



**Statement of Bridget Brady, Communications & Advocacy Coordinator to the Delaware Riverkeeper, the Delaware Riverkeeper Network
On behalf of the Delaware Riverkeeper Network
July 27, 2017 to the NYSDEC
Regarding the Millennium ESU pipeline project.**

Because so many people tonight have stated that FERC's review of Millennium's Eastern System Upgrade Project should put us at ease, I would like to reiterate the story of the Orio Pipeline Project that Maya van Rossum told earlier tonight.

In the case of Orion, it is clear that FERC:

- deliberately and intentionally excised an analysis of a viable, technically feasible, and environmentally preferable alternative, which involved substantive issues that materially implicated Pennsylvania's legal permitting obligations for the Orion Project,
- without providing any reason or explanation,
- and that through this action, FERC was intentionally seeking to inappropriately influence permitting decisions in order to secure the outcome sought by the Pipeline company, as opposed to the outcome that was best for the environment or the state.

FERC's demonstrated ability and willingness to conceal vital and pertinent information from a permitting state agency supports the Delaware Riverkeeper Network's concern that FERC and Millennium are using the same tactics in New York, advancing significant misrepresentations of the ESU project in an effort to secure permits and other authorizations from the NYSDEC under false pretenses.

In light of these facts, in addition to the evidence that the Delaware Riverkeeper Network has previously submitted to your office regarding the significant environmental and community impacts of this project, NYSDEC should reject, outright, any permits and/or approvals for the Millennium ESU and the Valley Lateral Project.

In addition, we urge you to use your position on the Delaware River Basin Commission to urge them to reverse their decision not to exercise jurisdiction over this project, and to, once that decision is reversed, to reject the project out of hand as being a total misrepresentation of the project and its impacts to the water resources of the basin.

The impact of the Millennium ESU even as proposed, mandates NYSDEC denial of Clean Water Act 401 Certification.

As discussed and documented in the Delaware Riverkeeper Network's comments for the record, Millennium will have serious and unacceptable impacts on water quality and the Dwarf Wedgemussel in the Neversink River. The staging, drilling, and permanent removal of mature riparian forest on the steep slopes to

accommodate the pipeline ROW and HDD will directly cause increases in suspended sediments and turbidity, water temperature, and nutrients, all in violation of New York State water quality standards.

In addition, the staging, drilling and permanent removal of riparian forest on the steep slopes will exacerbate violations of pH water quality standards.

We urge NYSDEC to reject all permits and approvals for the Millennium ESU – air permits and water approvals alike.