noise increases from HDD activities would not result in any significant effects.

The results of Constitution's updated noise analysis during the Direct Pipe crossing of Schoharie Creek indicates that estimated sound levels may exceed an L_{dn} of 55 dBA at NSAs 1 (entry) and 2 (entry), even with proposed mitigation measures (including exhaust silencers, acoustical enclosures, and a 40-foot high sound barrier around the entire workspace). The estimated 24-hour Direct Pipe noise at these NSAs could result in a clearly noticeable change from ambient conditions, with increases from 9.5 to 11.8 decibels. Constitution stated that for the Schoharie Creek Direct Pipe, it would continue to evaluate site-specific measures and coordinate with specific stakeholders to further minimize impacts. We find that Constitution has proposed measures to mitigate noise to the extent practical for this site, and noise impacts from this construction activity would be temporary. With implementation of the proposed mitigation measures and temporary construction duration, we find that noise impacts from Direct Pipe activities would not result in any significant effects.

However, given the need for mitigation measures at both the Bennettsville Creek HDD and Schoharie Creek Direct Pipe, and expected noise levels approaching or exceeding 55 dBA L_{dn} , **we recommend that any Commission Order approving the CPP include a mandatory condition requiring that Constitution perform noise monitoring during the drills to demonstrate that actual construction noise effects do not exceed those anticipated** (see section D, recommended condition no. 48).

The FEIS and 2014 Order included a condition requiring Constitution to file site-specific plans detailing noise mitigation measures that would be implemented to ensure noise levels attributable to Direct Pipe activities would not exceed an L_{dn} of 55 dBA and/or increase noise over ambient conditions great than 10 decibels (dB) at any NSA. Since issuance of the FEIS, Constitution has updated construction methodologies over the history of the CPP. Therefore, **we recommend that any Commission Order approving the CPP include a condition that requires a final identification of all HDD and Direct Pipe crossings and a mitigation plan for each entry and exit site (except the Bennettsville Creek HDD and Schoharie Creek Direct Pipe) to ensure nighttime noise impacts would be less than 55 dBA L_{dn} at each (NSA)** (see section D, recommended condition no. 49).

Based on the analyses conducted, mitigation measures proposed, and our recommendations, we conclude that construction of the CPP would not result in significant noise impacts on residents, and the surrounding communities.

7.2 Operational Noise Impacts

As discussed in section 4.11.2.3 of the FEIS, Constitution's operational noise would include daily operation of the meter stations and infrequent blowdown events at the mainline valves. The operational increase in sound identified below would be for the life of the CPP.

Constitution conducted updated acoustical evaluations for operation of the proposed meter stations.¹⁴¹ The updated ambient noise and estimated noise during operations of both meter stations are discussed below.

Meter Stations

The results of Constitution's updated noise analysis indicate that estimated sound levels at the proposed Turnpike and Westfall Meter Stations would not exceed an L_{dn} of 55 dBA at any NSA during operation with adherence to the specific noise mitigation recommendations included in the acoustical analyses (table B.7-3) and would not be significant. Constitution has committed to adhere to the noise mitigation recommendations included in its acoustical analyses, or equivalent measures. The proposed mitigation recommendations include:

- a maximum sound level of 95 dBA at 3 feet for valves and piping through the use of quiet valve trims, piping insulation, or removal noise blankets; and
- buildings would have minimum STC ratings of 29 for the ceiling and walls, 30 STC for the door, and the interior walls and ceiling would have an acoustical absorptive treatment of a minimum noise reduction coefficient (NRC) rating of 0.85.

Table B.7-3 Estimated Operational Noise Estimates at the Nearby (within 0.5 mile) NSAs to the Proposed CPP Meter Stations				
Nearby NSAs	Approximate Distance and Direction to NSA	Ambient Ldn (dBA)	Estimated Sound Level of Meter Station (Ldn, dBA)	Estimated Sound Level: Ambient + Meter Station Operations (Ldn, dBA) (mitigated)
Turnpike Meter Station				
1	2,140 feet NE	37.5	9.4	37.5
2 ^a	810 feet SW	40.2	20	40.2
3	1,840 ft NW	43.5	2.2	43.5
Westfall Meter Station				
1	1,640 feet NE	37.5	14.7	37.5
2	1,740 feet NW	42.1	12.2	42.1
Source: Constitution. July 22, 2026. EIR No. 1, Response No. 28. FERC Accession Number 20260722-5214.				
^a = NSA 2 was identified in the FEIS as NSA 1.				

Operation of the CPP Meter Stations would not result in a perceptible noise increase or exceed our criteria. Noise from planned or unplanned blowdown events could exceed our noise criteria but would be infrequent and of relative short duration. Based on the analyses conducted and mitigation measures proposed, we conclude that operation of the CPP would not result in significant noise effects.

¹⁴¹ Constitution. July 22, 2026. EIR No. 1, Response No. 28. FERC Accession Number 20260722-5214.

WIP

Iroquois stated that it would operate the WIP in the same manner as described in the section 4.11.2.3 of the FEIS. Iroquois verified that no new NSAs were identified within 1 mile of the WIP.¹⁴² While Iroquois reaffirmed its commitment to meet the 2014 Order conditions, it is our recommendation that condition no. 43 of the 2014 Order, which required completion of noise surveys after placing the authorized units at the Wright Compressor Station into service, apply to the WIP.

We concluded in the FEIS that operation of the WIP, with the mitigation proposed and our recommendation, would not result in significant noise effects, and we reaffirm that conclusion.

8.0 Reliability and Safety

The transportation of natural gas by pipeline involves some incremental risk to the public due to the potential for an accidental release of natural gas. In the event of a release, natural gas readily disperses into the atmosphere because it is buoyant at atmospheric temperatures. The greatest hazard is a fire or explosion following a major pipeline rupture. Methane, the primary component of natural gas, is colorless, odorless, and tasteless. It is not toxic, but is classified as a simple asphyxiate, possessing a slight inhalation hazard.

8.1 Safety Standards

FERC evaluates the siting of the natural gas facilities under the authority of the Natural Gas Act, while the USDOT is mandated to prescribe minimum safety standards to protect against risks posed by natural gas facilities as indicated in section A.5,¹⁴³ and as discussed in section 4.12.1 of the FEIS. Risks are ameliorated by design and safety regulations mandated by the USDOT that must be implemented by Constitution and Iroquois. FERC's regulations at 18 CFR 157.14(a)(10)(vi) require that an applicant or petitioner certify that either: (1) the proposed pipeline and aboveground facilities will be designed, installed, inspected, tested, constructed, operated, replaced, and maintained in accordance with the Pipeline Hazardous Materials Safety Administration (PHMSA) Federal Pipeline Safety Regulations in 49 CFR 192, as well as implement plans for maintenance and inspection; or (2) the applicant or petitioner has been granted a waiver of the safety standards by the USDOT in accordance with the provisions of section 3(e) of the Natural Gas Pipeline Safety Act of 1968. The regulations within 49 CFR 192 are intended to ensure adequate protection for the public and to prevent natural gas facility accidents and failures. The PHMSA specifies material selection and qualification; minimum design requirements; and protection from internal, external, and atmospheric corrosion.

Several commenters identify concern regarding the pipeline's proximity to their residence, with at least one commenter asking for a minimum set-back distance for siting the pipeline from residences. Instead of set-back distances, PHMSA regulations address safety concerns of pipelines near residences by defining area classifications based on population density near pipeline facilities and specify more rigorous safety requirements for populated areas. The

¹⁴² Iroquois. May 26, 2026. EIR No. 7. FERC Accession Number 20260526-5245.

¹⁴³ Pipeline Safety Statutes in Title 49 United States Code Chapter 601.

class locations unit is an area that extends 220 yards on either side of the centerline or any continuous 1-mile length of pipeline.¹⁴⁴ Table B.8-1 provides a summary of class locations crossed by the CPP. Compared to the FEIS, the number and length of Class 2 areas of the CPP decreased. Three segments of Class 3 areas in Schoharie County, New York discussed in section 4.12.1 of the FEIS, are now classified as Class 1.

Table B.8-1 DOT Classifications along the CPP			
DOT Classification	Begin MP	End MP	Approximate Length (miles)
1	0.0	27.7	27.7
2	27.7	27.9	0.2
1	27.9	51.8	23.9
2	51.8	52.1	0.3
1	52.1	75.0	23.0
2	75.0	75.3	0.2
1	75.3	77.4	2.1
2	77.4	77.6	0.2
1	77.6	116.9	39.3
2	116.9	117.2	0.2
1	117.2	124.6	7.5
Source: Constitution July 17, 2026 EIR No. 29. FERC Accession Number 20260717-5214.			

We received comments about the potential effects of a pipeline rupture and natural gas ignition. The DOT has published rules that define high consequence areas (HCAs) where a gas pipeline accident could do considerable harm to people and their property and requires an Integrity Management Program to minimize the potential for an accident. This definition satisfies, in part, the Congressional mandate for the DOT to prescribe standards that establish criteria for identifying each gas pipeline facility in a high-density population area. The two ways that a high consequence area (HCA) can be identified are discussed in section 4.12.1 of the FEIS. Table B.8-2 lists the HCAs and moderate consequence areas (MCAs) for the CPP, which have been determined based on the relationship of the pipeline centerline to nearby structures.

Table B.8-2 Location of High Consequence Areas and Moderate Consequence Areas for the CPP					
Begin MP	End MP	Length (miles)	Source	Method	HCA Type
0.0	5.0	5.0	Non HCA	2	N/A
5.0	6.2	1.1	Dwelling MCA	MCA	Cluster of 5+ BIHO
6.2	6.4	0.2	Non HCA	2	N/A
6.4	6.8	0.5	Dwelling MCA	MCA	Cluster of 5+ BIHO
6.8	10.5	3.7	Non HCA	2	N/A
10.5	11.1	0.6	Dwelling MCA	MCA	Cluster of 5+ BIHO
11.1	14.3	3.2	Non HCA	2	N/A

¹⁴⁴

See 49 CFR 192 for the class location definitions.

Table B.8-2 Location of High Consequence Areas and Moderate Consequence Areas for the CPP					
Begin MP	End MP	Length (miles)	Source	Method	HCA Type
14.3	14.7	0.4	Dwelling MCA	MCA	Cluster of 5+ BIHO
14.7	21.5	6.8	Non HCA	2	N/A
21.5	22.1	0.6	Dwelling MCA	MCA	Cluster of 5+ BIHO
22.1	26.9	4.8	Non HCA	2	N/A
26.9	27.3	0.4	Dwelling MCA	MCA	Cluster of 5+ BIHO
27.3	27.5	0.2	Non HCA	2	N/A
27.5	28.1	0.6	Dwelling MCA	MCA	Cluster of 5+ BIHO
28.1	28.8	0.7	Non HCA	2	N/A
28.8	29.3	0.5	Dwelling MCA	MCA	Cluster of 5+ BIHO
29.3	32.6	3.3	Non HCA	2	N/A
32.6	33.2	0.6	Dwelling MCA	MCA	Cluster of 5+ BIHO
33.2	34.4	1.2	Non HCA	2	N/A
34.4	34.9	0.6	Dwelling MCA	MCA	Cluster of 5+ BIHO
34.9	35.0	0.1	Non HCA	2	N/A
35.0	35.5	0.5	Dwelling MCA	MCA	Cluster of 5+ BIHO
35.5	36.5	1.0	Non HCA	2	N/A
36.5	37.2	0.7	Dwelling MCA	MCA	Cluster of 5+ BIHO
37.2	40.8	3.6	Non HCA	2	N/A
40.8	41.1	0.4	Dwelling MCA	MCA	Cluster of 5+ BIHO
41.1	41.5	0.4	Non HCA	2	N/A
41.5	42.4	0.9	Dwelling MCA	MCA	Cluster of 5+ BIHO
42.4	42.7	0.3	Non HCA	2	N/A
42.7	43.2	0.5	Dwelling MCA	MCA	Cluster of 5+ BIHO
43.2	47.3	4.1	Non HCA	2	N/A
47.3	47.9	0.6	Dwelling MCA	MCA	Cluster of 5+ BIHO
47.9	51.6	3.7	Non HCA	2	N/A
51.6	52.2	0.6	Dwelling MCA	MCA	Cluster of 5+ BIHO
52.2	55.3	3.1	Non HCA	2	N/A
55.3	55.9	0.5	Dwelling MCA	MCA	Cluster of 5+ BIHO
55.9	56.4	0.6	Non HCA	2	N/A
56.4	56.9	0.5	Dwelling MCA	MCA	Cluster of 5+ BIHO
56.9	61.4	4.4	Non HCA	2	N/A
61.4	61.9	0.6	Dwelling MCA	MCA	Cluster of 5+ BIHO
61.9	71.6	9.7	Non HCA	2	N/A
71.6	72.0	0.5	Dwelling MCA	MCA	Cluster of 5+ BIHO
72.0	74.8	2.8	Non HCA	2	N/A
74.8	76.2	1.4	Dwelling MCA	MCA	Cluster of 5+ BIHO
76.2	77.2	1.1	Non HCA	2	N/A
77.2	77.9	0.7	Dwelling MCA	MCA	Cluster of 5+ BIHO
77.9	78.0	0.1	Non HCA	2	N/A

Table B.8-2 Location of High Consequence Areas and Moderate Consequence Areas for the CPP					
Begin MP	End MP	Length (miles)	Source	Method	HCA Type
78.0	78.5	0.5	Dwelling MCA	MCA	Cluster of 5+ BIHO
78.5	80.2	1.7	Non HCA	2	N/A
80.2	80.8	0.6	Dwelling MCA	MCA	Cluster of 5+ BIHO
80.8	80.8	0.1	Non HCA	2	N/A
80.8	81.2	0.3	Dwelling MCA	MCA	Cluster of 5+ BIHO
81.2	81.7	0.5	Non HCA	2	N/A
81.7	82.3	0.6	Dwelling MCA	MCA	Cluster of 5+ BIHO
82.3	82.7	0.4	Non HCA	2	N/A
82.7	83.2	0.5	Dwelling MCA	MCA	Cluster of 5+ BIHO
83.2	84.5	1.3	Non HCA	2	N/A
84.5	85.1	0.6	Dwelling MCA	MCA	Cluster of 5+ BIHO
85.1	86.5	1.5	Non HCA	2	N/A
86.5	87.0	0.5	Dwelling MCA	MCA	Cluster of 5+ BIHO
87.0	87.9	0.9	Non HCA	2	N/A
87.9	88.5	0.7	Dwelling MCA	MCA	Cluster of 5+ BIHO
88.5	91.2	2.7	Non HCA	2	N/A
91.2	91.8	0.6	Dwelling MCA	MCA	Cluster of 5+ BIHO
91.8	92.1	0.3	Non HCA	2	N/A
92.1	92.6	0.5	Dwelling MCA	MCA	Cluster of 5+ BIHO
92.6	97.5	4.9	Non HCA	2	N/A
97.5	97.9	0.5	Dwelling MCA	MCA	Cluster of 5+ BIHO
97.9	100.2	2.2	Non HCA	2	N/A
100.2	101.2	1.1	Dwelling MCA	MCA	Cluster of 5+ BIHO
101.2	101.4	0.2	Non HCA	2	N/A
101.4	103.1	1.7	Dwelling MCA	MCA	Cluster of 5+ BIHO
103.1	104.7	1.6	Non HCA	2	N/A
104.7	105.2	0.5	Dwelling MCA	MCA	Cluster of 5+ BIHO
105.2	105.7	0.5	Non HCA	2	N/A
105.7	106.1	0.3	Dwelling MCA	MCA	Cluster of 5+ BIHO
106.1	111.5	5.4	Non HCA	2	N/A
111.5	111.9	0.4	Dwelling MCA	MCA	Cluster of 5+ BIHO
111.9	115.0	3.1	Non HCA	2	N/A
115.0	115.6	0.6	Dwelling MCA	MCA	Cluster of 5+ BIHO
115.6	116.6	1.1	Non HCA	2	N/A
116.6	117.3	0.6	Dwelling MCA	MCA	Cluster of 5+ BIHO
117.3	117.8	0.6	Identify HCA, Dwelling MCA	2	Identified site
117.8	119.5	1.7	Non HCA	2	N/A
119.5	119.9	0.4	Dwelling MCA	MCA	Cluster of 5+ BIHO

Table B.8-2 Location of High Consequence Areas and Moderate Consequence Areas for the CPP					
Begin MP	End MP	Length (miles)	Source	Method	HCA Type
119.9	120.5	0.6	Identify HCA, Dwelling MCA, Proximity MCA	2	Identified site
120.5	121.9	1.4	Proximity MCA, Dwelling MCA	MCA	Cluster of 5 + BIHO and PAR
121.9	124.6	2.8	Non HCA	2	N/A
Source: Constitution July 17, 2026 EIR No. 29. FERC Accession Number 20260717-5214. BIHO = Buildings Intended for Human Occupancy PAR = Principle Arterial Roadway See also section 4.12.1 of the FEIS.					

Mainline valve spacing and rupture mitigation valves (RMVs) would be determined in accordance with DOT regulations.¹⁴⁵

8.2 Facility Design

The Projects would be designed, constructed, operated, and maintained in accordance with the DOT Minimum Federal Safety Standards in 49 CFR Part 192 and other applicable federal and state regulations. The regulations are intended to ensure adequate protection for the public and to prevent natural gas facility accidents and failures. The DOT specifies material selection and qualification; minimum design requirements; and protection from internal, external, and atmospheric corrosion.

We received a comment that the maximum recommended distance for pigs of a natural gas pipeline is 100 miles, therefore, the proposed pipeline would require more than one pig launcher. As stated above, Constitution would be required to adhere to the internal inspection standards as regulated by DOT Minimum Federal Safety Standards in 49 CFR Part 192.

8.3 Emergencies

The DOT prescribes the minimum standards for operating and maintaining pipeline and aboveground natural gas facilities, including the requirement to establish a written plan governing these activities as outlined in section 4.12.1 of the FEIS. Constitution and Iroquois would provide the appropriate training to local emergency service personnel before the Projects are placed in service.

PHMSA requires each operator to establish and maintain liaison with appropriate fire, police, and public officials to learn the resources and responsibilities of each organization that may respond to a natural gas pipeline emergency, and to coordinate mutual assistance. The

¹⁴⁵ See Pipeline Safety: Requirement of Valve Installation and Minimum Rupture Detection Standards, RIN 2137-AF06.

operator must also establish a continuing education program to enable customers, the public, government officials, and those engaged in excavation activities to recognize a gas pipeline emergency and report it to appropriate public officials. Constitution and Iroquois would provide the appropriate training to local emergency service personnel before the pipeline is placed in service.

With continued compliance with DOT safety standards, operation, and maintenance requirements, we conclude that the Projects would represent a minimum increase in risk to the public.

SECTION C – ALTERNATIVES

We considered and/or evaluated alternatives to the Projects to determine if they would be reasonable and preferable to the proposed action while meeting the projects' objectives. We received comments from stakeholders regarding parcel-specific routing concerns and also comments where a routing concern was not explicitly mentioned, but specific localized resources were identified which may benefit from potential route modifications.

We also received comments regarding energy conservation and efficiency, non-natural gas energy alternatives, system alternatives, major and minor route alternatives such as collocation with Interstate 88, and aboveground facility alternatives. These alternative groups were all addressed in the FEIS in sections 3.1.1, 3.1.2, 3.2, 3.3, 3.4.1, 3.4.2, and 3.5, respectively. We considered whether new information or circumstances exist for these groups of alternatives that could render the analyses in the FEIS obsolete and concluded that the analyses in the FEIS are still valid. As such, energy conservation and efficiency, non-natural gas energy alternatives, system alternatives, major and minor route alternatives, and aboveground facility location alternatives are not considered further in this EA. Further, we received a stakeholder comment regarding the use of electric compressors for the WIP instead of natural gas turbines.

The alternatives considered and/or evaluated include the no-action alternative, minor route variations, and the use of electric compressors for the WIP.

1.0 No-Action Alternative

NEPA requires the Commission to consider and evaluate the No-Action Alternative. In instances involving federal decisions on proposals for projects, no-action would mean the proposed activity would not take place and the resulting environmental effects from taking the No-Action Alternative would be compared with the effects of authorizing the proposed activity.

Under the No-Action Alternative, Constitution and Iroquois would not construct any component of the Projects and, consequently, would be unable to meet the stated purpose and need. We have prepared this EA to inform the Commission and stakeholders about the expected impacts that would occur if the Projects were constructed and operated. Based on our analysis in section B of this EA, we do not recommend the No-Action Alternative; however, the Commission will determine whether the Projects are required by the public convenience and necessity and could choose the No-Action Alternative.

We have not identified any reasonably foreseeable negative environmental effects of not implementing the proposed action, as it is speculative to predict whether alternative projects may be proposed to meet customers' needs under a no-action alternative.

2.0 Evaluation Process

The criteria used for selecting a potentially environmentally preferable alternative (i.e., minor route variation) are: (1) the ability to meet the Projects' objectives; (2) technical and economic feasibility and practicality; and (3) whether it provides a significant environmental advantage over the proposed Projects. Alternatives that would not meet the Projects' objective

or would not be feasible would not be brought forward to the next level of review (i.e., the third evaluation criterion).

Our evaluation of the identified or potential alternatives is based on Project-specific information provided by stakeholders; the Petitioners; publicly available information; and our expertise and experience regarding the construction of natural gas transmission facilities and their potential impacts on the environment.

Through environmental comparison and application of our professional judgement, each alternative is considered to a point where it becomes clear if the alternative could or could not meet the three evaluation criteria. Where applicable, our environmental analysis and this evaluation consider quantitative data (e.g., emissions, acreage, mileage). Ultimately, an alternative that results in equal or minor advantages in terms of environmental impact would not compel us to shift the impacts from the current set of landowners to a new set of landowners.

3.0 Minor Route Variations

Based on landowner comments, we evaluated the potential for minor route variations which are much smaller in scale than major or minor route alternatives. Typically, they are shorter in length and involve minor shifts in the pipeline alignment to avoid a site-specific resource issue or concern. These site-specific issues, filed by stakeholders in the docket, included proximity to homes and property boundaries; avoidance of forested land, waterbodies, wetlands, slopes, and agricultural areas; and impacts on other construction-related, environmental, or landowner concerns.

Numerous minor route variations were assessed in section 3.4.3 of the FEIS. As noted in the FEIS, numerous minor route variations were incorporated into the CPP route during the pre-filing period and prior to and after issuance of the draft EIS. Further, we recommended adoption of multiple additional minor route variations in the FEIS as detailed in FEIS tables 3.4.3-1, 3.4.3-2, and 3.4.3-3. Constitution also adopted minor route variations as part of its Implementation Plan and approved variances following the 2014 Order as described in detail in section A.5.

Since the suspension of the CPP's construction activities in 2017, parcel-specific environmental concerns could have changed and new landowners obtained ownership of the right-of-way and work areas. As a result of these changes, landowners and stakeholders filed comments requesting reroutes or identifying parcel-specific resources that would be impacted by the CPP. We assessed these comments and determined that 23 were suitable for further consideration and analysis, however we did not identify any superior routing alternatives as a result. We considered and evaluated each applicable comment and reviewed available information and mapping.

The 23 commentors stated that the CPP would result in effects on environmental or other resources on their property; were unclear about whether their property was affected; were unaware of the CPP, a CPP easement, or that the CPP could be revived; or that they had not been afforded an adequate opportunity to comment.¹⁴⁶ While some of the comments could potentially

¹⁴⁶ For example, see landowner comments at FERC Accession Numbers 20260120-5000, 20260126-5078, 20260129-5089, and 20260325-5110.

be addressed by parcel-specific avoidance, minimization, or mitigation measures, other comments could potentially benefit from a minor route variation addressing their specific concerns. Some commentors were engaged with the CPP process before and during development of the FEIS and others recently acquired a CPP-easement encumbered property, including after vacatur of the CPP Certificate. We requested Constitution to confirm whether Constitution was in communication with applicable commentors regarding parcel-specific concerns and/or stated effects on environmental resources. Additionally, where we were able to confirm that commentors could be directly affected landowners, we separately requested Constitution in EIR No. 2 to address landowner comments regarding parcel-specific concerns and/or stated effects on environmental resources.

Constitution clarified which landowners would be directly affected and provided limited information for each applicable commentor in its response to EIR No. 2.¹⁴⁷ Constitution indicated that coordination with affected landowners would be initiated or continued to address parcel-specific concerns. In order to ensure that applicable landowner, parcel-specific comments are adequately resolved, **we recommend that any Commission Order approving the CPP include a mandatory condition requiring Constitution to fully describe details regarding resolution status, and where applicable, a description of mitigation plans or relevant alignment shifts** (see section D, recommended condition no. 50).

4.0 Electric Compressors Alternative for the WIP

We received a comment from an interested party stating that natural gas turbines should not be utilized for the WIP and should be replaced with electric-powered compressors.¹⁴⁸ We requested that Iroquois evaluate the feasibility of using electric-driven compressors at the WIP instead of natural-gas-fueled compressors. Iroquois responded,¹⁴⁹ stating that the use of electric compressors was infeasible due to the extended time (approximately 6 years) and cost (approximately 32 million dollars for construction and approximately 4.5 million dollars annually for electric service) of upgrading the necessary power lines to the existing Wright Compressor Station. The new power lines would be approximately 3 miles long. We conclude that while the use of electric compressors would be technically feasible, it would not be economically practical and would not meet WIP's objectives due to the increased time. Furthermore, we cannot conclude that the alternative would provide a significant environmental advantage due to the required powerline construction and in light of the current proposal's demonstrated compliance with the NAAQS.

5.0 Contractor Yard Alternatives

We received a comment from a commentor requesting that a contractor yard¹⁵⁰ be relocated south of I-88 and closer to the construction right-of-way. The commentor suggested the refuse area used by the NY DOT at I-88 exit 18. The FEIS reviewed Constitution's proposed contractor yards and found them environmentally acceptable and would not result in significant

¹⁴⁷ Constitution July 10, 2026 Response to EIR No. 2. FERC Accession Numbers 20260710-5208.

¹⁴⁸ FERC Accession Number 20260129-5243.

¹⁴⁹ Iroquois July 10, 2026 Data Request No. 2. FERC Accession Number 20260710-5195.

¹⁵⁰ The commentor did not specify which contractor yard, but we presume based on the context of the comment, the commentor is referring to the Spread 5 contractor yard.

effects. Choosing an alternative site would potentially transfer the effects from one nearby stakeholder to another. We have determined that the proposed contractor yards would still be acceptable and not result in significant effects.

6.0 Conclusion

After reviewing the alternatives to the Projects, we conclude that except for the potential minor route variations as discussed above, none of the other alternatives would satisfy the evaluation criteria. Ultimately, the Commission will make a determination (based on all factors considered, both environmental and non-environmental) whether the proposed Projects are in the public convenience and necessity, and whether, on balance, the environmental effects are acceptable.

SECTION D – STAFF’S CONCLUSIONS AND RECOMMENDATIONS

Based on the analysis in this EA, we have determined that if the Petitioners construct and operate the Projects in accordance with their Petitions and supplemental information, approval of the Projects would not constitute a major federal action significantly affecting the quality of the human environment. We recommend that the Commission’s Order contain a finding of no significant impact. The FEIS recommended a series of environmental conditions which were adopted in the Commission’s 2014 Order. We have reviewed the FEIS and the 2014 Order and continue to recommend that these same environmental conditions where applicable, with some minor modifications, be included in any Certificates the Commission may issue. We note that Constitution previously committed to adopt the minor route variations in recommended condition nos. 11 – 13, complied with nos. 14 and 37, and agreed in its 2015 Implementation Plan to implement many of the remaining recommended mitigation measures; however, they are included below for purposes of continuity and to facilitate any necessary updates. Additionally, we recommend seven new conditions. Two conditions are no longer applicable and were deleted below.

1. The Petitioners (Constitution Pipeline Company, LLC and Iroquois Gas Transmission, L.P., jointly) shall each follow the construction procedures and mitigation measures described in their application and supplements, including responses to staff data requests and as identified in the EA, unless modified by the Order. The Petitioners must:
 - a. request any modification to these procedures, measures, or conditions in a filing with the Secretary of the Commission (Secretary);
 - b. justify each modification relative to site-specific conditions;
 - c. explain how that modification provides an equal or greater level of environmental protection than the original measure; and
 - d. receive approval in writing from the Director of the OEP, or the Director’s designee before using that modification.
2. The Director of OEP, or the Director’s designee, has delegated authority to address any requests for approvals or authorizations necessary to carry out the conditions of the Order, and take whatever steps are necessary to ensure the protection of environmental resources during construction and operation of the projects. This authority shall allow:
 - a. the modification of conditions of the Order;
 - b. stop-work authority; and
 - c. the imposition of any additional measures deemed necessary to ensure continued compliance with the intent of the conditions of the Order as well as the avoidance or mitigation of unforeseen adverse environmental effects resulting from projects construction and operation.
3. **Prior to any construction**, the Petitioners shall each file an affirmative statement with the Secretary, certified by a senior company official, that all company personnel, environmental inspectors (EIs), and contractor personnel will be informed of the EIs’ authority and have been or will be trained on the implementation of the environmental

mitigation measures appropriate to their jobs **before** becoming involved with construction and restoration activities.

4. The authorized facility locations shall be as shown in the 2014 FEIS and described in the EA (including all previously approved modifications referenced in EA section A.5), as supplemented by filed alignment sheets. **As soon as they are available, and before the start of construction**, the Petitioners shall file any revised detailed survey alignment maps/sheets at a scale not smaller than 1:6,000 with station positions for all facilities approved by the Order. All requests for modifications of environmental conditions of the Order or site-specific clearances must be written and must reference locations designated on these alignment maps/sheets.

Constitution's exercise of eminent domain authority granted under Natural Gas Act (NGA) Section 7(h) in any condemnation proceedings related to the Order must be consistent with these authorized facilities and locations. Constitution's right of eminent domain granted under NGA Section 7(h) does not authorize it to increase the size of its natural gas pipeline to accommodate future needs or to acquire a right-of-way for a pipeline to transport a commodity other than natural gas.

5. The Petitioners shall file detailed alignment maps/sheets and aerial photographs at a scale not smaller than 1:6,000 identifying all route realignments or facility relocations, and staging areas, contractor yards, new access roads, and other areas that would be used or disturbed and have not been previously identified in filings with the Secretary. Approval for each of these areas must be explicitly requested in writing. For each area, the request must include a description of the existing land use/cover type, and documentation of landowner approval, whether any cultural resources or federally listed threatened or endangered species would be affected, and whether any other environmentally sensitive areas are within or abutting the area. All areas shall be clearly identified on the maps/sheets/aerial photographs. Each area must be approved in writing by the Director of OEP, or the Director's designee, **before construction in or near that area**.

This requirement does not apply to extra workspace allowed by the Commission's *Upland Erosion Control and Maintenance Plans* and/or minor field realignments per landowner needs and requirements which do not affect other landowners or sensitive environmental areas such as wetlands.

Examples of alterations requiring approval include all route realignments and facility location changes resulting from:

- a. implementation of cultural resources mitigation measures;
 - b. implementation of endangered, threatened, or special concern species mitigation measures;
 - c. recommendations by state regulatory authorities; and
 - d. agreements with individual landowners that affect other landowners or could affect sensitive environmental areas.
6. **Within 60 days of the acceptance of the Certificate and before construction begins**, the Petitioners shall file their respective Implementation Plans for review and written approval

by the Director of OEP, or the Director's designee. The Petitioners must file revisions to their plans as schedules change. The plans shall identify:

- a. how the Petitioners will implement the construction procedures and mitigation measures described in its application and supplements (including responses to staff data requests), identified in the 2014 FEIS and EA, and required by the Order;
 - b. how the Petitioners will incorporate these requirements into the contract bid documents, construction contracts (especially penalty clauses and specifications), and construction drawings so that the mitigation required at each site is clear to onsite construction and inspection personnel;
 - c. the number of EIs assigned, and how the company will ensure that sufficient personnel are available to implement the environmental mitigation;
 - d. company personnel, including EIs and contractors, who will receive copies of the appropriate material;
 - e. the location and dates of the environmental compliance training and instructions the Petitioners will give to all personnel involved with construction and restoration (initial and refresher training as the projects progress and personnel change) with the opportunity for OEP staff to participate in the training sessions;
 - f. the company personnel (if known) and specific portion of the Petitioners' organization having responsibility for compliance;
 - g. the procedures (including use of contract penalties) the Petitioners will follow if noncompliance occurs; and
 - h. for each discrete facility, a Gantt or PERT chart (or similar project scheduling diagram), and dates for:
 - (1) the completion of all required surveys and reports;
 - (2) the environmental compliance training of onsite personnel;
 - (3) the start of construction; and
 - (4) the start and completion of restoration.
7. Beginning with the filing of its Implementation Plan, Constitution shall file updated status reports with the Secretary on a **weekly basis until all construction and restoration activities are complete**. Iroquois shall file updated status reports with the Secretary on a **monthly basis until construction and restoration activities are complete**. On request, these status reports will also be provided to other federal and state agencies with permitting responsibilities. Status reports shall include:
- a. an update on the Petitioners' efforts to obtain the necessary federal authorizations;
 - b. the construction status of the projects, work planned for the following reporting period, and any schedule changes for stream crossings or work in other environmentally sensitive areas;
 - c. a listing of all problems encountered and each instance of noncompliance observed by the EIs during the reporting period (both for the conditions imposed by the Commission and any environmental conditions/permit requirements imposed by other federal, state, or local agencies);
 - d. a description of corrective actions implemented in response to all instances of noncompliance;
 - e. the effectiveness of all corrective actions implemented;

- f. a description of any landowner/resident complaints that may relate to compliance with the requirements of the Order, and the measures taken to satisfy their concerns; and
 - g. copies of any correspondence received by the Petitioners from other federal, state, or local permitting agencies concerning instances of noncompliance, and the Petitioners' response.
- 8. The Petitioners must receive written authorization from the Director of OEP, or the Director's designee, **before commencing construction of any project facilities**. To obtain such authorization, the Petitioners must file with the Secretary documentation that it has received all applicable authorizations required under federal law (or evidence of waiver thereof).
- 9. The Petitioners must receive written authorization from the Director of OEP, or the Director's designee, **before placing their respective projects into service**. Such authorization will only be granted following a determination that rehabilitation and restoration of the right-of-way and other areas affected by the projects are proceeding satisfactorily.
- 10. **Within 30 days of placing the authorized facilities in service**, each Petitioner shall file an affirmative statement with the Secretary, certified by a senior company official:
 - a. that the facilities have been constructed in compliance with all applicable conditions, and that continuing activities will be consistent with all applicable conditions; or
 - b. identifying which of the Certificate conditions the Applicant has complied or will comply with. This statement shall also identify any areas affected by the projects where compliance measures were not properly implemented, if not previously identified in filed status reports, and the reason for noncompliance.
- 11. Constitution shall adopt the minor route variations and/or modifications of construction methods for the tracts specified in table 3.4.3-1 and as depicted in Appendix H-2A of the EIS (except for TRK# 478.0 as identified in Constitution's October 31, 2014 filing). As part of its Implementation Plan, Constitution shall file with the Secretary updated alignment sheets incorporating these minor route variations and modifications of construction methods **prior to the start of construction**. (*section 3.4.3.2 of the FEIS*)
- 12. Constitution shall adopt the minor route variations and/or modifications of construction methods for the tracts specified in table 3.4.3-2 and as depicted in Appendix H-2B of the EIS (except for TRK#s 892.0, 893.0, 902.0, 895.0, 897.0, 898.0, as identified in Constitution's October 31, 2014 filing). As part of its Implementation Plan, Constitution shall file with the Secretary updated alignment sheets incorporating these minor route variations, and modifications of construction methods, **prior to the start of construction**. (*section 3.4.3.2 of the FEIS*)
- 13. Constitution shall adopt the minor route variation for tracts UA-NY-CH-015.001, NY-CH-015.000, and NY-CH-016.000 as specified in table 3.4.3-3 and as depicted in Appendix H-3A of the EIS. Constitution shall file updated alignment sheets incorporating this minor

- route variation with the Secretary **prior to the start of construction.** (*section 3.4.3.3 of the FEIS*)
14. **Prior to construction,** Constitution shall file with the Secretary all outstanding geotechnical feasibility studies for trenchless crossing locations. (*section 4.1.1.2 of the FEIS*)
 15. Constitution shall adopt the recommendations and mitigation measures for steep slope and karst areas provided in the Geological Reconnaissance Memorandum dated October 4, 2013. (*section 4.1.3.4 of the FEIS*)
 16. Constitution shall employ a geotechnical expert to identify and develop mitigation measures (where applicable) regarding potential landslide hazards during construction of the pipeline. (*section 4.1.3.4 of the FEIS*)
 17. Constitution shall adhere to a maximum allowable construction equipment rutting depth of 4 inches in saturated agricultural areas, where Constitution has not segregated topsoil across the full right-of-way width. (*section 4.2.4 of the FEIS*)
 18. **Prior to conducting any agricultural restoration between October 1 and May 15,** Constitution shall determine soil workability in consultation with the FERC, the New York State Department of Agriculture and Markets, and the agricultural inspector (AI) for all New York agricultural parcels. (*section 4.2.4 of the FEIS*)
 19. **Prior to construction,** Constitution shall file with the Secretary the location of all water wells and springs within 150 feet of the pipeline and aboveground facilities. (*section 4.3.1.5 of the FEIS*)
 20. **Prior to construction,** Constitution shall file with the Secretary the results of water wells, waterbodies, and wetlands surveys for all proposed contractor yards not previously filed, as well as the status of any required agency consultations. (*section 4.3.2 of the FEIS*)
 21. Constitution shall not permanently fill any waterbodies or wetlands for the use of access roads. (*section 4.3.3.1 of the FEIS*)
 22. **During construction of the project,** Constitution shall not clear any trees between the workspaces for Direct Pipe entry and exit sites [or horizontal directional drill (HDD), if subsequently proposed]. To facilitate the use of the Direct Pipe (or HDD) tracking system or acquisition of water for makeup of the Direct Pipe (or HDD) slurry, Constitution may employ minor brush clearing, less than 3 feet wide between workspaces, using hand tools only. During operation, Constitution shall not conduct any routine vegetation maintenance in these areas. (*section 4.4.3 of the FEIS*)
 23. **Prior to construction,** Constitution shall file with the Secretary a final Migratory Bird and Upland Forest Plan developed in consultation with the U.S. Fish and Wildlife Service, the New York State Department of Environmental Conservation, the Pennsylvania Department of Conservation and Natural Resources, and the PGC. The final plan shall include a discussion of compliance with the Migratory Bird Treaty Act and Bald and Golden Eagle

Protection Act; and measures to avoid, reduce, or minimize unavoidable impacts on forests and migratory birds. *(section 4.5.3.1 of the FEIS)*

24. Constitution shall conduct invasive species monitoring within the maintained right-of-way **for 3 years** following successful completion of revegetation as determined by the FERC staff based on the FERC staff's post-construction monitoring inspections. Constitution shall file a report documenting the monitoring results after the 3 year period. Constitution shall not move mowing and maintenance equipment from an area where known invasive species have been encountered during operation of the project unless it is cleaned prior to moving. *(section 4.5.4 of the FEIS)*
25. **Prior to construction**, Constitution shall file with the Secretary the final, complete results of its invasive plant surveys and the planned locations of weed wash stations for review and written approval by the Director of OEP, or the Director's designee. *(section 4.5.3 of the FEIS)*
26. **Immediately prior to any vegetation clearing to be conducted between April 1 and August 31**, Constitution shall conduct nest surveys for birds of conservation concern performed by qualified personnel within areas proposed for clearing. *(section 4.6.1.3 of the FEIS)*
27. **Prior to in-stream blasting at any waterbody crossing**, Constitution shall file with the Secretary, for review and approval by the Director of OEP, of the Director's designee, a site-specific Blasting Plan that provides protocols for in-stream blasting and the protection of the fisheries and aquatic resources and habitat. These plans shall be developed in consultation with applicable state resource agencies. *(section 4.6.2.3 of the FEIS)*
28. Constitution shall not withdraw water from Starrucca Creek outside of the PFBC-recommended in-stream work window of June 16 through February 28, or shall file with the Secretary the PFBC approval to withdraw water outside this window. **Prior to construction**, Constitution shall also file with the Secretary copies of consultation with the NYSDEC regarding the potential to withdraw water from Oquaga, Ouleout, Kortright, and Schoharie Creeks, as well as any timing restrictions placed on water withdrawal at those locations. *(section 4.6.2.3 of the FEIS)*
29. **Prior to construction**, Constitution shall develop a project- and site-specific tree clearing plan for the northern myotis if clearing occurs between April 1 and September 30 that includes the location of any potential roost trees in or adjacent to the construction corridor, and as applicable incorporate the identified mitigation measures in section 4.7.2 of the final EIS. This plan shall be filed with the Secretary for review and written approval by the Director of OEP, or the Director's designee. *(section 4.7.2 of the FEIS)*
30. **Prior to construction**, Constitution shall file with the Secretary, for review and approval by the Director of OEP, or the Director's designee, impact avoidance, minimization, and/or mitigation measures (e.g., utilization of trenchless crossing methods or mussel relocation) in consultation with the FWS, the PFBC, the PGC, the PADCNr, and the NYSDEC for any dwarf wedgemussels encountered during field surveys and/or construction. *(section 4.7.2 of the FEIS)*

31. **Prior to construction,** Constitution shall file with the Secretary the results of its completed Northern monkshood surveys and Constitution's consultation with the FWS and the NYSDEC regarding the results. Constitution shall file the avoidance/minimization measures it would use in the event that Northern monkshood are found either prior to or during construction, including:
 - a. avoidance of plant locations and associated habitat, as feasible, including "necking-down" or reducing construction footprint;
 - b. the feasibility of conventional boring, direct pipe, or HDD; and
 - c. the feasibility of transplanting and seed banking (only after all other options are considered). *(section 4.7.2 of the FEIS)*
32. Constitution shall not begin construction of the proposed facilities **until**:
 - a. all outstanding biological surveys have been completed;
 - b. the FERC staff completes any necessary Section 7 consultation with the FWS; and
 - c. Constitution and Iroquois have received written notification from the Director of OEP that construction and/or use of mitigation (including implementation of conservation measures) may begin. *(section 4.7.2 of the FEIS)*
33. **Prior to construction,** Constitution shall file with the Secretary for review and written approval by the Director of OEP, or the Director's designee, the final bald eagle survey results, as well as the final bald eagle mitigation plan, developed in consultation with the FWS, the PGC, and the NYSDEC. The mitigation plan shall include impact avoidance or effective impact minimization or mitigation measures for any nests encountered during the pre-construction surveys. Specific mitigation, or approval from the applicable agencies, shall be included for potential blasting within 0.5 mile of an active nest. *(section 4.7.3 of the FEIS)*
34. **Prior to construction,** Constitution shall develop impact avoidance, minimization, or mitigation measures in coordination with the FWS and the PGC for construction between April 1 and October 31 to minimize impacts on the small-footed bat, silver haired bat, and little brown bat. Constitution shall file any such measures with the Secretary for review and written approval by the Director of OEP, or the Director's designee. *(section 4.7.3 of the FEIS)*
35. **Prior to construction,** Constitution shall file with the Secretary the results of any outstanding surveys for New York and Pennsylvania state-listed species and identify additional mitigation measures developed in consultation with the applicable state agencies. *(section 4.7.4 of the FEIS)*
36. **Prior to construction,** Constitution shall file with the Secretary an updated classification of the current use of the twelve unsurveyed structures identified in table 4.8.3-1 of the EIS within 50 feet of the construction work area. If any of the structures are found to be occupied residences, site-specific plans shall be developed and filed with the Secretary for review and written approval by the Director of OEP, or the Director's designee. Also, Constitution shall provide an updated site-specific plan for tract **ALT-F-NY-SC-011.000**

at milepost 96.7 that includes adequate impact avoidance, minimization, or mitigation measures for the septic field. *(section 4.8.3.1 of the FEIS)*

37. **Prior to construction**, Constitution shall confirm the distance and location of the subdivision at MP 99.3 in relation to the pipeline, and provide a site-specific plan if within 50 feet of the construction work area. *(section 4.8.3.1 of the FEIS)*
38. **Prior to construction**, Constitution shall file with the Secretary for review and written approval by the Director of OEP, or the Director's designee, an impact avoidance, minimization, or mitigation plan for specialty crops (e.g., the sugar bush operation at MP 79.5), in consultation with the landowner. *(section 4.8.4.2 of the FEIS)*
39. **No more than 60 days following the authorization of in-service**, Constitution shall file with the Secretary for review and written approval by the Director of OEP, or the Director's designee, site-specific reports for each of the five sites identified in table 4.8.4-6 of the EIS describing follow-up impact assessments, description of mitigation or visual screening measures, or justification for why no such mitigation measures were required. *(section 4.8.6.2 of the FEIS)*
40. *Condition 40 of the 2014 Order and as discussed in section 4.9.6 of the FEIS was deleted because it was superseded by current FERC policy.*
41. Constitution shall **not begin** implementation of any treatment plans/measures (including archaeological data recovery); construction of facilities; or use of staging, storage, or temporary work areas and new or to-be-improved access roads **until**:
 - a. Constitution files with the Secretary outstanding cultural resources survey and evaluation reports, any necessary treatment plans, site specific protection plans, and the Pennsylvania Historical and Museum Commission's and New York State Office of Parks, Recreation and Historic Preservation's comments, as appropriate, on the reports and plans;
 - b. Constitution provides documentation that it has provided cultural resources reports to the Native American Tribes which have requested them;
 - c. the Advisory Council on Historic Preservation is provided an opportunity to comment on the undertaking if historic properties would be adversely affected; and
 - d. the FERC staff reviews and the Director of OEP approves all cultural resources survey reports and plans, and notifies Constitution in writing that treatment plans/mitigation measures may be implemented or construction may proceed.

All material filed with the Secretary containing **location, character, and ownership information** about cultural resources must have the cover and any relevant pages therein clearly labeled in bold lettering: **"CONTAINS PRIVILEGED INFORMATION - DO NOT RELEASE."** *(section 4.10.4 of the FEIS)*

42. *Condition 42 of the 2014 Order and as discussed in section 4.11.2.3 of the FEIS was deleted as it was replaced by condition nos. 48 and 49.*

43. Iroquois shall file a noise survey with the Secretary **no later than 60 days** after placing the authorized units at the Wright Compressor Station in service. If a full load condition noise survey is not possible, Iroquois shall provide an interim survey at the maximum possible horsepower load and provide the full load survey **within 6 months**. If the noise attributable to the operation of all of the equipment at the Wright Compressor Station under interim or full horsepower load conditions exceeds an L_{dn} of 55 dBA at any nearby NSAs, Iroquois shall file a report on what changes are needed and shall install the additional noise controls to meet the level **within 1 year** of the in-service date. Iroquois shall confirm compliance with the above requirement by filing a second noise survey with the Secretary **no later than 60 days** after it installs the additional noise controls. (*section 4.11.2.3 of the FEIS*)
44. Constitution **shall not** be authorized to utilize permanent access road PAR-1. **Prior to construction, and as part of its Implementation Plan**, Constitution shall file with the Secretary for review and written approval by the Director of OEP, or the Director's designee, revised alignment sheets and Project mapping that shows the removal of PAR-1 from the Project. (*section B.5*)
45. Constitution shall shift the pipeline centerline to avoid the structures listed in table B.5-1 and maintain a 10-foot buffer between the structure and the workspace. If Constitution is unable to maintain a 10-foot buffer, it shall submit documentation of landowner concurrence with the plans. **Prior to construction**, Constitution's pipeline shifts shall be filed with the Secretary for review and written approval by the Director of OEP, or the Director's designee, as part of its Implementation Plan. (*section B.5*)
46. **Prior to construction**, Constitution shall file evidence of landowner concurrence with site-specific construction plans for construction workspace within 10 feet of a structure for the structures listed in table B.5-6. If Constitution is unable to obtain concurrence, Constitution shall file revised site-specific construction plans that maintain a 10-foot buffer between the structure and Project workspace. (*section B.5*)
47. **Prior to construction**, Constitution shall file with the Secretary, for review and written approval by the Director of OEP, or the Director's designee, a site-specific residential construction plan for the residence at MP 102.8. Constitution shall document its coordination with the landowner in developing the plan, including any landowner comments on the plan. (*section B.5*)
48. **During HDD and Direct Pipe construction** with NSAs within 0.5 mile of the entry or exit location, Constitution shall monitor noise levels, document the noise levels in the biweekly status reports, and restrict the noise attributable to the drilling operations to no more than an L_{dn} of 55 dBA at the NSAs. (*section B.7*)
49. **Prior to construction**, Constitution shall file with the Secretary a complete list of all HDD and Direct Pipe crossings, the NSAs within 0.5 mile of each entry and exit location, and updated acoustical analyses for each crossing (except for the Bennettsville Creek HDD and Schoharie Creek Direct Pipe crossings). For each HDD and Direct Pipe crossing with NSAs within 0.5 mile of the entry or exit location, the updated analysis shall identify the existing and projected noise levels at each NSA. If noise attributable to the HDD or Direct

Pipe crossing is projected to exceed a day-night sound level (L_{dn}) of 55 decibels on the A-weighted scale (dBA) at any NSA, Constitution shall file a mitigation plan to reduce the projected noise levels to an L_{dn} of 55 dBA at the NSAs, for review and written approval by the Director of OEP, or the Director's designee. (*section B.7*)

50. Constitution shall file with the Secretary: a) a full description of the landowner/stakeholder concerns based on updated coordination, b) an indication of whether the landowner/stakeholder concern has been resolved, c) a description of how it was resolved including documentation of landowner approval for any workspace/centerline modifications (if applicable), or d) alternately if resolution has not been achieved, an explanation of any remaining issues and Constitution's plan for the parcel and accommodation of landowner/stakeholder concerns, including documentation of landowner approval for any workspace/centerline modifications (if applicable), to the extent feasible. This information, for each of the parcels (and comment FERC Accession Numbers) listed below, should be filed with the Implementation Plan for review and approval by the Director of OEP, or the Director's designee:

- a. ALT-R-NY-SC-023.000 (20260129-5089);
- b. ALT-R-NY-SC-009.000 (20260325-5110);
- c. NY-DE-111.000 (20260202-0011);
- d. ALT-B-NY-BR-002.001, -002.000, and -003.000 (20260420-5224);
- e. NY-DE-130.000 (20260120-5000);
- f. NY-SC-066.000 (20260126-5078);
- g. UA-NY-SC-067.004.AR (20260127-5125);
- h. NY-SC-006.000 (20260128-5059);
- i. NY-DE-155.000 and NY-DE-155.007 (20260129-5330);
- j. NY-DE-072.000A (20260126-5139);
- k. ALT-R-NY-SC-020.000 (20260127-5127);
- l. ALT-O-NY-SC-014.000 and/or ALT-O-NY-SC-013.010 (20260127-5153);
- m. NY-DE-197.000 (20260129-5013);
- n. NY-DE-122 and -123 (20260129-5124);
- o. ALT-O-NY-SC-014.001 (20260128-5040);
- p. ALT-Q-NY-SC-034.000 (20260421-5002);
- q. ALT-A-PA-SU-014.000 and -020.000 (20260429-5128);
- r. ALT-S-PA-SU-007.002 (20260430-5180);
- s. ALT-Q-NY-SC-022.000 (20260501-5392);
- t. ALT-O-NY-SC-016.000, ALT-O-NY-SC-017.000, NY-SC-160.000 (20260504-5049);
- u. NY-SC-149.001 (20260504-5356);
- v. NY-DE-126.001 (20260202-0004); and
- w. ALT-Q-NY-SC-020.000 (20260504-5271). (*section C.3*)

Appendix A
List of Preparers

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B.A., Biological Sciences, University of Delaware, 1999

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M.S., Energy Policy and Climate Change, John Hopkins University, 2015

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Stantec Consulting Services Inc. is a third party contractor assisting the Commission staff in reviewing the environmental aspects of the project(s) application(s) and petitions and preparing the environmental documents required by NEPA. Third party contractors are selected by Commission staff and funded by project applicants. Per the procedures in 40 CFR 1506.5(c), third party contractors execute a disclosure statement specifying that they have no financial or other conflicting interest in the outcome of the project(s). Third party contractors are required to self-report any changes in financial situation and to refresh their disclosure statements annually. The Commission staff solely directs the scope, content, quality, and schedule of the contractor's work. The Commission staff independently evaluates the results of the third-party contractor's work and the Commission, through its staff, bears ultimate responsibility for full compliance with the requirements of NEPA.

Appendix B

References

APPENDIX B – REFERENCES

- Federal Energy Regulatory Commission (FERC). 2014. Final Environmental Impact Statement for the Constitution Pipeline and Wright Interconnect Projects. Available at: https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20141024-4001&optimized=false&sid=02ecfccf-a257-4cef-817e-3f7cadfdeb7a. Accessed July 2026.
- New York State Natural Heritage Program (NYSNHP). 2026. Spatterdock Darner. Available at: <https://guides.nynhp.org/spatterdock-darner/>. Accessed June 25, 2026.
- New York State Department of Environmental Conservation (NYSDEC). 2014. Letter dated May 21, from Nicholas Conrad (NYSDEC) to Greg Hufnagel (AECOM).
- Town of Schoharie. 2025. Amazon – October 13-15 2025 Submission. Available at: https://www4.schohariecounty-ny.gov/PdfFiles/TSCH/Oct15_2025.zip. Accessed August 11, 2026.

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CP13-499-006 and CP13-502-003_EA_CPP and WIP.pdf1