

17-1164

**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**

NATIONAL FUEL GAS SUPPLY CORPORATION and EMPIRE PIPELINE,
INC.,

Petitioners,

v.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION, BASIL SEGGOS, Commissioner, New York State
Department of Environmental Conservation, JOHN FERGUSON, Chief Permit
Administrator, New York State Department of Environmental Conservation.

Respondents,

SIERRA CLUB,

Intervenor.

On Petition for Review from the
New York State Department of Environmental Conservation

**PROOF BRIEF OF *AMICI CURIAE* NATURAL RESOURCES DEFENSE
COUNCIL, WATER DEFENSE, PECONIC BAYKEEPER, AND
WATERKEEPER ALLIANCE IN SUPPORT OF RESPONDENTS**

Kimberly Ong
NATURAL RESOURCES DEFENSE
COUNCIL
40 West 20th Street
New York, NY 10011
(212) 727-4443
Counsel for Amici Curiae

Albert K. Butzel
ALBERT K. BUTZEL LAW OFFICES
1125 Park Ave, 9E
New York, NY 10128
(212) 831-9146
Of Counsel for Amici Curiae