

No. _____

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

NY/NJ BAYKEEPER, FOOD & WATER WATCH, NATURAL
RESOURCES DEFENSE COUNCIL, PROTECTORS OF PINE OAK
WOODS, SIERRA CLUB, AND SURFRIDER FOUNDATION
Petitioners,

v.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION; AMANDA LEFTON, COMMISSIONER, NEW
YORK STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION,
Respondents.

PETITION FOR REVIEW

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Pursuant to Section 19(d) of the Natural Gas Act, 15 U.S.C. § 717r(d)(1), and Rule 15(a) of the Federal Rules of Appellate Procedure, Raritan Baykeeper, Inc., d/b/a NY/NJ Baykeeper, Food & Water Watch, Natural Resources Defense Council, Protectors of Pine Oak Woods, Sierra Club, and Surfrider Foundation (“Petitioners”) hereby petition the United States Court of Appeals for the Second Circuit for review of the New York State Department of Environmental Conservation’s decision dated November 7, 2025 to grant the application of Transcontinental Gas Pipe Line Company, LLC (“Transco”) for a water quality certification under Section 401 of the federal Clean Water Act, 33 U.S.C. § 1341 (Permit ID 2-9902-00109/00009), in connection with Transco’s Northeast Supply Enhancement (“NESE”) interstate natural gas pipeline project, which received a certificate of public convenience and necessity under the Natural Gas Act, 15 U.S.C. § 717f(c). The New York State Department of Environmental Conservation’s decision is attached hereto as Exhibits A and B.

DATED: November 18, 2025

Respectfully submitted,

/s/ Moneen Nasmith

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DISCLOSURE STATEMENT

In accordance with Rule 26.1 of the Federal Rules of Appellate Procedure, Petitioners make the following disclosures:

Petitioner Raritan Baykeeper, Inc., d/b/a NY/NJ Baykeeper is a nonprofit membership-based organization with a mission to protect, preserve, and restore the ecological integrity and productivity of the NY-NJ Harbor Estuary. NY/NJ Baykeeper has no parent companies, and there are no publicly held companies that have a ten percent (10%) or greater ownership interest in NY/NJ Baykeeper.

Petitioner Food & Water Watch is a 501(c)(3) not-for-profit organization founded in 2005 to ensure access to clean drinking water, safe and sustainable food, and a livable climate. Food & Water Watch has no parent companies, and there are no publicly held corporations that have a ten percent or greater ownership interest in Food & Water Watch.

Protectors of Pine Oak Woods is a Staten Island-based 501(c)(3) non-profit environmental preservation organization established in 1975. Protectors of Pine Oak Woods is not publicly traded, has no parent

companies, and has no publicly held companies with a 10% or greater ownership interest in Protectors of Pine Oak Woods.

Petitioner Sierra Club, a corporation organized and existing under the laws of the State of California, is a national nonprofit organization dedicated to the protection and enjoyment of the environment. Sierra Club is a non-governmental corporate party with no parent corporation, and there are no publicly held corporations that have a ten percent or greater ownership in Sierra Club.

Petitioner Surfrider Foundation is a non-profit environmental organization dedicated to the protection and enjoyment of the world's ocean, waves, and beaches, for all people. Surfrider has no parent companies, and there are no publicly held companies that have a ten percent or greater ownership interest in Surfrider.

Petitioner Natural Resources Defense Council (NRDC) is a non-profit environmental and public health organization committed to protecting the public and environment through research and advocacy. NRDC has no parent corporation, and no publicly owned corporation has a ten percent or greater ownership interest in NRDC.

CERTIFICATE OF SERVICE

In accordance with Federal Rule of Appellate Procedure 25, the undersigned certifies that, on November 18, 2025, a copy of this Petition for Review and exhibits was served on the Respondents via email, to which Respondents agreed in advance, as listed below.

Anthony Luisi
Deputy Commissioner and General Counsel
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The undersigned additionally certifies that on November 18, 2025, a copy of this Petition for Review and exhibits were served via U.S. mail on Transcontinental Gas Pipe Line Company, LLC at the addresses listed below, and that no other parties were admitted to participate in the agency proceedings below.

Joseph Dean
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DATED: November 18, 2025 /s/ Moneen Nasmith
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